

Board of Supervisors
May 9, 2018
Minutes

Attendees:

Sue Drummond, Chair; William Holmes, Vice Chair; and Scott Lambert, Member. Staff in attendance: John Nagel, Township Manager; Cathy Kleponis, Finance Director; Steve Brown, Zoning Officer; Zach Barner, Director of Planning; Donna Wikert, Assistant to the Township Manager; Joseph McGrory, Solicitor; Chris Yeager, Deputy Chief; Natasha Manbeck, Transportation Planner.

Ms. Drummond opened the meeting at 7 p.m. with the Pledge of Allegiance.

Promotion of Chris Yeager to Police Chief

Mr. Holmes made a motion to promote Chris Yeager to Chief of Police. Mr. Lambert seconded the motion. The motion was approved 3-0. Judge John R. Bailey swore Chris Yeager in as the East Whiteland Township Police Chief.

Promotion of Marc Heivly to Public Works Foreman

Mr. Nagel gave brief background on Mr. Heivly and his 18 years of dedicated service with the Township. Mr. Lambert made a motion to promote Marc Heivly to Public Works Foreman. Mr. Holmes seconded the motion. The motion was approved 3-0.

Public Comment: General:

Gail Keyes is concerned about the car dealerships on Route 30 removing grass and using setbacks to park cars. She would like to know why this is being allowed. Mr. Brown said he would look into this and see if they are abusing any ordinances.

Deborah Mobile wanted to know if the Township is getting any kind of feedback from the DEP on their findings at Bishop Tube. Mr. Brown said when they release their plan we have 90 days to use a consultant to try and understand the plan. Ms. Mobile asked if the DEP would do a public presentation on their review. Ms. Drummond said they are not obligated to do so.

Reports and Communications from Boards and Commissions:

President Gary Sheridan thanked the Board again for their support on the purchase of the two new fire apparatus. They will likely be available next spring. Chief DeMarco gave his monthly report; there were 103 EMS calls, 74 Fire calls for a total 177 calls.

Barbara Ann Thav, Chair of the Park and Recreation Board (PRB), updated on events in the Township and the projects the PRB is working on. Ms. Thav reminded everyone about summer camp and Friends of Summer stage concerts.

Tim Caban, Historical Commission Chair, gave an update on 100 North Bacton Hill Road. There is a request to demolish the building. The Historical Commission is requesting that the developer provide a historical impact study. Mr. Caban gave an update on Gunkle Mill and was pleased that Gunkle Mill will be included in Chester County Day. The parking situation for Chester County Day needs to be worked out.

Board Motions & Resolutions (Consider Board Action):

Friends of the Summer Stage – 2018 Lineup & Contribution

Mr. Brown stated that \$10,000 is budgeted for a contribution to the 2018 Friends at Summer Stage (FSS) concerts at Valley Creek Park. Matt McGuire, Chair of FSS, thanked East Whiteland Township for sponsoring them for the past 7 years, along with local businesses. The lineup is:

June 13 - [CJ Chenier](#)

June 20 - [Wallace Brothers](#)

June 27 - [Mark Schultz and the Wayne Rangers](#)

July 11 - [Damn The Torpedoes](#)

Waiver of Alcohol Policy for Summer Stage Concerts (Four 2018 Events - Beer Garden Amenity for Locust Lane Craft Brewery [Trial Basis])

Matt McGuire approached the Township a few months ago about a possible beer garden. He met with Locust Lane Brewery and Township staff and proposed a plan to the PRB, which was recommended for approval. FSS is also looking into food trucks. Mr. Nagel said the Township has been working with our insurer (DVPLT) and the Solicitor on this event. Brian Brockson, from Locust Lane Brewery, explained that breweries are a specific liquor license type with the LCB, unlike bars and restaurants. Under their license, Locust Lane Brewery can file for a permit which allows them to sell beer on sites other than their own premises. Locust Lane Brewery would set up 10x10 tents with beer by the glass, check IDs and wrist bands and the staff is certified to serve liquor. Mr. McGrory asked if they had "Dram Shop" Insurance, Mr. Brockson will send all of his insurance to the Solicitor. Locust Lane Brewery has agreed to the indemnification agreement as well.

Ms. Thav would like to know if Locust Lane Brewery will have extra security. And she wanted to know more about the food trucks. Mr. McGuire said everything will be advertised. Ms. Thav asked if FSS needs to separate the vendor from the township and security now that there is alcohol. Mr. McGuire said FSS notified the Police and will have a walk around before the event. Mr. Holmes asked, if there was a problem, can the Township cancel the beer garden for the other concerts? Mr. McGuire said yes.

Mr. Lambert made a motion to approve the 2018 contribution of \$10,000 to Friends of Summer Stage. Mr. Holmes seconded motion. The motion was approved 3-0.

Mr. Holmes made a motion to approve the waiver of the alcohol policy for the beer garden amenity for Locust Lane Brewery on a trial basis and contingent upon the completion of the indemnification agreement. Mr. Lambert seconded the motion. The motion was approved 3-0.

Accept Retirement Notice:

Police Lieutenant Mark Ercole (33 Years of Service)

Mr. Ercole retired on April 30, 2018. Mr. Nagel said he will be missed. Mr. Ercole was a member of our Police Command and was instrumental in orienting Mr. Nagel to East Whiteland Township.

Mr. Lambert made a motion to accept the retirement of Lt. Ercole. Mr. Holmes seconded the motion. The motion was approved 3-0.

Approve Conditional Job Offer to Full Time Codes & Life Safety Inspector, Brian Willicombe

Mr. Holmes made a motion to approve the conditional job offer. Mr. Lambert seconded the motion. The motion was approved 3-0.

Approve Conditional Job Offer to Two Full Time Public Works Skilled Road Maintenance Workers

Mr. Lambert made a motion to approve conditional job offers to two full time Public Works Skilled Road Maintenance Workers. Mr. Holmes seconded the motion. Motion approved 3-0.

Approve Purchase and Installation of Play Equipment at Battle of the Clouds Park from Park Improvement Fund (Estimated at \$12,000).

Mr. Holmes made a motion to approve the purchase and installation of play equipment for the Battle of the Clouds Park, not to exceed \$12,500, and the installation of the equipment, not to exceed \$3,800, based upon Mr. Steele's review. Mr. Lambert seconded the motion. The motion was approved 3-0.

Approve Purchase of Dump Truck from 2018 Capital Improvement Budget (\$140,000)

Mr. Nagel said this item was in the Capital Budget for replacement.

Approve Purchase of Firefighter Turnout Gear from 2018 Capital Improvement Budget (\$11,134)

Mr. Lambert made a motion to approve both purchases, a Dump Truck and Fire Fighter Turnout gear. Mr. Holmes seconded the motion. The motion was approved 3-0.

Motion to Advertise:

2018 Street Improvement Project

Mr. Nagel said this is for a bid for milling and paving projects for 2018. Further, since 2016, the Township has paved over \$1 million in roads. 2018 planned road projects include Ashlawn Circle, Malvern Hunt Way, Ridge Rd, Sleigh Ride Dr., Moores and Sidley Roads.

Mr. Lambert made motion to advertise for bid. Mr. Holmes seconded the motion. The motion was approved 3-0.

Motion to Award:

Sanitary Sewer Design Services for Planebrook Road and Bacton Hill Road Projects Proposal from ARRO for \$155,000

Bid for Planebrook Road Regional Pump Station for General Contractor - Zimmerman Environmental \$353,800

Bid for Planebrook Road Regional Pump Station for Electrical Contractor - Blooming Glen Contractors \$79,730

Mr. Holmes made a motion to award the Sanitary Sewer Design proposal to ARRO, the Regional Pump Station for General Contractor to Zimmerman Environment and the Regional Pump Station for Electrical Contractors to Blooming Glen Contractors. Mr. Lambert seconded the motion. The motion was approved 3-0.

Consider Sending Township Solicitor to Zoning Hearing Board to Support or Oppose Special Exception and/or a Variance to expand the Old Orchard Mobile Home Park, located at 476 Lancaster Avenue, onto the adjoining property (ZHB-2018-4)

Mr. McGrory said that the request is a simple expansion of 11 units in the mobile home park. Mr. McGrory thinks that there will be no legal issues that the township would need protection on.

Mr. Sean O'Neil, applicants attorney asked if the Township could make a positive recommendation for the ZHB approval, as it is directly supporting our Route 30 Corridor plan. Mr. McGrory said the Supervisors need to be selective in applicants they support and would not recommend such for this application.

Review application for demolition of historic resource at 100 N. Bacton Hill Road:

Mr. John Jaros, attorney for the applicant (HP Flanagan), spoke on behalf of Mr. Pettyjohn. He presented the history of the application for a demolition permit in 2006 and 2007. The Supervisors, at the time, granted approval to the (then) owner, Mrs. Jane Doss, to demolish the Class 1 historic resource. Mr. McGrory said the issue is whether or not the Board of Supervisors is willing to reinstate the 2006 approval, as a matter of fairness, and it is not really a legal issue, although he could argue certain aspects of the request. Mr. Caban stated that the Historical Commission recommended the next step as outlined in the Zoning Ordinance, which is for the applicant to prepare a historic impact study. Mr. Holmes asked if the Historical Commission would be satisfied with a current study and allowing the owner to proceed with the demolition? Mr. Caban said he believes this would be acceptable to the Historical Commission. Ms. Drummond asked why the Historical Commission did not require the same study with other structures. Mr. Caban stated because those structures were preserved. Mr. Jaros stated that the applicant proposes to photo document the structure and to allow the Historical Commission inside the building to document it and to salvage materials, if desired. Ms. Drummond and Mr. Holmes stated that this proposal was acceptable to them. Mr. Lambert stated that believes it is not a burden to the applicant to prepare the impact study.

Mr. Holmes made a motion to approve the application to demolish the structure contingent upon the provision of the photo documentation and allowing the Historical Commission to have access to the

building and determining if any of it is worth saving. Ms. Drummond seconded the motion. Mr. Holmes and Ms. Drummond voted to approve the motion, Mr. Lambert voted nay. The motion was approved 2-1.

Public Hearings (JM):

Multifamily Route 30 Overlay District: Zoning Text & Map Amendment

Mr. McGrory opened the hearing at 8:10pm on both the Zoning Text & Map Amendments, combining them. ORD #297 - **ORDINANCE REZONING CERTAIN TRACTS OF LAND SITUATE IN EAST WHITELAND TOWNSHIP BORDERING U.S. ROUTE 30 TO BE INCLUDED IN THE MF MULTIFAMILY ROUTE 30 OVERLAY DISTRICT AND AMENDING THE TOWNSHIP ZONING MAP TO INDICATE THE REZONING**

Mr. Holmes made a motion to approve the Multifamily Route 30 overlay District Zoning Ordinance Text change. Mr. Lambert seconded motion. The motion was approved 3-0.

Mr. Holmes made a motion to approve the Zoning Map Amendment to define the Multifamily Route 30 Overlay District geographically. Mr. Lambert seconded the motion. The motion was approved 3-0. The hearing ended and public meeting resumed at 9:15 p.m.

<https://www.municipalmeeting.com/east-whiteland>

Presentation (NM):

Route 30 Corridor Plan Update:

Natasha Manbeck, McMahan Associates, and Jennifer Reitz, Thomas Comitta & Associates, presented an update on the Route 30 Corridor Study. Ms. Drummond advised that the PowerPoint will be posted on the website. Ms. Manbeck said the plan was nearing the end of a 15 month process. Public comments would close on June 11, 2018 and the plan will be finalized by the end of June.

www.eastwhiteland.org/DocumentCenter/View/525/Route-30-BOS-2-Presentation

Plans (ZB):

Consider having the Solicitor draft resolutions for consideration at the June meeting for the following Developments:

Preliminary/Final Land Development Plan for “Ivy Prep Academy” located at 627 Lancaster Avenue (2018-01-DP)

Mr. Mondzelewski, gave a brief overview of the final Land Development Plan. This will be a daycare with approximately 180 children. They have complied with all requests for parking and are allowed to use the Hampton Inn for overflow. They will widen their street frontage to comply with the Route 30 Corridor Plan.

Mr. Lambert made a motion to have the Solicitor draft a resolution for Preliminary Final Land Development Plan. Mr. Holmes seconded the motion. The motion approved 3-0.

Waiver Request for “Haym Salomon Memorial Park Expansion” for relief from the Land Development review process in order to allow the proposal to be reviewed as a Grading, Erosion Control, and Stormwater Permit Plan located at 200 Moores Road (2018-05-DP). Ms. Deborah Shulski, attorney for the applicant, said her client will comply with ARRO’s comments. Mr. Holmes made a motion to expedite and to waiver all other requirements subject to applicant signing the resolution. Mr. Lambert seconded the motion. Motion approved 3-0.

Consider motion to approve waivers for the following Development plans: None

Consent Agenda (Consider Board Action):

- Approve Meeting Minutes from February 27, 2018, March 14, 2018, March 20, 2018, and May 1, 2018
- Consider Extension of Time for Board to Render a Decision for the following Developments: Preliminary/Final Subdivision Plan for 15 Frame Avenue the end of July.
- Consider Amendments to the Township Fee Schedule for the following: Act 209 Traffic Impact Fee (Interim and Official with date ranges)
- Great Valley Auto Salvage – Request to Operate Junk Yard in 2018 for a \$200 permit fee.

Ms. Drummond made a motion to approve the Consent Agenda. Mr. Holmes seconded the motion, the motion was approved 3-0. The item Approve Extension of Agreement with Human Resources Consultant through December 31, 2018 was tabled for future discussion.

Reports and Communications from Township Staff:

Police Chief, Public Works Director, Zoning Officer, Property & Recreation Director and Planning & Development Director, Township Manager

Mr. Brown gave an update on camp registration. Ms. Fasano, Recreation Supervisor, spoke with John Nagel about camp enrollment being low and the possibility of opening registration to all Great Valley School District children. The Board was fine with opening up the geographic boundaries of camp registration and asked the Park and Recreation Board to brain storm and help bring enrollment up. Ms. Thav also expressed the concern with why numbers are down this year. Ms. Drummond thought the possibility of so much camp competition may be the reason.

Acceptance of the Treasurer's Report (CK): As of April 30, 2018

Cathy Kleonis reported that all revenue and expense categories are consistent with budget.

Mr. Lambert made a motion to accept the Treasurer Report. Mr. Holmes seconded the motion. Motion approved 3-0.

Ratification of the Payment of Bills – Checks Totaling \$1,115,654.06

Mr. Holmes made a motion to accept ratification of the payment of bills for April 30, 2018. Mr. Lambert seconded the motion. The motions was approved 3-0.

Under other business, Mr. Nagel recommended issuing a request for a proposal for professional engineering service for

Sanitary sewer for East Whiteland Township. The Supervisors agreed with Mr. Nagel's recommendation.

Meeting Adjournment: 10:05p.m.

Donna Wikert
Board Secretary