

**Board of Supervisors
July 11, 2018
Minutes
Action Meeting – 7:00pm**

Board members in attendance:

Sue Drummond, Chair; Vice Chair; Scott Lambert, Rich Orlow
Staff in attendance: John Nagel, Township Manager; William Steele, Public Works
Director; Cathy Kleponis, Finance Director; Steve Brown, Zoning Officer; Zach Barner,
Director of Planning; Donna Wikert, Asst. to the Township Manager; Joseph McGrory,
Solicitor; Chris Yeager, Chief of Police

First Line of business Select Board Vice Chair.

Mr. Orlow made a motion to nominate Mr. Lambert, Ms. Drummond seconded motion. Motion was approved 3-0.

Reports and Communications from Township Staff:

Chief Yeager introduced the new Part Time Police Officer Greg Bickel, he was not able to make the meeting. The Chief also announced recruitment is in process of full time Police Officers. All applications and packets are due by July 20th, 2018. Written and agility tests will begin August 4th. The Chief is hoping to wrap this up within 60 days.

Mr. Nagel introduced the Director of the Malvern Public Library, he said the 2018 funding (\$46,703) is based on residents. She accepted the donation and thanked the East Whiteland Township for their continued support.

Accept 2015 DEP Recycling Performance Grant (\$38,195) (JN)
Combining resources with other municipalities. Ryan Ingham from Hough Associates, coordinates the recycling on behalf of East Whiteland Township, Mr. Ingham gave a presentation on 904 grant receipts and applications.

<S:\Board Of Supervisors\General Correspondence\East Whiteland Handout recycle.docx>

**Department Heads & Managers (Police Chief, Public Works Director, Zoning Officer, Property & Recreation Director, and Planning & Development Director
Township Manager – Early Intervention Plan Report:**

Chief Yeager reported another scam going on where residents are receiving calls from people claiming to be ICE asking for gift cards in high values to keep them from being deported. The police have also been meeting with different HOA's in the Township getting to know the residents and answering any questions they have. He encourages all residents to call if they would like to meet with the Police.

Mr. Steele provided an update on the capital project; he said the Valley Creek retaining wall is completed and the Planebrook Road regional pump station project is to be completed in October. The Township is waiting on permits from DEP to replace a storm water pipe on Fairway Drive.

Mr. Brown provided an updated 72 Lancaster Avenue, Grove trailer and car issue, he is working with the solicitor office trying to get Mr. Grove severed with legal notice. The Township filed a contempt order against Karen's K 9, they were required a few years ago also to put a sidewalk in front of the business, as of now they are not compliant. Finally, he mentioned there is money in the Capital Budget to proceed with connecting Bryn Erin to the Chester Valley Trail.

Mr. Barner, has one new land development application for Allen Myers, office renovation.

Mr. Nagel, the Township Manager gave a brief overview on the Multi Year Plan. In 2017 East Whiteland Township received a grant from the Pennsylvania Department of Community and Economic Development to develop a multi-year financial management plan through the Department's Early Intervention Plan (EIP) program. Attached is a draft plan Multi Year Financial Management Plan.

<http://www.eastwhiteland.org/DocumentCenter/View/608/Multi-Year-Financial-Management-Plan-7-13-18>

Reports and Communications from Boards and Commissions:

East Whiteland President Garry Sheridan, report that there were 154 incident calls, 92 EMS calls and 62 fire calls for the month of June, it was a very busy month. Training is still ongoing. They hope to pay for the new vehicles in September or October.

Barbara Ann Thav, Chair of Parks & Recreation, thanked everyone for all their help with the summer concert events. Ms. Thav also reminded everyone to check out the community connection page on the website, very good information provided.

Mr. Tim Caban, Chair of Historical Commission, updated the Board on Gunkle Mill, The Millright was unable to make it last month, so this rules out any work being done by Chester County Day. He is asking for the Board to approve the proposal of \$6,975 to T.J.'s Outdoor Maintenance for Gunkle Mill's weed remediation manually without using chemicals. That is being done to the tail race. The millright said it would be beneficial to lower the water level before doing anything else.

Mr. Lambert made a motion to accept the proposal for the Gunkle Mill project subject to the Township Engineer's approval. Mr. Orlow seconded the motion. The motion was approved 3-0.

Public Comment: General:

A resident from Village Way, just wanted to say thanks for all the support the Board has given, and reminding everyone they are still looking for the responsible parties to clean the Bishop Tube property up and turn it into open space.

Another resident asked about the status of the \$50,000 technical grant from DEP. Mr. Brown said it has been approved, and once the DEP provides the township with their remediation plan that will be the trigger to get moving on a consultant.

Board Motions & Resolutions (Consider Board Action):

Mr. Steele would like to promote Ed Kutsch to Public Sewer Crew Leader he has been with the township for 10 years and is a great asset to the department. Mr. Orlow made a motion to promote Ed Kutsch, Mr. Lambert seconded the motion, and the motion was approved 3-0.

Approve Appointment of Township Wastewater Engineer (JN)

Mr. Nagel gave a brief background on the process, we invited a number of firms for proposals, we received 3 responses, and the staff and Board have all interview them. Mr. Nagel is asking the Board to approve Pennoni as the wastewater engineering firm. Mr. Lambert made a motion to approve, Mr. Orlow seconded the motion, and the motion was approved 3-0.

Mr. Hassan thanked the Board and said he is looking forward to working with the Township.

Consider Acceptance of *Route 30 Corridor Master Plan – “Reimagining Frazer”*

Mr. Barner explained this is a requirement term for the grant. All information in on our website and here at the township building for viewing. The acceptance is via a Resolution, #25-2018.

Mr. Orlow made a motion to accept the resolution for Route 30 Corridor Master Plan. Mr. Lambert seconded the motion, and the motion was approved 3-0.

Consider Position on House Resolution 291 (HR 291) - Requires PA Department of Revenue Conduct a Study of a Statewide Collection of Local Earned Income Tax (JN)

Mr. Nagel received notice thru Chester County Tax Committee that legislator is proposing the state to do a feasibility study to collect EIC state wide. We have been asked by several tax collection committees to take a position on this. The recommendation across Chester County and Montgomery County is to retain current structure and not move forward with centralizing this in the State. Mr. Nagel said it would be like giving all power away. Setting this type of persistence to allow centralizing leads to other things that should be done on a local level. Ms. Drummond said she see no advantage to this. Mr. Lambert made a motion to write a letter to state representatives to voice our concern on house resolution 291 and our opposition to it. Mr. Orlow seconded, all in favor 3-0.

Valley Creek Park – Accept Developer Offer to Connect Atwater by Trail (SB)

Valley Creek Park – Accept Proposal from ARRO to Connect to Country View Road by Trail (SB)

Mr. Orlow made a motion to accept the developers offer subject to approval of the route. Mr. Orlow also made a motion to accept proposal from Arro to sketch out and connect the trail from Country View Rd at the cost of \$1650. Mr. Lambert seconded the motions, motions approved 3-0.

Motion to Reject & Readvertise All Bids – 2018 Street Improvement Project (WS)

Mr. Steele said it is our recommendation to reject and re advertise all bids for a better price.

Mr. Lambert made a motion to approve, Mr. Orlow seconded the motion and it was approved 3-0.

Motion to Advertise:

Project for Frame Avenue Culvert (WS)

Mr. Orlow made motion to approve, Mr. Lambert seconded, and motion approved 3-0.

Amendment to Parking Ordinance (CY)

Chief Yeager mentioned advertising the ordinance restricting parking on Charles Street, the Chief also met with the HOA of Spring Mill Farms they agreed to change wording in the current ordinance to read parking permits only, two parking permits per household. This should cut down the issue with parking.

Mr. Lambert, made a motion to advertise the ordinance restricting parking on Charles Street and to make the parking amendments suggested by the Chief. Mr. Orlow seconded the motion, the motion was approved 3-0.

Repeal of Historic Density Ordinance

Mr. McGrory gave a brief overview on Density Ordinance, if you preserve historical sites, you get a 25% density bump. Mr. McGrory recommends your repeal this, it is not going to help with Flat Road, they already filed, but it will prevent any other project down the line. After this is repealed the Board should met with the Historical Commission and come up with other alternates.

A question was asked by a resident if the Flat Road is meeting the definition of historical structure? Mr. McGrory explained that this is a hearing that will be in front of the Board for conditional use approval, therefore he is not able to comment on this.

Mr. Lambert made a motion to advertise to repeal the Historical density ordinance, Mr. Orlow seconded the motion, and the motion was approved 3-0.

Plans (ZB):

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

2017-05-SD for 1530 Morstein “Red Barn Farms”

Mr. Mullin, applicant’s lawyer, gave brief presentation to the modifications they made to comply with the ordinance. They added 40 trees, also asking for 2 waivers for street trees and lot tress. Requesting a waiver from section 175-41. D (1) of the East Whiteland Subdivision and Land Development Ordinance requiring lot trees. A total of 58 new trees have been proposed on the property in addition to the 63 trees to remain which will result in 121 trees for the four lots. The total area of the four lots is 292,690 square feet and when divided by 2,500 results in 117 required trees. The trees are not evenly distributed within the lots, but the proposed landscaping is consistent with the intent of the ordinance.

Mr. Orlow made a motion to authorize the resolution for 1530 Red Barn project, Mr. Lambert second the motion, the motion was approved 3-0.

Consent Agenda (Consider Board Action):

- Approve Meeting Minutes from April 11th May 9th (DW)
Ms. Drummond tabled May minutes till next month.

- Approve Proposal from ARRO for a One Year Contract Extension (\$45,000 Annual Cost) for Operation of Malvern Hunt Wastewater Treatment Plant Spray Irrigation System
- Approve Purchase (\$3,675) of Printer for Electronic Recordkeeping (DocStar)
- Acknowledge Receipt of and Accepts the Early Intervention Plan Report by Public Financial Management (JN)
- Approve Tax Assessment Appeal Settlement (JN) – None
- Approve Release of Escrow for the following Developments (ZB): None
- Consider Extension of Time for Board to Render a Decision for the following Developments (ZB):
[2017-05-SD](#) for 1530 Morstein “Red Barn Farms” to August 31, 2018

Mr. Orlow made a motion to accept the Consent Agenda as read, but had to excuse himself from the April 11th minutes, he was not at that particular meeting. Mr. Lambert seconded the motion, motion approved 3-0.

Announcements

Executive Session was held on June 13th at 6:00pm and post meeting (to discuss legal and personnel matters), June 19th at 4:00pm (to discuss personnel matters) and June 27th at 3:00pm (to discuss legal matters).

Acceptance of the Treasurer’s Report (CK): As of June 30, 2018

All revenue and expense items comply with the budget for the month of June.

Mr. Orlow made a motion to accept the treasurer report. Mr. Lambert seconded the motion. The motion was approved 3-0.

Ratification of the Payment of Bills (CK): Checks Totaling \$793,694.03

Mr. Lambert made a motion to ratify the payment of bills thru June. Mr. Orlow seconded the motion. The motion was approved 3-0.

Meeting Adjournment 9:30

Donna Wikert
Board Secretary