

Board of Supervisors

July 12, 2023

Minutes

Board Members Present: Scott Lambert, Chair; Rich Orlow, Vice-Chair; and Peter Fixler, Member

Staff Present: Steve Brown, Township Manager; Catherine Ricardo, Assistant Township Manager, Donna Wikert, Operations Manager, Township Secretary; Brittany Carosello Deputy Director of Planning and Development; John Mateja, Zoning Enforcement Officer; John Neild, Direct of Public Work; Chris Yeager, Police Chief; Greg Lewis, Fire Chief; Bernadette Kearney, Township Solicitor,

**Action Meeting:** Mr. Lambert called the Zoom meeting to order at 6:35 P.M. Pledge of Allegiance

**Board Briefings:**

Executive Session(s) were held on July 12, at 5:00pm on (legal, personnel and real estate)

Route 30 Corridor) Update – Mr. Lambert was disappointed to announce that East Whiteland did not receive the RAISE Grant, DOT awarded 2.2 billion dollars to 162 infrastructure projects across the country. Despite all the support from Casey, Fetterman, Houlihan, Muth, Howard, Maxwell, Kichline, and Moskowitz. The grant would have improved traffic safety, connectively and created 141 direct and 55 indirect jobs, the bottleneck on Route 30 will remain. Pa received three grants, Leigh High Valley, Philadelphia and Western Pa., seventy percent of the money awarded was for projects defined as areas with persistent poverty or homes to historically disadvantaged communities. The next time you are sitting in traffic on Route 30, remember to send emails to your legislatures asking to support this project going forward.

AJ Blosenski Update – Mr. Lambert updated, and the company had been sold by Nation company, service failed. Mr. Lambert thanked all the residents who called into the Township or sent emails to the Township. It showed the wide spread issue, in seeing no improvements of pick up and lack of communication. After speaking with staff and Mr. Brown, Township Manager, we are going to proceed with filing a violation citation under our ordinance, the fines can range from \$100 to \$1000 per violation. On June 21<sup>st</sup> he spoke with Mark Pied regional president on behalf of residents, if service improves as Mark indicated it would, we will consider rescinding the fines subject to staff and Board agreement. Please keep us abreast of any issues with pick up as we are trying to stream line these issues. Mr. Mateja said please continue emailing him with any issues

[lmateja@eastwhiteland.org](mailto:lmateja@eastwhiteland.org)

Personnel Action – Mr. Brown is requesting from the Board a motion to approve the personnel action resolution regarding the de motion of employee #112. Mr. Orlow made a motion to accept the demotion and change for employee. Mr. Fixler seconded the motion; the motion was approved 3-0.

Mr. Lambert mentioned that the next Concert in the Park is July 19, at Valley Creek Park featuring Lauren Hart. Nation Night Out August 1, being held at the Groove on Route 29.

**Announcement - Informational Item: The Hearing will be readvertised for 8/9/23 to ensure procedural compliance with the Pennsylvania Municipalities Planning Code and Second-Class Township Code**  
Zoning Ordinance Amendment related to the MF Multifamily Route 30 Overlay District (Section 200-39.4)

Zoning Map Amendment to include tracts of land identified as UPI NOS. 42-4-309, 42-4-310, and 42-4-310.2 in the MF Multifamily Route 30 Overlay District

**Public Hearings: NOTE this has been moved to after Zoning & Code Enforcement**

Ordinance Amendment related to Traffic Control Signals and Devices to Exempt Buses from Travel Restriction (Section 189-8.B)

CU-02-2023 for Chester County Intermediate Unit at 40 Moores Road

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

Swearing in of Voluntary Fire Police Officer Michael Jurado

Mr. Orlow Swore in Mr. Michael Jurado. Chief Yeager said Michael came from New York City with his wife and two children. He is a great asset to the Voluntary Fire Police and thanked him for taking this service on.

Recognize East Whiteland Fire Company volunteers Rajiv Anand, Hrtha Rajiv, and Vibha Rao for completing Emergency Medical Technician (EMT) school (Deputy Chief, John DeMarco)

Deputy Chief John DeMarco proudly announced the hard work and dedication of Rajiv Anard and Hrtha Rajiv on behalf of the members of the fire company we would like to take this opportunity to celebrate with you this is a lot of demanding work, and we are proud of what you have accomplished. Thank for being part of our organization.

Approve Fire Department promotions to Captain (Terry Bechtel) to Fire Captain and Firefighter/EMT (Paul Brown) to Full-Time Firefighter/EMT Chief Lewis proudly announced the promotions.

Mr. Fixler made a motion to approve the promotions. Mr. Orlow seconded the motion; the motion was approved 3-0

Approve Termination of COVID-19 Disaster of Emergency Declaration – Ms. Ricardo mentioned in March of 2020 the Board of Supervisors adopted a declaration for COVID-19 in May of 2023 FEMA officially ended the declaration, therefore we need to terminate the declaration for East Whiteland Township.

Mr. Orlow made a motion to terminate the Declaration for East Whiteland. Mr. Fixler seconded the motion; the motion was approved 3-0.

America250PA Resolution – Recognizing America’s Semiquincentennial – Ms. Ricardo explained that this is to encourage development and coordinate the commemoration of the Two Hundred and Fiftieth anniversary of the United States, which will take place in 2026. The county will be looking for the Townships involvement in planning county wide events.

Mr. Fixler made a motion to approve the America250PA Resolution. Mr. Orlow seconded the motion; the motion was approved 3-0

Accept quote from ARRO for MS4/PRP Planning not to exceed \$205,000 – Ms. Ricardo said the purpose of this Agreement is to form the basis for ARRO Consulting, Inc. (ARRO) to provide consulting engineering services to East Whiteland Township (Client) for the design of stream bank restoration located at Valley Creek Park on

PA Route 29, Ecology Park located at 208 Conestoga Road, and the Township Municipal Complex at 209 Conestoga Road, in accordance with Best Management Practices (BMPs) that meet performance criteria standards established in the Pennsylvania Stormwater BMP Manual. All work will be located within East Whiteland Township and on Township properties. ARRO will provide the services identified in the Scope of Services below.

Mr. Orlow asked if we can participate with PennDOT credits. Ms. Ricardo said no that contract is no longer an option at this time. Mr. Orlow said is the responsibility solely of the Township, Ms. Ricardo said it has always been on the Township we were able to just piggyback on that contract that already existed. We think we will be able to stay in the cost estimate we have already considered. This will need to be completed or well on its way by the end of next year. Mr. Orlow said make sure it is in the budget.

Mr. Fixler made a motion to accept the quote from ARRO not to exceed \$205,000. Mr. Orlow seconded the motion; the motion was approved 3-0.

### **Consider Motion to Advertise and Motion to Award:**

Approve advertising sale of 2018 Ford explorer Police Car on Municibid –

Mr. Fixler made a motion to approve the advertising of Municibid. Mr. Orlow seconded the motion; the motion was approved 3-0.

### **Planning & Development:**

Consider Rendering a Decision on the Following Development Applications:

WLD-04-2023 Covenant United Presbyterian Church (Peoples Pantry) located at 384 Lancaster Avenue.

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

Sidley/Mill Trail Connection to Chester Valley Trail – Alternatives – Ms. Ricardo gave a brief overview of the project. The topic of tonight is where it meets on Conestoga Road. Originally there were three alternatives, one taken off due to issue with wetlands and steep slope. Option #2 is the Ecology Park entrance and option #3 is 401 and Mill Lane. The Design Engineer recommends option #3 and the Park & Recreation Committee agrees with this option. It is the most direct, cost effective and safe option at this time. It is before the Board tonight because we are pursuing grant funding for part additional design and construction. Mr. Brown added there is a meeting next week for the Grant Application and we are required to present our initial thoughts. The application is not due till September. Mr. Orlow asked if the amount of money for the grant connected to or close to the cost estimate of the different alternatives. Ms. Ricardo said the township already has one grant to aid this, this is for design and construction once you select an option you are locked in. Mr. Orlow added that the Fire Company has several concerns about the trail running up Mill Lane on Fire Company property, even though the Township owns the property he is still concerned. Mr., McCusker, President of the Fire Company said their concerned about the section where they use for activities, there is also a traffic signal base, PECO powerlines, trees, and shrubs that would be disturbed. Mr. Orlow mentioned alternative #2 is steeper than Mill, with all factors he is certain we can come up with a compromise with the Fire Company.

Option #3 is the best route, it is impossible to please everyone, but the Board leans toward Mill Lane. A few questions and concerns from David Sic's, Marty Lutz and Michael Jurado, were with alternative #2. Speed was a concern and no direct way to get to the Ecology Park from Mill Lane. If the Township proceeds with option #3 will there still be a way to get to ecology park. Ms. Ricardo said we can look into it. Also, question was asked

by Marty, going North on Mill Lane with approved Knickerbocker trail is this project going to address a safe cross over. Ms. Ricardo said they are looking into a safe crossover it has been brought to our attention as part of the design.

Mr. Orlow made a motion to direct staff to indicate our intent to move forward with alternative three. Mr. Fixler seconded the motion; the motion was approved 3-0

### **Zoning & Code Enforcement:**

Code and Property Maintenance Enforcement Update - No Zoning Hearing Board Meeting. Increase in complaints about vehicles on residential properties. Mr. Mateja reminded us that these vehicles must be in repair, operable current registered inspected and insured.

### **Public Hearings (BK):**

- a) Ordinance Amendment related to Traffic Control Signals and Devices to Exempt Buses from Travel Restriction (Section 189-8.B)

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.

Ms. Kearney reconvened into the regular Board meeting to vote upon the Ordinance Amendment related to Traffic Control Signals and Devices to Exempt Buses from Travel Restriction (Section 189-8.B)

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

- b) CU-02-2023 for Chester County Intermediate Unit at 40 Moores Road

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.

Ms. Kearney reconvened into the regular Board meeting to vote upon the continuance of the hearing on the public record for July 31, 2023, at 6:15 pm.

Mr. Fixler made a motion to continue the Hearing on Public Record for July 31, 2023, at 6:16 pm at the East Whiteland Township Building. Mr. Orlow seconded; the motion was approved 3-0.

### **Public Comment:**

Mr. Lutz asked about the emergency road on Lapp and Flat Road, he said he is concerned that the emergency access road is not being maintained. His concern comes from hearing at the Planning Commission meeting that there may be apartments on 29 across from Valley Creek Park, and this would be ideal for emergency access if needed.

Mr. Orlow said that is a particularly good point and we will look into this.

### **Consent Agenda:**

Approve Meeting Minutes from June 2023

Ratify Payment of Bills: \$1,514,486.01

Accept Treasurer's Report for May

Accept quote from Shreiner Tree Care for \$18,750 for tree removal in Valley Creek Park

Accept quote from Weaver Roofing and Exteriors for \$86,900 for replacement of the Township Administration and Police Building roof. (costars)

Accept quote from D. E. Gemmill for \$17,840 Line Striping

Accept quote from Recreation Resources for 3 swing sets totaling \$15,700 (costars) (Valley Creek, Battle of the Clouds and Birch Rd

Accept quote for Verizon Franchise Agreement Renewal Proposal for \$7500

Accept quote from Frens and Frens for Valley Creek House Feasibility Study for \$12,450

Accept quote from General Recreation for Playground Equipment purchase for various Township parks for \$78,520

Accept quote from AVT Creative Services – Website and Township Branding for \$13,657.84

Ratify purchase of items for National Night Out on August 1<sup>st</sup> for \$2400

Approve to exonerate taxes for Linden Hall HOA in the amount of \$110.14

Mr. Lambert made a motion to approve Consent as read excluding quote from AVT Creative Services in the amount of \$13,657.84. Mr. Orlow seconded the motion; the motion was approved 3-0

**Meeting Adjournment – 10:15**

**Donna Wikert**

**Board Secretary**