

EAST WHITELAND TOWNSHIP
REGULAR MEETING
October 12, 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-five (25) people in the audience at the start of the meeting.

Everyone recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Holmes had a change to the minutes of September 14, 2016. The minutes should read that the Board held an Executive Session and not a Work Session. Mr. Orlow made a motion to approve the Minutes of the Regular Meeting of September 14, 2016 as corrected. Ms. Drummond seconded and the vote was unanimous.

ANNOUNCEMENTS

- Mr. Holmes announced that an Executive Session was held on October 5, 2016 at 8:15 pm to discuss personnel matters.
- 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. Comcast has an additional channel for government access and should be operational by August 23rd. Verizon is currently live and will be broadcasted at 11 am, 7 pm and 3 am.
- The previously advertised that the Conditional Use hearing for the Great Valley Little League will be held on October 19, 2016 at 7 PM.

COMMENDATIONS

Ken Battin, Director of Codes and Life Safety, mentioned that on September 9th East Whiteland Fire Company, Malvern Fire Company, Career Fire Staff, and Abel Brothers Towing were dispatched to Glasgow Quarry. A dump truck had slid 150 feet down the side of the quarry. Chester County Rescue Task Force was contacted since this was outside of the scope of our staff. He asked the Board to recognize the efforts of East Whiteland Volunteer Fire Assoc, Fire Police, Tommy Cockerham, Capt. Greg Lewis, Richard Garber, Fire Marshal Staff, Malvern Company Paramedics, East Whiteland Police, and Chester County Rescue Task Force. Mr. Holmes thank all who participated. A Glasgow representative also expressed their appreciation for the fantastic work under trying conditions.

Mr. Holmes acknowledged the Great Valley Middle School for receiving the 2016 National Blue Ribbon Award. A total of 329 schools were signaled out for this achievement.

Sgt. Daniel Wilson, Traffic Unit – provided some background based on his length of service to the township. He acknowledged how much the township has developed over his 34 years of service. He is responsible for the motor carrier safety enforcement along with Officer Nace and Detective Kopacz. Their aim is to make sure that heavy vehicles are operating in a safe manner. He also performs accident reconstructions. Lt. Yeager also acknowledged the amount of work he has provided.

Lt. Yeager addressed the issue of traffic cutting through Carol Lane neighborhood. Traffic studies have been taken in that area. He mentioned that with the recent opening of Rt. 202 there have been 2500 vehicles using the road; 41 vehicles were found to be speeding.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Mr. Sheridan, President of the East Whiteland Township Volunteer Fire Association thanked the Board for acknowledging members involved in the Glasgow Quarry incident. He also mentioned that Mark Koenig recently returned from Florida where he assisted with the storm damage.

Gary stated that they responded to 120 calls - 37 fire and 83 EMS incidents. False alarms were 26 for the month. He also informed them that the county has implement a CAD system whereby they dispatch whichever ambulance is closest to the incident. He reminded all to inspect their smoke detectors and replace the batteries.

Barbara Ann Thav, Chair, Park & Recreation Board – said there are two new members (Chuck Barbera and Kristin Thomas) which means that they have a full board. Their concentration will focus on open space, recreation programing, and being stewards of the township. Discussion ensued.

Bill Steele, Public Works Director – advised that sewer projects for Flat Road is under construction. Wilburdale Road pump station replacement project has also started. The Valley Creek Park pavilion has been demolished and grading for play structure has been completed. This years' Bulk Trash pickup filled 14 (30) cubic yard containers this year.

Chief Dooley advised that there were no Narcan resuscitations this past month. Mr. Holmes offered his experience of his credit card being scammed. Chief Dooley stated that residents should notify the Police department if they have been scammed.

Scott Greenly reiterated that there will be a resident meeting concerning the Great Valley Little League request for field lights on October 19th at 7 pm.

John Nagel – stated that Ms. Sarrafian has been working on the website development. Also, she has been working on our five year financial plan and the budget presentation slides. He mentioned that there will be three budget workshops: 10/20, 10/27 and 11/2 at 5:30 pm.

Christina Sarrafian – presented the five year financial plan which should help departments to meet their goals. She assumed a 1 to 2% increase in line items. Final updates will be forwarded to the Board.

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 August 31st. Earned Income Tax is at 58% of budget but she is projecting that there will be shortfall in the budget. This is due to lower collections for two businesses in the township. The building permit revenues are still lagging. Fund balances are healthy. Mr. Orlow made a motion to accept the Treasurer’s Report as of August 31, 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 October 12, 2016. Mr. Orlow seconded and the vote was unanimous.

OLD BUSINESS

St. Gobain Sign – Mr. Greenly stated that he had contacted them and that they would remove the light bulb from the sign.

Linden Hall – Mr. Greenly stated that he contacted Benson properties and that they will board up the hole in the roof.

Glenn Cockerham was concerned with the condition of the historic structure. He felt that Benson should do more than apply plywood to the roof. Also, he is unhappy with the removal of the topsoil from the property. He suggested that this may be against our township ordinance. Discussion ensued.

Hibbard House – Mr. Leis advised that staff and Mr. Ott, Clew & Strawbridge, did an inspection. Mr. Ott stated that he will contact the owner relative to securing and repairing the property. There is some damage to façade, a collapsed rear porch and gutters are missing. There are signs of vandalism within the home. Mr. Ott will clear the vegetation in the spring.

PUBLIC HEARING

The public hearing opened at 8:07 pm

Mr. McGrory, Township Solicitor, opened the hearing to consider adopting a Parameter Ordinance for refunding of the township’s General Obligation Bond series of 2014. Tim O’Neill, Esquire is working with the solicitor on this refunding of the bond obligation. The

amount to be authorized is \$10,485,000. The refinancing will be done if on a savings of at least 3% of the principal amount of the 2014 Bonds can be achieved. Discussion ensued.

There being no public comment; the hearing was closed and the regular meeting resumed.

Mr. Orlow made a motion to adopt the Parameters Ordinance No. 283-2016 for an advance refunding of the Township's General Obligation Bond series of 2014. Ms. Drummond seconded and the vote was unanimous.

Mr. Wolf advised that there will be a staff conference call with Moody's. This will be the final step before selling bonds. Due to the past week's rate increases, they may not be able to provide a savings of 3%.

The Public hearing was opened at 8:16 pm

Mr. McGrory opened the hearing to consider the adoption of an ordinance entitled "Tax Certification Fees". He stated that it establishes a \$15 fee payable to the Tax Collector for providing a certification. This formalizes our current practice.

There were no public comments. The hearing was closed and the regular meeting resumed.

Ms. Drummond made a motion to adopt Ordinance 284-2016 entitled Certification of Taxes. Mr. Orlow seconded and the vote was unanimous.

NEW BUSINESS

a. Accept a Proposal for Bond Counsel services from Lamb McErlane – Mr. McGrory advised the Board that he has reviewed the fees and, suggests that the Board accept their proposal. Mr. McGrory found the fees to be compatible with others firms. Mr. Orlow made a motion to accept the proposal from Lamb McErlane as Bond Counsel as stated in their letter, dated September 30, 2016. Ms. Drummond seconded and the vote was unanimous.

b. Ms. Sarrafian advised that the vendor will provide a remote demonstration tonight to answer questions concerning the new website. She stated that six businesses submitted proposals for this project. She is recommending CivicPlus which services 50% of the municipalities in Chester County. Their cost is \$13,600 with \$2,500 for an annual hosting fee. The target date for completion is January, 2017. Discussion ensued. Mr. Orlow made a motion to award the proposal from CivicPlus for implementing a new website. Ms. Drummond seconded and the vote was unanimous.

c. Mr. Greenly stated that we have been considering implementing an Act 209 Study which would permit the township to assess an Impact Fee on new developments. Ms. Natasha Manbeck, McMahan Associates, presented the process for establishing an Impact Fee which is permitted under the Municipalities Planning Code. The Resolution is to establish an interim impact fee of \$1,000 per p.m. peak hour vehicle generation. Discussion ensued. Ms. Drummond made a motion to approve establishing the Act 209 Transportation (Impact Fee Study) of Resolution No. 29-2016. This would assesses an interim impact fee of \$1,000 per p.m. peak hour vehicle trip generation. Mr. Orlow seconded and the vote was unanimous.

Recess was called at 9 pm for five minutes.

d. Motion to approve Request for Proposals for Delaware Valley Regional Planning Commission (TDCI) funded Route 30 Corridor Master Plan. Mr. Greenly advised that we have received funding to study proposals for the widening Rt. 30, land use, and pedestrian traffic. A RFP will be sent to transportation engineers for their proposals to conduct the study. Mr. Orlow made a motion to approve a Request for Proposal for Delaware Valley Regional Planning Commission (TDCI) funded Route 30 Corridor Master Plan. Ms. Drummond seconded and the vote was unanimous.

e. Consider Ratification of Request for Proposals for Defined Benefit Plan Services for the Investments and Actuarial services. Mr. Nagel advised that the Pension Committee is recommending that we obtain proposals for these services. The RFP has already been forwarded to several companies. Ms. Drummond made a motion to Consider Ratification of Request for Proposals for Defined Benefit Plan Services for Investments and Actuarial services. Mr. Orlow seconded and the vote was unanimous.

f. Consider approval of Resolution 28-2016 and Administrative Services Agreement for a 457 Deferred Compensation Plan with ICMA RC. Mr. Nagel stated that at the September meeting this was approved. This option is to permit employees to invest pre-tax funds. Mr. Orlow made a motion to approve Resolution 28-2016 and Administrative Services Agreement for a 457 Deferred Compensation Plan with ICMA RC. Ms. Drummond seconded and the vote was unanimous.

g. Consider Approval of Settlement Stipulation – Assessment Appeals for: 40 Liberty Blvd (Cerner); 70 Valley Stream Pkwy (Ricoh); and 55 Frazer Road (William Henry Apts). Ms. Drummond made a motion to approve Settlement Stipulation – Assessment Appeals for: 40 Liberty Blvd (Cerner); 70 Valley Stream Pkwy (Ricoh); and 55 Frazer Road (William Henry Apts). Mr. Orlow seconded and the vote was unanimous.

h. Consider proposed Resolution No. 30-2016 from Tredyffrin township to approve Act 537 Supplement for Wilson Road Force Main. Mr. Nagel explained that all the partners along the Valley Creek Sewer line have passed a resolution to permit the amendment to the Act 537 for the Wilson Road Force Main project. Mr. Flaherty, Arro, provided an overview at our September's meeting. Mr. Orlow made a motion to approve Resolution No. 30-2016 for Tredyffrin Township to amend the Act 537 Supplement for Wilson Road Force Main. Ms. Drummond seconded and the vote was unanimous.

i. Consider acceptance of 2017 PA Fire Relief Association funds totaling \$82,820 payment to East Whiteland Volunteer Fire Relief Association. These funds are forwarded from the Commonwealth for distribution. Ms. Drummond made a motion to consider acceptance of 2017 PA Fire Relief Association funds totaling \$82,820 for payment to East Whiteland Volunteer Fire Relief Association. Mr. Orlow seconded and the vote was unanimous.

j. Motion to advertise a bid for the purchase of anti-skid and crushed stone for 2017.

Mr. Holmes made a motion to advertise a bid for the purchase of anti-skid and crushed stone for 2017. Ms. Drummond seconded and the vote was unanimous.

k. Consideration by the Board to send the Township Solicitor to Zoning Hearing Board for the following appeals: 1) ZHB #2016-20 Paul Singer amended application for Special Exception & Variance for daycare use at 17 Ravine Road; 2) ZHB #2016-22 Sai Temple for Special Exception to permit a religious use at the township garage and the EWT Volunteer Fire Company properties. Mr. Leis informed the board that ZHB 2016-20 is for a Special Exception and a Variance for a daycare use at 17 Ravine Road is an amended application to include special exception request. ZHB 2016-22 Sai Temple there is no specific information for the use of the building or plan.

l. Motion to grant extension of time for review of land development plans for the following: Lidl Grocery Store until December 15, 2016; Great Valley Community Organization until February 1, 2017 and Liberty Master Plan until November 10, 2016. Ms. Drummond made a motion to grant an extension of time for review of land development plans for Lidl Grocery Store until December 15, 2016; Great Valley Community Organization until February 1, 2017 and Liberty Master Plan until November 10, 2016. Mr. Orlow seconded and the vote was unanimous.

m. Motion to advertise and ordinance regulating Wireless Communication Facilities. Mr. Holmes made a motion to advertise and ordinance regulating Wireless Communication Facilities. Mr. Orlow seconded and the vote was unanimous.

n. Appointment of William Wrabley to the Zoning Hearing Board to fill out the term of office vacated by Joseph Rubino. Mr. Orlow made a motion to appoint William Wrabley to the Zoning Hearing Board to fill out the term of office vacated by Joseph Rubino until January 8, 2018. Ms. Drummond seconded and the vote was unanimous.

PLANS

a. Preliminary/Final Plan for Immaculata University Student Engagement Center to construct a two story 14,540 sf building, new student plaza and amphitheater which is zoned I – Institutional at 1145 King Road. Brett McKay and Kerry Jones presented their plans. He advised that they will construct a two story 14,540 SF addition to Good Counsel Hall. There were adjustments made to the plaza area and outdoor amphitheater. They will be enlarging the book store, provide for food service space, and student offices. They addressed parking issues and prepared a list of the needed waivers. They are still awaiting a review from the Chester County Conservation District and PADEP. The applicant is requesting waivers as follow: 1) Section 175-21.C(6) map scale of 1"; 2) Section 175-23.C - Environmental Impact Assessment; 3) Section 175-23.C(5) – Traffic Impact Study; and 4) Section 170-310C.6.e. – Reinforced Concrete Pipes and Section 175-37F – minimum diameter of storm water piping to be 18 inches. Mr. Orlow made a motion to authorize the solicitor to prepare a Resolution for consideration of the Preliminary/Final Plan for Immaculata Student Engagement Center. Ms. Drummond seconded and the vote was unanimous.

b. Preliminary/Final Plan Amendment for Whiteland Village Sanitary Sewer extension to amend a previously approved plan extending a sewer main from their property to the Mill Lane pump station. Mr. Greenly stated that when the project was approved, a condition of approval was to have them run a sanitary sewer from Whiteland Village to Mill Lane pump station. There has appeared a better alignment for the sewer line which is more cost effective. This will permit other developments to tap in such as 99 Church Road property. They have installed a line parallel to Chester Valley Trail. Ms. Drummond made a motion to approve the Resolution for Preliminary/Final Plan Amendment for Whiteland Village Sanitary Sewer extension amending a previously approved plan extending a sewer main line from their property to the Mill Lane pump station. Mr. Orlow seconded and the vote was unanimous.

c. Master Plan: Great Valley Corporate Center mixed use development on the northwest side of Route 29 containing 600 residential units, 820,000 sf office space, 24,000 retail space and a 70,000 sf hotel in a GVR zoning district. Mr. Colagreco reminded the members that they have been working with the traffic designer. These road improvements will be worth about \$9 million. Liberty will be improving 18 traffic signal from the turnpike to Route 30 thereby providing signal optimization along the route.

Phase 1: is north of Great Valley Parkway to Flat Road and will consist of two residential buildings with a parking deck, retail space and an apartment garage. Phase 2: is south of Great Valley Parkway with an office building, parking deck and possibly a hotel or retail. Phase 3: roadway connection from Old Morehall Road and the extension of Flat Road and a possible retail pad. The office buildings height is 115 feet (7-8 stories) and the apartment buildings height will be lower. Discussion ensued.

Mr. Colagreco advised that the ordinance requires that they show the overall development of the site. After Master Plan approval, they would file land development plan in phases for the common areas infrastructure and the first apartment buildings as their Preliminary Plan. Discussion ensued.

Mr. Lutz inquired about the realignment of Flat Road and whether the current restriction would be retained. He was told that there will be no changes to the restrictions.

Mr. Orlow made a motion to direct the solicitor to prepare a resolution for consideration. Ms. Drummond seconded and the vote was unanimous.

d. Final Land Development Plan for Townes at Malvern for 64 townhouses on Frame Avenue split-zoned – R-2 Residential and VMX – Village Mixed Use district. They have been working on prior items listed in the engineer's review letters, September 23, 2016. Mr. Kelly mentioned that they received approval for their NPDES. The review letters are clean for the waiver approval and general items. The township traffic engineer has also submitted a favorable review of the plan. Mr. Kelly again stated that there will be no street parking and both the traffic engineer and our fire marshal have reviewed this issue.

Mr. Kessler has the sewer agreement and it has yet to be returned to the township. Ms. Drummond made a motion to draft a Resolution for consideration of the Final Land

Development Plan for the Townes at Malvern for 64 townhouses on Frame Avenue. Mr. Orlow seconded and the vote was unanimous.

ADJOURNMENT

The meeting adjourned at 10:05 pm.

Respectfully submitted,

Maureen G. Turley, Township Secretary

After the regular Board meeting on October 12, the Board returned to an Executive Session to discuss personnel matters until 10:30pm.