

**TREDYFFRIN TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES**

April 28, 2003

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 were Robert W. Lamina, Chairman; Judy L. DiFilippo, Vice Chairman; Trish G. Kreek, Bill DeHaven, E. Brooks Keffer, and Paul W. Olson. Also in attendance were Joseph A. Janasik, Township Manager; Capt. Andrew Chambers; Mimi Gleason, Assistant Township Manager; Vincent Pompo, Esq., Solicitor; and Jolene Buffman, Recording Secretary.

Call to Order

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

Minutes

Motion was made by Mr. Lamina, seconded by Mr. Olson, and carried unanimously to approve the minutes of the first regular meeting held April 7, 2003.

Announcements

The Board of Supervisors will hold a continued public hearing on June 16, 2003 to consider amendments to Chapter 208, Zoning, of the General Laws of Tredyffrin Township.

The Board of Supervisors will hold a continued public hearing on June 16, 2003, to consider an ordinance providing for the regulation of noise to include: definitions, general performance standards, specific prohibitions, exceptions, violations and penalties, enforcement, repealer, severability, and date of effect.

Motion was made by Mr. Lamina, seconded by Mrs. DiFilippo, and carried unanimously to postpone the public hearing to consider an ordinance updating current Stormwater Ordinance to the May 5, 2003 meeting.

Reports

Financial Reports

Mr. Janasik read the Financial Reports for the month of March, showing ending balances as of March 31, 2003:

General Fund		\$ 6,434,260
Capital Reserve		7,981,798
State Fund		500,453
Highway Improvement		432,268
Debt Service 1996 Bond		7,997,839
1996 Bond Proceeds		
- Highway and Parkland		666,853
1992 Bond Proceeds		
Specific Projects:		
- Twp. Building Construction	\$ 134,057	
- Parkland Acquisition	177,961	
- Highway Project	<u>3,636,408</u>	
		<u>3,948,426</u>
Total Cash Balances		\$ 27,961,897

At the end of discussion, motion was made by Mr. Lamina, seconded by Mr. DeHaven, and carried unanimously to approve the Financial Reports as presented.

Police Department Report

- Capt. Chambers discussed the three assaults listed in the March statistics and explained they were assaults on police officers. The suspects involved are under arrest, and the officers are recovering from their injuries.
- Capt. Chambers said on May 13th, the Police Department will host a ceremony at the Township Building to honor first responders killed in the line of duty. Civilians and local veterans' organizations are invited.
- Capt. Chambers said seven new Corporals will be presented to the Board of Supervisors at the May 5th meeting.

Public Works

In Mr. Bryant's absence, the Public Works report was deferred to the next meeting.

Miscellaneous - Motion to approve a renewal lease agreement with Clear Channel Outdoor, Inc. for billboard sign at Radbill Park.

Motion was made by Mr. Lamina and seconded by Mr. Olson to approve a renewal lease agreement with Clear Channel Outdoor, Inc. for billboard sign at Radbill Park.

Mr. Janasik said Clear Channel Outdoor, Inc. proposes the extension of their present

lease for six years. There are two tiers to the terms and rental payments. For years 1-3, the amount of the rental will be \$27,500 per year. For years 4-6, the amount of the rental will be \$29,000 per year. Mr. Janasik said these numbers are actually the minimum amounts we can expect to receive because the Township receives 50% of the rental income of the sign. Our annual rental will be the higher of either 50% of rental income or the above figures. This agreement is similar to previous agreements except for the amounts.

The motion was passed by unanimous vote.

Miscellaneous - Motion to approve the amendment of Malvern Federal Savings Bank's Conditional Zoning Bonus for parking from a reduction of 9 spaces to a reduction of 13 spaces for a property at the corner of Route 30 and Darby Road in the Special Paoli Development District (Conditional Use #67)

Motion was made by Mr. Lamina and seconded by Mr. Olson to approve the amendment of Malvern Federal Savings Bank's conditional zoning bonus for parking from a reduction of 9 spaces to a reduction of 13 spaces for a property at the corner of Route 30 and Darby Road in the Special Paoli Development District (Conditional Use #67).

Ms. Gleason said this is really a housekeeping matter. Initially, Malvern Federal's land development plan called for the redevelopment of six lots at Route 30 and Darby Road to construct a new three-story office building, construct a new one-story bank branch office with drive-through, and 77 parking spaces. Malvern Federal now realizes the plans did not include a planned basement in the new bank branch office, which would increase the parking spaces, absent a conditional zoning bonus, to 90. The Planning Commission voted to recommend the Board of Supervisors approve the amendment to the conditional zoning bonus for parking.

The motion was passed by unanimous vote.

Miscellaneous - Motion to approve primary air ambulance (helicopter) order of services for the Berwyn Fire Company ALS Response Area.

Motion was made by Mr. Lamina and seconded by Mrs. DiFilippo to approve primary air ambulance (helicopter) order of services for the Berwyn Fire Company ALS Response Area.

Mr. Janasik said a request was received from the Berwyn Fire Company to designate their order of services as follows:

1 st due	PennStar 2	West Goshen, PA
2 nd due	PennStar 1	Whitpain, PA
3 rd due	SkyCare 1	Caln, PA

3909

4 th due	MedEvac 3	Limerick, PA
5 th due	LifeNet 1	Christiana, PA

Mr. Janasik wasn't sure the Board designated official response for air service in the past. He said Capt. Chambers has checked the credentials of these health service providers and they are legitimate. Mr. Janasik said there is no reason why the Board should not approve as recommended by Berwyn Fire Company.

The motion was passed by unanimous vote.

Miscellaneous - Motion to award contract for bituminous concrete, stone aggregate and rental equipment.

Motion was made by Mr. Lamina and seconded by Mrs. DiFilippo to award bids for bituminous concrete, stone aggregate and rental equipment as follows:

Bituminous Concrete: Item 1 - Independence Construction Materials
 Item 2, 3, and 4 - Glasgow, Inc.

Stone Aggregate: Items 1 thru 8 - Independence Construction Materials

Equipment Rental: Item 1 - Shainline Excavating, Inc.
 Items 2 thru 6 - Mancini Construction

The motion was passed by unanimous vote.

New Matters - Board

Mr. Lamina said he wanted to publicly thank the Berwyn-Paoli Little League and Outback Steak House for a wonderful Sunday afternoon of food, fellowship and baseball, celebrating the 10th anniversary of the Field of Dreams.

New Matters - Citizens

Linda Schafer, President of the Paoli Woods Homeowners Association, presented a letter to the Board discussing the issues they are facing with the Acme supermarket in the Paoli Shopping Center. Mrs. Schafer said when the Acme was constructed about four years ago, Paoli Woods was assured that construction barriers would shield it from the noise and disruption of delivery trucks. Since then, these barriers have not been maintained, and people are depositing debris and shopping carts on Paoli Woods property, near the stream in their community. Mrs. Schafer's other concern was the noise of delivery trucks at all hours of the day and night.

Paoli Woods Board members have met with the Acme manager, and some repairs have been made to the fence, but it continues to be damaged by delivery trucks. The Pennsylvania Department of Environmental Protection was also contacted and has tested the stream for possible contamination. This report is being prepared.

Mrs. Schafer is requesting the guidance and assistance of the Board of Supervisors.

Mr. Olson said that Mrs. DiFilippo, Mr. Bravacos and he met with some Paoli residents regarding the noise ordinance, and there were three people from the Acme at that meeting. After the meeting, the Board was told by those residents that the Acme had handled the problem satisfactorily. Mr. Olson said if the Acme's response has not been satisfactory to Paoli Woods, we should contact the same people from Acme and set up another meeting. Mr. Lamina said the pictures Mrs. Schafer provided were fairly graphic and asked if there was a requirement for the fence. Mr. Janasik said it was probably part of the Land Development Agreement. Mrs. Schafer said she would give the name of the DEP contact to Mrs. DiFilippo. Mrs. Schafer will contact Mr. Janasik to set up a meeting.

Resident Bruce Simons said he contacted Jim Gerlach, who is on the committee, United States Congress, having to do with transportation and infrastructure, and he got a personal letter back from him. With it he sent Bicycle and Pedestrian Transportation policies. Mr. Simons said he has talked about "ice tea" money, and this report talks about how states and municipalities can apply for federal funding on things including bicycle lines and parking of bicycles at train stations. It even indicates the benefits for natural environments and national security. Mr. Simons said he has been asking for some time whom to work with at the Township, whether it would be the Planning Department, Environmental, or who? Not recreational because the paper makes a point that these monies are available for transportation and not tied into any park type program. Mr. Simons needs to proceed with getting a plan from the Strategic Planning Committee. He attended a meeting and there was plenty of public support. He urged everyone to help make Tredyffrin Township a safe place to get around without a car. Mr. Lamina asked to make a copy of the report, and said the Board would give Mr. Simons some guidance at the next meeting.

Mr. Janasik said the discussion about Paoli Woods reminded him of the recent passing of John Fuchs, who was a developer of Paoli Woods, Woodgate, and other communities in Tredyffrin Township. Mr. Fuchs had much to do with the refurbishment of the Chapel in Mt. Pleasant. He personally raised funds, and provided labor and the commitment of the Main Line Builders Association to finish work on the chapel. Mr. Janasik said it is going to be a testament to Mr. Fuch's work.

The meeting adjourned at 8:03 p.m.

Respectfully submitted,

Jolene E. Buffman
Recording Secretary