

**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the Second February Meeting

February 28, 2018

1. Call to Order

Chairwoman Theresa Santalucia called to order the second February business meeting at 6:30 p.m. Those present besides Ms. Santalucia were as follows:

Michele Moll	-	Vice-Chairwoman
Elizabeth Jones	-	Member
Mimi Gleason	-	Township Manager
Pam Gural-Bear	-	Assistant Township Manager
John Weller	-	Director of Planning and Zoning
Ted Otteni	-	Public Works Director
Joseph Catov	-	Police Chief
Vince Pompo	-	Solicitor

ANNOUNCEMENTS:

The Board recognized Hector Fierro for his five years of service to the Township. Hector is a member of the 5-man utility crew that is responsible for the daily maintenance and operation of the Township's sewer system, which includes five pump stations and over 100 miles of sanitary sewer. Thank you Hector!

The Board met in executive session on February 22 and prior to the meeting this evening to discuss matters of litigation, personnel, and real estate.

Sunoco Listening Session Follow-up:

Following up on the initial Sunoco Listening Session held on February 14, Ms. Gleason summarized the next steps going forward which include a question and answer session with representatives from the Department of Environmental Protection (DEP), Public Utilities Commission (PUC), and Pipeline Hazardous Material Safety Administration (PHMSA). It is hoped that this session can be scheduled in late March, depending on confirmation of dates when all representatives can attend. The Board is also reaching out to State legislators and neighboring townships to work together. With the Commonwealth Court decision a week ago stating that the PUC preempts local zoning, the Township is looking into other avenues of authority and responsibility that the PUC has to determine where the PUC could still be influential and to identify regulations that could be improved. The Board is also reviewing current legislative proposals in Harrisburg to see what they support.

Ms. Jones made a motion, seconded by Ms. Moll, to authorize the Solicitor and Staff to draft the resolutions and take the actions described in Mimi Gleason's February 23, 2018,

Memorandum. Ms. Santalucia called for public comment. Joe Altimari asked if the ruling was overturned, how would the land be remediated? Ms. Gleason said that would be for the PUC and PHMSA to decide, but Sunoco would not be allowed to just walk away and not remediate the land. The Township could possibly enforce landscape restoration that was previously approved in land development plans.

Jeff Glisson asked if the Township was tracking the money being spent on this effort. Ms. Gleason said legal fees can easily be tracked, but staff time was not currently being tracked and has been substantial. Ms. Moll added that while the Township might not be able to stop Sunoco, we have to work with those agencies to ensure that things are as safe for our residents as possible and suggest regulations going forward.

Virginia Kerslake asked if the Board had discussed contributing to the risk assessment proposed and if they wished to schedule a presentation from the risk assessment team. Ms. Santalucia said it had not yet been discussed. Ms. Moll said she was interested, but wanted to be sure that it was done independently. Ms. Kerslake will send information to the Board members. She then asked for information on the valve. Ms. Santalucia said the valve would be located at the Laborer's site on Route 30, and noted that the shutoff valve is a safety feature. Ms. Kerslake disagreed and said that while she is aware they can include some safety features, they also have leaked on Mariner East 1 and therefore are a further risk to the community. Ms. Kerslake said she will forward information regarding same to the Township. She asked if the Township knew about Sunoco's decision to move the valve from West Goshen to West Whiteland which they were discussing in the fall. Ms. Gleason said no, that the Township was informed about 10 days ago that the valve was being moved to West Whiteland. Ms. Gleason explained that the Township's ordinances are preempted by the PUC and Sunoco is exempt from building code requirements.

David Mano said he received a letter from Sunoco stating that his well was going to be intentionally damaged and that he would have to find other water. He asked that the Township help protect him. While that is a matter for DEP, the Board asked Mr. Mano to provide them with a copy of the letter he received.

Ms. Santalucia said another meeting on the pipeline will be scheduled in March and then closed public comment. The motion was unanimously approved.

PUBLIC COMMENT

Seth Davis asked how the Township plans to keep residents updated on pipeline matters. Ms. Santalucia said information and dates of meetings will be on social media and resolutions will be on Board agendas. Rand Keller complained of drones used by the drilling crews hovering in front of bedroom windows. Police Chief Catov said to call 911 so an Officer can be dispatched and the incident documented.

HEARINGS:

1. Hanover Exton Square – Conditional Use

The conditional use application of Hanover R.S. Limited Partnership is for construction of

342 apartment units in a six-story building at the northeast corner of N. Pottstown Pike and the west entrance to the Exton Square shopping center. Conditional use review is required for the construction of fifteen or more dwelling units. The Applicant was represented by Denise Yarnoff, of Riley Riper Hollin & Colagreco.

Testimony was given and a record was taken by Court Reporter Elaine Parrish. The hearing was continued to March 28, 2018, at 6:30 p.m.

PLANS:

1. PR Exton Square Property, LP – Land Development

Ms. Moll made a motion, seconded by Ms. Jones, to accept PREIT's condition no. 1 in Joseph E. Brion's February 28, 2018 letter to the Board of Supervisors to grant an extension for the installation of the sidewalks and handicapped ramps along Pottstown Pike to August 1, 2018. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

2. Horn Plumbing – Final Land Development

The land development application of Sort Partnership is for construction of a 4,366 square foot commercial building on property currently used as a parking lot at 302 National Road. Mr. Weller reviewed his February 23, 2018 Memorandum, noting that the proposed uses are permitted by right pursuant to the Zoning Ordinance. Todd Horn gave a brief overview of the current business.

Ms. Jones made a motion, seconded by Ms. Moll, to approve the land development plan for 302 National Road as depicted on the thirteen-sheet plan set prepared by D.L. Howell & Associates, Inc., dated August 24, 2017, most recently revised February 7, 2018, with the waivers and condition nos. 1-15 as outlined on pages 1 and 2 of John Weller's February 23, 2018 Memorandum. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

3. Keva Flats – Redevelopment of Ivy Cottage – Final Land Development

The land development application of The Hankin Group is for conversion of the existing Ivy Cottage structure into two dwelling units. The Applicant previously received final plan approval for the development of the property formerly known as the Chandler Tract, with 240 apartment units in five buildings and adaptive re-use of the historic Ivy Cottage for commercial use. The Applicant is now proposing to restore the structure and make it a two-unit dwelling which necessitated a re-design of the parking area, access drive, and reconfiguration of a stormwater basin and adjacent pedestrian path. Michael Malloy was in attendance representing the Applicant.

Ms. Moll made a motion, seconded by Ms. Jones, to approve the land development plan for Keva Flats Land Development Plan as depicted on the eighteen-sheet plan set prepared by Edward B. Walsh & Associates, Inc., dated March 21, 2016, most recently revised February 1, 2018, with the waivers and subject to condition nos. 1-6 on pages 1 and 2 of John Weller's February 23, 2018 Memorandum. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

REGULAR BUSINESS:

1. Approval of February 14, 2018 Minutes

Ms. Santalucia made a motion, seconded by Ms. Jones, to approve the February 14, 2018 Minutes. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

2. Accounts Payable Warrant Report

Ms. Moll made a motion, seconded by Ms. Santalucia, to approve the February 28, 2018, Accounts Payable Warrant Report. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

3. Resolution 2018-13 Disposition of Media

Ms. Jones made a motion, seconded by Ms. Moll, to enact Resolution 2018-13, reformatting one memory card for the Board of Supervisors January 24, 2018 meeting, and one memory card for the Planning Commission February 6, 2018 meeting. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

NEW BUSINESS:

The Board acknowledged receipt of a letter dated February 28, 2018, from Beth Jones, in accordance with section 606 of the Second Class Township Code, requesting inclusion in the Township's health insurance plan for her and her family.

1. Appointments to Boards and Commissions

Ms. Moll made a motion, seconded by Ms. Jones, to appoint Rob Hall to the Public Services Commission to fill a vacancy set to expire on December 31, 2018, Joe Altimari to the Public Services Commission to fill a vacancy set to expire on December 31, 2020, and Ed Greene to the Friends of the Parks to fill a vacancy set to expire on December 31, 2020. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

2. Authorization of Temporary Road Closure – James Hance Court

Ms. Jones made a motion, seconded by Ms. Moll, to authorize the closing of James Hance Court, in both directions, and a small portion of Thomas Jones Way leading into Collegium 150

building on Saturday, April 21, 2018 from 8:00 a.m. to 11:00 a.m. for the annual Collegium Cougar Classic 5K Run/Walk. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

3. Award of Trash Bag Bid

Ms. Santalucia made a motion, seconded by Ms. Jones, to award the contract to purchase a one-year supply of trash bags to All American Poly in the amount of \$20,700 and to authorize the Township Manager to execute the Independent Services Agreement, subject to receipt of the required performance bond. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

4. Authorization of Transfer from General Fund to Solid Waste Fund

Ms. Moll made a motion, seconded by Ms. Jones, to authorize the transfer of \$200,000 from the General Fund to the Solid Waste Fund. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

5. Financial Report for January 2018

The Board reviewed the Financial Report for January 2018 and requested future reports show a comparison of YTD monthly actual vs. YTD monthly budget, and also a monthly comparison to the prior year.

PUBLIC COMMENT (Continued):

A question was asked from the audience regarding the status of synchronizing traffic lights on Route 30. Mr. Otteni responded that they are already synchronized in West Whiteland, but they are not linked with those in East Caln Township, which is what PennDot will upgrade. That work has not been done yet.

ADJOURNMENT

The meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,



Mimi Gleason
Recording Secretary