

Minutes – August 20, 2007

The regular meeting of the Board of Supervisors of Tredyffrin Township for the month of August was held on the above date at the Township Building. Board members present included Judy L. DiFilippo, Chairman; Warren Kampf, Vice Chairman; Bill DeHaven, Paul Drucker, E. Brooks Keffer, and Robert Lamina. Also in attendance were Mimi Gleason, Township Manager; Stephen F. Norcini, Director of Public Works; David Brill, Finance Director; Stephen Burgo, Township Engineer; Michael Fahey, Director of Building & Zoning; Supt. Richard Harkness; Thomas Hogan, Solicitor; and Jolene Buffman, Recording Secretary.

Call to Order

Mrs. DiFilippo called the meeting to order at 7:45 p.m.

Mrs. DiFilippo and Bob O’Leary unveiled the new, official, Township seal, on the wall behind the dais.

Mrs. DiFilippo said the Board met in Executive Session to discuss legal matters.

Minutes

Motion was made by Mr. Kampf, seconded by Mr. DeHaven, and passed unanimously to approve the minutes of the regular meeting held July 16, 2007, as amended by Mr. Drucker.

Announcements

The Board of Supervisors will hold a continued Public Hearing on September 10, 2007 to consider and adopt an amendment to the Zoning Ordinance to create the Town Center District and Transit District in Paoli; amend the Zoning Map to define boundaries for those districts; to eliminate the Special Paoli Development District; and to amend the Subdivision & Land Development Ordinance to add streetscape regulations. The Public Hearing will begin at 7:30 p.m.

Financial Report

Mr. Brill presented the Financial Report for July 2007:

Financial Performance Year-to-Date versus Budget

	<u>YTD vs. Budget – Fav (Unf)</u>			
	<u>Revenue</u>	<u>Expenses</u>	<u>Concerns</u>	<u>Yr. Forecast</u>
General Fund	27,729	27,149	None	On budget
Sewer Utility Fund	351,878	59,165	None	On budget
Valley Creek Trunk Sewer Fund	11,690	193,729	None	On budget
Township Wide Expenses		280,042	None	On budget

4410

Cash & Investment Position - Reserves and cash flow remain healthy.

	<u>Balance \$M</u>	
	<u>Current</u>	<u>Prior</u>
Unrestricted	19.5	20.1
Restricted	56.4	56.8

Debt Position – Current with both debt payments and covenants.

Pensions – 2007 actuarial evaluation of defined benefit plans under way – will be available for budgeting 2008 Minimum Municipal Obligation.

General – Emergency Municipal Services Tax – taken in-house, going well, ahead of prior year collection rate. OPEB Actuarial Study underway, and will be available for funding decisions and budgeting 2008.

At the end of discussion, motion was made by Mr. Drucker, seconded by Mr. DeHaven, and passed unanimously to approve the Financial Reports for July 2007.

Police Report

Supt. Harkness said there were 11 thefts from vehicles throughout the Township during the month. He urged residents to secure valuables and lock their cars. No one has been arrested yet for these crimes.

Supt. Harkness reminded residents school will be opening on September 4th and urged them to keep their speeds to 15 mph in school zones, and to remember that they cannot pass a school bus.

Supt. Harkness said his department participated in a police training demonstration in East Fallowfield Township, and an emergency management team exercise at Vanguard.

Fire Companies Report

Jim Curran presented for Paoli Fire Company. He said there were 18 fire calls and 44 EMS calls in Tredyffrin in July. Net income for the month without the fund drive was \$9,475, or \$48,675 year-to-date. The fund drive has only received a 29% response, and Mr. Curran reminded the residents how important this campaign is to the financial health of the fire company.

Chris Bullock presented for Berwyn Fire Company. He said there were 42 fire calls, 46 ALS calls, and 49 BLS calls for Tredyffrin in July. He thanked Bill Willfong for his assistance to the fire company as the Tredyffrin Fire Marshal. There is a fundraising event on Thursday, August 30th at Outback Steakhouse in Gateway Shopping Center.

Public Works Report

Mr. Norcini said Wilson Farm Park won the “Readers Choice Award” as voted in the Suburban & Wayne Times and Main Line Life for the Best Outdoor Recreation Facility. The All-Abilities Playground is just about complete. It will be operational for the T300 Birthday Party. The summer concert series was very successful. The 2007 Superpave Program, scheduled to begin after Labor Day, is the largest dollar amount contract let to date. In 2007, we are on line to televise, clean and inspect more sanitary sewer than in any past three years combined.

Stormwater Report

Mr. Burgo said FX Browne, Inc. met with Township staff to work out details of the Trout Creek Stream Cleanup survey. We are continuing to work to finalize stormwater culvert design for the Croton Road Storm Drainage Project. The storm sewer survey was completed for the Pugh and Old Eagle School Road Storm Drainage Project. Sidewalk design work is still proceeding for Phase I of the Safe Route to Schools Sidewalk Project.

Miscellaneous - Police Personnel Matters

Supt. Harkness said Lt. Michael Spirito has resigned from the Police Department. He was with the Police Department since 1977, and had received many awards during his years of service. Supt. Harkness thanked him for his outstanding service to the Tredyffrin Police Department.

Supt. Harkness introduced the newest member of the Police Department – Michael Spirito, Jr. Judge Anthony Scarcione administered the Oath of Office to Officer Spirito. Lt. Spirito pinned his first badge on his son. Mrs. DiFilippo congratulated Michael Spirito, Jr., and wished Lt. Spirito luck in his new position with Chester County.

Supervisor Liaison Reports

Mr. Lamina said the EAC wants to remind the community that PECO Wind has extended their incentive program to all municipalities involved in their Clean Energy Campaign. Tredyffrin is participating in that campaign, and for every resident who signs up, PECO Wind will give the Township a \$20 credit. We currently have 6.2% of all households participating, and need 147 more to reach our goal of 7%. Be sure to list Tredyffrin Township as the reference on your application form, which can be found on the Tredyffrin website, www.tredyffrin.org.

Mr. Kampf said the University of Pennsylvania application is still pending for a surgery center on the undeveloped property across from Valley Forge Suites. Users, Inc.’s application for a building addition is still pending, as well as the application from the Islamic Society to build a 200-person worship center. There has been no activity from ArcWheeler to develop the Duffy property; they have to present their revised draft to the Planning Commission.

Mr. Drucker said Marian Stevens, Head Librarian, is retiring effective December 31, 2007. We will be initiating a search for her replacement. He reminded residents to apply for street closure permits if they have plans for the Labor Day holiday. Mr. Drucker said he and Norman MacQueen of Willistown Township recently testified before the State Transportation Commission, requesting funding for road improvements for Paoli. Mrs. DiFilippo said the Paoli Train Station Project remains the county's number one transportation project.

Mr. DeHaven said at the August Municipal Authority meeting, a 10-year sewer projection was presented, and the Township will try to continue to contain the cost of sewer rental fees. The Authority appointed John Meyers to a five-year term on the Joint Transportation Authority with East Whiteland. Mr. DeHaven said he and Mr. Farrell and Mr. Burgo visited parking lots out of the Township that were paved with permeable surfaces, and they have held up well. He is in favor of constructing our lots or sidewalks with this type of material.

Mrs. DiFilippo said the Comprehensive Plan Steering Committee will be meeting next week to discuss chapter revisions. The T300 events are coming together very nicely, and she encouraged citizens to take advantage of the events being planned to celebrate Tredyffrin's 300 years.

Miscellaneous - Wilson Farm Park and Mill Road Park – Disk/Frisbee golf discussion

Mr. Norcini said Flite Foundation has asked the Township to install four permanent disk soft baskets at Wilson Farm Park in the area behind the Shire Center. He said the Park Board supports it, and Public Works has no issues. This is not a heavily traveled area in the park. Mr. Norcini then showed a plan of the proposed 18 hole course at Upper Mill Road Park. His only concern there was parking. Sandi Gorman displayed a sample of the portable disk target, and said there will be targets set up at the T-300 party on September 15th.

Mr. Lamina felt the area proposed in Wilson Farm Park was meant to be open space, a tranquil area. He suggested leaving Wilson Park alone and trying it out at Mill Road Park. Mr. DeHaven asked Mrs. Gorman if the group had ever considered other locations in the Township, or parks in Easttown, and she said they had not.

After discussion, motion was made by Mr. Kampf and seconded by Mr. Drucker to install four permanent baskets in Wilson Farm Park for disk/frisbee golf. Motion passed by a vote of 5-1, with Mr. Lamina voting no. Mill Road Park will be discussed further at a later date.

Miscellaneous - Crabby Creek Bridge Discussion

Mr. Norcini said the Board requested some budget numbers for the bridges that were demolished in Crabby Creek Park. We had three other existing bridges evaluated by McCormick Taylor. Bridge #1, the entrance bridge, is in fair condition, and some repair work is needed. Bridge #2 is in fair condition and able to carry vehicles. Bridge #3 is in serious condition. The engineer reporting said the bridge should not be open for pedestrian or vehicular traffic, and because of that report, Public Works has posted it closed and put up barricades. Repairs would be about \$50,000 to make it safe.

Mr. Norcini said Mr. Stern, a resident who lives by Crabby Creek and addressed this subject at a previous meeting, wanted to have a pre-fabricated bridge made and installed. Staff is proposing a pre-fabricated "plate arch bridge". The total estimate for design of the replacement would be \$35,000. Construction would be an additional \$110,000 to \$130,000 per bridge, plus additional money for inspections. We would be looking at 6-8 months to install the bridge.

Mr. Stern, Jr. said the bridges were destroyed because of heavy Township equipment and they need to be replaced because the access has been taken away from local residents. He said there is going to be a problem with the sewer line. Mr. Stern, Sr. explained a proposal to replace the bridges. He asked Mrs. DiFilippo to contact the Chairman of Oliver Township, who built similar bridges, to get their plans. Mr. Stern, Jr. said it was a very cost effective proposal to get the three bridges completed. Mr. Norcini said Mr. Stern's cost proposal does not include engineers, permitting, or survey. The Township could not build the bridge for the price put forth by Mr. Stern.

Ms. Gleason said we would have to amend the budget for this year for funding to repair these bridges. Even if we outsourced the repair, it would take a substantial amount of time and a sizeable amount of money. She said it could not be completed this year. There are other ways to immediately construct an emergency crossing over the creek if anything happened to the sewer line.

Mr. Stern, Jr. asked for a copy of the tape televising the sewer line, and asked the Board to have the bridge repaired this fall. Mrs. DiFilippo assured Mr. Stern we would be replacing this bridge, however, the timing for it to happen in 2007 was not possible.

Miscellaneous - Adopt a resolution seeking state support for public comment about new stormwater permitting regulations

Motion was made by Mr. Kampf and seconded by Mr. DeHaven to adopt a resolution seeking state support for public comment about new stormwater permitting regulations.

Mr. Farrell said the DEP has implemented regulations and reporting requirements for five-year permits for National Pollutant Discharge Elimination System (NPDES) for municipal storm sewer systems (MS4's). Tredyffrin Township has an existing NPDES permit that was to expire in March 2008. DEP has granted all MS4 permittees a one-year extension while they work on the application process for the NPDES permit renewal. The resolution asks DEP to allow adequate time for public comment before the application is finalized, to commit to partner with municipalities to find watershed-based solutions, and provide training after the new regulations are adopted.

At the end of discussion, motion passed unanimously.

Miscellaneous - Appoint a Deputy Emergency Management Coordinator

Motion was made by Mr. DeHaven and seconded by Mr. Lamina, to appoint John Farrell as Deputy Emergency Management Coordinator.

Ms. Gleason said Bill Willfong, our Deputy Emergency Management Coordinator, has resigned from the Township. Mr. Farrell had been Deputy EMC before he went to Iraq, and we recommend reappointing him to this position.

At the end of discussion, motion passed unanimously.

Miscellaneous - Award a contract for the Storm Sewer and Inlet Cleaning, Televising and Locating Project, Public Works Project #11-07

Motion was made by Mr. Kampf and seconded by Mr. Drucker to award a contract for the Storm Sewer and Inlet Cleaning, Televising and Locating Project, Public Works Project #11-07.

Ms. Gleason said this is the first storm sewer cleaning and locating project the Township has ever let. Eight sealed bids were received on August 9th, and the low bidder was Pipe Services Corporation with a bid of \$21,830, and the Township has the option to renew for two additional years.

At the end of discussion, motion passed unanimously to award the contract to Pipe Services Corporation.

Miscellaneous - Award contract for the Gulph Road over Trout Creek Sanitary Sewer Relocation Project, Public Works Project #8-07

Motion was made by Mr. Drucker and seconded by Mr. DeHaven to award a contract for the Gulph Road over Trout Creek Sanitary Sewer Relocation Project, Public Works Project #8-07.

Mr. Norcini said two sealed bids were received on August 9th, and the lowest qualified bidder was Wexcon, Inc. in the amount of \$153,590.00.

At the end of discussion, motion passed unanimously to award the contract to Wexcon, Inc.

Miscellaneous - Award contract for the Forrest Lane Storm Sewer Improvements Project, Public Works Project #10-07

Motion was made by Mr. Lamina and seconded by Mr. DeHaven to award a contract for the Forrest Lane Storm Sewer Improvements Project, Public Works Project #10-07.

Mr. Norcini said four sealed bids were received on August 9th, and the lowest qualified bidder was Environmental Landscaping, Inc. in the amount of \$34,820.15.

At the end of discussion, motion passed unanimously to award the contract to Environmental Landscaping, Inc.

Miscellaneous - Receive bids for “Transformer Removal at the Tredyffrin Public Library”, Public Works Project #13-07

Motion was made by Mr. DeHaven and seconded by Mr. Lamina to receive bids for “Transformer Removal at the Tredyffrin Public Library”, Public Works Project #13-07, on Tuesday, September 25, 2007 at 10:00 a.m.

Mr. Norcini said this project entails the removal of the existing transformer at the Tredyffrin Public Library. The removal of the transformer is not part of the current library project because PCB’s are used in this particular transformer. Sovereign Environmental Services is preparing bidding documents for removal and remediation of the PCB’s and the transformer.

At the end of discussion, motion passed unanimously.

Escrows

Motion was made by Mr. DeHaven, seconded by Mr. Drucker, and passed unanimously to accept a Subdivision & Land Development Agreement, and a Financial Security Agreement between DHM Realty, Inc., and Tredyffrin Township, and a Letter of Credit in the amount of \$902,317.64 from BMW Group Financial Services; covering site improvements at 20 West Lancaster Avenue Devon. The attorney representing Devon Hill Motors said the pocket park improvements should be completed by the end of the year. Mr. Norcini asked for a pre-construction meeting.

Motion was made by Mr. DeHaven, seconded by Mr. Kampf, and passed unanimously to release \$81,328.37 from DBN First, NA, to LeBoutillier Road Associates/Toad Hall Associates, covering site improvements at the intersection of Mill Road and LeBoutillier Road for the Highgrove Subdivision; balance remaining \$977,827.41.

Motion was made by Mr. DeHaven, seconded by Mr. Lamina, and passed unanimously to release \$60,048.60 from Bryn Mawr Trust Company to Radnor Chase Cronies, covering site improvements at 14-18 Paoli Court; balance remaining \$6,529.40.

Motion was made by Mr. DeHaven, seconded by Mr. Keffer, and passed unanimously to release \$7,616.10 from Patriot Commercial Lending to Philip and Sandra Curtin, covering site improvements at 1231 Lancaster Avenue, Berwyn; balance remaining \$0.

Motion was made by Mr. Drucker, seconded by Mr. Kampf, and passed unanimously to release \$6,000.00 from Willow Grove Bank to J. J. Christian & Company, Inc., covering site improvements at 9 Park Avenue, Paoli; balance remaining \$30,646.21.

Subdivisions - Approve Final Subdivision Plan: Bentley by Design, LP: Proposal to consolidate 2 lots on 2.5 acres and resubdivide into 3 lots at 24 Bodine Road in an R-1 Residence District

Motion was made by Mr. DeHaven and seconded by Mr. Drucker to approve a Final Subdivision Plan: Bentley By Design, LP: Proposal to consolidate 2 lots on 2.5 acres and resubdivide into 3 lots at 24 Bodine Road in an R-1 Residence District.

4416

Mr. Fahey said the applicant received preliminary approval from the Board of Supervisors in January with the condition he list the easement and deed restrictions as a note on the final plans. The applicant has received his approvals, and staff is satisfied that the plans are ready for final approval.

At the end of discussion, motion passed unanimously.

Escrow

Motion was made by Mr. Lamina, seconded by Mr. Keffer, and passed unanimously to accept a Subdivision & Land Development Agreement, and a Financial Security Agreement between Bentley By Design Associates, LP, and Tredyffrin Township, and a Letter of Credit in the amount of \$237,194.55 from Wachovia Bank; covering site improvements at the Bodine Road Subdivision.

Subdivisions - Approve Final Subdivision Plan: Lanni Builders; Proposal to subdivide one lot into two lots at 781 N. Wayne Avenue in an R-1 Residence District

Motion was made by Mr. Drucker and seconded by Mr. Kampf to approve a Final Subdivision Plan: Lanni Builders; Proposal to subdivide one lot into two lots at 781 N. Wayne Avenue in an R-1 Residence District.

Mr. Fahey said the applicant received preliminary approval in March with the condition that he notify the neighbors of grading near their property and that he obtain his HOP and NPDES permits. Mr. Lanni stated these conditions were met.

At the end of discussion, motion passed unanimously.

New Matters – Board

Mr. Drucker congratulated the Delaware Valley Friends School, and Glen Heck, head of their Science Department. The school has celebrated their 20th anniversary, and Mr. Heck had VIP access to the recent Mars landing.

Mr. Drucker suggested breaking the proposed Paoli Ordinances into several ordinances. He sees the Town Center District and Transit District as two separate issues. Mrs. DiFilippo said we could discuss them individually at the hearing. Mr. Hogan said we would have to start the entire notice process over again to adopt separate ordinances on September 10th.

New Matters – Citizens

None

Meeting was adjourned at 10:55 p.m.

Public Hearing - Consider and adopt an amendment to the Township Code to adopt the 2006 ICC Property Maintenance Code

At the end of discussion, motion was made by Mr. Kampf, seconded by Mr. Keffer, and passed unanimously to adopt an amendment to the Township Code to adopt the 2006 ICC Property Maintenance Code.

Complete notes of testimony were taken by Elaine Parrish, Court Reporter, and are on file at the Township Building.

Respectfully submitted,

Jolene E. Buffman
Recording Secretary