

## **Minutes – April 16, 2007**

The second regular meeting of the Board of Supervisors of Tredyffrin Township for the month of April was held on the above date at the Township Building. Board members present included Judy L. DiFilippo, Chairman; Warren Kampf, Vice Chairman; Bill DeHaven, Mark DiFelicianantonio, 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; Michael Fahey, Director of Building and Zoning; Stephen Burgo, Township Engineer, Supt. Richard Harkness; Thomas Hogan, Solicitor; and Jolene Buffman, Recording Secretary.

### **Call to Order**

Mrs. DiFilippo called the meeting to order at 7:34 p.m.

### **Minutes**

Motion was made by Mr. Drucker, seconded by Mr. Keffer, and passed unanimously to approve the minutes of the regular meeting held April 9, 2007.

### **Announcements**

The Township will hold a public hearing on May 7, 2007 to consider and adopt an amendment to the Zoning Ordinance to revise the use regulations in the Professional (P) and Limited Industrial (LI) zoning districts.

The Board of Supervisors will hold a continued public hearing on Monday, May 21, 2007, to consider 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.

### **Financial Report**

Mr. Brill indicated the following from the Executive Summaries of the Financial Report for January 2007:

- Overall, we are \$0.1 million favorable to Budget within the General Fund
- Overall, we are \$0.2 million favorable to Budget within the Sewer Utility Fund
- Overall, we are \$13 thousand favorable to Budget within the Valley Creek Fund

Mr. Brill presented the Cash/Investment Report for January 2007:

General Fund	\$ 3,860,855
Capital Reserve Fund	2,616,412
General Reserve Fund	<u>8,652,414</u>
Total Unrestricted Funds	\$15,129,681

Special Revenue Funds	\$ 1,163,910
Debt Service Funds	3,136,429
Capital Projects Bond Funds	21,609,646
Sewer Utility Fund	26,188,413
Valley Creek Trunk Sewer Fund	<u>1,051,752</u>
Total Restricted Funds	\$68,279,831

Mr. Lamina said the new format is taking some time to get used to, and it needs a little tweaking. Mrs. DiFilippo said from working on the Finance Committee, she appreciates the work staff has done on the new format. Mr. Brill said the February and March financials will be included in the May 7<sup>th</sup> packet.

At the end of discussion, motion was made by Mr. Kampf, seconded by Mr. Lamina, and passed unanimously to approve the Financial Report for January 2007.

### **Police Report**

Supt. Harkness said he had been asked to separate identity theft cases, and is working on this project. Theft cases since January 1<sup>st</sup> are being reviewed, and a report will be issued shortly.

On May 10<sup>th</sup> at 7:30 p.m., a memorial service will be held on the Township building steps to honor police officers killed nationwide. This will precede national observance of Police Memorial week. The traditional run to Washington, DC will be held on May 14<sup>th</sup>.

There has been a burglary spree in the Eagles Ridge section of the Township. Police are currently investigating.

The Traffic Safety Committee has created a "Notice" to be given to residents whose shrubs, trees, etc. are blocking traffic sight on their property. They will be asked to correct this situation. The Police have occasional requests to close Township roads for various civic functions. The Traffic Committee has now created criteria applicable to road closures.

Mr. Lamina said he noticed some letters from the Wilson Farm Park sign on Anthony Wayne Drive are missing. Mr. Norcini said he is looking for a better way to fasten them to the stone wall.

### **Public Works Report**

Mr. Norcini said "Tredyffrin Township Welcome Signs" have been installed. Rip rap has been installed near Bodine Road and inlets have been cleaned in various areas. Crews have been cutting and fertilizing Wilson Farm Park. The Library Parking Lot Expansion Project is 70% completed. Bids will be received for the Library addition at the end of April. The "Nor'easter" kept Township crews busy over the weekend. There was 4.5" of rain in a 30-hour period, with associated ponding on roads, and high stream levels. Downed trees and wires caused power outages and road closures, and the snow fall amounts varied in different parts of the Township.

Mr. DeHaven mentioned some old bridges over Crabby Creek were missing. Mr. Norcini said one was damaged more than ten years ago, and the other also had structural damage. He said from a liability standpoint, we had to taken them down. Mr. DeHaven hoped if the other bridges needed repair, they would be kept up. Mr. Norcini said one of the bridges is needed as part of our infrastructure, and he will ask for funds for future bridge repair.

### **Stormwater Update**

Mr. Burgo said the Trout Creek Watershed Study RFP was mailed out and posted on our website. Proposals are due May 2. The Trout Creek Stream Cleanup Grant is focused on Design and Engineering.

The Croton Road Storm Drainage Project preliminary design of stormwater culvert modifications is in process. The survey plan was received for the Maude/Vincent Stormwater Drainage Project.

Revised plans have been submitted to the Township for the Valley Forge Golf Course. DEP will be holding a public meeting with the residents in the Glenhardie area in the beginning of May. When the location is determined, we will put the information on our website.

Mr. Keffer asked about the timing for repairs of the Pugh and Old Eagle School Road Drainage project. Mr. Burgo said he would like to have it completed by the end of the year.

### **Fire Company Reports**

Matt Valocchi, EMS Captain of Berwyn Fire Company, said there were 41 fire calls, 50 ALS calls and 49 BLS calls in Tredyffrin. Income for March is down \$31,635, primarily because the fund-raising mail solicitation was delayed. EMS and Fire Police personnel will be at Wilson Farm Park on April 29th to support the March of Dimes Walk/Run 5 K event. The Tower 2 truck is out of service for a few weeks for mechanical problems. Estimated cost to repair is \$25,000. Neighboring companies will provide support until the truck is repaired.

Jim Curran said Paoli Fire Company had 25 fire calls and 46 EMS calls for Tredyffrin. March income is up \$12,126. Quarterly allocation from Tredyffrin of \$20,000 was included in the operating income. The annual fire fund drive letters will be mailed to residents and business by April 26<sup>th</sup>.

### **Miscellaneous - Township submission for next update of PennDOT's Transportation Improvement Program (TIP)**

Mrs. DiFilippo said there was a lengthy discussion last week to determine the highway improvement projects that need to be sent to the Chester County Planning Commission for consideration for the 2007 TIP. Mr. Drucker suggested voting on the projects that had no citizen comments last week.

Motion was made by Mr. Kampf, seconded by Mr. Drucker, and passed unanimously to request the Chester County Planning Commission's consideration for Tredyffrin Township TIP recommended projects to include: Paoli Transportation Center Road Improvements, Replacement of Howellville Road Bridge, and Rail to Trail Conversion of former Warner Spur.

Motion was made by Mr. Drucker and seconded by Mr. Lamina, to include for TIP consideration, the North Valley and Swedesford Road Intersection, understanding that Tredyffrin can always request to withdraw this project from consideration at a future date prior to the Chester County Planning Commission's submission to the State Transportation Committee. Mr. DiFelicantonio said he wasn't in favor of this, but would not oppose it since the Great Valley Association supported it.

Mr. Lamina said a letter from Great Valley Association to the Supervisors recommended we include this intersection on the TIP list, but their recommendation in no way endorsed a roundabout or any plan being considered. Mr. DeHaven said the only reason to change this intersection is safety. Sgt. Giaimo said from a police standpoint, they would like some sort of traffic control in place in that area.

At the end of discussion, motion passed unanimously.

Mrs. DiFilippo asked if any citizens would like to speak about the Upper Gulph and King of Prussia Roads Intersection Project that had not spoken last week. Several residents spoke against any change to that intersection. Julie Lindberg, a member of the Panhandle Civic Association, suggested a committee be formed of residents who are for and against changes to this intersection.

Tom Cooper, Acting President of the Panhandle Association, said results of the survey conducted were given to the Supervisors. He asked if this project is taken off the TIP list, could the money earmarked for this project be redirected? Ms. Gleason said she would talk to Congressman Gerlach's office and the people at the Chester County Planning Commission to see what the process is to redirect TIP money. Mr. Drucker said we don't want to lose the \$1.3 million available. Mrs. DiFilippo said it is unlikely we will see the money redirected because Radnor Township is no longer interested in this joint project with Tredyffrin Township.

At the end of discussion, motion was made by Mr. DeHaven, seconded by Mr. Lamina, and passed unanimously to exclude the King of Prussia and Upper Gulph Roads Intersection project from the TIP recommendations for 2009.

Regarding the existing funds in TIP, Staff was asked to contact the Chester County Planning Commission to ask them to help us understand what the next steps would be to get money redirected.

#### **Miscellaneous - Award contract for Stone Aggregate**

Mr. Norcini said bids were received from five quarries, and recommended awards as follows:

Item #1 - PA 2A Subbase	Independence Construction Materials, Inc.
Item #2 - AASHTO #1	Independence Construction Materials, Inc.
Item #3 - Sand	Kent Sand & Gravel, LLC
Item #4 - R-4 Rock Lining	Independence Construction Materials, Inc.
Item #5 - R-5 Rock Lining	Independence Construction Materials, Inc.
Item #6 - R-6 Rock Lining	Independence Construction Materials, Inc.
Item #7 - R-7 Rock Lining	Independence Construction Materials, Inc.

At the end of discussion, motion was made by Mr. Drucker, seconded by Mr. Keffer, and passed unanimously to award Items #1, 2, 4, 5, 6 and 7 to Independence Construction Materials, Inc., and Item #3 to Kent Sand & Gravel, LLC.

Mr. Kampf asked if it was possible to make joint purchases with neighboring municipalities. Mr. Norcini said he would investigate this for next year.

#### **Miscellaneous - Award contract for Equipment Rental**

Mr. Norcini said bids were received from four contractors for the rental of equipment by the Public Works Department. He recommended awarding the contract to the following firms:

Item #1 - Milling Machine	S.A. Macanga, Inc.	\$305/hour
Item #2 - Rubber tire backhoe	Mancini Construction, Inc.	\$50/hour
Item #3 - Track type tractor	Mancini Construction, Inc.	\$70/hour
Item #4 - Vibratory Roller	Mancini Construction, Inc.	\$50/hour
Item #5 - Tandem Dump Truck	Mancini Construction, Inc.	\$50/hour
Item #6 - Paver, 8'-10' width	Mancini Construction, Inc.	\$80/hour
Item #7 - Hydraulic excavator	S.A. Macanga, Inc.	\$115/hour

At the end of discussion, motion was made by Mr. Kampf, seconded by Mr. Keffer, and passed unanimously to award Items #1 and 7 to S.A. Macagna, Inc., and Items #2, 3, 4, 5, and 6 to Mancini Construction, Inc.

#### **Miscellaneous - Award contract for Superpave/Bituminous Concrete**

Mr. Norcini said we received bids from three asphalt plants: Independence Construction Materials, Inc., Glasgow, Inc., and Highway Materials, Inc. Independence Construction Materials, Inc. was the low bidder, and he recommended awarding all four items of the contract to them.

Motion was made by Mr. Drucker, seconded by Mr. Keffer, and passed unanimously to award Items #1, 2, 3, and 4 of the Superpave/Bituminous Concrete contract to Independence Construction, Inc.

#### **Miscellaneous - Award contract for Roof Replacement at Tredyffrin Township Municipal Building, Public Works Department Project #1-07**

Mr. Norcini said four sealed bids were received on March 28<sup>th</sup> for a project to replace shingles and other appurtenances to the Municipal Building roof. Replacement shingles are being provided to the Township as part of a settlement from GAFMC for the defective shingles.

The apparent low bidder, Garvey Roark, LLC, did not provide required documents, and Staff is recommending award of the contract to Jim Miller Roofing, Inc., in the total amount of \$121,650.00.

At the end of discussion, motion was made by Mr. DeHaven, seconded by Mr. Drucker, and passed unanimously to award the Roof Replacement contract to Jim Miller Roofing in the amount of \$121,650.00.

Mark Wuerther asked if the settlement with the shingle supplier ended, and how can we get the quality we are paying for? Mr. Norcini said we received cash and shingles from GAFMC for the defective shingles. To insure quality for the job we are paying for, we require a bid bond, a performance bond, a payment bond, and a maintenance bond. The Township will also inspect the construction. The selected contractor is GAFMC certified, GAFMC has provided a warranty for the new shingles.

**Miscellaneous - Continue the public hearing scheduled for May 7, 2007 to consider an amendment to the Township Code to adopt the 2006 ICC Property Maintenance Code, to Monday, June 18, 2007.**

Motion was made by Mr. Kampf and seconded by Mr. Lamina to continue the public hearing scheduled for May 7, 2007 to consider an amendment to the Township Code to adopt the 2006 ICC Property Maintenance Code, to Monday, June 18, 2007.

Mr. Fahey said the subcommittee has been discussing this amendment, but will not be ready by May 7<sup>th</sup>. Mrs. DiFilippo said she and Mr. Kampf and Mr. DeHaven have been working with staff, and should be able to make the June date.

At the end of discussion, motion passed unanimously.

## **Escrows**

Motion was made by Mr. Lamina, seconded by Mr. Keffer, and passed unanimously to release \$411,777.93 from Wells Fargo Bank, NA to 656 Swedesford Associates, L.P., covering site improvements at 676 and 656 Swedesford Road; balance remaining \$0, and acceptance of a Financial Security Agreement between Swedesford Road Associates, L.P., and Tredyffrin Township, and a Letter of Credit in the amount of \$411,777.93 from Wells Fargo Bank, NA, covering site improvements at 676 and 656 Swedesford Road.

Motion was made by Warren Kampf, seconded by Mr. Keffer, and passed unanimously to release \$76,943.00 from Malvern Federal Savings Bank to Peter Batchelor, LLC, covering site improvements at 70 Paoli Pike; balance remaining \$137,057.00.

Motion was made by Mr. Kampf, seconded by Mr. Drucker, and passed unanimously to release \$44,255.00 from Tredyffrin Township Escrow Account for Malvern Federal Savings Bank; covering site improvements at 42 E. Lancaster Ave., Paoli; balance remaining \$0.

**Subdivision -            Approve Preliminary 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 existing house will be demolished and two new homes will be built if the subdivision is approved. At the March 15<sup>th</sup> Planning Commission meeting, the applicant was given a recommendation for preliminary approval with certain conditions. Once the conditions are satisfied, the applicant may request final approval.

There was discussion about neighborhood opposition, and Mr. Fahey said it was relative to stormwater runoff. Mr. Burgo said the applicant has made efforts to address the comments requested.

At the end of discussion, motion was made by Mr. DiFelicianantonio, seconded by Mr. Keffer, and passed unanimously to approve a Preliminary Subdivision Plan: Lanni Builders; proposal to subdivide one lot into two lots at 781 N. Wayne Avenue in an R-1 Residence District.

**New Matters – Board**

Mrs. DiFilippo asked Mr. Hogan to review the Sunshine Act. He said the Sunshine Act requires the official activity of the Board to happen in a public meeting. If there is a pre-arranged meeting and quorum, and the Board will be deliberating agency action, the discussion has to occur in an official place. He said our Township is in full compliance, and the Board takes every effort to make sure residents know what goes on.

Mrs. DiFilippo said the Board did convene at 7:00 p.m. this evening to discuss legal matters.

Mr. DeHaven said he has had calls from residents who have Verizon cable and can't get our public access channels. Ms. Gleason said she has discussed this matter with Verizon and they seem to be slow to take action. They assured us that later this year they would be broadcasting our public access channels. She said if any resident is considering becoming a Verizon customer, to ask them when they intend to provide public access channels.

Mr. Lamina asked about the status of the maintenance/storage facility at Wilson Farm Park. Mr. Norcini said he has received some proposals and is waiting for another one. He said construction should start the latter part of this year.

4382

Mr. Lamina said he has had complaints from Chesterbrook residents about the sign on Chesterbrook Boulevard, and he would like to have it removed permanently. Mr. Norcini was asked to look for another way to communicate with the public. Mr. DeHaven said he was in favor of the sign.

**New Matters – Citizens**

**None**

The meeting was adjourned at 9:36 p.m.

Respectfully submitted,

Jolene E. Buffman  
Recording Secretary