

Board of Supervisors

October 13, 2021

Minutes

Board Members Present: Scott Lambert, Chair; Rich Orlow, Vice-Chair; and Sue Drummond, Member
Staff Present: John Nagel, Township Manager; Steve Brown, Assistant Township Manager; Donna Wikert, Board Secretary; John Neild, Direct of Public Work; Zach Barner, Director of Planning and Development; Ted Locker, Zoning Officer; Chris Yeager, Police Chief; Joe McGroary, Solicitor; and Steve Anella from HRMML

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

Board Briefings:

Executive Session(s) were held on September 28 at 3pm and October 13 at 5pm (legal, personnel and real estate)

Marc Lucca, President of Aqua PA – Historic Floods; Drinking Water Supply; Proposed Sewer Sale
Marc Lucca gave a presentation [\\Ida Response E Whiteland Twp.pdf](#)

Mr. Orlow thanked Marc for all the efforts during Tropical Storm Ida. Ms. Thav, a resident asked why there was so much confusion about the boil water advisory. She also commented that she was surprised that Aqua didn't have a Disaster Recovery Plan in place. Marc responded by mentioning that another boil water advisory was in place and that this caused a lot of confusion for everyone. He also explained that they do have a DART team in place (Disaster Area Recovery Team) but that resides in the basement in Philadelphia that was under several feet of water.

National Merit Semifinalists Named - Sixteen students from Great Valley High School were named semifinalists in the National Merit Scholarship Competition

Mr. Lambert wanted to personally thank Loren Nafziger for stepping into the role of Fire Chief during a time when everything was going wrong; Pandemic, Tropical Storm, Emergency declarations. Loren did a fabulous job and the Board wants to thank him!

Regarding Bishop Tube, the DEP is holding a remediation action plan virtual meeting on November 9 at 6:30PM. The Township will follow up with their own hybrid meeting which is scheduled for November 4. Details pertaining to both meeting will be posted on the Township website.

Resident, Deb Mobile, is angered by the lack of transparency with DEP concerning remediation of the Bishop Tube site; we have been waiting for over 21 years for DEP to resolve this issue. Their proposed roll out of information continues to be unacceptable. Last summer DEP led us to believe that we would be part of a follow up call that they would host. Now no meeting in person to ask questions or obtain follow up information. They are hosting a zoom lecture which you must sign up for, in advance. If you want to ask a question, you must email the question to them and you might have the opportunity to ask it. We have made many accommodations during the pandemic, why

would DEP choose a zoom lecture and not a hybrid meeting. Not everyone is comfortable with these types of meetings or has access to a computer. Seems to me that the state lacks courage and are afraid to have face to face conversations. I hope the Township does a better job than that. Debbie also asked if the consultant that the Township hired would be available for questions.

Mr. Lamber said the DEP's meeting is a virtual platform. Ms. Mobile said nots not, it is a lecture and if you have any question, there is no way to raise your hand or be part of the discussion.

Mr. Lambert did confirm that BSTI will be participating in the Townships meetings.

Board Motions & Resolutions (Consider Board Action):

Approve Promotion of Greg Lewis to Chief Fire Official

Mr. Nagel discussed the hiring process where there were four in-house applicants. Tom Sullivan and Andy Block, who both have extreme fire background conducted the interviews, along with staff. It was a unanimous decision to choose Greg Lewis. Welcome Chief Lewis! Mr. Brown said Greg has been with East Whiteland full time for seven years and is a leader. He started as a junior firefighter, at age 14 and has prepared all his life for this opportunity. Greg was sworn in today by Judge Bailey.

Mr. Orlow made a motion to approve the Promotion of Greg Lewis to Chief Fire Official. Ms. Drummond seconded the motion; the motion was approved 3-0.

Ratify Conditional Job Offer to Nivine Rihawi as Human Resources Manager

Mr. Nagel introduced Nivine Rihawi as the new Human Resource Manager. Ninive comes to East Whiteland Township with extensive experience in HR. She has a Master of Business Administration and Bachelor of Arts in Political Science, minor in History. Welcome Ninive Rihawi! Ms. Drummond made a motion to accept and Ratify the Conditional Job Offer to Nivine Rihawi. Mr. Orlow seconded the motion; the motion was approved 3-0.

Motion to Advertise:

Approve 2022 Budget Workshops for Tuesday, October 19 at 9:30am and Wednesday, October 27 at 9:30am

Mr. Nagel announced we will be advertising our 2022 Budget Workshop for two sessions Tuesday, October 19 at 9:30 am and Wednesday, October 27 at 9:30 am.

Mr. Orlow made a motion to approve the 2022 Budget Workshops in October. Ms. Drummond seconded the motion; the motion was approved 3-0.

Approve items to sell on MunicibiD- #312 F-550 dump truck, #6 Steiner lawn mower, multiple sets of tire chains, piper laser, fresh air blower (for manholes), manual chain hoist, manual fuel pump, and a jumping jack trench compactor.

Ms. Drummond made a motion to advertise items on MunicibiD. Mr. Orlow seconded the motion; the motion was approved 3-0.

Motion to Award:

2022 Heating Oil and Diesel Fuel Bid

Mr. Neild said we will be paying a higher price than last year due to all the prices increases. Reilly & Sons, a division of Rhoads Energy, came in as the lowest bid for both diesel and oil.

Mr. Orlow made a motion to approve the bid from Reilly & Sons. Ms. Drummond seconded the motion; the motion was approved 3-0.

Planning & Development:

Consider Rendering a Decision on the Following [Development Applications](#):

09-2021 for Vanguard Salt & Equipment Shed (The Vanguard Group) – Request for Waiver of Land Development. The property, located at 31-33 Morehall Road, is within the O/BP (Office/Business Park) Zoning District.

Ms. Drummond made a motion to approve 09-2021 request for waiver of land development. Mr. Orlow seconded the motion; the motion is approved 3-0.

Consider Extension of Time to Render a Decision on the Following [Development Applications](#):

SD-06-2021 for 200 Summit Road (Scott Cockerham) – Preliminary Subdivision Plan extension to January 30, 2022

SD-07-2021 for 5/6th Grade Center (Great Valley School District) – Preliminary Subdivision & Land Development Plan extension to January 30, 2022

SD-17-2020 for 31 Coffman Avenue (Renehan Building Group) – Preliminary Subdivision Plan extension to January 30, 2022

Mr. Orlow made a motion to approve SD-06-2021, SD-07-2021 and SD-17-2020 for extension of time. Ms. Drummond seconded the motion; the motion was approved 3-0.

Zoning:

Property Maintenance Codes – Recent Activity

Mr. Locker, Zoning Officer, reported that several violations and fines went out for the following: trash accumulating on properties, high grass, sanitation infestation, and a stagnated pool. The property, located at 577 Lancaster Avenue, has finally been demolished. A violation letter went out to a resident, on Birch Road, who is running a bBusiness in a residential area.

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

ZHB 11-2021 - Application of Green Fig Land, LLC. – Discussion regarding the Decommissioning of Sewer Treatment Facilities.

Mr. Locker said the Board and Green Fig came to an agreement and was taken off the agenda.

ZHB 14-2021 – Application of What A Good Dog, LLC for a Special Exception, from Section 200-41, Attachment 8, to allow a kennel in the existing flex space building. The subject property is located at 35 Sproul Road, Frazer, and within the Industrial Zoning District.

Mr. Lambert asked if all residents that may be impacted by this have been notified. Mr. Locker was not sure but said the applicant has been notified that we require a more extensive notification area. The solicitor office did send out the notice to the applicant. Mr. McGrory said they are operating in due course and are not avoiding notifying them; it's not time to do that yet. The solicitor drafts a notice then you notify the residents, this is not unusual.

ZHB 15-2021 – Application of Leon Celio and Sonia Montesdeoca for a Special Exception, from Section 200-102, to allow the expansion of a Non-Conforming Use, as a residence. The subject

property is located at 54 Conestoga Road, Malvern, and is within the Frontage Commercial Zoning District.

ZHB 16-2021- Application of G. Rex Camp IV for a Special Exception, from Section 200-21, Attachment 1, to allow the keeping of horses as an accessory use on a tract of not less than three acres. The subject property is located at 45 Spring Valley Road, Malvern, and is within the R-1 Low Density Residential Zoning District.

Mr. Lambert asked if there is a limit on how many horses you can have. Mr. Locker said our code does not specify.

The Board said no need to send the solicitor for any of these Zoning Hearing Board items.

Public Comment: General - None

Consent Agenda (Consider Board Action):

Approve Meeting Minutes from September 8, 2021

Ratify Payment of Bills: \$898,301.54 (September 2021)

Accept Treasurer's Report as of September 30, 2021

Extend Collective Bargaining Agreement for Firefighters & EMTs (IAFF) One Year through December 2022

Approve Proposal from Brownfield Science and Technology Inc. (\$50,000) for Technical Evaluation Grant for Bishop Tube

Ratify Extension of Watchguard Warranty for In-Car & Body-Worn Cameras (\$8,977.50)

Ratify Proposal from PJ Reilly Contracting for Barbara Drive Emergency Storm Sewer Repair (\$13,800); Option to Replace Driveway (\$7,550)

Approve Resolution of Support and Financial Commitment of \$150,000 for Charlestown Township's Grant Application to Pennsylvania Department of Transportation (PennDOT) Multimodal Transportation Fund (MTF) for Phoenixville Pike and Sidley/Yellow Springs Road Intersection Improvements

Ms. Drummond asked for the 1st page 5th paragraph of the minutes to be changed from saying communication from Aqua has not been difficult, to I think you mean it has been difficult. Donna Wikert answered yes.

Ms. Drummond made a motion to approve minutes as read, with the one-word change. Mr. Orlow seconded the motion; the motion was approved 3-0.

Meeting Adjournment - 8:20 PM

Donna Wikert, Board Secretary