

Board of Supervisors
March 11, 2020
Minutes

Board Members Present: Scott Lambert, Chair; Rich Orlow, Vice-Chair; and Susan Drummond, Member.

Staff Present: John Nagel, Township Manager; William Steele, Public Works Director; Steve Brown, Zoning Officer; Zach Barner, Director of Planning; Ted Locker, Zoning Officer; John Walko, Solicitor; Chris Yeager, Chief of Police.

Mr. Lambert called the regular meeting to order at 7:15 P.M. Pledge of Allegiance

Board Briefings:

Executive Session(s) was held on February 12 and March 11, 2020 to discuss real estate, personnel and legal matters.

Public Hearings (JM):

- a) [Ordinance 322](#) – Zoning Ordinance Amendment related to Off-Premises Signs (Zoning)
- b) Ordinance TBD – Codified Ordinance Chapter 189, Vehicles and Traffic, amendment making technical corrections
- c) [CU-01-2020](#) – Conditional Use Application for Disturbance of Steep Slopes by WaterWalk Hotel at 85 Matthews Road. Applicant proposes to install driveway, parking lot, and stormwater management in areas of steep slopes. Applicant will also discuss the corresponding [Land Development](#) and [Zoning Hearing Board](#) Applications.

Full details of the hearing are contained with the transcript prepared by a court reporter. The transcript is available to view at the Township Building.

After the hearing, Ms. Drummond had a few questions about WaterWalk Hotel; she asked whether there would be kitchens in the hotel rooms and how long guests tend to stay. Mr. McPeak advised that a stay could range anywhere from 1 week to almost a year. Ms. Drummond asked for clarification on how the use as an extended stay hotel differs from an apartment. Mr. McPeak advised that the hotel would offer a mix of 1, 2, and 3-bedroom units and that the amenities would be hotel-driven. There would be no bar or restaurant. He added that most often the hotel contracts directly with an employer, not an individual, and that there is no lease agreement.

Mr. Orlow asked whether the Applicant would agree to a condition of approval clarifying that the hotel would function only as a hotel and would not include other businesses or operations that would be otherwise inconsistent with a hotel use – such as a medical office.

Board Motions & Resolutions:

Consider Volunteer Appointments – Park & Rec Tom O’Neill and EAC (Environmental Advisory Committee) Liz Neff. Ms. Drummond made a motion to appoint Tom O’Neill to Park & Recreation Committee and Liz Neff to Environmental Advisory Committee. Mr. Orlow seconded the motion; the motion was approved 3-0.

Consider Board Recommendation to Chester County and Commonwealth of Pennsylvania to Appoint Loren Nafziger as Emergency Management Coordinator for East Whiteland Township.

Mr. Orlow made a motion to recommend the appointment of Loren Nafziger to EMC for East Whiteland Township. Ms. Drummond seconded the motion; the motion was approved 3-0.

Consider Motion to Award:

Valley Creek Park Tennis Courts Improvements - Nickolaus Construction Company, Inc. Vincentown, NJ Bid amount - \$44,325.00

Ms. Drummond made a motion to award the contract. Mr. Orlow seconded the motion; the motion was approved 3-0.

Down East Park and Valley Creek Improvements - Advanced Pavement Group, Downingtown, PA Bid Amount - \$79,520.00 (a total of 4 Bids were received)

Mr. Orlow made a motion to award the contract. Ms. Drummond seconded the motion; the motion was approved 3-0.

Award Bid for Water Wheel for Gunkle Spring Mill - to Waterwheel Manufacturing of Franklin, NC in the amount of \$28,580.00.

Mr. Barner advised that DEP has issued a technical review letter and asked the Township to limit disturbance of the “exceptional value wetlands” to only those areas immediately adjacent to the building, rather than the entire length of the building and the stream to drain the tail race of the mill.

Mr. DiPiano, a resident, questioned the value of spending a large amount of money to create a wheel for a building that is not open to the public. Mr. Dore advised that this is probably the most historic building in the Township. One of the goals of the Historic Commission is to make the building and grounds more accessible to the public.

Mr. Orlow made a motion to award the bid in the amount of 28,500. Ms. Drummond seconded the motion; the motion was approved 3-0.

Adopt Resolution **#16-2020** for East Whiteland Township Police Pension Plan to adopt Recommendations (7.5% Interest Rate, SOA Public Plan Mortality Tables for Safety Workers and Five-Year Asset Smoothing Method [85% to 115% of Corridor]) by Conrad Siegel (Actuary) for January 1, 2019 Actuarial Valuation Report

Adopt Resolution **#15-2020** for East Whiteland Township Firefighter Employees' Pension Plan to adopt Recommendations (SOA Public Plan Mortality Table for Safety Workers and Five-Year Asset Smoothing Method [85% to 115% of Corridor]) by Conrad Siegel for January 1, 2019 Actuarial Valuation Report

Adopt Resolution **#17-2020** for East Whiteland Township Non-Uniformed Employees' Pension Plan to adopt Recommendations (SOA Public Plan Mortality Table for General Workers and Five-Year Asset Smoothing Method [85% to 115% of Corridor]) by Conrad Siegel for January 1, 2019 Actuarial Valuation Report

Approve Actuarial Valuations as of January 1, 2019 for our Pension Plans (Police, Fire & AFSCME)

Ms. Drummond made a motion to adopt resolution **#16-2020** with recommendations as listed. Mr. Orlow seconded the motion; the motion was approved 3-0.

Mr. Orlow made a motion to adopt resolution **#15-2020** and **#17-2020** with recommendations as listed. Ms. Drummond seconded the motion; the motion was approved 3-0.

Ms. Drummond made a motion to approve the Actuarial Valuations as of January 1, 2019 for our three pension plans. Mr. Orlow seconded the motion; the motion was approved 3-0.

Consider Sending Township Solicitor to Zoning Hearing Board to Support or Oppose

Appeal No. [2020-06](#): Application of Planebrook Partners, LLC for a Variance from Section 200-57.D.(1), (2), & (6) to allow disturbance of steep slopes to provide adequate sight distance for an access drive. The property is located at 105 Church Road and within the R-1 Low Density Residential Zoning District.

Mr. Orlow made a motion to authorize the Township staff to draft a letter authorizing the applicant to have standing before the Zoning Hearing Board to remove Steep Slope providing they enter into an acceptable perpetual maintenance agreement. Mr. Drummond seconded the motion; the motion was approved 3-0.

Appeal No. [2020-07](#): Application of Latta Kennedy Builders, for a variance from Section 200.20.A. and 200-22.C to allow the construction of an addition of a 1 bay garage addition onto the existing home. The property is located at 18 Deer Run Lane and is within the R-2 Low Density Residential Zoning District.

Routine no need to send the solicitor.

Planning & Development:

Consider Extension of Time in which to Render a Decision on the Following Applications:

[LD-17-2019](#) – Preliminary / Final Land Development for Ducklings Early Learning Center – extension through June 30, 2020

Ms. Drummond made a motion to approve extension. Mr. Orlow seconded the motion; the motion was approved 3-0.

[LD-02-2020](#) – Amended Final Land Development for 19 Bacton Hill Road – extension through May 20, 2020

Mr. Orlow made a motion to approve extension. Ms. Drummond seconded the motion the motion; was approved 3-0.

[LD-15-2020](#) – Preliminary / Final Land Development for WaterWalk Hotel – extension through May 20, 2020

Ms. Drummond made a motion to approve extension. Mr. Orlow seconded the motion; the motion was approved 3-0.

Consider Final Release of Financial Security for the Following Developments:

8 Lee Boulevard (Exeter)

Mr. Orlow made a motion to release financial security. Ms. Drummond seconded the motion; the motion was approved 3-0.

260 Morehall Escrow - Mr. Barner advised that the request for release has been revised and the developer is no longer requesting a full or final release of their bond. Remaining funds are being retained to install an ADA curb ramp and pedestrian facilities along a sidewalk that was already constructed on site.

Public Comment: General: None

Consent Agenda (Consider Board Action):

Approve Meeting Minutes from February 12, and February 26, 2020

Ratify Payment of Bills: \$611,444.98 (February 2020)

Approve Proposal from Bernardon for Conceptual Design for Municipal Campus Master Plan at a Not to Exceed Cost of \$20,000 Plus Expenses

Ratify Purchase and Installation of Ramp for Building Entrance \$10,950

Amend 2020 Fee Schedule to include fee of \$1500 for liquor license transfer hearing application

Mr. Orlow made a motion to accept the Consent agenda as read and amended. Ms. Drummond seconded the motion; the motion was approved 3-0.

Item added by Mr. Nagel:

Approve Lease Purchase Renewal for Audio Video Recording & Equipment for the Board Meetings for \$992 each month.

Mr. Orlow made a motion to accept the lease purchase of video equipment to increase from \$700 monthly to \$907. Ms.

Drummond seconded the motion; the motion was approved 3-0.

Meeting Adjournment: 9:30

Donna Wikert

Board Secretary