

EAST WHITELAND TOWNSHIP
REGULAR MEETING
June 8, 2016

William Holmes, Chair, called the meeting to order at 7:05 p.m. Richard Orlow, Vice Chair, Susan Drummond, Member, Joseph McGrory, Township Solicitor, John Nagel, Township Manager, Bill Steele, Asst. Township Manager, Gene Dooley, Police Chief, Cathy Palmer, Finance Director, Scott Greenly, Director of Planning & Zoning, and Maureen Turley, Township Secretary were present. There were twenty (20) people in the audience at the start of the meeting.

Everyone recited the Pledge of Allegiance.

Mr. Holmes stated that the Board conducted an Executive Session prior to the meeting to discuss legal issues.

APPROVAL OF MINUTES

Mr. Orlow made a motion to approve the Minutes of the Regular Meeting of May 11, 2016 as amended. Ms. Drummond seconded and the vote was unanimous.

ANNOUNCEMENTS

- Public Works Facility – Open House – June 18th from 10 am to 2 pm
- EWTVFC Fundraising Event – Wednesday June 22nd from 4pm to 10pm at Carrabbas Restaurant, Lincoln Court Shopping Center, 245 Lancaster Avenue
- Chester County Household Hazardous Waste Event: to be held on Friday, June 24th, at Coatesville Learning Ctr, 1625 E. Lincoln Hgwy, Coatesville, PA 9 am to 3 pm, NO ELECTRONICS WILL BE ACCEPTED - for acceptable items go to www.chestercswa.org/documentcenter/view/1475
- East Whiteland Township Summer Recreation Program will begin June 27th thru July 29th at K. D. Markley School, 8:30 am to 11:30 am. Please register no later than June 20th
- East Whiteland Township's monthly Board of Supervisors meetings are currently broadcast on Comcast Channel 15 on Sundays at 9 am. We also stream our meeting broadcasts on www.municipalmeeting.com. We have applications in to both Comcast and Verizon to expand our broadcast frequency.

PUBLIC COMMENT

None

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Gary Sheridan, President, EWT Volunteer Fire Association, stated that they responded to 141 calls, 43 fire and 98 EMS incidents in May. There were 22 overlapping incidents and 20 false alarms. Last month's fire at Oak Hill Circle was estimated to be \$110,000 loss. Also a camper fire on Swedesford Road was also significant.

Jenna Rowla was introduced. She recently completed the National Fire One certification program at Montgomery County Fire Academy. She received the highest grade point average in the class. The Board congratulated Ms. Rowla for her accomplishment.

EMTs' Matt Cole, Jared Dalmas and Greg Lewis and Kevin Skyma were recognized by the Chester County EMS Council.

Bill Steele, Public Works Director, stated that the Flat Road sewer project has been delayed. A bid for the Wilburdale pump stations sewer project has been advertised.

Ken Battin, Fire Marshal, reminded everyone that the summer season can have major storms and, if people are interested, they can sign up at ChescoReady.org for emergency announcements. He advised that the FEMA check should be forthcoming. Also, there will be a five county regional simulation training with Homeland Security to be held in Upper Merion Township.

John Nagel, Township Manager, stated that his report has been submitted.

ACCEPTANCE OF THE TREASURER'S REPORT

Cathy Palmer, Director of Finance provided an overview of the Treasurer's report as of May 31st. She stated that we are at 33% of the budget. The building permits are at 22% of budget. She stated that the staff are holding the line on expenses. Ms. Drummond made a motion to accept the Treasurer's Report as of May 31, 2016. Mr. Orlow seconded and the vote was unanimous.

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Orlow made a motion to ratify the payment of bills as of June 8, 2016. Ms. Drummond seconded and the vote was unanimous.

PRESENTATION BY WILLIAMS GAS PIPELINE

Mike Bedinet, Public Outreach and Brian Ham, Project Manager presented an overview of the Northeast Supply Enhancement Project. He stated that Williams Company owns and operates the Transco pipeline within the township. They will be adding an electric motor driven compressor unit at their property. By law, they are required to notify any landowners within a half mile radius of their location. Discussion ensued.

NEW BUSINESS

a. 2016 Street improvement bid – Mr. Steele advised that he will be re-bidding this project. Mr. Orlow made a motion to authorize the re-bidding of this project to obtain a more favorable price. Ms. Drummond seconded and the vote was unanimous.

b. Consider ratification of Property & Liability Insurance Renewal - Mr. Nagel advised that our insurance renewed with Delaware Valley Insurance Trust on June 1st. There were three submission: one from the current insurer and the other two companies were new. Mr. Nagel advised that the cost component shows that Delaware Valley Insurance Trust was not the least expensive in the first year; however, he felt that overall based on their representation over 20 years it is the best deal. The focus used for review were cost, coverage, risk of premium increases, public sector strength, and sewer pipeline coverage. Over a 20 year period, the Trust had 30% savings of the gross costs. Mr. Orlow asked that we review during the next year or so the benefits of the Delaware Valley Insurance Trust for the proposed dividend savings. Ms. Drummond made a motion to approve the Delaware Valley Insurance Trust for the Property & Liability Insurance effective June 1, 2016. Mr. Orlow seconded and vote was unanimous.

c. Approval of Settlement Stipulation – Centocor Assessment Appeal – 260 Great Valley Parkway. – Mr. McGrory explained that this is a standard settlement agreement and that the Board would just be required to execute it. Mr. Orlow made a motion to approve the Settlement Stipulation for Centocor at 260 Great Valley Parkway. Ms. Drummond seconded and vote was unanimous.

d. Consider a Resolution to Amend the Sterling Act (to require that up to 1% of the Phila. Wage Tax paid by non-residents to remit to their municipality. Mr. McGrory gave some background on the Sterling Act. It was his opinion that the legislature would not pass the resolution even though support is growing. Ms. Drummond made a motion adopt Resolution 17-2016 to Amend the Sterling Act (to require that up to 1% of the Phila. Wage Tax paid by non-residents be remitted to their municipality. Mr. Orlow seconded and the vote was unanimous.

e. Consider amending the 2016 Capital Improvement Fund budget to re-purpose the remaining 2014 G. O. Bond funds for Park Improvements. Mr. Nagel advised that there is \$750,000 in net proceeds from the 2014 borrowing. At this point we have \$280,000 left to be paid to contractors. Therefore, a balance of \$450,000 should be re-purposed and suggested that it be transferred to the Park Improvement Fund.

Mr. Nagel advised that the funds would be used to replace the Pavillion, playground equipment, surface below the playground equipment and the picnic tables. The estimated cost for this project is \$236,000. The Township will be using Costars for the purchase of these items. In addition, there should be some repairs made to the stairway from the corporate center; but the estimates for repairs were fairly costly.

Ms. Drummond made a motion to consider amending the 2016 Capital Improvement Fund budget to re-purpose the remaining 2014 G. O. bond funds; consider amending the 2016 Park Improvement Fund budget to finance 2016 Valley Creek Park improvements; and to

advertise bids for 2016 Valley Creek Park Improvements. Mr. Orlow seconded and the vote was unanimous.

h. Consider approval of website project management proposal from Gailey Murray. Mr. Nagel stated that Gailey Murray has been retained to currently do some of our website work. The proposal is to expand the payment from \$750 to \$1,500 for website work through the end of the year. Christina Sarrafian is currently working on the website changes as an intern. Ms. Sarrafian has been exploring costs and reviewing other municipalities' websites. Mr. Orlow made a motion to approve the website project management proposal from Gailey Murray in the amount of \$10,000 for the period of June 1, 2016 to December 31, 2016. Ms. Drummond seconded and the vote was unanimous.

i. Motion to donate Salt Storage Bin parcel. Mr. Holmes mentioned that there exists two parcels which were owned by the Township. The Fire Company expressed an interest in obtaining said parcel to enhance the sale of their property. Ms. Drummond made a motion to donate the Salt Storage Bin parcel to East Whiteland Fire Volunteer Company. Mr. Orlow seconded and the vote was unanimous.

j. Mr. Holmes made a motion to advertise a public bid for the sale of the former Public Work Garage. Ms. Drummond seconded and the vote was unanimous.

k. Consideration of Approval of Proposal for Goals & Priorities Program for Volunteer Boards & Commissions. Mr. Nagel advised that a workshop is scheduled for June 20th with another session for September 21st. Members of the Volunteer Boards felt that more time was needed. The workshops are well within the budget for both sessions. The purpose is to help develop priorities for our 2017 budget. Mr. Orlow made a motion to approve the Proposal for Goals & Priorities for Volunteer Boards & Commissions. Ms. Drummond seconded and the vote was unanimous.

l. Acceptance of Resignation of Adam Beck, former Chairman of Park & Recreation Board. Mr. Holmes thanked Adam for his dedications and for his initiatives. Ms. Drummond made a motion to accept the resignation. Mr. Orlow seconded and the vote was unanimous.

m. Consider approval of proposal from Kapoor & Co. for consulting services to assist in collective bargaining for the firefighters contract. Mr. Nagel advised that this firm provides quantitative and analytical services in support of possible interests in arbitration. There is a cap of \$19,000 for these services. Mr. Orlow made a motion to approve the proposal from Kapoor & Co. for consulting services to assist in collective bargaining. Ms. Drummond seconded and the vote was unanimous.

n. Request for an extension of time for Glasgow/Flat Road Subdivision until July 1, 2018 for recording the plan and posting financial security. Ms. Boswell, attorney for Glasgow, stated in 2008 the subdivision was approved for 23 residential lots. An extension Act was instituted by the State providing a five year protection period as set forth in 53 P. S. Section 10508(4).

Ms. Drummond made a motion to grant an extension of time for Glasgow/Flat Road Subdivision until July 1, 2018 for recording the plan and posting financial security. Mr. Orlow seconded and the vote was unanimous.

o. Mr. Holmes made a motion to advertise a hearing to be held on July 13, 2016 to consider adoption of the Comprehensive Plan. Mr. Orlow seconded and the vote was unanimous.

p. Motion to waive the formal land development process for the expansion of the SEPTA Frazer Yard. Mr. McGrory, Township Solicitor, provided background for waivers of land development process which requires little land development engineering review. The developer would not pay a fee, however, our engineer would still review and evaluate for stormwater and general engineering principles. He mentioned that this would free up staff's time. An executed professional services letter provides for reimbursement by the applicant for expenses incurred.

SEPTA Frazer Yards expansion project - Their legal department feels that they are exempt by federal law because they constitute an AMTRAK facility. Mr. McGrory felt that this project is serving the public and will benefit all. He feels that a waivers are in order. Mr. Michael Gill, attorney for SEPTA, discussed these issues concerning the land development application. He advised that they are willing to submit stormwater plans for review and adhere to general engineering principles.

Mr. Orlow made a motion to waive the formal land development process for the expansion of the SEPTA Frazer Yard. Ms. Drummond seconded and the vote was unanimous.

q. Motion to authorize a letter of support to the Chester County Economic Development Council (CCEDC) to include in their application for an Industrial Site Reuse Program (ISRP) grant from the PA Dept. of Economic Development (DCED) for the required environmental remediation activities at the former Bishop Tube site. Mr. Greenly stated that CCEDC requested support from the Township for a \$1,000,000 grant for remediation of the Bishop Tube site. Also, other elected State officials have supported this request. Ms. Drummond made a motion to authorize a letter of support to the Chester County Economic Development Council (CCEDC) to include in their application for an Industrial Site Reuse Program (ISRP) grant from the PA Dept. of Economic Development (DCED) for the required environmental remediation activities at the former Bishop Tube site. Mr. Orlow seconded and the vote was unanimous.

r. Motion to approve an extension of time for plan review of Liberty's Great Valley Corporate Center Mixed Use Master Plan until September 26, 2016. Mr. Greenly stated that this is administrative issue to the plan review which is expiring before the Board of Supervisors meeting. Mr. Orlow made a motion to approve an extension of time for plan review of Liberty's Great Valley Corporate Center Mixed Use Master Plan until September 26, 2016. Ms. Drummond seconded and the vote was unanimous.

q. Motion to approve an extension of time for plan review of the Townes at Malvern (Section 2 – Celia Tract) until July 14, 2016. Mr. Greenly stated that these are administrative due to the plan review expiring before the Board of Supervisors meeting. Mr. Orlow made a motion to

approve an extension of time for plan review of the Townes at Malvern (Section 2 – Celia Tract) until July 14, 2016. Ms. Drummond seconded and the vote was unanimous.

PLANS

People's Light & Theater – Preliminary/Final Plan proposes a 2,056 SF addition to house a banquet facility. Mr. Sauselein advised that the addition is to the current restaurant, where in the past a tent was erected on the patio, to provide for banquet space. They will enclose this patio area and provide for a handicapped accessible ramp which leads to the parking lot.

There are five waivers associated with the plan: 1) §175-21.C (10) requiring existing topographic features within a 300 ft boundary surrounding the development 2) §175-21.C(13)(g) & 175-22.C(17) depicting sanitary storm sewers and other drainage facilities within a 300 ft boundary; 3) §175-22.C(15) requiring location and elevation of all street monuments; 4) §175-39.C requiring easements have a minimum width of 20 ft and 5) §310.C(6)(a) requiring outlet pipes to have an internal diameter of 18 inches and a minimum grade of 1%. Arro Engineers has recommended all the above per their letter, dated May 25, 2016. Mr. Orlow made a motion to adopt Resolution 18-2016 granting the Preliminary/Final Land Development Plan. Ms. Drummond seconded and the vote was unanimous.

Linden Hall – Preliminary/Final Plan proposal to redesign an existing stormwater management facility. Ms. Zarro representing Pulte Home for the project stated that they are constructing 60 townhomes on Route 30. There is an historic structure at this location which is owned by Benson Companies. The stormwater basin is an area of the site between lots 36 and 37. This area was delineated as wetlands but they discovered there is a manmade wet pond at that location. Therefore, they wish to incorporate the pond into the project. There will be extensive landscaping to this area.

There are five waivers requested: 1) §175-37.F a minimum cover over storm sewer pipes to be 18 inches; 2) §310.B(5) sediment storage volume to be 20% of the permanent pool volume; 3) §310.B.(6) provision of a sediment forebay at each inlet to the basin; 4) §310.B.(12) aquatic shelf/bench along the perimeter of the basin; 5) §310.bB.(13) side slopes to not exceed 5H:1V. Fencing will be provided around the area. Arro Engineers has recommended all of the waiver per their letter, dated May 19, 2016. Ms. Drummond made a motion to adopt Resolution 19-2016 granting the Preliminary/Final Land Development Plan. Mr. Orlow seconded and the vote was unanimous.

The meeting recessed at 8:40 pm and re-opened at 8:50 pm

PUBLIC HEARINGS

Swedesford Square Apartments – LCOR – Conditional Use Application for the property located at 50-52 Swedesford Road to construct two four story buildings housing 244 apartments and with an existing office building on 24 acres. Ms. Yarnoff stated that the property is zoned O/BP Office Business Park district within the Gateway Overlay district for a mixed use development. A clubhouse will be constructed between the buildings with a fitness center, pool and business center.

Mr. McGrory stated that the Board will provide a decision within the allotted 45 days. The hearing adjourned at 9:40 pm.

Respectfully submitted,

Maureen G. Turley, Township Secretary