

**Tredyffrin Township****Minutes – April 6, 2009**

The first 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 Warren Kampf, Chairman; Robert Lamina, Vice Chairman; John DiBuonaventuro, Judy DiFilippo, and Paul Olson. Also in attendance were Mimi Gleason, Township Manager; Thomas Scott, Assistant Township Manager; Stephen Norcini, Director of Public Works; Stephen Burgo, Township Engineer, Superintendent Andrew Chambers; Lt. Anthony Giaimo; Thomas Hogan, Solicitor, and Jolene Buffman, Recording Secretary.

**Call to Order**

Mr. Kampf called the meeting to order at 7:30 p.m.

**Minutes**

Motion was made by Mr. Olson, seconded by Mrs. DiFilippo, and passed unanimously to approve the minutes of the regular meeting held March 16, 2009.

**Announcements**

The Board of Supervisors will hold a public hearing on April 20, 2009 to consider amendments to the Administrative Code.

The Cassatt Road leaf site is open week days until Thursday, April 9, 2009 from 8:00 a.m. until 2:00 p.m. for residents to drop off their yard waste.

**Supervisor Liaison Reports**

Mr. DiBuonaventuro said the Park Foundation 501c(3) has been organized, paperwork filed, and is moving along quite nicely. He will have more to report in the near future.

Mr. DiBuonaventuro said completed items on the Traffic Safety Committee Action List continue to increase. Lt. Giaimo said the Henry Avenue and Fairview Road stop sign ordinance draft is in final review.

Mr. DiBuonaventuro reported that the Budget Advisory Working Group held their first meeting on March 18, 2009, and accomplished introductions, background and organizational matters. They met with Mr. Brill and Ms. Gleason, and are in the process of gathering the information they need.

Mr. Kampf said the Board met in Executive Session before tonight's meeting to discuss personnel and legal matters.

Mr. Kampf said the Board received notification that Ron Harmon, the Emergency Management Coordinator, has resigned. He made a motion to appoint Tom Scott, Assistant Township Manager, to fill this position. Mrs. DiFilippo seconded the motion and it passed unanimously. Mr. Olson said Mr. Harmon did a superb job while he held that position.

Mr. Kampf made a motion to appoint Kathleen Jackson to a three-year term on the Environmental Advisory Council, term to expire February 8, 2012. Mrs. DiFilippo seconded the motion and it passed unanimously.

Mr. Kampf said the Township was awarded a \$10,000 solar panel system from Smart Power, which is now installed on the concession pavilion at Wilson Farm Park. He thanked Molly Duffy, the EAC, and staff for getting the Township involved in the program that Smart Power promoted. The Township purchases 20% of its power from renewable energy, and currently more than 7% of our residents are participating in this energy program.

Mr. Olson made a motion to appoint Rick Groves to the Cable Television Advisory Committee for a three year term, term to expire January 1, 2012. Mrs. DiFilippo seconded the motion and it passed unanimously.

#### **Miscellaneous - Conestoga Road Sidewalk Discussion**

Mr. Kampf said this item was put on the agenda for citizen comment and he opened the floor for discussion. Martin Aguilar, owner of an historical property at 612 Conestoga Road, said he was concerned about the property being taken by sidewalks. He was interested in curbs, because the sidewalk would be a safety issue without them. Mr. Burgo said this area never had curbs. There is no infrastructure in the road for drainage. If curbing were placed for the whole length, it would be a major road reconstruction project to deflect water. The stormwater issue on Conestoga Road will be better after the sidewalks are constructed than it is today. The area in question is Conestoga Road east of the Middle School where it intersects with Keller, near Price and Old Cassatt.

Mr. Lamina asked about the type of material considered for the sidewalks. Mr. Burgo said concrete was the material of choice for the sidewalks, and this was decided by STAP and the consultants. It would connect into existing sidewalks with the same material, provide a look of uniformity, and the concrete sidewalk would be more durable than asphalt, or other materials considered.

Mr. Lamina asked about pedestrian counts. Mr. Burgo said the consultant team evaluated different intersections including Cassatt and Conestoga, and other locations. Various counts were provided for traffic movement for pedestrians. The Township also met during the planning process with the School District which provided information on where and when children walked during school hours, and viewed where pedestrians were currently walking. Staff has been out to the location numerous times over the past year and a half.

Mike Anderson, 638 Conestoga Road, was originally in support of sidewalks, but is now concerned about the water problem. Dick Ellison, 311 Woodmont Circle said the water problem is very serious.

Mr. Olson asked what the cost to the taxpayers would be for the sidewalks. Mr. Burgo said the cost of construction for Phase 1 and Phase 2A, currently designed and moving forward, is \$2.3 million. Mr. Olson asked what the total miles would cost for the rest of the program. Mr. Burgo said this is a difficult question to answer because the remaining portions of sidewalk for Phase 2B and Phase 3 around the schools are not designed at this time. The figure will include overall installation of sidewalks, traffic calming, stormwater management and landscape restoration. Each segment will be different depending on how we plan each area. Mr. Olson asked if \$5 million was a comfortable figure. Mr. Burgo said Phase 2 and 2B have not been designed yet, and once we design these phases, we will have a tighter grasp on what this figure will be.

Mr. Lamina asked how much design cost to date for Phase I. Mr. Burgo said design cost \$203,000, with \$10,000 reimbursed from the School District. We are asking for \$1 million for the Safe Routes to School grant. The School District has made a \$250,000 commitment for construction. Phase 2B of the Sidewalks to School project for complete design and permitting is in the neighborhood of \$380,000. A TCDI grant will reimburse us \$100,000 of that money for planning. Mr. Kampf said the \$250,000 promise from the School Board is generous and hopes it remains on the table.

Tom Bernard, 586 Conestoga Road, read a letter against sidewalks from his neighbor. He asked if PennDot had any future plans for Conestoga Road. Ms. Gleason said there are not any plans by PennDot to do anything on Conestoga Road for the next generation for stormwater improvements. He was also against the sidewalks.

Erica von Hoyer, 1135 Old Lancaster Avenue, said there was significant water problems in her area, and she encouraged the Township to keep trees and vegetation in this area.

Craig Mott, 537 Conestoga Road, was in favor of the sidewalks. He said it was a huge value for the community.

Liza Bernard, 586 Conestoga Road, was against sidewalks and opposed to changing the character of the neighborhood.

Richard Sharpless, 637 Conestoga Road, said roadway drainage issues have to be addressed before sidewalks.

Mr. Burgo said there has been a lot of effort trying to come up with drainage plans that take into consideration the existing nature of Conestoga Road. The sidewalk project will not solve PennDot's drainage problem, but will make it better. It will make a difference in the northern properties. He is confident we can control sidewalk water. Mr. Lamina asked if the sidewalks would meet the requirements of the new Stormwater Ordinance, and Mr. Burgo said it would.

Bill Malarkey, 560 Conestoga Road, said he and his wife were looking forward to sidewalks going in. He said it is almost a Catch 22 situation and he hates to see the perfect get in the way of the good. He doesn't want his kids to be out of school by the time the project is finished.

Sean Moir, Chairman of STAP, said he is in favor of sidewalks for safety reasons, but he understands the concerns of the residents regarding stormwater and curbing issue. He said the residents should have faith in the expertise of our consultants and engineers. Any change in plans will delay the project further and deny children another year of sidewalks.

Mr. Kampf asked where the project stood at the moment. Mr. Burgo said the design has been complete on the actual plans, we have received approval for Phases 1 and 2A from Chester County for the NPDES permit. PennDot has reviewed the plans, and is nearing issuance of their permit.

Mr. Lamina asked for a high level estimate of what drainage and improved curbing the entire length of Conestoga Road and East of Cassatt Road would cost. Ms. Gleason said we can get our consultant to give us an estimate. Mr. Olson said he agrees children need a safe passage to school, but the Board needs to carefully consider their responsibility to force people who don't want sidewalks in front of their house to put it there.

At the end of discussion, Mr. Kampf said at the next meeting the Board will decide whether they are prepared to instruct staff to alter plans for Conestoga Road and east of Cassatt Road with the main focus on Keller and Margo. The Board should be prepared at the next meeting to give an indication to staff if they are going to change the plans or not.

**Miscellaneous - Receive bids for "2009 Superpave Resurfacing Program", Public Works Department Project #10-09**

Mr. Norcini said this is the Township's annual street paving program. He said he was in contact with three other townships to join together to bid a larger quantity of paving, and this may be possible in 2010. It is anticipated that 8 double lane miles of Township road will be paved in 2009.

Mr. DiBuonaventuro said a resident on Hamilton Drive asked about paving that road, and Mr. DiBuonaventuro asked how roads were chosen. Mr. Norcini said early in the year, Public Works evaluates all roads that weren't recently paved. They try to group roads for better pricing, but they have a "fall-out" list for other roads. He said he would evaluate Hamilton Road to see where it falls.

At the end of discussion, motion was made by Mr. Olson, seconded by Ms. DiFilippo, and passed unanimously to receive bids for the "2009 Superpave Resurfacing Program" on Tuesday, May 5, 2009 at 10:00 a.m.

**Miscellaneous - Award contract for Pugh & Old Eagle School Road Stormwater Improvements, Engineering Project #1-09**

Mr. Burgo said six bids were received and opened on March 9, 2009. The lowest qualified bidder was JMC Contractors in the amount of \$193,552.00. Mrs. DiFilippo asked if we received any reimbursement from PennDot for this project. Mr. Burgo said no, PennDot has not agreed to contribute to this project.

Mr. Kampf asked if we pre-qualified bidders. Ms. Gleason said it depends on the project. If we follow PennDot regulations or Federal regulations, they have different sets of rules. Mr. Norcini said all of our bids have a pre-qualification statement.

At the end of discussion, motion was made by Mrs. DiFilippo, seconded by Mr. Lamina, and passed unanimously to award the Pugh and Old Eagle School Road Stormwater Improvement Project to JMC Contractors in the amount of \$193,552.00

**Miscellaneous - Award contract for Public Works Department Project #2-09, Wilson Farm Park Bandshell General Construction, and Project #2#-09, Bandshell Electrical Construction**

Mr. Norcini said six sealed bids were received on April 26, 2009 and the lowest bidder for the Wilson Farm Park Bandshell General Construction was Buzz Burger, Inc., in the amount of \$97,229.00. Two bids were received for the Electrical Construction, and the low bidder was Lenni Electric in the amount of \$68,939.00. Both companies have done work for the Township in the past.

At the end of discussion, motion was made by Mrs. DiFilippo, seconded by Mr. Lamina, and passed unanimously to award the contract for the Wilson Farm Park Bandshell General Construction to Buzz Burger, Inc., in the amount of \$97,229.00. Motion was made by Mrs. DiFilippo, seconded by Mr. Lamina, and passed unanimously to award the contract for the Electrical Construction to Lenni Electric Corporation in the amount of \$68,939.00.

**New Matters – Board**

Mr. Lamina said for the record, he is a proponent of the Safe Routes to School sidewalk initiative. However, he understands the community concern that in doing it, we must make sure we have it right. Comments tonight have been issues with associated costs, stormwater and public safety. He appreciates the work done by the consultants and staff on the project, but the Board is here to take into consideration concerns of the community. He would like to see consensus in the community with the Board and staff, but it isn't always possible. He supports the initiative and safe sidewalks, and wants to find a way to go forward.

Mr. DiBuonaventuro spoke of the recent killings of several police officers in other areas of the country, and said it is a continuing reminder that any of these incident could have happened here. He said when we see our first responders, we should stop and say "thank you".

**New Matters – Citizens**

Nick Ellison said Bob Haase passed away last weekend. Supt. Chambers commented about the passing of Bob Haase. He said Bob was a founding member of the Township's Cable Television Advisory Committee, was Emergency Management Coordinator, Deputy Coordinator, and a volunteer with ARES and RACES shortwave radio groups in Tredyffrin and Chester County. He was a friend of the Township and committed volunteer, and will definitely be missed. Mrs. DiFilippo said Mr. Haase was also an active member of Townwatch.

Richard Sharpless spoke about the truck traffic on Conestoga Road, and said the bridge is continually getting hit. Mr. Norcini said he has been in contact with PennDot and has gotten mixed signals. Several years ago, PennDot said it was their responsibility. The latest response was that PennDot is only responsible for bridge decking and sidewalks. We need to know who the owner of the bridge is. Mr. Kampf asked Mr. Norcini for an update at the next meeting.

Ron Silver said in addition to the safety issue of sidewalks for children, it is also true for adults who drive or walk. There is a savings in fuel costs, and there are benefits to walking.

Mr. Silver discussed a problem Newport Village is having with trash in the Genuardi's parking lot. Trash is not making it into the large dumpsters in the parking lot. The homeowners have complained to the County Sanitation Department, but nothing has happened. He is asking for help from the Township. Ms. Gleason said we will have someone take a look at this problem.

Mr. Kampf announced the resignation of Supervisor Bill DeHaven, effective April 6, 2009. He said the Board was lucky to serve with Bill. Bill was the model of public service all of his life. He served the Township for many years as a policeman, and to continue service, he came to this Board. He served with absolute honor and absolute integrity with energy and his time. The Township, its citizens and this government are much better off as a result of his service.

Mr. Olson said Mr. DeHaven gave his life to this Township. He has a perspective on the Township that no one else on this Board has or will have. He will be deeply missed, and he looks forward to working with him on other issues.

Mr. Kampf said he accepts Mr. DeHaven's resignation by consensus and announced the vacancy. Anyone who would like to be considered for an interim appointment to fill the seat should submit their resume to his attention at the Township. Persons interested must be residents of Tredyffrin's 2<sup>nd</sup> District. The deadline to receive resumes is April 20<sup>th</sup>. The interim appointment will be made at the May 11<sup>th</sup> meeting. The term for this appointee will run until the first meeting of January 2010.

Meeting was adjourned at 9:35 p.m.

**Public Hearing - Consider adoption of amendments to the Stormwater Management Ordinance**

At the end of discussion, motion was made by Mr. Olson, seconded by Mrs. DiFilippo and passed unanimously to adopt amendments to the Stormwater Management Ordinance.

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