

EAST WHITELAND TOWNSHIP  
REGULAR MEETING  
September 14, 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.

APPROVAL OF MINUTES

Ms. Drummond made a motion to approve the Minutes of the Regular Meeting of August 10, 2016. Mr. Orlow seconded and the vote was unanimous.

ANNOUNCEMENTS

- East Whiteland Township's monthly Board of Supervisors meetings are currently broadcast on Comcast Channel 996 and Verizon 46. We also stream our meeting broadcasts on [www.municipalmeeting.com](http://www.municipalmeeting.com). Comcast has an additional channel for government access and should be operational by August 23<sup>rd</sup>. Verizon is currently live and will be broadcasted at 11 am, 7 pm and 3 am.
- Chester County Household Hazardous Waste Event to be held Saturday, October 8<sup>th</sup> - 9 am-3 pm, 601 Westtown Road, West Chester, PA. For more information go to [www.chestercswa.org/documentcenter/view](http://www.chestercswa.org/documentcenter/view)
- The annual bulk trash pickup will take place with curbside pickup on October 5<sup>th</sup>-7<sup>th</sup> and drop off at the new Public Works Facility, 215 Conestoga Road on Saturday October 8<sup>th</sup> from 7am-2pm. Please see the Township website for additional information.

PUBLIC COMMENT

Mr. Lutz wanted to follow up on the enforcement issue relating to St. Gobain's lighted sign along Mill Lane. He stated that the lighting is a nuisance and in violation of the township's ordinance. Mr. Greenly stated that he will review and follow up.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND  
TOWNSHIP OFFICIALS

Mr. Sheridan, President of the East Whiteland Township Volunteer Fire Association introduced Brian O'Neill. Mr. O'Neill has given a donation totaling \$750,000 to fire company. Mr. Rubino, Chairman of the Fire Company Board, also offered his thanks to Mr. O'Neill who had pledged to donate monies to cover the debt associated with the new station.

Mr. O'Neill spoke to the work performed by the members of East Whiteland Township Volunteer Fire Association as well as acknowledging firefighters throughout the country on this post 911 anniversary.

Gary reminded all of an upcoming fundraiser to be held at Carrabba's on Wednesday, September 21<sup>st</sup> 4 pm to closing. In addition, there will be a cake-a-thon held at the fire company.

Ken Hurley, Chief, EWT Volunteer Fire Company, stated that they responded to 119 calls, 44 fire and 75 EMS incidents in August. He stated that they offered assistance to another fire company whereby they used the recently acquired foam trailer.

Barbara Ann Thav, Chair, Park & Recreation Board – mentioned that it was a good season for the Friends of the Summer Stage. She spoke concerning a resident meeting of the Birch Road neighborhood relative to the basketball court; they were removed from the PECO easement. The Park Board is working on their goals. New equipment should be installed at Valley Creek Park.

Tim Caban, Chair, Historical Commission – mentioned that their focus is on the Gunkle Mill. During the summer 18<sup>th</sup> Century Restoration installed a new door. There is now a gutter leak in the rear. The monies used for the projects were from the donation they received from the estate of Robert Swain. Their primary goal is to get the building to the point that they could open it to the public.

He expressed his concerns relative to the Linden Hall building which has two holes in the roof and missing window glass in the rear. He presented pictures of the damage. Also, the Hibbard house next to Clews & Strawbridge dates to 1760. There is a hole in the roof and the front door is wide open. He asked the Board for their assistance in having the responsible parties correct these issues. Mr. Cockerham gave background on the Linden Hall and expressed his concern about its disrepair.

Bill Steele, Public Works Director – advised that there were eight streets paved over the summer. Also a section of Church Road was repaved by Allen Meyers due to his insistence because of their truck traffic. Flat Road sewer project is scheduled to begin on 9/20 and Wilburdale pump station project will begin on 9/27.

Ken Battin, Codes & Life Safety Director – distributed a supplemental report to the Fire Companies statistics. He stated that the current relationship between the township and fire

company is working well. Also, he stated that September is National Preparedness month. He suggested that everyone register at ReadyChesco.gov be prepared for major issues.

Officer Peter Dougherty spoke to the Board about his involvement with community outreach. It was started in 2002 by the department by sponsoring a little league team he spent six years of coaching this team, was an inspector of car seats program and a member of the Safe Kids Chester County Coalition. Our Officers' vehicles have a supply of stuffed animals to offer children in trying situations. These are just a few examples of his and the department's outreach. The Board thanked him and all members of the department for their pro-active efforts.

Joseph Leis – Zoning Officer, advised that the Zoning Hearing Board granted the variance to Great Valley Little League to exceed the height to install field lights. This item should come before the Board for a Conditional Use hearing in September.

Christina Serrafian – website makeover project is currently in the vendor selection process. She forward the project information to eight vendors and have received six proposals. The costs range from \$11,500 to 23,000 for design/implementation and the annual maintenance fees are \$2,000 to \$4,400. She expects to present the successful vendor at the October meeting.

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

Mr. Orlow made a motion to appoint Charles Barbera to the Park & Recreation Board. Ms. Drummond seconded and the vote was unanimous.

Ms. Drummond made a motion to appoint Kristin Thomas to the Park & Recreation Board. Mr. Orlow seconded and the vote was unanimous.

Mr. Orlow made a motion to appoint Kathleen Laubenstein to the Zoning Hearing Board as an Alternate. Ms. Drummond seconded and the vote was unanimous.

Brady Flaharty, Arro Engineers – spoke relative to the Act 537 plan Supplement for the Wilson Road Force Main. Arro's letter, dated September 9, 2016 provides the background. Their letter suggests that the township approve this supplement to the previously approved Act 537 plan. It is suggested that we reserve the ultimate build out capacity of the township to be 3.630MGD. Discussion ensued.

Mr. Orlow made a motion to accept the recommendation of Arro Engineers to reserve the township's buildout capacity of 3.630MGD. Ms. Drummond seconded and the vote was unanimous.

Michael Wolf – Boenning Scattergood, advised the Board that the interest rates are now at a 60 year low. In 2014, the Board obtained a General Obligation Bond to construct the Public Works facility. He informed the Board that a re-financing of this loan could offer a savings of 6% or about \$400,000. Discussion ensued. Ms. Drummond made a motion to advertise a hearing to consider re-financing of the 2014 series General Obligation Bond. Mr. Orlow seconded and the vote was unanimous.

Tim Leary and Chad Sindaco – Great Valley Mountain Bike Team – discussed their proposal to establish a course at the Valley Creek Park. The National Interscholastic Cycling Association was established in 2009. They are seeking access for areas conducive to cross country biking. Practices are held two days a week and require any flat area. Mr. Nagel advised that they presented their request and obtained approval of the Park and Recreation Board. Mr. Steele stated that this would not affect other areas of the park. After this presentation, the Board approved their use of Valley Creek Park.

#### ACCEPTANCE OF THE TREASURER’S REPORT

Cathy Palmer, Director of Finance, provided an overview of the Executive Summary of the Treasurer’s report as of July 30th. The revenues for Real Estate taxes are over 100% due to re-assessments. Earned Income Tax and LST revenue are projected to be on budget. The building permit revenues are behind. The other operating expenses are at budget or below. Mr. Orlow made a motion to accept the Treasurer’s Report as of July 30, 2016. Ms. Drummond seconded and the vote was unanimous.

#### APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Ms. Drummond made a motion to ratify the payment of bills as of September 14, 2016. Mr. Orlow seconded and the vote was unanimous.

#### NEW BUSINESS

a. Mr. Nagel advised the Board to consider the appointments of Joseph Leis, Code Enforcement officer and Scott Greenly as Assistant Zoning Officer. These are additional responsibilities to be applied for code enforcement. Mr. Orlow made a motion to accept the appointment of Joseph Leis, Code Enforcement officer and Scott Greenly as Assistant Zoning Officer. Ms. Drummond seconded and the vote was unanimous.

b. Option of sending Township Solicitor to represent the Township to either support or oppose a project at the Zoning Hearing Board. Mr. McGrory, Township Solicitor, provided background on the reasoning for this appointment. Our solicitor would act on behalf of the township or residents as a party to the appeal. Primarily this provides a reminder since the appeals are listed on the agenda. Therefore, the Board may support, oppose or do nothing relative to the appeals.

c. Mr. Nagel stated that as part of the budget process is to recommend a Defined Contribution Plan as opposed to the current Defined Benefits plan. This will apply to all new Non-uniform hires. The employee would contribute funds for their pension with a match from the township of either 4, 6, 8%. Mr. Orlow made a motion to establish of Defined Contribution Plan (ICMA RC) Resolution No. 26-2016 for non-uniform employees only. Ms. Drummond seconded and the vote was unanimous.

d. Mr. Nagel advised that a Deferred Compensation Plan (457) is a pre-tax pension supplement for the employees. There is no contribution by the township for this plan. The

employees currently are enrolled in VALIC and this would be retained in addition to adding the (ICMA RC) plan. Ms. Drummond made a motion to establish a Deferred Compensation Plan with (ICMA RC) for employee pre-tax contributions. Mr. Orlow seconded and the vote was unanimous.

e. Mr. Nagel stated that the township's current contract for Firefighters establishes health care premium co-pay. He is recommending that this be activated for Firefighters and Non-Uniform personnel effective January, 2017. Mr. Orlow made a motion to establish the health care premium co-pay for Non-uniform and Firefighters effective January, 2017. Ms. Drummond seconded and the vote was unanimous.

f. Mr. Nagel stated that he is recommending this as a cost saving initiative for an opt-out option of the health care insurance to Non-uniform employees. The amount provided to the employee would be based on dollar amount of health care cost. Ms. Drummond made a motion to establish an opt-out option for Non-uniform employees. Mr. Orlow seconded and the vote was unanimous. Ms. Drummond amended the motion to state that single coverage benefit would be \$5,000 and \$10,000 for married. Mr. Holmes seconded and the vote was unanimous.

g. Mr. Holmes made a motion to advertise the budget workshop meetings as follows: Thursday, October 20<sup>th</sup> at 5:30 pm, Thursday, October 27<sup>th</sup> at 5:30 pm and Wednesday, November 2<sup>nd</sup> at 5:30 pm. Mr. Orlow seconded and the vote was unanimous.

h. Mr. Nagel stated that this is part of the goals and priorities for space needs. The money has been allocated in the budget. The plan is to authorize Bernardon to conduct a space needs study which is estimated to cost \$12,000. Discussion ensued. Mr. Orlow made a motion to authorize a building Space Needs & Site Analysis by Bernardon as outlined in their letter dated, July 28, 2016. Ms. Drummond seconded and the vote was unanimous.

i. Mr. Nagel reminded the Board that earlier in the year spending was placed on hold due to budget constraints. He felt that we are at a point with revenue to permit the items listed in the amount of \$269,575 to be purchased. These items include computers, computer equipment, vehicles and fire protection suits and other items. Ms. Drummond made a motion to reactivate the 2016 Capital Improvement Funds planned spending in the amount of \$269,575. Mr. Orlow seconded and the vote was unanimous.

j. Mr. Nagel stated that this is to formalize an existing practice to operate township vehicles by employees. Mr. Orlow made a motion to authorize employees to operate township vehicles as presented. Ms. Drummond seconded and the vote was unanimous.

k. Mr. Nagel advised that the State mandates that the Board authorize the calculation by the actuary for the Minimum Municipal Obligation by September 30, 2016 for the following year. Ms. Drummond made a motion to accept the 2017 Minimum Municipal Obligation for Police, Non-Uniform and Firefighters pension funds. Mr. Orlow seconded and the vote was unanimous.

l. Mr. Nagel advised that the bid for the Township Garage resulted in a high bid of \$501,000. Two bids were received. Mr. Orlow made a motion to award the sale of the Township Garage at 158 Planebrook Road in the amount of \$501,000. Mr. Holmes amended the motion to read that the successful bid was award to Sai Temple. Ms. Drummond seconded and the vote was unanimous.

m. Ms. Drummond made a motion to authorize the Board Chairman to sign the Agreement of Sale for the Township garage property. Mr. Orlow seconded and the vote was unanimous.

n. Mr. Steele listed the surplus vehicles and equipment on Municibid. The only item not bid upon was the conference table. Mr. Orlow made a motion to award the sale of surplus vehicles and equipment per Mr. Steele's list of September 9, 2016. Ms. Drummond seconded and the vote was unanimous.

o. Mr. Steele stated that one bid was received for the heating oil and diesel fuel and suggested that we award the contract to Reilly & Sons, Inc. They can easily get access to the fuel from either their tank farm or from the one in the township. Ms. Drummond made a motion to award the contract for the heating oil and diesel fuel to Reilly & Sons, Inc. Mr. Orlow seconded and the vote was unanimous.

q. Mr. Greenly advised the Board that the business at 27-43 Great Valley Parkway is requesting to install a plastic resin storage silo behind their building. The business makes packaging materials. The structure will not be occupied and will be placed over an already impervious area. Therefore, he is requesting that we waive the formal land development process. The silo is 13 ft x 24 ft. The waiver will permit the ability to file for building permits. Mr. Leis has reviewed the request relative to zoning. Discussion ensued. Mr. Orlow made a motion to waive the land development process for the installation of a plastic resin storage silo at 27-43 Great Valley Parkway. Ms. Drummond seconded and the vote was unanimous.

r. Mr. Greenly advised that this application is set to expire for review of their land development. Therefore, he is asking that the Board approve the extension. Ms. Drummond made a motion to grant an extension of time for Lidl at 249-55 Lancaster Avenue until November 30<sup>th</sup>. Mr. Orlow seconded and the vote was unanimous.

s. Ms. Drummond made a motion to grant an extension of time to review the land development plans for Great Valley Corporate Center Master Plan until October 26, 2016. Mr. Orlow seconded and the vote was unanimous.

t. Ms. Palmer advised the Board the First Niagara has merged with Key bank and therefore we need to authorize a resolution for the depository of fund. Mr. Orlow made a motion to approve Resolution No. 25-2016 designating Key Bank as a depository of township funds. Ms. Drummond seconded and the vote was unanimous.

### PLANS

Davison/DiGinto Lot line revision for a property located at 45 Kirby Lane and 476 Conestoga Road which are zoned R-1 Residential. Mr. Davison informed that Board that he was approach by his neighbor on Kirby Lane to obtain a one acre parcel. Mr. Greenly mentioned that the applicants wish to convey a 1.006 acre of their property (tax parcel 42-3-2) to Andrew Benson listed on the plan as parcel 1 (tax parcel 42-3-3). Mr. Davison stated that the reason for the lot line change is due to the shape of his neighbor's property and that the neighbor's pool fence is currently on their property. Their property is in Charlestown Township. Charlestown Township was contacted and they have no issues with this conveyance. Mr. Orlow made a motion to approve Resolution No. 27-2016 for the Davison/DiGinto lot line revision for property at 45 Lady Kirby Lane and 476 Conestoga Road. Ms. Drummond seconded and the vote was unanimous.

### ADJOURNMENT

The meeting adjourned at 9:10 pm.

### EXECUTIVE SESSION

Mr. Holmes announced that an Executive Session will be held to discuss personnel/legal issues.

Respectfully submitted,

Maureen G. Turley, Township Secretary