

**BOARD OF SUPERVISORS**  
**Minutes February 14, 2018**

Board members in attendance: Sue Drummond; Chair, William Holmes; Vice Chair, and Scott Lambert, member. Staff in attendance: John Nagel, Township Manager; William Steele, Public Works Director; Cathy Kleponis, Finance Director; Steve Brown, Zoning Officer; Donna Wikert, Asst. to the Township Manager; Joseph McGrory, Solicitor; Chris Yeager, Deputy Chief; Natasha Manbeck/Interim Planner. Ms. Drummond opened the meeting at 7 p.m. with the Pledge of Allegiance.

**Public Comment:**

A resident asked about the December minutes being approved and uploaded to the website. Mr. Holmes said yes they were on the agenda to be approved and would be available tomorrow. The same resident asked who is responsible for curbs in the Township, with all the rain, the curb has now sunk lower than the street. Mr. Steele said it would be the township and took her address to have someone go take a look this week.

A resident asked about the status of the \$50,000 grant Technical Evaluation Grant from DEP. Mr. Brown said it is not in yet, but the good news is the DEP has extended the deadline to late spring/early summer for the release of the proposed remedial plan, so we still have time to get it in. She also wanted to know why the residents were not notified of drilling going on at Bishop Tube a few weeks ago, she called the DEP and they told her the Township was notified. Ms. Drummond said the Township was not notified in advance. The DEP did post what was going on at the Bishop Tube site on their website. Mr. Brown said he went out to the property and talked with Roux Associates. Ms. Drummond did say the Township was aware they would be doing the additional drilling, but DEP and the consultants doing the work do not always give us all the details. Mr. Brown said just to be clear there was no drilling on the Bishop Tube site and that the drilling was at two locations.

Another resident asked if the Township could look into traffic issues at Old Lincoln Highway and the light where Cube Smart is. She asked if it is possible to add a right turning lane as the traffic gets so backed up and is frustrating. Deputy Yeager said someone would look into this. Second, she wanted to know if it is possible to work with Malvern to put a sidewalk on South Warren Avenue.

## **Volunteer Boards & Commissions – Chairs**

East White Volunteer Fire Company President Gary Sheridan reported the fund drive is winding down and they had 6% returns across the board. They sent out 7900 letters and received 520 responses

Fire Chief DeMarco reported 99 EMS calls and 55 fire calls for a total of 154 calls in January 2018. He also gave statistical highlights for 2017 and noted that the average response time decreased by 30 seconds.

Barbara Ann Thav, Chair welcomed Valerie Bocclair to the Parks and Recreation Board. Ms. Thav stated that Board agreed with the recommendation to increase the 2018 fees for summer camp. The Board is also rethinking the Mom's Club proposal and is considering moving the play equipment to Phase II of the Swaneburg property instead. Mr. Holmes was curious if the play equipment at Battle of the Clouds Park gets much use. Mr. Steele added that with Little League, the play structures get used a lot more with families that are there for games.

### **Board Motions & Resolutions (Consider Board Action):**

Recognize & Accept Retirement of Dave Suter (39 Years)

Mr. Steele recognized Dave Suter with an award for his 39 years of service with East Whiteland Township Public Works Department, not only is Dave a long time employee but he is a long time resident of the Township. Dave started in 1978 as a skilled laborer and in 1997 was promoted to foreman of the Public Works Department. Dave is a very dependable employee and he will be missed. He has been taking care of East Whiteland Township roads for 39 years and we thank him!

Dave Suter thanked everyone in the Township for all the opportunity that was given to him the past 39 years. He will miss everyone.

Recognize & Accept Retirement of Dan Hoak (29 Years)

Mr. Steele recognized Dan Hoak for his 29 years of service with the Township, Dan was not able to attend tonight's meeting.

Mr. Holmes thanked them both for their service and dedication to the Township.

## **Act 209 Transportation Impact Fee Study**

Ms. Natasha Manbeck, consultant with McMahon Associates, provided an update on the Act 209 study for the Board and public. One of the recommendations in the East Whiteland Township Comprehensive Plan Update (2016) is to update a Township-wide traffic study to identify needs and potential transportation improvements. The Township elected to update the study in accordance with the process to establish a transportation impact fee. The Pennsylvania Municipalities Planning Code (MPC) authorizes municipalities to enact transportation impact fees for new development and prescribes a process for developing and calculating the fee.

The Township initiated the Act 209 process in October 2016 by appointing members of the Transportation Impact Fee Advisory Committee (TIFAC) and establishing an interim fee of \$1,000 per PM peak hour trip. The TIFAC assisted with establishing the Transportation Services Area (TSA) and selecting 43 study intersections. The three key elements in the Act 209 process are the Land Use Assumptions Report (LUAR), Roadway Sufficiency Analysis (RSA), and Transportation Capital Improvement Program (TCIP). At the end of the process, the Township can elect to adopt a transportation impact fee ordinance.

The draft Roadway Sufficiency Analysis (RSA) and draft Transportation Capital Improvements Plan (TCIP) reports are available for public review and comment. The TCIP includes calculation of a draft transportation impact fee of \$2,862 per afternoon peak hour trip generated by new development. Ms. Manbeck briefly reviewed issues at existing intersections, projected future trips and noted that 29 intersections required improvements due to future development conditions. The TCIP identifies the costs of the improvements and allocates those costs based on future development conditions. A public hearing for the TCIP will be held during the Board of Supervisors meeting on March 14, 2018 and the final RSA and TCIP reports will be presented to the Board for approval at the meeting. The final action step will be for the Board to consider the impact fee ordinance at their April public meeting.

## **Ratify Police Health Insurance - Renewal February 2018**

Mr. Nagle asked the Board to ratify the renewal for the Police health insurance coverage, it was renewed on February 18, 2018. This is a 14% increase. Mr. Nagel said he is working on revisiting this for 2019.

Mr. Holmes made motion to approve the renewal of the Police Department 2018 health insurance. Mr. Lambert seconded the motion. The motion was approved 3-0.

### **2018 Summer Camp Fees**

Mr. Brown stated that the Township was not able to cover camp costs in 2017. Because of that, it is recommended to raise the cost a small amount for 2018 to help close the gap. The current cost per child is \$3.00 per hour and it would be raised to \$3.33 an hour. He reviewed the 2017 costs and the recommended fees for 2018. The fees for 2018 would be: for residents \$250 for the first child and \$225 for the second child and for nonresidents \$325 for the first child and \$300 for the second child. The camp is 5 weeks in the morning. A survey was sent out and no one had an issue with the cost of the camp.

Mr. Lambert made a motion to approve the 2018 Summer Camp fees. Mr. Holmes seconded the motion. The motion was approved 3-0.

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

ZHB 2018-2, 146 Sproul Road. Application of Keith & Kelly Doherty for a variance from a side yard setback for the construction of a detached garage in the R-2 District.

Ms. Drummond state that there was no need to send solicitor to Zoning Hearing Board.

### **Plans**

The Board considered resolutions to approve three plans. The resolutions and plans were:

Resolution 2018 - #12 - 473 Conestoga Road subdivision plan

Resolution 2018 - #13 - 20 Moores Road subdivision plan

Resolution 2018 - #14 - 7 Frame Avenue subdivision plan

Mr. Holmes made motion to approve the three Resolutions. Mr. Lambert seconded the motion. The motion was approved 3-0.

### **Discuss Concept of Overlay District for Planebrook and Route 30**

Mr. McGrory gave an overview of the Route 30 Corridor study and thought process behind the draft ordinance that he prepared. He stated that the study recommends that multifamily development may be appropriate for certain segments of Route 30 to help revitalize it. He said

the present ordinance proposes to allow dense multi-family development in a limited area. Mr. McGrory stated a developer approached the Township who is also interested in developing multifamily homes on Route 30. After a series of meetings and discussions he, with the help of staff and consultants, drafted the proposed ordinance. Conditional use approval is required by the ordinance and that gives the Township a lot of say over how a site is developed. A lot of standards are also required including: a transportation impact study, architectural requirements. Mr. McGrory stated the public has shown a lot of interest in the "curb appeal" along Route 30 and this is an aggressive proposal that should not be the standard throughout the Township. He suggested that the Board either vote to advertise a hearing on this, at which time the Planning Commission would review it, and if there were no changes it could potentially be adopted after a hearing with the Board or send the draft to the Planning Commission before advertising and giving them 30 days to provide feedback. The formal process of advertising the ordinance and holding a public hearing would then follow.

Mr. Holmes made a motion to send the draft ordinance to East Whiteland Planning Commission with the expectation of getting feedback by March 7, 2018 and to send it to the County Planning Commission. Mr. Lambert seconded the motion. The motion was approved 3-0.

### **Consent Agenda**

Ms. Drummond reviewed the consent agenda as follows:

- a) Approve Meeting Minutes from January 2, 2018 and January 10, 2018
- b) Approve Extension Amendment to Automated Red Light Enforcement (ARLE) Program Project Funding (Grants Totaling about \$473,000) Agreement with PennDOT for Route 30 Improvements
- c) Approve 4 Country View Road (Sunguard) Tax Assessment Appeal Settlement
- d) Approve 280 Morehall Road (Courtyard by Marriott) Tax Assessment Appeal Settlement
- e) Authorize Board Chair and Township Manager to Submit an application to Chester County's Vision Partnership Program in the amount (for \$70,000; \$25,000 in Township matching funds)
- f) Approve final escrow release for JMP Malvern Associates in the amount of \$10,000

- g) Approve action by the Solicitor to file a court order with the Court of Common Pleas to gain the authority to remove the construction trailer, abandoned vehicles, shipping container and debris/trash from 72 Lancaster Avenue
- h) Approve Amended agreement with Townes at Malvern section 2 (Celia Tract)

Mr. Lambert made motion to approve the consent agenda as read by Ms. Drummond. Mr. Holmes seconded the motion. The motion was approved 3-0.

### **Reports and Communications from Township Staff**

Mr. Steele gave an update on the Spring Road culvert replacement. He also stated that Aqua will be replacing a water main on Morehall Road and Matthews Road; the road will closed between 9 a.m. & 3 p.m. sometime in March.

### **Treasurer's Report**

Ms. Kleponis gave the Treasurer's Report. As of December 31, 2017, the major categories of general fund revenue met or exceeded what was budgeted. She noted that the 2017 audit would begin next week.

Mr. Holmes made motion to approve the Treasurer's Report. Mr. Lambert seconded the motion. The motion was approved 3-0.

### **Ratification of the Payment of Bills**

Mr. Lambert made motion to approve the payment of the January 2018 bills. Mr. Holmes seconded the motion. The motion was approved 3-0.

### **Announcements**

Executive Sessions were held on January 10 at 6pm (to discuss legal and personnel matters), February 1 at 11:30am (to discuss personnel matters) and February 13 at 4pm (to discuss personnel matters).

### **Name That Park Contest – Announce Three Finalists**

The suggestions to name the Township's next park are in and the finalists are:

**Bacton Hill:**

This is a region in East Whiteland that was an early village for African Americans. The Ebenezer AME Church and cemetery was a sacred space where a Civil War soldier is buried.

**Woodyard Park:**

Hiram Woodyard was a Township resident and former slave who served in the Union Army as a teamster. He was a leader in the African American community and is buried at the Ebenezer AME Church. His home still stands on Conestoga Road.

**Patriot Park:**

This name reflects the historical significance of the Township, region and members of the East Whiteland community.

The name for the new park, a 16-acre property off Bacton Hill Road that is currently known as the Swanenburg Property, will be announced at the March 14 Board of Supervisors meeting. To vote on the new name, please email [info@eastwhiteland.org](mailto:info@eastwhiteland.org) with a selection from the three finalists by March 8.

A second (Spring 2018 evening) presentation is Being Planned Route 30 Corridor Master Plan Community Workshop – March 8, 2018, 5-8pm

If you're interested in receiving our monthly E-newsletter, you can sign up by visiting [www.eastwhiteland.org](http://www.eastwhiteland.org) and clicking on the "E-Newsletter" button on the left hand side.

Complete the information on the form and watch for an email from Vertical Response. You will need to click on the link in that email to confirm joining our newsletter list.

**Meeting Adjournment****Donna Wikert**