

This meeting is being audio recorded for the public record.

A G E N D A

BOROUGH COUNCIL WORKSESSION

April 19th, 2016 – 7:00 pm

1. Meeting call to order/Pledge of Allegiance.
2. Comments by Mayor and Council.
3. Presentation by Mayor Comitta – Citation to honor Daniel (DJ) Matthews, Jr. Firefighter, Fame Fire Company
4. Comments regarding item not on the agenda
5. Update on the Marshall Square Park Fountain
6. Consider “Ring” settlement agreement
7. Consider entering into settlement discussion with Pfizer regarding Wyeth sewer litigation
8. Consider 632 S. Matlack Street – Five Unit Townhouse Development
9. Consider Drug Unit Vehicle Allocation
(Public Safety Committee approved 3-0)
10. Consider approval for Civil Service Commission to conduct police testing
(Public Safety Committee approved 3-0)
11. Consider police recommendation to prohibit westbound traffic in Spruce Alley from Matlack Street
(Public Safety Committee recommended approval 2-0, W. Scott abstained)
12. Consider request for a “Quiet Zone” sign
(Public Safety Committee recommended 3-0 DENIAL)
13. Consider proposed Resolution #8-2016, (documents to be shredded)
(Kaizen Committee approved 3-0)
14. Consider Diane LeBold’s request to be Voting Delegate for the Borough at the PSAB Conference
(Kaizen Committee approved 3-0)
15. Consider HB-340 – (Sending correspondence to local PA legislators in opposition to HB-340 Bill)
16. Consider adding handicap space at 132 E. Miner Street
(Parking Committee recommended DENIAL 3-0)

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17. Consider removing handicap space at 119 W. Barnard St.
(Parking Committee recommended approval 3-0)
18. Consider Patton Alley Growers Market Restrictions and Lot 10 Lease Area
(Parking Committee recommended 3-0 approval of closing Patton Alley for the Growers Market – Lot 10 Lease options was tabled until May)
19. Consider Great Race Special Event Permit – 5K – 5-17-16 (ON HOLD)
20. Consider the following Special Event Permits:
(Public Works/Rec Committee recommended approval 3-0)
 - a. Restaurant Festival – 9-18-16; rain date 9-25-2016
 - b. Halloween Parade – 10-26-2016, rain date 10-27-2016
 - c. WCU – 5k – 4-25-16
 - d. Mother’s Day – 5K – 5-8-16
 - e. Dub C 4 Miller – 6-10-16
21. Consider 125 E. Union Street; Property maintenance and code violation enforcement recommendation
(Smart Growth Committee recommended 2-0 (Diane LeBold recused herself) to Council to instruct our Solicitor to seek a court order to enter onto property, board it up and remove all occupants if the notice of violation in not complied with)
22. Consider proposed ordinance – Chapter 112 & 97, Traffic Impact
(Smart Growth Committee recommended 3-0 to set date for advertising)
23. Discuss Refinancing 2011 Bonds
24. Discuss Collective Bargaining Agreement
25. Consider Certificates of Appropriateness:
(Smart Growth Committee recommendation approval 3-0)
 - a. 133 East Market Street
Brick and Mortar repair on front façade
Approved as presented
 - b. 6 South Church Street
Install building mounted sign on side façade
Approved as presented – note: sign will be fastened into mortar joints on brick wall
 - c. 30 North Church Street
Install wrought iron fence on front sidewalk to accommodate curbside seating
Approved as presented
 - d. 112 South Church Street
Install range hood ventilation duct on side façade
Approved with conditions: news exterior exhaust vent with clarification and conditions that the vent and brackets be painted to match the subdued tones of the brick and all be anchored to mortar joints

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- e. 136 East Gay Street
Connect and enclose alleyway between front and rear buildings; finish expanded restaurant space and construct one story addition in rear.
Approved as presented: note, the following are to be used: wood window trim, six panel wood door, wood handrail, clarification that stucco finish be used versus presented siding

- 25. Consider approval of March minutes

- 26. Zoning Appeals:
 - a. Appeal # 912 - University Student Housing;
 - 1. Allegheny Hall, 121 W. Rosedale Avenue
 - 2. Brandywine Hall, 709 S. New Street
 - 3. Commonwealth Hall, 715 S. New Street

 - b. Appeal # 913 – Christopher Dulin – 632 &634 S. Matlack

 - c. Appeal #914 – Glenn Ammons – 429 N. Walnut St.

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UPCOMING MEETINGS:

April 20th, 2016

RAMP Celebration

Exit presentations: Emily Eyster – Mayor Intern
 Melanie Guerrier – Mayor Intern

Tuesday	4-19-2016	Council Worksession	7:00 pm	Council Chambers
Tuesday	4-19-2016	Planning Commission Worksession	6:30 pm	Room #240
Wednesday	4-20-2016	Council Meeting	7:00 pm	Council Chambers
Tuesday	4-26-2016	Planning Commission	6:30 pm	Council Chambers
Thursday	4-28-2016	Stormwater Forum	5 – 8pm	Historical Society
Thursday	4-28-2016	HARB	7:00 pm	Room #240
Wednesday	5-4-20016	West Chester Railroad Restoration Comm.	7:00 pm	Council Chambers
Thursday	5-5-2016	Public Hearing – proposed ordinances	6:00 pm	Council Chambers
Tuesday	5-10-2016	BID Board	8:00 pm	119 N. High St.
Tuesday	5-10-2016	Public Works/Recreation/ WW Committee	5:30 pm	Council Chambers
Tuesday	5-10-2016	Kaizen Committee	6:30 pm	Council Chambers
Tuesday	5-10-2016	Parking Committee	7:30 pm	Council Chambers
Wednesday	5-11-2016	Public Safety Committee	5:30 pm	Council Chambers
Wednesday	5-11-2016	Finance Committee	6:30 pm	Council Chambers
Wednesday	5-11-2016	Smart Growth Committee	7:30 pm	Council Chambers
Monday	5-16-2016	Shade Tree Committee	6:00 pm	Room #240
Tuesday	5-17-2016	Council Worksession	7:00 pm	Council Chambers
Wednesday	5-18-2016	Council Meeting	7:00 pm	Council Chambers

The Marshall Square Park Fountain Rededicated, 2016

“It Will Dance Merrily in that Shady Retreat”

This fountain was first installed in this exact location on June 4, 1889. It became a community gathering place and fish swam in its pool, to the delight of children. A yellow shield of bricks honors the Union Veterans Legion.

For unknown reasons the fountain was removed in the early 1950s and portions were next seen in a private Westtown garden. Eugene and Joan Gagliardi acquired the fountain in the 1980s and installed it at their farm in East Bradford. Mrs. Gagliardi loved the fountain and after their farm was sold was instrumental in its return to Marshall Square Park.

In 2016, the Friends of Marshall Square Park raised the needed funds to restore the fountain and return it to the community in all its glory.

“There is no social line at the fountain... and water flows freely for all to admire.” Daily Local News, August 26, 1932.

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release (“**Agreement**”) is entered into as of this _____ day of _____, 2016 by and between **SPENCER RING**, an adult individual with an address of 849 Conner Road, West Chester, Pennsylvania (“**Ring**”) and the **BOROUGH OF WEST CHESTER**, a political subdivision of the Commonwealth of Pennsylvania with an address of 401 East Gay Street, West Chester, Pennsylvania 19381 (the “**Borough**”).

WHEREAS, Ring owns a single family detached dwelling located at 713 S. Matlack Street in the Borough of West Chester (the “**713 Property**”), which is leased as a single family dwelling; and

WHEREAS, the 713 Property has not received zoning approval to be used as a student home and is not registered as a lawful nonconforming student home, as such term is defined in the Borough Zoning Ordinance (the “**Ordinance**”); and

WHEREAS, Ring leased the 713 Property to student tenants in violation of the Ordinance which resulted in the Borough issuing a Notice of Zoning Violation dated September 30, 2015 (the “**Student Home Violation**”); and

WHEREAS, Ring did not appeal the Student Home Violation to the Borough Zoning Hearing Board; and

WHEREAS, the Borough filed a civil complaint (the “**Complaint**”) in District Court MDJ-15-1-04 on December 30, 2015 seeking civil fines for Ring’s Student Home Violation; and

WHEREAS, Ring also owns a single family detached dwelling at 715 S. Matlack Street (the “**715 Property**”) with a detached garage (the “**Garage**”); and

WHEREAS, Ring leases the dwelling at the 715 Property to his son but continues to use

the Garage for his own personal carpentry work that Ring claims is not done as part of any commercial business; and

WHEREAS, the Borough sent Ring a Notice of Zoning Violation on September 21, 2015 (the “Garage Violation”) alleging that Ring was using the Garage for a non-residential use which was not accessory to the dwelling in violation of Section 112-19.B of the Ordinance; and

WHEREAS, Ring did not appeal the Garage Violation to the Zoning Hearing Board; and

WHEREAS, Ring contends that he was not and is not using the Garage for a use which would not be considered an accessory use to the principal residential use of the 715 Property; and

WHEREAS, the parties desire to settle all matters that were brought or could have been brought between the parties relating to the Student Home Violation and the Garage Violation;

NOW, THEREFORE, in consideration of the mutual covenants and conditions provided herein, and intending to be legally bound hereby, the parties agree as follows:

1. Recitals Part of Agreement. The recitals above are incorporated herein as if set forth at length and are intended by the parties to constitute material terms of this Agreement.

2. Payments by Ring. As consideration for settlement of the Complaint, on or before April 15, 2016, Ring shall remit the sum of Five Thousand Three Hundred Twenty Five (\$5,325.00) Dollars to the Borough, which amount represents a civil fine, reimbursement of the Borough’s attorney’s fees and court costs.

3. Documentation of Compliance with the Ordinance. Ring hereby confirms that he is not now and shall not hereafter use the rental dwelling units that he owns in the Borough located at 713 S. Matlack Street, 715 S. Matlack Street and 746 S. Franklin Street (“Non Student Homes”) as student homes, unless and until he receives all necessary zoning approvals and

permits to do the same. Within five (5) days of his execution of this Agreement, Ring shall submit copies of all lease agreements for all rental dwelling units that he owns in the Borough (which the Borough has identified as 713 S. Matlack Street, 715 S. Matlack Street, 746 S. Matlack Street, 538 S. Matlack Street and 218 Linden Street). The Borough shall be permitted to conduct an inspection of all of Ring's Non Student Homes to verify compliance with the Ordinance and this Agreement. Should the Borough find that any of the Non Student Homes are leased to at least two students, as such term is defined in the Ordinance, the Borough shall be entitled to proceed directly to seek the imposition of civil fines by the District Court pursuant to the authority in Section 617.2 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10617.2, ("PaMPC") which allows the District Court to impose a civil fine in the amount of Five Hundred (\$500.00) Dollars per day of violation of the Ordinance, plus attorneys' fees and costs incurred by the Borough to enforce the Ordinance. Ring agrees that it shall not be necessary for the Borough to send a notice of zoning violation if he allows the use of the Non Student Rentals as student homes. If Ring disputes that he was in violation of this Agreement or the Ordinance, he may raise this defense before the District Court. The Borough may also seek injunctive relief pursuant to Section 617 of the PaMPC.

4. Use of Garage at 715 S. Matlack Street.

The Garage may only be used for a use which is accessory to the dwelling on the 715 Property which means that any use of the Garage must be clearly incidental to and customarily found in connection with the use of residential dwelling on the 715 Property. The tenants of the dwelling may use the Garage for any use which is an accessory use to the principal residential dwelling. If Ring violates this condition, the Borough shall be entitled to proceed directly to

seek the imposition of civil fines by the District Court pursuant to the authority in Section 617.2 of the PaMPC and an injunction to abate the violation of the Ordinance pursuant to the authority in Section 617 of the MPC. Ring agrees that it shall not be necessary for the Borough to send a notice of zoning violation if he uses or allows the use of the Garage for any use which is not an accessory use to the principal residential dwelling. If Ring disputes that he was in violation of this Agreement or the Ordinance, he may raise this defense before the District Court.

5. Release.

A. Ring to the Borough. Except as otherwise expressly provided herein, Ring, on behalf of himself and his heirs, successors and assigns, does hereby release, remise, quitclaim and forever discharge the Borough, as well as its Council, officers, agents, consultants, attorneys, servants and employees, from any and all claims, actions, causes of action, demands, damages, compensation, liabilities, and judgments and any and all expenses and/or costs whether now known or unknown, foreseen or unforeseen, contingent or fixed whether now or in existence or hereafter arising, which were brought or could have been brought in any suit in law or equity related to the Student Home Violation or Garage Violation.

B. Borough to Ring. Except for an action to collect the sums payable by Ring in accordance with Paragraph 2 above or an action to enforce the terms of this Settlement Agreement or an action to enjoin the use of, or to collect fines for the use of any of the Non Student Homes as student homes after the date of this Agreement, or the use of the Garage for a use which is not accessory to the single family dwelling, the Borough, on behalf of itself and its assigns, does hereby release, remise, quitclaim and forever discharge Ring, as well as his heirs, executors, administrators and personal representatives, from any and all claims, actions, causes

of action, demands, damages, compensation, liabilities, and judgments and any and all expenses and/or costs whether now known or unknown, foreseen or unforeseen, contingent or fixed whether now or in existence or hereafter arising, which were brought or could have been brought in any suit in law or equity related to the Student Home Violation and Garage Violation.

6. No Admission of Liability. The parties understand that this settlement is the compromise of doubtful and disputed claims, and that the payments and actions described above and the promises herein exchanged shall not be construed as admissions of liability on the part of any of the parties, by each of whom liability is expressly denied.

7. Entire Agreement of Parties. This Agreement supersedes all previous and contemporaneous representations, understandings, inducements or agreement, express or implied, oral or written, between the parties with respect to the subject matter hereof. No promises or inducement that is not herein expressed has been made to any of the parties and the parties do not rely upon any statement or representation not contained in this Agreement.

8. Choice of Law. This Agreement shall be governed by the laws of the Commonwealth of Pennsylvania.

9. Execution in Counterparts. This Agreement may be signed in counterparts or any number of duplicate originals, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

10. Authority of Signatures. The person executing this Agreement on behalf of each party hereby warrants and represents (and acknowledges that each party to the Agreement will rely upon such warranties and representations) that he or she has the full competency, power and authority to bind such party in accordance with the terms of this Agreement, including without

limitation, any assignment hereunder, and that no further corporate or other action is required to make this Agreement and any assignment hereunder valid and binding.

11. Non-Severability. If any provision of the Agreement is found to be illegal or unenforceable, the other provisions hereof shall be of no force and effect and the entire Agreement shall be null and void.

12. Review of Agreement and Consultation With Counsel. The undersigned declare that they have read this Agreement in its entirety, fully understand it, and have had the opportunity to consult with counsel prior to executing it.

IN WITNESS WHEREOF and intending to be legally bound, the parties hereto do hereby set their hands in seals on the day and year set forth above.

ATTEST:

WEST CHESTER BOROUGH

Michael A. Cotter, Secretary

By _____
Ellen Koopman, President

WITNESS:

_____ (SEAL)
Spencer Ring



MEMORANDUM

TO: Michael A. Cotter, Borough Manager
FROM: Michael A. Perrone, C.B.O.
DATE: April 6, 2016
RE: 632 South Matlack Street – Five Unit Townhouse Development

Recommendation

N/A

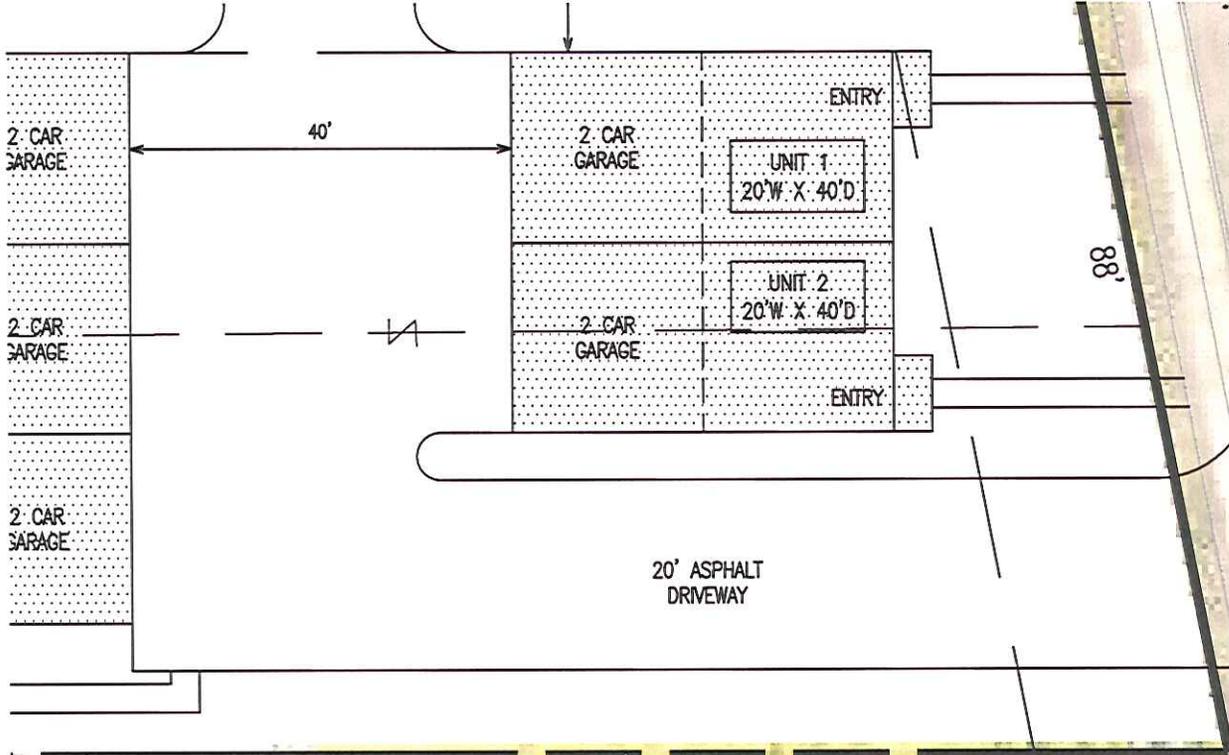
Motion

N/A

Background

Sketch plan: Staff met with proposed owner/developer who wishes to combine two existing lots, raze an existing single family dwelling and demolish the existing nonconforming garage building.

The newly created lot will have five new single family townhouse units. Two units facing Matlack Street, three units facing Mechanics Alley.





West Chester Police Department

MEMORANDUM

TO: Scott Bohn, Chief of Police

FROM: William Morris, Administrative Lieutenant 

DATE: April 11, 2016

SUBJECT: Vehicle Allocation – Drug Unit Vehicle

The Phoenixville Police Department signed a 2000 Honda Accord vehicle over to the West Chester Police Department at no cost to the Borough of West Chester for the acquisition of vehicle. The vehicle obtained from the Phoenixville Police Department will be replacing the Chevrolet Trail Blazer that was damaged by fire and could not be repaired for usage.

The following vehicle will be assigned to the Detective Unit:

2000 Honda Accord
VIN #JHMCG6695YC009075
Mileage 113450

The vehicle was tentatively approved by the Fleet Manager for use by the West Chester Police Department.

CIVIL SERVICE COMMISSION

Anthony J. Polito, Chair
F. Robert Bielski, Vice-Chair
Reese P. Davis, Secretary



MUNICIPAL BUILDING
401 EAST GAY STREET
WEST CHESTER, PA19380

*Borough Of West Chester
Pennsylvania*

TO: Mayor Carolyn Comitta

CC: Michael Cotter, Borough Manager
William Scott, Chair Public Safety & Quality of Life Committee
Jordan Norley, Public Safety & Quality of Life Committee
James Jones, Public Safety & Quality of Life Committee

FROM: Anthony J. Polito, Chair Civil Service Commission *AP*

DATE: April 7, 2016

RE: Civil Service Commission request to begin the hiring process for WCPD...

The Civil Service Commission met on March 28, 2016 and feel that since there is a strong possibility there could be several retirements from the West Chester Police Department in the near future that it would be in the department's best interest to begin the hiring process at this time. The last testing, October 17, 2015, did not produce enough applicants to have an active list of eligible candidates. This is mostly due to the fact that the Act 120 Police Academy was required to test and we have recently changed that Act 120 is not required to test.

We would like to have approval to begin with this process since it takes several months to complete.



West Chester Police Department

MEMORANDUM

TO: Public Safety – Quality of Life Committee

FROM: Scott L. Bohn, Chief of Police

CC: Michael A. Cotter, Borough Manager

DATE: March 9, 2016

SUBJECT: Mechanics / Spruce Alley

At your request we have reviewed the intersection of Mechanics and Spruce Alleys. We inspected the intersection and found the sight line for westbound traffic in Spruce Alley north into Mechanics Alley to be less than the minimum 147 ft. (recommended in PennDOT Pub 212 Official Traffic Control Devices). This is due to an unmovable obstruction (building). The same obstruction creates a potential hazard for southbound traffic in Mechanics Alley at Spruce.

We have reviewed the crash data in Alert and have found none in the last ten years.

Though the intersection has not been especially dangerous, the limited sight line is problematic. As a potential solution we would suggest prohibiting westbound traffic in Spruce Alley from Matlack St. According to PennDOT Pub 212 (§212.113 One-way streets), a one-way street may be established if the following conditions are satisfied:

- (1) The traffic flow can be accommodated in both directions. Whenever possible, an adjacent parallel Street should be used to form a one-way couplet.
- (2) The street has a reasonable number of intersections for entrance to or exit from the one-way street or one-way system.
- (3) The roadways at the terminal points of the one-way street provide satisfactory transitions to and from the two-way operation.
- (4) There will be a reduction of intersection delays.
- (5) Existing bus routes can be satisfactorily accommodated.

(6) Emergency vehicles can reasonably and expeditiously reach their destinations.

All six of these conditions are satisfied. Matlack St. is already designated southbound traffic only thereby limiting the impact on the general motoring public.

Ms. Judy Benes

Executive Assistant to Borough Manager of West Chester

April 4th, 2016

Dear Ms. Benes,

I was just in your office questioning about "the Quiet Zone" sign on Dean Street where we live.

We do love living in the borough in this beautiful historical home. Also the amenity of what downtown offers. However, my immediate next door (329 Dean) is a student apartment. They often come home late; sometimes 2 or 3 am, then occasionally stay outside and chat on the front porch or the street. It has been an issue since their noise shoot to our bedroom window. Now the weather is becoming nice, the chances of violating quiet hour will be more for sure. They seem to be careless when comes to noise.

Then I realize there is no quiet zone sign on our street. If there is one where states there are going to be a fine if they violate the rule, I believe and hope it will add some manner to those students. I think those generations are constantly needed to be reminded what they can and cannot do. I hope adding the sign will improve some of their manner.

I wish you could consider adding more strict rules and sever fine for students and their landlord so that they take the issue we are dealing more seriously. Truly the student apartment is not a good fit on our block.

Please, I do ask you to add the quiet zone sign on our block. I appreciate considering my request. Thank you so much for your attention.

Sincerely,

Ikuko Arnold

327 Dean Street. West Chester PA 19382

Tel: 484-786-9800



RESOLUTION #8 - 2016

WHEREAS, Council of the Borough of West Chester intends to follow the Retention and Disposition Schedule for Records of Pennsylvania Municipalities Issued for Local Government Records Committee by Pennsylvania Historical and Museum Commission, division of Archives and Manuscripts, Harrisburg, May 17, 1992; and

WHEREAS, said Schedule and Legislation require that each individual act of disposition be approved by resolution of the Council of the Borough of West Chester, and;

WHEREAS, the Borough of West Chester desires to dispose of various unnecessary records;

NOW, THEREFORE BE IT RESOLVED, this 20th day of April 2016, the Council of the Borough of West Chester hereby resolves to approve the individual acts of disposition for the records as attached:

BE IT RESOLVED this 20th day of April, 2016.

ATTEST:

Michael A. Cotter
Borough Manager

Ellen B. Koopman
President of Borough Council

(List Attached)

SHRED IN 2016

Shred According to Municipal
Year Records Manual Regulations

Storage Unit 42

2009	PayRoll		2016
2009	Sewer Payment Cards & Reports	2 boxes	2016
2009	Paid Invoices & Bank Statements	2 boxes	2016
2009	Bank Statements	2 boxes	2016
2007-2009	Paid Sewer Leins		2016
	2009 Counter Reciepts		2016
	2009 Sewer Payments		2016
1/2009 - 6/2009	Sewer Reports		2016
9/2009-12/2009	Sewer Payment Cards		2016
7/2009-12/2009	Sewer Reports		2016
	2009 Bank Receipts & Invoices		2016
2009-2010	PayRoll	2 boxes	2016
	2009 Paid Invoices and Bank Statements		2016
	2008 Bank Statements	3 boxes	2015
	2009 Bank Statements	2 boxes	2016

Basement

2003-2005	Deposit Books		2012
2003-2009	Deposit Books	2 boxes	2016
	2010 ADP Payroll Reports		2014
2007-2008	Master Controls		2012
	2007 Bank Statements & Court Reports		2014
1996-1998	ADP PR Reports		2002
1999-2001	ADP PR Reports		2005
2002-2004	ADP PR Reports		2008
	2003 GL Ledger		2010
	2004 ADP PR Reports		2008
1989-1992	ADP PR Reports		1996
1998-9	PLGIT Invoices		2006
	1995 ADP		1999
	2002 Timecards		2006
	2005 Bank Reconciliations		2008
	2005 Highway Aid invoices/checks		2012
2003-4	Sewer Payments & Billings		2011
	2004 Sewer Payments July-Dec		2011
	2004 Sewer Payment Jan-June		2011
2003-4	District Court Reports		2011



Voting Delegate Form

Each member borough in good standing with the Association shall appoint a Voting Delegate for the purpose of electing the Officers of the Association and voting on proposed resolutions and policies.



Council **must approve** the individual appointed to serve as the Voting Delegate as well as an Alternate Delegate (In case the primary appointment cannot participate in the election and voting during the annual conference). Per the PSAB Constitution, these names must be provided to the PSAB Executive Director at least 15 days (May 23, 2016) prior to the conference.

The election of Officers will be held Tuesday, June 7 between 9 a.m. and 2 p.m. and voting on proposed resolutions and policies will occur during the Closing Business Meeting on Wednesday, June 8. These two activities help to shape the leadership and policy platform of the Association. Participation in this process is an essential role that borough officials play in guiding the future of PSAB.

ALL VOTING DELEGATES MUST BE REGISTERED TO ATTEND THE ANNUAL CONFERENCE.

Borough of: West Chester

Submitted by: _____
(Signature of the Borough Secretary)

Date: _____

OUR VOTING DELEGATE WILL BE: Diane LeBold, Council Member, Ward 2
(Name) (Title)

OUR ALTERNATE WILL BE: _____
(Name) (Title)

Form must be returned with PSAB registration form (one per borough) no later than Monday, May 23, 2016 to: PSAB, 2941 North Front Street, Harrisburg, PA 17110

DAN TRUITT, MEMBER
156th LEGISLATIVE DISTRICT

E-mail: dtruitt@pahousegop.com
Web: RepTruitt.com



Goshen Executive Center
1450 East Boot Road, Suite 100-D
West Chester, PA 19380
Phone: (610) 696-4990
Fax: (717) 782-2908

House of Representatives

Commonwealth of Pennsylvania
Harrisburg

March 28, 2016

Diane C Lebold
123 East Union Street
West Chester, PA 19382

Dear Diane,

Thank you very much for sharing with me your concerns about House Bill 340 (HB-340). It is always great hearing from you, and I welcome this opportunity to respond.

As you know, HB-340 would amend Title 65 dealing with executive sessions and would allow an executive session to be held to discuss among other things, any matter pertaining to a specific individual prospective, current or former employee as well as review and discussion of plans related to security and emergency preparedness. HB-340 also includes a requirement that an executive session be recorded and that the recording be preserved for one year.

I actually voted in support of this bill when it was brought up for a vote in the State Government Committee, and I will explain my reasoning: I have a great relationship with my local elected officials and I was concerned that my support of this bill might make them feel like I don't trust them. But, I know they are doing a good job and it pains me when I hear residents express suspicion about what they do behind closed doors. So, I think this bill is good for the fact that it should help curb corruption by local elected officials in other parts of the state and it should encourage the ones who are doing the right things to minimize what they do behind closed doors so that residents won't suspect the good guys of being up to no good.

If I were in your position, I would feel better knowing that there was a permanent record that could prove that I did not violate the rules if I was ever challenged, and I don't think the recording requirement is a big burden, especially since digital recorders are cheap as are the storage devices. It is important to note that any discussion concerning a specific individual can still be had behind closed doors. I do have some concern about legal expenses, but I don't see why an attorney should have to be involved in every decision regarding whether or not an executive session is allowable. If you have any suggestions to improve the bill, I would be happy to review them and try to get them in. I don't know if there is any real effort to get the bill passed by the full House, so I believe we would have some time to work this out if you are interested in pursuing this course of action.

Once again, thank you for contacting me and please do not hesitate to reach out to me in the future if I can be of assistance on this or any other state matter.

Respectfully Yours,

A handwritten signature in cursive script that reads 'Dan Truitt'.

Dan Truitt
State Representative
156th Legislative District

New Mandates for Executive Sessions

On March 15, the House State Government Committee met to consider **House Bill 340 (PN 2947)**, which makes several important amendments to the Sunshine Law regarding open meetings and executive sessions. Even with letters of opposition from every local government association, the bill was amended and voted out of Committee.

The latest version of the bill amends the definition of “deliberation” to include not just the discussion of an agency for the purpose of making a decision, but also an informational meeting or briefing. Further, the bill amends language in Section 708 of the Sunshine Law narrowing employment matters for executive session to only those pertaining to a specific individual who is a prospective, current or former employee and relating to that individual’s exact terms and conditions of employment, termination of employment, performance, promotion or discipline. All other agency business relating to general employee or employment policies, appointees or officials and other discussions not pertaining to a specific individual shall take place in open session.

A new reason for executive session is added pertaining to security and emergency preparedness plans, including the physical security of buildings, staff training, communication procedures, evacuation plans and coordination with other agencies. Implementation costs and equipment purchases of such plans must be discussed in open session.

Furthermore, the bill requires all executive sessions, except those held in connection with litigation, to be recorded via audio or video and retained for one year. The recordings shall not be open to the public or subject to the Right-to-Know Law, except by court order. However, the recordings shall be accessible to an agency member who would have been permitted to attend an executive session, whether or not that member was actually in attendance.

Prior to holding an executive session on any matter, an agency shall either obtain advice from legal counsel as to whether the matter at hand may be discussed in executive session or the agency can decide not to consult legal counsel and the elected official in charge can make the decision. In either case, it shall be publically disclosed at the current public meeting or next public meeting who made the decision.

Finally, the bill prescribes penalties for those agency members found to be in violation of the law. The bill also offers immunity to those agency members who in good faith report a violation.

*Location: Set on House Tabled Calendar,
April 4, 2016*



**Borough of West Chester
Handicapped Parking Permit**

NAME: Craig Milbourne

ADDRESS: 132 E. Main St

PHONE NUMBER: 610-721-8196

STATE ISSUED PLACARD NUMBER: _____

SIGNATURE: McHog

Copies of the placard, registration, ID card must accompany the application

OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

REGISTRATION: _____

ID CARD _____

PLACARD _____

MANAGER SIGNATURE: _____

AGENDA DATE: _____

APPROVED _____ DENIED _____

NOTES: _____

Pennsylvania
VISITPA.COM
DRIVER'S LICENSE

096

No: 18 578 227 Dups: 00
DOB: 05/04/1959 Sex: M
Class: C Eyes: HAZ
Endorse: ---- Height: 6'03"
Com/Med Rstr: *1*
Issued: 03/17/2014
Expires: 05/05/2018

Craig Milbourne

CRAIG E MILBOURNE
132 E MINER ST
WEST CHESTER PA 19382



DL

P47819H

03/2020

CRAIG E MILBOURNE
132 E MINER ST
WEST CHESTER, PA 19382

PENNSYLVANIA



**EXPIRES
LAST
DAY OF**

03-20

P47819H

PERMANENT

100 Block East Miner Street Handicap Tracking**Evening Shift****124 East Miner Street**

Date	Time	Car Parked	Officer
4/1/2016	2:45pm	N	42
4/1/2016	5:30pm	N	42
4/1/2016	8:00pm	N	42
4/1/2016	10:00pm	N	42

137 East Miner Street

Date	Time	Car Parked	Officer
4/1/2016	2:45pm	Y	42
4/1/2016	5:30pm	Y	42
4/1/2016	8:00pm	Y	42
4/1/2016	10:00pm	Y	42

145 East Miner Street

Date	Time	Car Parked	Officer
4/1/2016	2:45pm	Y	42
4/1/2016	5:30pm	N	42
4/1/2016	8:00pm	N	42
4/1/2016	10:00pm	Y	42

122 East Miner Street

Date	Time	Car Parked	Officer
4/1/2016	2:45pm	Y	42
4/1/2016	5:30pm	N	42
4/1/2016	8:00pm	N	42
4/1/2016	10:00pm	Y	42

100 Block East Miner Street Handicap Tracking**Morning Shift****124 East Miner Street**

Date	Time	Car Parked	Officer
4/4/2016	9am	Y	31
4/4/2016			31
4/4/2016	12pm	Y	31
4/4/2016			31
4/4/2016	3pm	Y	31

137 East Miner Street

Date	Time	Car Parked	Officer
4/4/2016	9am	N	31
4/4/2016			31
4/4/2016	12pm	N	31
4/4/2016			31
4/4/2016	3pm	N	31

145 East Miner Street

Date	Time	Car Parked	Officer
4/4/2016	9am	Y	31
4/4/2016			31
4/4/2016	12pm	Y	31
4/4/2016			31
4/4/2016	3pm	Y	31

122 East Miner Street

Date	Time	Car Parked	Officer
4/4/2016	9am	N	31
4/4/2016			31
4/4/2016	12pm	N	31
4/4/2016			31
4/4/2016	3pm	N	31

100 Block East Miner Street Handicap Tracking**Evening Shift****124 East Miner Street**

Date	Time	Car Parked	Officer
4/4/2016	3:10pm	Y	43
4/4/2016	5:02pm	Y	43
4/4/2016	7:15pm	N	43
4/4/2016	8:29pm	N	43
4/4/2016	9:40pm	N	43

137 East Miner Street

Date	Time	Car Parked	Officer
4/4/2016	3:10pm	N	43
4/4/2016	5:02pm	N	43
4/4/2016	7:15pm	N	43
4/4/2016	8:29pm	N	43
4/4/2016	9:40pm	N	43

145 East Miner Street

Date	Time	Car Parked	Officer
4/4/2016	3:10pm	Y	43
4/4/2016	5:02pm	Y	43
4/4/2016	7:15pm	Y	43
4/4/2016	8:29pm	Y	43
4/4/2016	9:40pm	Y	43

122 East Miner Street

Date	Time	Car Parked	Officer
4/4/2016	3:10pm	Y	43
4/4/2016	5:02pm	N	43
4/4/2016	7:15pm	Y	43
4/4/2016	8:29pm	Y	43
4/4/2016	9:40pm	Y	43

100 Block East Miner Street Handicap Tracking**Day Shift****124 East Miner Street**

Date	Time	Car Parked	Officer
4/5/2016	9am	N	31
4/5/2016			
4/5/2016	10am	N	31
4/5/2016			
4/5/2016	3pm	N	31

137 East Miner Street

Date	Time	Car Parked	Officer
4/5/2016	9am	N	31
4/5/2016			
4/5/2016	10am	N	31
4/5/2016			
4/5/2016	3pm	N	31

145 East Miner Street

Date	Time	Car Parked	Officer
4/5/2016	9am	Y	31
4/5/2016			
4/5/2016	10am	Y	31
4/5/2016			
4/5/2016	3pm	N	31

122 East Miner Street

Date	Time	Car Parked	Officer
4/5/2016	9am	N	31
4/5/2016			
4/5/2016	10am	N	31
4/5/2016			
4/5/2016	3pm	N	31

100 Block East Miner Street Handicap Tracking**Evening Shift****124 East Miner Street**

Date	Time	Car Parked	Officer
4/5/2016	5pm	N	42
4/5/2016	7pm	N	42
4/5/2016	9:30pm	N	42
4/5/2016	11pm	N	42
4/5/2016			

137 East Miner Street

Date	Time	Car Parked	Officer
4/5/2016	5pm	N	42
4/5/2016	7pm	N	42
4/5/2016	9:30pm	N	42
4/5/2016	11pm	N	42
4/5/2016			

145 East Miner Street

Date	Time	Car Parked	Officer
4/5/2016	5pm	N	42
4/5/2016	7pm	N	42
4/5/2016	9:30pm	N	42
4/5/2016	11pm	N	42
4/5/2016			

122 East Miner Street

Date	Time	Car Parked	Officer
4/5/2016	5pm	Y	42
4/5/2016	7pm	Y	42
4/5/2016	9:30pm	Y	42
4/5/2016	11pm	Y	42
4/5/2016			

Parking Dept.

My Name is Linda Adams i live
at 119 West Barnard street west Chester, Pa.
19382 my cell no[#] is: 484-888-1556
I am moving and will no longer need
the Handicap sign located on my street.
Moving Date as of April 13, 2016.

Thank you
Linda Adams
4/4/2016



BOROUGH OF WEST CHESTER

401 EAST GAY ST
WEST CHESTER, PENNSYLVANIA 19380
(610) 696 - 4521 PHONE
(610) 436 - 1330 FAX

PARKING SERVICES & ENFORCEMENT DEPARTMENT

March 17, 2016

To: Residents of the 200 Block N. Church Street
Residents of the 50 Block Patton Alley

From: Parking Services

Re: Patton Alley Parking Restrictions

Dear Residents,

The Borough of West Chester Parking Services is considering closing access to a portion of Patton Alley adjacent to Parking Lot #10 during the operation of the Grower's Market. The purpose of the proposed access restriction is to improve pedestrian safety during the operation of the Grower's Market while preserving the ability of motor vehicle traffic to access the Patton Alley and their rear yard parking areas. To that end, we'd like to get your feedback on this matter.

The area of Patton Alley to be closed is approximately fifty feet (50') long, from North Church and Patton Alley up to the rear parking area for 221 and 223 N. Church Street.

Patton Alley will remain open from the rear parking area for 221 and 223 N. Church Street heading east, which will allow the properties directly north of Lot 10 to have access to their rear yard parking. Patton Alley traffic would be able to access the eastern most part of Lot 10 in order to gain access to Chestnut St.

Borough Police, Fire, Public Works and EMT providers were notified, and none of those first responders foresee any negative impact on public safety or service provision with the limited closure of Patton Alley. All first responders will have immediate access to the area in the event of an emergency.

We look forward to your feedback on this proposal. If you have any questions or concerns, please feel free to contact me at 610-696-4521 no later than Wednesday, April 6 2016.

Sincerely,

Hector Mojica

Parking Services Supervisor Borough of West Chester hmojica@west-chester.com

24



Closed

Opp 50 feet

Opp 50 feet

Closed

The Great Race 5K & 1 mile

5/7/14

8:30a -

11:30a

Special Event, Race, Public Assemblage Permit Checklist 2016



BOROUGH OF WEST CHESTER CHESTER COUNTY PENNSYLVANIA

Special Event, Race, Public Assemblage Checklist

December 2015 version



Completed and signed application



Description of event



Map of event and address



List of Food Vendors, with Chester County Health Dept. licenses (if applicable)



List of Subcontractors with Insurance Certificates

- All subcontractors need to have a COI naming the Borough of West Chester "as additionally insured"



Borough Services requested

Will need Police Support

- Provide description



Applicant Certificate of Insurance

- All subcontractors need to have a COI naming the Borough of West Chester "as additionally insured"

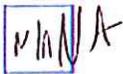


Application fee (cash, check, or money order)

✓ # 8616

- Application fee is NON REFUNDABLE

\$ 250.00



Public Transportation approval verification (SEPTA, TMACC, and/or Krapf's Buses)



PLCB Permit (if applicable)

*All items on this list must be included with your application. If any of these items are not included, your application will be considered incomplete and will be returned to you





BOROUGH OF WEST CHESTER CHESTER COUNTY PENNSYLVANIA

Special Event, Race, Public Assemblage Permit 2016

December 2015 ver.

*SUBMITTING AN APPLICATION DOES NOT GRANT THE APPLICANT A PERMIT OR PERMISSION TO HOLD AN EVENT.

*All applications and application fees MUST be submitted 45 days prior to your event date. NO EXCEPTIONS

*An application fee of \$250.00 is required with all event applications

*An application fee of \$50.00 is required with all "block party" applications

Application fees are NON REFUNDABLE

Applicant Information

Name of applicant/group/org. WEST CHESTER AREA SENIOR CENTER (WCASC)

Date applications was submitted to the Borough MARCH 3, 2016

Main Contact Name

Cell phone

JOHN HEARLEY 484-716-6111

Home phone

email

610-692-2827 JHEARLEY713@GMAIL.COM

Main Contact address 713 MALLARD RD, WEST CHESTER, PA 19382

Day of Event Contact and Cell Phone (if different from above)

Non-Profit Organization YES NO (If yes, please attach current verification of 501 (c) (3) status)

Event Information

Name of event THE GREAT RACE

Date/s of event and times MAY 7, 2016 9:00 AM To 11:00 AM

Set up and breakdown times for event _____

Description of event (use separate sheet of paper if needed)

1 MILE WALK / RUN AND 5K RUN / WALK STARTING & FINISHING
AT WCASC, 530 E. UNION ST, WEST CHESTER PA, 19382
(SEE ATTACHED NARRATIVE FOR DETAILS)

Event info cont'd

Type of Event: Walk/Run Parade Block Party Festival
Film March/Rally Other (if other, explain below)

Event Location – Use the attached map to provide event location/address

Address - STARTS & FINISHES AT WENOC 530 E. UNION ST,
WEST CHESTER, PA 19382

List all street closures, on a separate sheet of paper, in addition to the attached map. NONE

Will your event cause delays or alternate routes for Public Transportation? YES **NO**

If yes, you are required to submit proof of notification from SEPTA and/or TMACC

SEPTA -- 215-580-7800 <http://www.septa.org/cs/ask/>

TMACC (Transportation Management Authority of Chester County) 610-993-0911

<http://www.tmacc.org/public-transportation/>

Total number of expected participants and/or attendance? APP. 250

Total number of workers/volunteers/marshals for event? 50

Will your event have food vendors, food trucks, or caterers? YES **NO**

If yes, you will need to provide a list of all food vendors with a copy of that vendor's Chester County Health Dept. yearly license or Temporary Event License specific to your event. 610-344-6000 <http://www.chesco.org/2652/Temporary-Events>

- All food vendors are required to provide a certificate of insurance naming the Borough of West Chester as "additionally insured"

Will you event have crafters, non-crafters, or information booths? YES **NO**

If yes, how many vendors do you plan on attending? _____

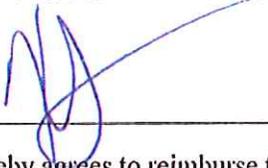
- All vendors (non-food) need to submit the waiver and release form to participate in your event

List (on a separate sheet of paper) any/all subcontractors or 3rd party companies hired to help run the event (Examples - port-o-potties, trash removal, fencing, sound, inflatables, etc.) NONE

- ALL subcontractors need to provide proof of insurance with a certificate of insurance naming "the Borough of West Chester as additionally insured" and must be properly endorsed.

Event info cont'd

Signature of applicant: x _____



Date: _____

3/2/14

Applicant, for itself and its successors and assigns, hereby agrees to reimburse the Borough for reasonable attorney fees/costs of suit that it incurs, indemnify, and hold harmless, the Borough, and its officers, supervisors, employees, attorneys, successors and assigns from and against losses, liabilities, claims, demands, causes of action, damages, costs, including reasonable attorneys' fees, and expenses of every kind and nature, whether or not covered by insurance, arising out of, resulting from or caused by, in whole or part, any negligent act, error, omission or willful misconduct on part of Applicant, its agents, employees or subcontractors in connection Applicant pursuant to this Agreement, including but not limited to, those in connection with loss of life, bodily injury, personal injury, damage to property, contamination or adverse effects on the environment, any liability for fines, fees or penalties for violations of any statutes, ordinances, codes, rules, regulations or standards applicable to the services performed by Applicant, its agents, employees or subcontractors (hereinafter "Acts and/or Omissions"). These obligations contained within this Section shall survive the termination of this Agreement. Notwithstanding anything to the contrary as may be contained above, the Applicant shall reimburse the Borough for reasonable attorney's fees/costs of suit that it incurs in defending any suits or claims attributable (as determined by a Court of competent jurisdiction) to any Acts and/or Omissions.

Borough of West Chester Services Requested

Check ALL that apply:

Police Security Police Traffic Control Police Traffic Diversion

Public Works Road Closures Public Works Waste Removal

Parking Dept. No Parking Notifications Public Works Street Sweeping

*There is a fee associated with ALL Borough of West Chester services. The Borough of West Chester, in its sole discretion, shall determine the type and level of services and equipment needed to support the event. If the applicant does not hire subcontractors for these services, the Borough will deny the application or require the applicant to use and pay for the Borough's services.

BELOW FOR OFFICE USE ONLY



Date Received: _____

Initial Checklist complete: YES NO

Reviewed by Parks, Recreation, & Special Events Dept. Date: _____

Notes: _____

Reviewed by Public Work YES NO N/A Approved: _____

Reviewed by Parking Department YES NO N/A Approved: _____

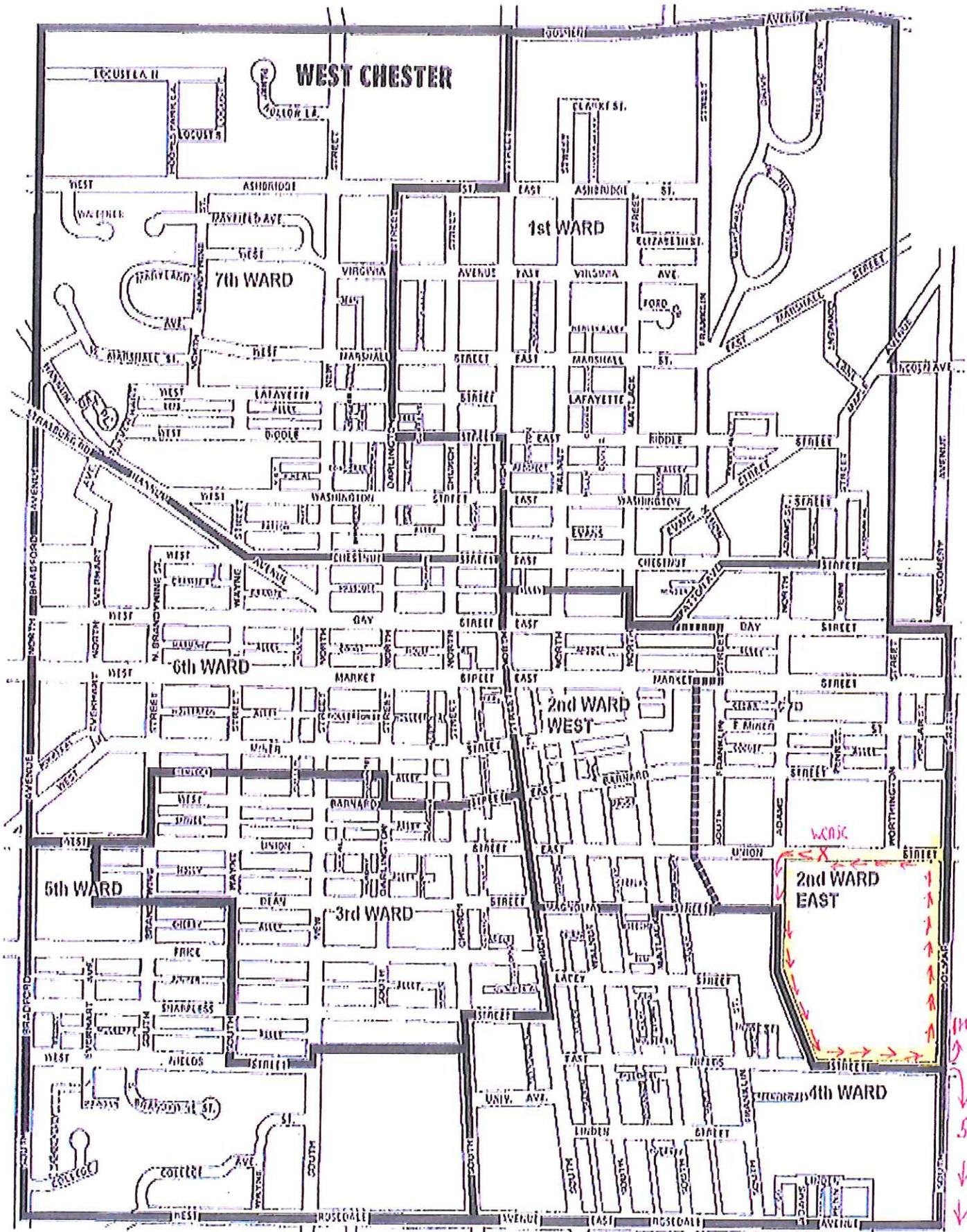
Reviewed by West Chester Police Department: YES NO N/A Date: _____

Notes: _____

Police approval signature: _____ Date: _____

Application Denied/Reason: YES NO

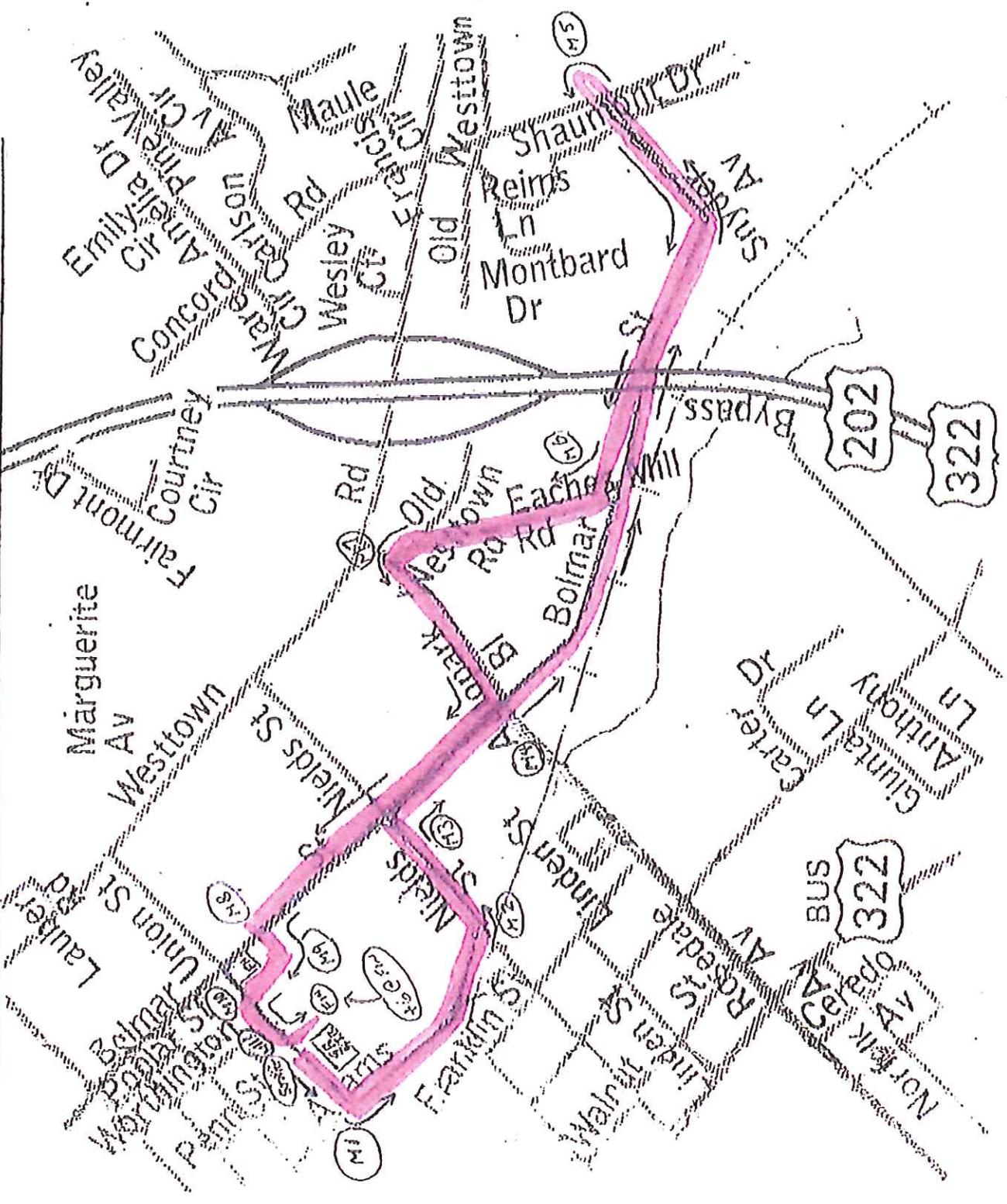
Borough Council Approval: _____ Date: _____



WEST CHESTER BOROUGH VOTING WARDS

5K RUNNERS LEAVE BOROUGH INTO WEST GOSHEN & THEN RETURN ON S. HIGHWAY

THE GREAT RACE - WEST CHESTER - COURSE MARSHALS





Department of the Treasury
Internal Revenue Service

P.O. Box 2500
Cincinnati OH 45201

In reply refer to: 0248404892
Apr. 02, 2009 LTR 4168C E0
23-2149355 000060 00 000
00013144
BODC: TE

WEST CHESTER AREA SENIOR CENTER
530 E UNION STREET
WEST CHESTER PA 19382-4206



013460

Employer Identification Number: 23-2149355
Person to Contact: Jeff Seibert
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of Mar. 24, 2009, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in December 1982, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I

The Great Race is an annual race created by the West Chester Area Senior Center to help fund the numerous programs and services the WCASC provides to enrich the lives of the area senior citizens. This will be the 7th year this popular event will be held. Approximately 250 participants are expected this year. Supporting this event will be approximately 50 volunteers, including Race Marshalls. These Marshalls will be wearing brightly colored vests, and will be at every intersection along the event course, with 2 Marshalls at key intersections. In addition to the Marshalls, the West Goshen Police will provide 2 cars and the Chester County Sheriff will provide 2 motorcycles to ensure the safety of the participants. Augmenting the aforementioned will be Fire Police and EMS personnel.

5K Run

Start at WCASC and proceed west on Union St to Adams St. Turn left on Adams and proceed to Niels St. Take a left on Niels and proceed to Bolmar St. Turn right onto Bolmar and proceed to Snyder Ave. Turn around on Snyder in the vicinity of Shaumont Dr. and return to Bolmar St northbound. Proceed to Eaches Mill Road (on your right) and follow this to Auto Park Blvd. Turn left on Auto Park Blvd back to Bolmar. Take a right on Bolmar back to Union and turn left to finish at WCASC.

1Mi. Walk

Start at WCASC and proceed west on Union St to Adams St. Turn left on Adams and proceed to Niels St. Take a left on Niels and proceed to Bolmar St. Turn left on Bolmar and proceed to Union Street. Take a left on Union and finish at the WCASC.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/25/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DAVIS TRACHTENBERG INC 15 Garrett Avenue 2nd Floor Rosemont PA 19010		CONTACT NAME: Jane Riley PHONE (A/C, No, Ext): (484) 386-6050 FAX (A/C, No): (484) 386-6070 E-MAIL ADDRESS: Jane@davistrach.com															
INSURED West Chester Area Senior Center 530 East Union Street West Chester PA 19382		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Great American (Specialty)</td> <td>16691</td> </tr> <tr> <td>INSURER B: Technology Insurance Company</td> <td>42376</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Great American (Specialty)	16691	INSURER B: Technology Insurance Company	42376	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES CERTIFICATE NUMBER: 2015-2016 GL REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		PAC0307379-03	7/1/2015	7/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COM/POP AGG \$ 3,000,000 Employee Benefit Liability \$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			PAC0307379-03	7/1/2015	7/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ If red/borrowed \$ 1,000,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			UAC0307300-03	7/1/2015	7/1/2016	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	WMC3146314	7/1/2015	7/1/2016	<input checked="" type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Host Liquor Liability			PAC0307379-03	7/1/2015	7/1/2016	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is included as additional insured with respect to general liability only for claims arising due to the negligence of the named insured, subject to a written agreement.

CERTIFICATE HOLDER Borough of West Chester 401 East Gay Street West Chester, PA 19380	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Jane Riley/JTT
---	--

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DATE (MM/DD/YYYY)
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENTL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PAC0307379-03	7/1/2015	7/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any cno person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 Employee Benefits Liability \$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			PAC0307379-03	7/1/2015	7/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Hired/borrowed \$ 1,000,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS \$			UMB0307380-03	7/1/2015	7/1/2016	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In III) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/II	N/A	17nC3146314	7/1/2015	7/1/2016	<input checked="" type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Host Liquor Liability			PAC0307379-03	7/1/2015	7/1/2016	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is included as additional insured with respect to general liability only for claims arising due to the negligence of the named insured, subject to a written agreement.

CERTIFICATE HOLDER

(610) 696-1773

Borough of West Chester Parks and Recreation
 401 E Gay St.
 West Chester, PA 19380

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Jane Riley/JTT

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West Chester Area Senior Center
Operating Account
 530 E Union Street
 West Chester, PA 19382

TD BANK, N.A.
 WEST CHESTER, PA
 3-180/360

8616

2/23/2016

PAY TO THE
 ORDER OF

Borough of West Chester

\$ **250.00

Two Hundred Fifty and 00/100

DOLLARS



Borough of West Chester
 401 E. Gay Street
 West Chester, PA 19380-2792

AUTHORIZED SIGNATURE

MEMO special race permit 2016

⑈008616⑈ ⑆036001808⑆ 36 732300 3⑈

West Chester Area Senior Center • Operating Account

8616

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
2/23/2016	Bill	02232016	250.00	250.00		250.00
					Check Amount	250.00

TD Bank-Operating

special race permit 2016

250.00



West Chester Police Department

MEMORANDUM

TO: Chief Bohn

FROM: Sgt. John O'Donnell

DATE: 29 March 2016

SUBJECT: WC Area Senior Ctr. Great Race 5K- 2016

The West Chester Area Senior Center through an Special Event Permit Request is requesting to hold a 5K run and one 1 mile walk through the Borough's southeast district on 07 May, 2016 at 0830 hrs. The Route is as follows; from the Senior Center, west on Union to south on Adams to east on Neilds to south on Bolmar into West Goshen. Coming out of West Goshen north on Bolmar to the Goodwill Fire Company lot, west into the lot on the south side of the building, proceeding through the lot into the Goodwill Corporate Center lot and continue west to the WC Area Senior Center for the finish .

The one mile walk will follow the same route but will not enter West Goshen. The walkers will simply turn north on Bolmar from Neilds Street and follow the same route as the runners above from the Neilds/Bolmar Street intersection to the above described finish scenero.

I will require the following for approval. All Marshals will be mature and appropriately attired. All intersections will be manned by marshals. The following intersections shall have two marshals. Union and Adams, Adams and Neilds, Neilds and Bolmar. All marshals will be required to wear reflective vests and employ held signal flags. There will be a running/walking lane established with reflective cones on Bolmar Street from Neilds Street to the Goodwill Fire Company. The lane will be established on the west side of Bolmar with runners/walkers moving north in the south bound traffic lane. The event must employ a race sweeper to trail the slowest participants. No marshals will be released until the sweeper or West Chester Police personal advises the last participants have passed their location. Two West Chester Police Officers will be assigned to the event for three hours minimum of the event overtime rate.

All running activity in West Goshen Township must be approved by The West Goshen Police Department.



MEMORANDUM

TO: Michael A. Cotter, Borough Manager
FROM: Michael A. Perrone, C.B.O.
DATE: April 4, 2016
RE: 125 East Union Street

Recommendation

Borough Council approval for the Solicitor to seek a Court Order to board up and clean up the entire property and remove the occupants.

Motion

Authorize the Borough Solicitor to seek a Court Order to board up and clean up the entire property and remove the occupants.

Background

The owners of record are deceased and the property is being occupied by a relative, who has several individuals residing at the property as well. There are numerous exterior violations at the property, as well as damaged interior areas, including roof leaks, electrical hazards and plumbing issues. The property has been deemed unfit for human occupancy.

This property has a history of illegal drug use. Recently, the West Chester Police Department executed a search warrant and arrested individuals at the property.



Department of Building, Housing & Codes Enforcement
Regulations for the Protection of Public Health, Safety and Welfare

401 East Gay Street • West Chester, Pennsylvania 19380
610-696-1773 • fax: 610-692-7958 • web: www.west-chester.com

April 4th, 2016

Delbert and Dorothy Boyer,
The Estate of Delbert and Dorothy Boyer,
And/or All Tenants and Occupants of
125 East Union Street
West Chester, PA 19382

Re: 125 East Union Street; West Chester, Pennsylvania

This Office received a report from the Borough of West Chester Police Department dated March 24th, 2016. From that report this office is issuing the following violation notice and order:

In accordance with **Chapter 66, PM 308.1** – remove all trash, garbage, waste, urine, and feces from all interior and exterior property areas.

In accordance with **Chapter 66, PM 304.1 and 305.1** – clean and sanitize the entire interior and exterior areas of the property.

In accordance with **Chapter 66, PM 502.1** – all required plumbing facilities must be properly installed and maintained in complete working order.

In accordance with **Chapter 66, PM 304.7, 305.1, and 305.3** – completely repair all roof leaks and damaged interior surfaces, including walls, ceilings, and floors throughout the entire property.

In accordance with **Chapter 66, PM 604.3 and 605.1** – all electrical system hazards are to be eliminated.

Please be advised that accordance with **Chapter 66, PM 108.1.3** your property located at 125 East Union Street; West Chester, Pennsylvania is hereby deemed unfit for human occupancy. Upon receipt or posting of this Notice you have twenty (20) days to abate all of the above violations and comply with this order.

Also, in accordance with **Chapter 66, PM 108.4** failure by you to comply with this notice will result in the Borough posting the property Condemned, requiring all occupants to vacate the premises.

Any person aggrieved with the ruling of the enforcing officer may appeal this decision to the West Chester Area Council of Governments Building Code Board of Appeals. This appeal must be filed with the appropriate authority, in writing, with a filing fee of \$500.00 within twenty (20) days of the date of this letter. Any action taken by the Borough of West Chester on the above referenced premises may be charged against the real estate upon which the structure is located and a lien filed upon such real estate.

Respectfully,

Christian J. Adamek
Building and Housing Department
Borough of West Chester
Office – 610.436.6165

E-Mail – cadamek@west-chester.com

Certified Mail# 9590 9403 0758 5196 4298 61

**Letter sent via First Class and Certified Mail, and Posted at property on April 4th, 2016.*

Cc: Spencer Boyer / Prudence Bushnell Boyer



MEMORANDUM

TO: Michael A. Cotter, Borough Manager
FROM: Michael A. Perrone, C.B.O.
DATE: April 4, 2016
RE: Ordinance for Traffic Impact Studies – Zoning and Saldo Amendments

Recommendation

Borough Council to consider revisions to Chapter 112 (Zoning) to require transportation impact studies for certain zoning applications; and, Chapter 97 (SALDO) to adopt a new section titled, "Transportation Impact Study."

Motion

N/A

Background

N/A

ORDINANCE NO. – 2016

BOROUGH OF WEST CHESTER

CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH OF WEST CHESTER ZONING ORDINANCE WHICH IS CODIFIED IN CHAPTER 112 OF THE BOROUGH CODE, TO DELETE SECTION 112-95.H AND SECTION 112-100.B(9) REGARDING TRAFFIC CONTROL; TO ADD A NEW SECTION 112-100.4 TO REQUIRE TRANSPORTATION IMPACT STUDIES FOR CERTAIN ZONING APPLICATIONS; AND TO AMEND SECTION 112-113.A(10);) AND AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE WHICH IS CODIFIED IN CHAPTER 97 OF THE BOROUGH OF WEST CHESTER CODE TO DELETE SECTION 97-29.H AND TO ADOPT A NEW SECTION 97-40.2 TITLED, “TRANSPORTATION IMPACT STUDY.”

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Council of the Borough of West Chester, as follows:

SECTION 1. Chapter 112 of the Borough Code titled, “Zoning”, Section 112-95.H shall be deleted.

SECTION 2. Chapter 112 of the Borough Code titled, “Zoning”, Section 112-100.B(9) shall be deleted.

SECTION 3. Chapter 112 of the Borough Code titled, “Zoning”, shall be amended by adding a new Section 112-100.4, titled, “Transportation Impact Studies” which shall provide as follows:

“§112-100.4. Transportation Impact Studies.

A. A transportation impact study prepared in accordance with the standards in Section 97-40.2 of the Code shall be submitted for the following:

- (1) Any change in use of a building or structure in all zoning districts, except the Institutional District, which involves the use of 1,500 or more square feet of a building.
- (2) Any change in use of a building or structure in the Institutional District which involves the use of 5,000 or more square feet of a building.
- (3) Any development which involves the creation of four or more dwelling units.

B. Implementation of Recommendations. The Borough may have an independent review done of the applicant's transportation impact study, at the applicant's expense, to make a final determination if any traffic improvements must be implemented to mitigate negative impacts from the proposed change in use or development. The Planning Commission and Borough Council shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the proposed change in use or development. The applicant shall be required to implement the On-Site Transportation Improvements necessary to mitigate the Future With deficient traffic conditions as noted in the transportation impact study. Borough Council may determine that certain other improvements on and/or adjacent to the site and within the study area are necessary requirements for approval of the change in use or development and may attach these as conditions to the approval if permitted by law. If the Borough Council determines that such additional improvements are necessary, the applicant shall have the opportunity to submit alternative improvement designs to obtain plan approval."

SECTION 4. Chapter 112 of the Borough Code titled, "Zoning", Section 112-113.A(10) shall be amended as follows:

"(10)(a) The proposed use will provide safe and adequate access to roads and public services, existing or proposed.

(b) For all conditional use applications, except those noted in 112-113.A(10)(h) below, the applicant shall demonstrate that that the proposed conditional use will not adversely affect traffic flow and/or present traffic controls within the Borough by creating a level of service below that which is specified in this subsection.

(c) To minimize potential adverse conditions from the proposed conditional use, the level of service for all signalized intersections within a distance of 1,000 feet from the tract which is the subject of the conditional use application shall be a level of service of D or better. The level of service for all unsignalized intersections within a distance of 1,000 feet from the tract which is the subject of the conditional use application shall be a level of service of C or better. The term "level of service" and the categories thereof are used herein in accordance with the definitions or meanings ascribed thereto in the document entitled "Highway Capacity Manual, Transportation and Research Board," most recent edition.

(d) The determination of levels of service shall be made after an experienced transportation engineer/traffic consultant conducts a transportation impact study in accordance with the requirements in Section 97-40.2.

(e) Signalized intersections showing a projected level of service E or F and v/c ratios equal to or greater than 1.0 shall be considered deficient, and specific recommendations for the elimination of these deficiencies shall be listed.

(f) Unsignalized intersections showing a projected level of service D, E or F shall be considered deficient and specific recommendations for the elimination of these deficiencies shall be listed.

(g) The listing of recommended improvements required by subparagraphs (e) and (f) above shall include but not be limited to the following elements: internal circulation design, site access location and design; external street and intersection design and improvements, pedestrian facilities and accommodations, and public transportation availability, and traffic signal installation and operation, including signal timing.

(h) The requirements in §112-113.A(10) (b) through (g) shall not apply to the following conditional use applications: adaptive reuse of a historic carriage house, wireless communication facilities, agricultural operations, public service facilities or fences and walls over six feet in height.”

SECTION 5. Chapter 97 of the Borough Code titled, “Subdivision and Land Development”, Section 97-29.H shall be deleted.

SECTION 6. Chapter 97 of the Borough Code titled, “Subdivision and Land Development”, shall be amended by adding a new Section 97-40.2 titled, “Transportation Impact Study” which shall provide as follows:

“Section 97-40.2. Transportation Impact Study.

1. Purpose. The transportation impact study will enable Borough Council of the Borough of West Chester to assess the impact of a proposed subdivision or land development on the transportation system, including its highways, public transportation services and pedestrian facilities, in the Borough of West Chester. The purpose of the impact study is to ensure that proposed subdivisions and developments do not adversely affect the transportation network and to identify any traffic problems associated with access between the site and the existing transportation network. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed subdivision or development. The study shall assist in the protection of air quality, conservation of energy and encouragement of public transportation use and pedestrian accommodations.

2. A transportation impact study shall be prepared by a qualified traffic engineer and/or transportation planner licensed in the Commonwealth of Pennsylvania with previous traffic study experience. Procedures and standards for a transportation impact study are as set forth herein.

3. Applicability and timing of submission.

A. A transportation impact study shall be submitted as part of all subdivision and land development applications involving the following:

- 1) All residential subdivisions or land developments of 5 or more dwelling units/lots; and
- 2) All subdivisions or land developments which are expected to generate 50 or more vehicle trips entering or exiting the development in any one-hour period or 500 or more trips per day.

B. If the subdivision or development has multiple stages or phases, the need for the transportation impact study shall be based on the full build-out of the development.

C. The transportation impact study shall be submitted to the Planning Commission and the Borough Engineer with the preliminary plan submission. Revisions to preliminary plans may constitute the need for resubmission of the traffic evaluation study or the revised conditions.

D. A subdivision or land development application which requires a transportation impact study shall not be considered complete until the study is submitted to the Borough of West Chester in accordance with the provisions of this section.

4. Definitions. As used in this section, the following terms shall have the meanings indicated:

ENGINEERING AND TRAFFIC STUDIES – A study that is prepared in accordance with the Pennsylvania Code, Title 67, Chapter 212, Official Traffic Control Devices, and PennDOT Policies and Procedures for Transportation Impact Studies, as such Code may be amended from time to time.

LEVEL OF SERVICE – Level of Service (LOS), as described in the current Transportation Research Board's Highway Capacity Manual, is a qualitative measure of the operational conditions within a vehicular traffic stream and their perceptions by motorists. Six levels of service (A through F) are defined for each type of facility, with LOS "A" representing the least congested operating conditions and LOS "F" representing a breakdown in operating conditions. Levels of service are defined in terms of average delay per vehicle for signalized and unsignalized intersections. "Level of Service" drops are those future conditions that result in a negative impact on intersection and/or approach lane Level of Service operations, i.e. LOS D changes to a LOS E in future conditions.

MAJOR INTERSECTION –The intersection of any arterial or collector street with any other arterial or collector street as defined by PennDOT/NJDOT Smart Transportation Guidebook, March 2008, PennDOT's Functional Classification Map, the municipal roadway classification document or the equivalent document of adjacent municipalities, where appropriate.

OFF-SITE TRANSPORTATION IMPROVEMENTS- Transportation-related improvements which are generally not contiguous with the property being developed and not required as an on-site improvement but are found by the transportation impact study to be necessary, partly or wholly, as a result of the proposed development.

ON-SITE TRANSPORTATION IMPROVEMENTS-All improvements on or adjacent to the development site in the public right-of-way required to be constructed by the owner/developer pursuant to any ordinance, resolution or requirement of the Borough and PennDOT.

PUBLIC TRANSPORTATION – Transportation service for the general public provided by a common carrier of passengers generally on a regular route basis, or a private operator offering service to the public.

QUEUE ANALYSIS – This procedure includes the average queue and maximum queue of vehicles which will be observed in each traffic stream and intersection approach, measured in both feet and vehicles. Various statistical and/or computer models may be applied.

SCOPING MEETING- A meeting with PennDOT and/or the Borough to determine the parameters of the transportation impact analysis required for a PennDOT Highway Occupancy Permit (HOP) or prior to the commencement of the transportation impact study that is required pursuant to this section to coordinate agreement on Borough conditions and expectations.

STUDY AREA – The study area shall be defined at the Borough/PennDOT scoping meeting but, at a minimum, shall include all development site access locations, any intersections immediately adjacent to the development property as well as all major intersections within 1,000 feet of the parcel. Additional intersections may be added per the scoping meeting. The study area shall also identify all transit routes and transit stops within 1,000 feet of the proposed development/redevelopment and the location of sidewalks and pedestrian crossings. Proposals that will generate more than 1,000 average daily trips, without reduction for pass-by or internal capture, shall expand the study area to include major intersections within a one-half mile radius of the development access locations. All intersections identified in the study area shall be examined, even if the intersections are located outside of the Borough.

TRIP- A one way trip into or out of the site, and not what is commonly referred to as a "roundtrip."

TRIP GENERATION RATES – The total number of trips to and from a study site per unit of land use, as measured by the most current edition of the Institute of Transportation Engineers (ITE) "Trip Generation Manual". Upon approval by the Borough, alternative sources may be accepted.

VOLUME/CAPACITY ANALYSIS – This procedure compares the volume of a roadway or intersection approach to its capacity (maximum number of vehicles that can pass a given point during a given time period.) The procedures described in the 2010 Highway Capacity Manual (latest edition), Highway Research Board Special Report 209, shall be followed.

WARRANTS FOR TRAFFIC SIGNAL INSTALLATION –A series of tests which identify the minimum vehicular traffic or pedestrian volumes or other criteria necessary for installation of a traffic signal. The warrant criterions are available in the current Manual of Uniform Traffic Control Devices (MUTCD), or PennDOT’s Traffic Engineering Manual (Publication 46).

5. Scoping Meeting. A scoping meeting shall be required to ensure that the parameters used in the transportation impact study accurately reflect Borough conditions and expectations. The applicant should contact the Borough to confirm the scope of the scoping meeting prior to any submission. The scoping meeting shall address the number and locations of proposed access points, project schedule and phasing, study area and additional intersections to be included in the analysis, specific ITE Trip Generation land use codes, pass-by volumes, modal splits, any trip adjustments to be used, and other area developments and programmed roadway improvements to be included in the future conditions analysis as well as potential opportunities to implement Transportation Demand Management (TDM) activities and improve upon existing pedestrian facilities. Agreement on all scoping parameters shall be obtained prior to initiation of the transportation impact study. The scoping meeting may be held in conjunction with the PennDOT scoping meeting. In addition, SEPTA shall be notified and invited to attend the scoping meeting to discuss potential transit improvement opportunities.

6. General requirements and standards. In addition to PennDOT’s Policies and Procedures for Transportation Impact Studies, a transportation impact study shall also contain the following information:

A. Site Description. The site description shall include the size, location, existing and proposed land uses, construction staging, and completion date of the proposed land development. If the development is residential, types of dwelling units shall also be included. The general site description shall also include probable socioeconomic characteristics of potential site users, if available, to the extent that they may affect the transportation needs of the site, e.g., number of senior citizens. A brief description of other major existing and proposed land development within the study area shall be provided.

B. Transportation Facilities Description. The description shall fully document the proposed internal and existing external transportation system:

- 1) The map/graphic/description shall include proposed internal vehicular, bicycle, and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and

rights-of-way, parking conditions, traffic channelization, and any traffic signals or other traffic control devices at all locations within the site.

- 2) The report shall describe the entire external roadway and transportation system, including pedestrian facilities, transit locations and bicycle facilities within the study area. Intersections in the study area shall be identified and illustrated. Use of aerial photographs to help illustrate the external transportation system is recommended. Any existing and proposed public transit services and facilities, pedestrian facilities, and bicycle facilities within a 1,000 feet radius of the developed site shall also be documented.
- 3) All future roadway improvements for which State funding has been obligated or that are approved for other local developments, shall be indicated. This information shall be obtained from the Pennsylvania Department of Transportation's Transportation Improvement Program or Twelve-Year Highway and Bridge Program, Chester County Planning Commission and from the Borough. Roadway improvements associated with surrounding proposed developments that are proposed but not approved shall be noted but shall not be included in future conditions analysis unless otherwise indicated by PennDOT or the Borough at the scoping meeting.

C. Existing Transportation Conditions. Existing transportation conditions shall be measured and documented for all roadways and intersections in the study area and shall include:

- 1) Current average daily traffic volumes, peak roadway hour(s) traffic AM, PM and Saturday (for residential, commercial and retail development or at the discretion of the Borough), and include the same for the peak hour(s) of the development-generated traffic.
- 2) Intersection turning movement counts (including vehicular, bicycle and pedestrians) at all study intersections, encompassing the peak roadway and development generated peak hour(s), with dates when any and all traffic counts were made included as a technical appendix to the report. Transit boarding/alighting ridership information shall be provided for the closest transit stops within a maximum of 1,000 feet shall

be provided for all studied peak hours (AM, PM and Saturday, if applicable)

- 3) Traffic count data shall not be more than 2 years old but shall be updated if traffic volumes or patterns have changed significantly. No adjustment shall be applied for school and/or other local seasonal peak traffic volumes unless approved at the scoping meeting.
- 4) Transportation analyses based upon existing volumes shall be performed for the peak hour(s) of the roadway and the peak development-generated hour(s) (if different from the roadway peak periods), for all roadways and intersections in the study area. Saturday peak hour analysis shall be included for residential, commercial and retail development.

Conditions shall be evaluated for each location by approach lane and intersection in accordance with traffic engineering software and techniques as stipulated in PennDOT's Publication 46 *Traffic Engineering Manual* or as updated. The report shall include a graphical representation of the Level of Service and delays by time of day and studied period and include a table identifying the volume/capacity ratios, Levels of Service, average vehicle delays, 95th percentile queue lengths by approach. The existing sight distances and safe stopping distances shall be provided in tabular form based on the 85th percentile speed of the roadway or with the Borough's approval, the posted speed plus ten miles per hour to ensure adequate sight distance is available for all proposed access locations. Signalized intersections experiencing levels of service E or F, and v/c ratios equal to or greater than 1.0 shall be noted as deficient. Unsignalized intersections with levels of service D, E or F shall be noted as deficient. Queue analyses shall be provided for existing conditions at both signalized and unsignalized intersections and a gap analysis shall be provided as identified at the scoping meeting.

D. Impact of Subdivision and/or Land Development.

- 1) Estimation of vehicular trip generation to result from the proposed development/redevelopment shall be completed for the AM and PM peak roadway hour(s), the peak development-

generated hour(s), if different from the AM or PM peak hour, and the 24 hour average weekday. Saturday peak hour trip generation shall be completed for residential, commercial and retail developments.

- 2) The generated traffic volumes shall be distributed to the study area and assigned to the existing roadways and study area intersections. Traffic volumes and turning movements shall be assigned at all proposed access locations and all intersections in the study area.

Documentation of all assumptions used in the distribution and assignment phases shall be provided and a graphical representation of the trip distribution shall be provided with the report. Pedestrian volumes shall also be calculated, if applicable. Pedestrian routes and crossings shall be analyzed with pedestrian volumes assigned to each pedestrian crossing. Transit volumes shall be assigned to transit services within 1,000 feet range of proposed development and pedestrian accessible routes (ramps, crosswalks, and availability of paths) shall be discussed as applicable.

- 3) Note any characteristics of the development, the general site or study area that may cause particular trip generation, distribution or modal split modifications.
- 4) Note development features that are planned to reduce trip generation rates and document Transportation Demand Management (TDM) assumptions. Noted TDM practices must be included in the Conditions of Approval if listed in the transportation impact study and shall be discussed during the Municipal Scoping Meeting.

E. Analysis of Impact.

- 1) The total future traffic shall be calculated and shall consist of the existing traffic volumes expanded to the project completion year using an annual background growth factor plus the development-generated traffic and the traffic generated by other developments in the study area as

identified at the PennDOT or scoping meeting. A minimum of two years projection shall be assumed for all projects regardless of the anticipated completion year.

- 2) The annual background growth factor for overall traffic volumes shall be determined using PennDOT's Growth Factors calculations unless enough local ADT volume data is available to establish more accurate average traffic volume changes over the past five years. The background growth factor shall be established at the scoping meeting. The background growth rate shall be applied to the current ADT and turning movement volumes to forecast background traffic volumes for the development Opening Year and any successive phase completions. A minimum of two years projection shall be assumed for all projects regardless of the anticipated completion year. All assumptions used to revise trip distribution shall be provided, including but not limited to other major developments that may change current traffic patterns.
- 3) Future transportation conditions shall be analyzed using the same techniques as used for the existing transportation conditions. Future conditions without the proposed development traffic (Future Without) shall be provided for all study area intersections and shall include background traffic growth and traffic from other local proposed/approved developments as agreed to at the scoping meeting. Only those roadway improvements that are programmed, with obligated funds, to be completed prior to the Opening Year of the proposed development shall be included in the Future Without analysis. Diagrams illustrating LOS, v/c ratios and average vehicle delay in seconds shall be provided for each study area intersection/turning movement for Future Without conditions and include a table identifying the volume/capacity ratios, Levels of Service, average vehicle delays, queue lengths by approach and intersection.
- 4) A second future conditions analysis shall be conducted that includes the proposed development/redevelopment traffic (Future With). Roadway improvements proposed to be constructed by the developer prior to the opening date of the development shall be incorporated into the analysis. Diagrams illustrating LOS, v/c ratios and average vehicle delay in seconds shall be provided for each study area

intersection/turning movement for total Future With traffic conditions.

A table shall be provided illustrating the Existing, Future Without and Future With conditions for all intersections within the study area, by lane group and identifying the LOS, delay in seconds, v/c ratios, and queues for each lane group. The table should note any changes to the roadway that have been included in the Future Without and Future With analyses. Queue length studies for unsignalized intersections shall also be conducted for Existing, Future Without and Future With conditions and displayed in graphics and/or a table and noting Future Without and Future With improvements and include a table identifying the volume/capacity ratios, Levels of Service, average vehicle delays, queue lengths by approach and intersection..

- 5) All analyses shall include AM, PM and Saturday (if required) peak roadway hour(s) and peak development-generated hour(s), if different from the roadway peaks, for all roadways and intersections in the study area. All access points and pedestrian crossings shall be examined as to the appropriateness of installing traffic signals or other traffic control measures based on the current PennDOT approved edition of the Manual of Uniform Traffic Control Devices. Roundabouts may be considered as an alternative to additional traffic signals, if approved by both PennDOT and the Borough. In addition, pedestrian accessibility routes shall be analyzed for 1,000 feet in all directions to ensure adequate pedestrian facilities are available for pedestrian and transit users. The Borough may request the applicant provide bicycle improvements including but not limited to: bicycle racks, bicycle route designation (signage and pavement markings) or other improvements to encourage the use of bicycles.

F. Sight distance analysis. Sight distance measurements shall be performed at any proposed driveway and/or existing driveway to determine sufficient sight distance to the left and right of the driveway. Sight distances shall be compared to the desirable sight distance standards as specified in Title 67 of Pa. Code, Chapter 441, Access to and Occupancy of Highways by Driveways and Local Roads, April 2006. When desirable sight distance cannot be achieved, sight distances shall also be compared to PennDOT's safe stopping sight distance (SSSD) requirements as specified in A Policy on Geometric Design of Highways and Streets (6th Edition), of the American Association of

G. Conclusions and Recommendations.

- 1) Future levels of service (LOS), average vehicle delay and v/c ratios shall be listed in tabular form for all intersections and turning movements. Signalized intersections showing a Level of Service E or F, and v/c ratios equal to or greater than 1.0 shall be considered deficient and unsignalized intersections showing a Level of Service D, E or F shall be considered deficient.
- 2) 'Level of Service drops or increase in delay by 10 seconds for any studied period shall be identified for both Future Without and Future With conditions. Level of Service drops shall be identified by each approach lane group.
- 3) Specific recommendations for mitigation of Level of Service drops, increase in intersection delay of 10 seconds or more, or Level of Service drops or increase in critical movement delay of 10 seconds or more in the Future With analysis shall be listed and shall include: internal circulation design, site access location and design, external roadway intersection design and improvements including the potential for construction of roundabouts, traffic signal installation and operation including signal timing, transit design improvements, and any pedestrian or bicycle route improvements needed to support non-vehicular mobility associated with the development proposal.
- 4) All identified improvements shall be illustrated and overlain on aerial photography to show the extent of the construction and right of way impacts and include a cost estimate for improvements. Proposed improvements shall consider all roadway users including motorized and non-motorized vehicles, bicycles, pedestrians and transit.
- 5) Signal timing revisions and/or signal equipment upgrades shall be evaluated for any intersection with a Level of Service E, or F, but a volume/capacity (v/c) ratio less than 1.0. Traffic

Signal Warrants for signalization or other traffic control measures shall be examined for unsignalized intersections with levels of service D, E or F based on the current Manual of Uniform Traffic Control Devices or PennDOT Traffic Engineering Manual.

- 6) Existing and/or future public transit service shall also be addressed and any transportation demand management techniques proposed with the development shall be identified. A listing of all actions to be taken to encourage public transit usage or other transportation demand management techniques for development-generated trips, and/or improvement to existing service, if applicable, shall be included. Any proposed transit service improvements shall be coordinated with SEPTA or the appropriate local transit provider and should conform to SEPTA's current Bus Stop Design Guidelines.
- 7) All proposed transportation system improvements shall be consistent with Borough comprehensive planning or other planning documents referencing overall transportation mobility and/or transit services.

H. Implementation of Recommendations. The Borough may have an independent review done of the applicant's transportation impact study, at the applicant's expense, to make a final determination of the improvements that must be implemented. The Planning Commission and Borough Council shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision. The applicant shall be required to implement the On-Site Transportation Improvements necessary to mitigate the Future With deficient traffic conditions as noted in the transportation impact study unless modified or waived by Borough Council. Borough Council may determine that certain other improvements on and/or adjacent to the site and within the study area are necessary requirements for land development or subdivision plan approval and may attach these as conditions to the approval if permitted by law. If the Borough Council determines that such additional improvements are necessary, the applicant shall have the opportunity to submit alternative improvement designs to obtain plan approval.

I. Additional coordination with PennDOT may be necessary to ensure compatibility between the proposed transportation improvements and Highway Occupancy Permit requirements.

J. All communications with PennDOT regarding the Highway Occupancy Permitting process or other transportation related issues associated with the proposed development/redevelopment shall be copied to the Borough.

K. The Borough shall be included in the PennDOT ePermitting Process as an applicant on the Highway Occupancy Permitting application through the PennDOT Business Partner Identification Number 4457 for the Borough of West Chester.

SECTION 7. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION 8. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 9. EFFECTIVE DATE. This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS ____ DAY OF _____, 2016.

ATTEST:

COUNCIL FOR THE BOROUGH
OF WEST CHESTER

BY:

Ellen B. Koopman, President

APPROVED THIS ____ DAY OF _____, 2016.

Carolyn T. Comitta, Mayor

NOTICE: At its public meeting on _____ at ___:00 p.m. prevailing time, Council for the Borough of West Chester, Chester County, Pennsylvania will hold a public hearing and public meeting at Borough Hall, 401 East Gay Street, West Chester, Pennsylvania to consider the adoption of, and if approved, Borough Council will adopt an amendment to Chapter 97, titled, "Subdivision and Land Development Ordinance" of the Borough Code with the following title and summary:

The full text of the Ordinance is available for inspection without charge at the Borough of West Chester administrative offices, 401 East Gay Street, West Chester, Pennsylvania 19380, Monday through Friday from 8:30 a.m. to 5:00 p.m. A copy of the full text of the Ordinance may be obtained for a charge not greater than the cost thereof. In addition, a certified copy of the proposed Ordinance is also on file and available for inspection by members of the public at the offices of the Daily Local News, 250 Bradford Avenue, West Chester, PA and the Chester County Law Library, Chester County Justice Center, Suite 2400, 201 West Market Street, West Chester, Pennsylvania 19380-0989.

Borough Manager
Borough of West Chester

Judy Benes

From: James Jones
Sent: Friday, April 15, 2016 7:40 AM
To: Judy Benes; Borough Council
Cc: Michael A. Cotter
Subject: Documents and details from the 2011 bond refinancing
Attachments: bond-2010-10.pdf; bond-2010-11.pdf

Hello Mac et al,

I have some information that might help answer the questions that were raised at last Wednesday's Finance Committee meeting during the discussion of debt refinancing. Regarding the 2011 refinancing of the 2003 bond debt, reconstruction of S. Church Street, and so on, here's what I found in my files:

From the minutes of the October 2010 Borough Council meeting, consent agenda, item H:

"Accept the Finance Committee recommendation to approve financial advisor Valco Capital and bond counsel Cozen O'Conner to prepare a refinancing of the debt on the University Parking Garages which is guaranteed by West Chester University. The refinancing is to include utilization of \$125,000 (a portion of the savings) for public capital improvements including repaving of Church Street between Sharpless St. and Rosedale Ave. plus new issue money for the planned \$500,000 Municipal Building Energy Upgrade, Street Reconstruction \$300,000 and \$400,000 for the Chestnut Street Garage Solar Project."

From the minutes of the November 2010 Borough Council meeting:

"Ms. Brown stated, as relayed earlier, the proposed ordinance authorizing the incurrence of debt to refinance the University Parking Garages debt is deferred to a later date due to current market conditions.

"Mr. McNeely agreed, noting the bond market interest rates have incurred a serious increase over the last 10 days and Council may be asked to call a special meeting to accomplish the refinancing once the market settles.

"Mr. Jones stated the refinancing is a win-win as it is saving West Chester University dollars and in exchange the Borough is getting help to pave Church Street through the University campus."

From the minutes of the April 2011 Borough Council Meeting:

"Ms. Brown opened the public hearing on proposed Ordinance #7 2011 authorizing incurrence of debt to refinance the Series 2003 University Parking garages debt, complete the financing of the Chestnut Street Parking Garage Project, accepting a proposal received 4-20-11 for sale of the bonds and providing for other matters in connection with issuance and sale of the bonds.

"Gary Pulcini, financial advisor from Valco Capital reviewed the proposed financing explaining that an Internet auction was held today and that the low bidder for the bond issue was Janney Montgomery Scott. There were six bidders, 31 bids, and two time extensions. The net interest cost from the low bidder is 3.831% and the Borough was able to obtain a very favorable rate because it was able to hang on to the AA rating. There are three purposes for the \$8.61 million bond issue and they include refinancing of the debt incurred to build the garages on University property, additional expenses for completion of the Chestnut Street garage and parking improvements plus cost of issuance. He further explained that all of the University garages debt is being refunded except 2012 maturities and they were left alone to stay under the \$10 million bank qualified limit. He noted that in accord with an agreement with the University there is \$125,000 from

the refinancing savings to be deposited to a project fund to reconstruct Church Street through the University campus. He further noted that a refinancing generally works if it has a net present value of 3% or more and this one has come in at 4.7%. He concluded that there is no extension of the term of the University debt, it still pays off in 2028 and this issue will pay back the \$803,000 that was loaned to the Chestnut Street project but which was originally intended for General Fund projects late last year.

"David Unkovic, bond counsel from Cozen O'Connor then reviewed the proposed debt ordinance provisions being considered by Borough Council explaining this debt is being backed by the full faith and taxing power of the Borough along with the pledge of the University for the portion that refunds the University garages debt. He explained the ordinance makes the bonds callable in five years; it awards the contract to Janney Montgomery Scott and names TD Bank as the paying agent.

"Mr. Manion asked about the Borough's debt limit. Mr. Unkovic replied the Borough has a debt limit of around 51.9 million but only as net debt of less than 4 million since most of the Borough's outstanding debt is self-liquidating. These bonds are being issued as general obligation bonds rather than revenue bonds because that saves the Borough 25 to 30 basis points in interest cost.

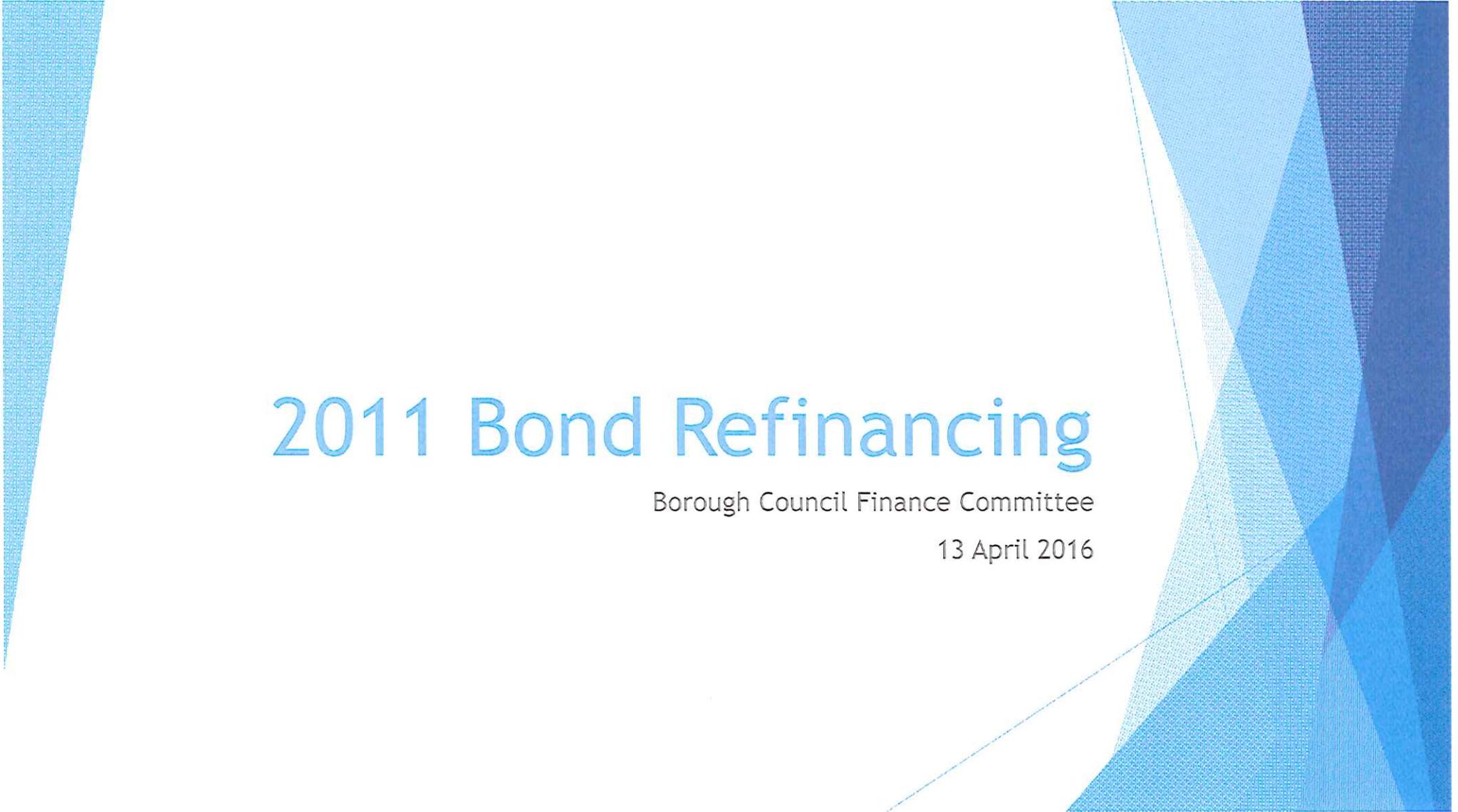
" Mr. Pulcini stated the Borough's general obligation debt is only approximately 3.4 million and all of the rest of the Borough debt is self-liquidating.

"Mr. Jones moved to adopt proposed Ordinance #7-2011 authorizing incurrence of debt to refinance the Series 2003 University Parking garages debt, complete the financing of the Chestnut Street Parking Garage Project, accepting a proposal received 4-20-11 for sale of the bonds and providing for other matters in connection with issuance and sale of the bonds. Motion was seconded by Mr. Paxson and considered by roll call vote: Mr. Manion-yes; Mr. Paxson-yes; Mr. Jones-yes; Ms. Jones-yes; Mr. Christy-yes; Ms. Brown-yes, motion approved 6-0."

I have also attached two PDF files. The first contains correspondence between Borough Manager McNeely and WCU Vice President Mixner concerning the agreement -- it was provided to Borough Council for its October 2010 meetings. the second contains the text of the ordinance authorizing the refinance. It was provided to Council for its November 2010 meeting, but not acted upon until April 2011. I also have documents associated with the bidding process, if anyone wants to see them.

Have a good weekend,

Jim Jones, Borough Council ward 6 member



2011 Bond Refinancing

Borough Council Finance Committee

13 April 2016

Proposal

- ▶ Refinance Bonds issued in 2011
 - ▶ 2011 Bonds were issued to:
 - ▶ Partially Refund 2003 University Garage bonds (Matlack and Sharpless St garages; and Pave Church St within confines of University)
 - ▶ Provide funding for Chestnut St Garage Upgrades
- ▶ Issue New Bonds (Series of 2016-B) in Compliance the Pennsylvania's Local Government Unit Debt Act regulations
 - ▶ Requires Approval by Department of Community and Economic Development

Why?

- ▶ Borough's financial rating remains high (S&P AA stable)
 - ▶ Keeps price of bonds high, yields low
- ▶ Yields continue to remain at historic low levels (estimated 2.544% average interest rate)
- ▶ Savings potential is significant - \$759K
 - ▶ NPV of \$634K
 - ▶ 9% of Principal (DCED threshold is 3%)

How?

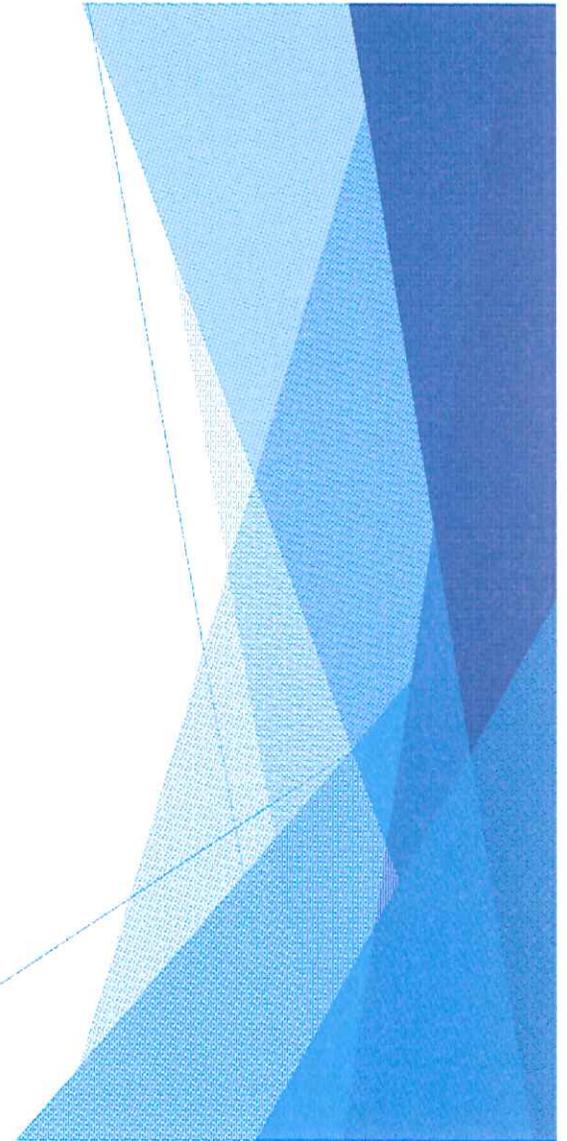
- ▶ Advance Refunding or Current Refunding?
- ▶ Advance Refunding
 - ▶ A refunding in which the refunded issue remains outstanding for a period of more than 90 days after the issuance of the refunding issue.
 - ▶ One off event during period of maturity
- ▶ Current Refunding
 - ▶ A refunding transaction where the municipal securities being refunded will all mature or be redeemed within 90 days or less from the date of issuance of the refunding issue.
 - ▶ Can occur whenever bonds are callable
- ▶ Recommending Current Refunding
 - ▶ Preserves maximum refunding ability for future Borough Councils.



Next Steps

- ▶ Council Direction to Move Forward or Not

- ▶ If Moving Forward:
 - ▶ Impact on West Chester University Payments
 - ▶ Review Agreement and Past Practice
 - ▶ Retain Services of:
 - ▶ Financial Consultant
 - ▶ Bond Counsel
 - ▶ Underwriter



WEST CHESTER BOROUGH

SERIES OF 2016

CURRENTLY REFUND 2011 UNIVERSITY PARKING PROJECT

CURRENTLY REFUND 2011 CHESTNUT

CLOSE AROUND 8/15/16

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
12/31/2016	43,673.44	43,673.44	127,162.50	83,489.06
12/31/2017	630,093.76	630,093.76	683,996.25	53,902.49
12/31/2018	628,443.76	628,443.76	682,660.00	54,216.24
12/31/2019	634,043.76	634,043.76	679,827.50	45,783.74
12/31/2020	634,118.76	634,118.76	675,562.50	41,443.74
12/31/2021	638,668.76	638,668.76	679,998.75	41,329.99
12/31/2022	640,393.76	640,393.76	688,077.50	47,683.74
12/31/2023	624,643.76	624,643.76	675,138.75	50,494.99
12/31/2024	633,743.76	633,743.76	681,007.50	47,263.74
12/31/2025	637,493.76	637,493.76	685,141.25	47,647.49
12/31/2026	630,468.76	630,468.76	677,665.00	47,196.24
12/31/2027	637,301.26	637,301.26	683,407.50	46,106.24
12/31/2028	638,138.76	638,138.76	682,256.25	44,117.49
12/31/2029	70,193.76	70,193.76	77,693.75	7,499.99
12/31/2030	68,818.76	68,818.76	75,556.25	6,737.49
12/31/2031	67,318.76	67,318.76	78,300.00	10,981.24
12/31/2032	65,818.76	65,818.76	75,925.00	10,106.24
12/31/2033	64,287.51	64,287.51	73,550.00	9,262.49
12/31/2034	67,646.88	67,646.88	76,056.25	8,409.37
12/31/2035	70,850.00	70,850.00	78,250.00	7,400.00
12/31/2036	64,018.75	64,018.75	75,250.00	11,231.25
12/31/2037	67,150.00	67,150.00	77,125.00	9,975.00
12/31/2038	65,200.00	65,200.00	73,875.00	8,675.00
12/31/2039	68,168.75	68,168.75	75,500.00	7,331.25
12/31/2040	66,056.25	66,056.25	76,875.00	10,818.75
Total	\$8,456,754.24	\$8,456,754.24	\$9,215,857.50	\$759,103.26

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	634,448.97
Net PV Cashflow Savings @ 2.544%(AIC)	634,448.97
Contingency or Rounding Amount	8,837.55
Net Present Value Benefit	\$643,286.52
Net PV Benefit / \$6,930,000 Refunded Principal	9.283%
Net PV Benefit / \$7,100,000 Refunding Principal	9.060%

Refunding Bond Information

Refunding Dated Date	8/15/2016
Refunding Delivery Date	8/15/2016



Department of Building, Housing & Codes Enforcement

Regulations for the Protection of Public Health, Safety and Welfare

401 East Gay Street • West Chester, Pennsylvania 19380
610-696-1773 • fax: 610-692-7958 • web: www.west-chester.com

April 11, 2016

NOTICE IS HEREBY GIVEN that the Zoning Hearing Board of the Borough of West Chester, Pennsylvania has scheduled a Meeting at **5:30 pm, May 9, 2016** to be held in Room 240, 401 East Gay Street, West Chester, Pennsylvania. The purpose of this meeting is to hear the following appeal(s).

APPEAL #912	<i>Applicant:</i>	University Student Housing
	<i>Property Address:</i>	121 W Rosedale Ave; 709 & 715 South New St
	<i>Zoning District:</i>	IS

Applicant wishes to increase the occupancy in three residence halls by a total of 64 beds. A parking variance is required from 112-74;A, which requires one parking space for every occupant.

APPEAL #913	<i>Applicant:</i>	Christopher Dulin
	<i>Property Address:</i>	632 & 634 South Matlack St
	<i>Zoning District:</i>	NC-2(B)

Applicant is seeking to install 9 parking spaces at 632/634 South Matlack Street, that will back into Mechanics Alley. A variance from Section 112-73(Q)(2) is required.

APPEAL #914	<i>Applicant:</i>	Glenn Ammons & Rachel McMullin
	<i>Property Address:</i>	429 North Walnut St
	<i>Zoning District:</i>	NC-2(A)

Applicant is proposing to construct a two car garage at the rear of the property. A variance is required from Section 112-88;J to have the garage two feet from the side property line as opposed to the required five feet.

The application(s) are available for public review at the Department of Building & Housing at 401 East Gay Street, West Chester, Pennsylvania. The above appeal(s) will not necessarily be heard in the order listed. All interested persons will be given an opportunity to be heard at this Public Meeting.

Respectfully,

Michael A. Perrone, C.B.O
Zoning Officer

MAP/dcd



MEMORANDUM

TO: Michael A. Cotter, Borough Manager
FROM: Michael A. Perrone, C.B.O.
DATE: April 5, 2016
RE: University Student Housing
Allegheny Hall – 121 West Rosedale Avenue
Brandywine Hall – 709 South New Street
Commonwealth Hall – 715 South New Street

Recommendation

Motion

Background

All three properties are residence halls, used by students attending the University, and are also used for summer camps and other University programs. The university wishes to add 64 student beds to the properties (13, 13 and 38, respectively). No improvements are being constructed at the properties.

Applicant is seeking a variance from the provisions of Section 112-74;A "Parking Space Requirements." One parking space for every occupant is required.



UNIVERSITY STUDENT HOUSING, LLC

180 University Avenue ■ West Chester, Pennsylvania 19383 ■ 610-692-7391 ■ fax: 610-436-2539

April 4, 2016

Mr. Mike Perrone
Director of Building, Housing & Codes Enforcement
Borough of West Chester
401 E. Gay Street
West Chester, PA 19380

Dear Mr. Perrone,

University Student Housing, a nonprofit provider of student housing on the campus of West Chester University, is requesting a Variance to increase the occupancy of three residence halls located on the University superblock without providing additional parking.

The name of the applicant is: University Student Housing (USH)

Owner is: West Chester University Foundation; P.O. Box 541 West Chester, PA 19381

The real estate to be affected is:

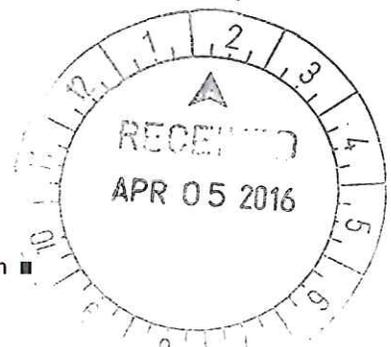
Allegheny Hall	121 West Rosedale Avenue, West Chester, PA 19383
Brandywine Hall	709 South New Street West Chester, PA 19383
Commonwealth Hall	715 South New Street, West Chester, PA 19383

Property Description

All three properties are residence halls used by students attending West Chester University. Students sign leases for individual beds for the Fall and Spring semesters of the University. The buildings are approximately 7 stories high, constructed of brick and concrete. All three properties have sprinkler systems that are connected to the University Office of Public Safety for 24-hour daily monitoring.

Present Zoning, improvements and present use:

All three properties lie in the Institutional Zoning District and dormitory use is permitted by right under Section 112-46.A (11). Current use is to provide housing for students attending West Chester University enrolled in the academic programs during the academic year. The buildings are also used during summer camps and other University programs.



A Statement of the Section of Code under which request is allowed:

Section 112-74.A of the Zoning Ordinance requires one parking space for every three residents in a dormitory. The suggested increase in use of the dormitory buildings that are the subject of this application would not have additional parking. Applicant seeks a Variance from the provisions of Section 112-74.A.

Accurate description of the improvements and

University Student Housing is acutely aware of the impact of University students on the surrounding neighborhoods as commuters and as residents in the residential sections of the Borough. We would ideally like to house more students on campus so that the impact of daily automobile travel through the town is reduced. Furthermore, all students residing on the campus fall under the supervision of the University Public Safety Officers to monitor student conduct. The residence halls on the campus are "alcohol free" and the consumption of alcoholic beverages is prohibited.

We believe that adding an additional 64 student beds to the properties can have a positive impact on the surrounding community.

Additionally, the ability to "triple" a reasonable number of rooms at the start of the fall semester provides a special economic benefit to students. At the start of the fall semester, students sign a lease for a bed on the campus and, unfortunately, many shortly determine that they are not prepared for the college experience and withdraw. A variety of factors impact the student's decision to withdraw, but an unfortunate economic impact is the student is liable for the cost of the full year's lease (\$9,540 for a double). With 60 students potentially in triples, this provides a replacement for that student who is withdrawing, relieving them of the economic burden. Students will be removed from triples as vacancies occur throughout the fall.

The "de-tripling" process also presents advantages for the students who remain on-campus. With staff support, these relocations to fill vacancies as they occur are smooth and expedient for the students. As opposed to the transition from commuting, it allows students to maintain focus on their educational obligations and relationships they've already forged with fellow residents and staff.

In December of each year approximately 800 students graduate mid-year from the University and this creates some additional vacancies. Approximately 150 students request an early release from their lease during this time period, so we anticipate the majority of the triples will be returned to double occupancy at the beginning of the spring semester. Although, some students placed in triples have expressed the desire to remain in the room for the entire year due to the deep friendships they have formed.

Occupancy Change requested:

Allegheny Hall – current occupancy by CO: 636	Proposed occupancy: 649	(+13)
Brandywine Hall – current occupancy by CO: 622	Proposed occupancy: 635	(+13)
Commonwealth Hall-current occupancy by CO: 651	Proposed occupancy: 689	(+38)

No improvements to the property are being constructed for this change. Certain rooms with larger footprints have been identified as satisfactory to accept a third student with the addition of beds, dressers and closets. No additional parking will be provided for these students.

Thank you for considering our request for this variance.

Sincerely,



Richard T. Przywara
Executive Director
University Student Housing



MEMORANDUM

TO: Michael A. Cotter, Borough Manager
FROM: Michael A. Perrone, C.B.O.
DATE: April 6, 2016
RE: 632/634 South Matlack Street – Parking Variance

Recommendation

N/A

Motion

N/A

Background

Applicant is seeking to install 9 parking spaces at 632/634 South Matlack Street, that will back into Mechanics alley. A variance from Section 112-73(Q)(2) is required.

TOM MOHR LAW OFFICE, P.C.

301 West Market Street
West Chester, PA 19382

Voice (610) 431 0111

Facsimile (610) 436 9712

E-Mail TomMohr@TurksHeadAbstracting.com

April 6, 2016

Zoning Hearing Board of West Chester Borough
Attn: Michael Perrone, Codes Enforcement
401 East Gay Street
West Chester, PA 19380

RE: Notice of Appeal of Zoning Officer Decision

Mr. Perrone:

Appellant Christopher Dulin, by and through his counsel, Tom Mohr Law Office, PC, hereby files this Appeal of Zoning Officer Decision, in accordance with § 112-121 of the West Chester Borough Zoning Ordinance ("Ordinance") relating to the Appeals and Application procedure of the Zoning Hearing Board, and avers as follows:

1. Appellant is Christopher Dulin, an adult individual residing at 1019 North New Street, West Chester, Pennsylvania
2. Appellant is the equitable owner of the two parcels of real estate (with improvements) located at 632 and 634 South Matlack Street, West Chester Borough, Chester County, Pennsylvania as follows: 632 South Matlack (1-10-109) consists of approximately 8860 square feet of land with a dwelling located thereon; and 634 South Matlack consists of approximately 8800 square feet of land with a garage located thereon. As existing conditions plan will be submitted no later than 14 days in advance of the date of the hearing.
3. The property is located in zoning district NC2 Block Classification B.
4. The Applicant intends to raze the existing improvements on the two parcels and construct five town homes, each with a two car garage, as shown on the plan attached hereto. An enlarged plan, with side yards tweaked as per the Borough's request will be submitted no later than 14 days in advance of the date of the hearing. In addition, Applicant has proposed the installation of a series of parking spaces across the rear or western property lines of the two parcels. Applicant has been apprised that these parking spaces are not permitted under the current West Chester Zoning Ordinance Section 112-73(Q)(2).

5. The Applicant seeks a variance from the provisions of Section 112-73(Q)(2) to allow the installation of these parking spaces.
6. Appellant requests that the Zoning Hearing Board grant a variance from Section 112-72(Q)(2) of the current West Chester Zoning Ordinance to allow the installation of the parking spaces shown on the Plan attached hereto.

Respectfully Submitted

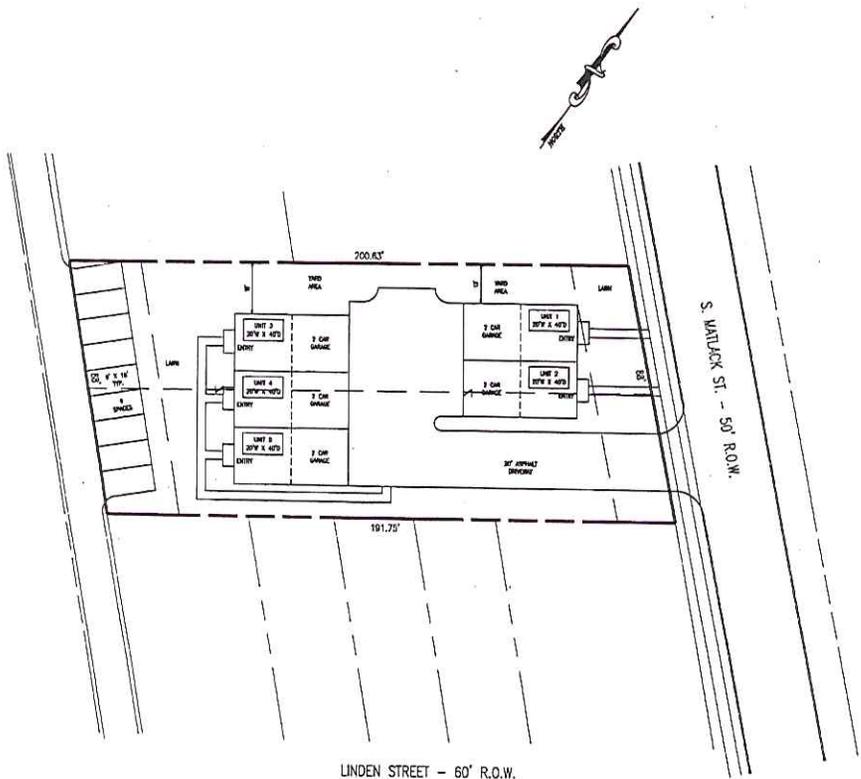


Tom Mohr
Attorney for Appellant



DLHowell
 Civil Engineering &
 Land Planning
 www.DLHowell.com

D.L. Howell & Assoc., Inc.
 1200 Wiggins Lane
 West Chester, PA 19380
 Phone: (610) 918-9002
 Fax: (610) 918-0203



LINDEN STREET - 60' R.O.W.

SITE SKETCH PLAN
 SCALE 1"=20'



ZONING DATA TABULATION
 WEST CHESTER BOROUGH ZONING ORDINANCE
 ARTICLE VI - NC-2 NEIGHBORHOOD CONSERVATION DISTRICT
 SECTION 112-21. AREA AND BULK REGULATIONS - BLOCK CLASS 'D'

	REQUIRED	PROPOSED
MIN. LOT AREA FOR DWELLING UNIT	3,000 SF.	17,825 SF.
LOT YIELD = LOT AREA/DWELLING UNIT	N/A	5.94 UNITS
MIN. LOT WIDTH @ BUILDING SETBACK LINE	25 FT.	68 FT.
MIN. LOT WIDTH @ STREET LINE	25 FT.	88 FT.
MIN. FRONT YARD	25 FT.	20 FT.
MIN. REAR YARD	25 FT.	N/A
MIN. SIDE YARDS	6 FT.	N/A
SINGLE-FAMILY ATTACHED	25 X	22.78 X (4,090)
MAX. BUILDING COVERAGE	60 X	68.19 X (16,343)
MINIMUM GREEN AREA	23 X	41.88 X

PARKING TABULATION
 ARTICLE XIII - PARKING AND LOADING REGULATIONS
 SECTION 112-74.A. - PARKING SPACE REQUIREMENTS

PROPOSED USE	REQUIRED	PROPOSED
EDUCATIONAL DWELLING		
2 SPACES/DWELLING UNIT	8	19

SKETCH PLAN
 DRAWN BY: ADAM O'CONNELL
 PROJECT: 632 S. MATLACK ST.
 LOCATION: BOROUGH OF WEST CHESTER
 CHESTER COUNTY, PA

DATE:	12/11/15
SCALE:	1"=20'
DRAWN BY:	ADH
CHECKED BY:	JHM
DATE PLOTTED:	2/9/16
PROJECT NO.:	2973
DATE PLOTTED:	12/11/15

SK-3
 1 of 1



MEMORANDUM

TO: Michael A. Cotter, Borough Manager
FROM: Michael A. Perrone, C.B.O.
DATE: April 6, 2016
RE: 429 North Walnut St – Zoning Variance

Recommendation

N/A

Motion

N/A

Background

Applicant is proposing to construct a two car garage at the rear of the property. A variance is required from Section 112-88;J to have the garage two feet from the side property line as opposed to the required five feet.

UNRUH TURNER BURKE & FREES

ATTORNEYS AT LAW

YEARS OF **25** SERVICE

West Chester • Phoenixville • Paoli

KIMBERLY P. VENZIE
kvenzie@utbf.com

April 6, 2016

West Chester Borough
Zoning Hearing Board
Attn: Michael A. Perrone, Administrator
401 East Gay Street
West Chester, PA 19381

RE: Application of Glenn Ammons and Rachel McMullin
429 North Walnut Street – Variance Relief for Garage

Dear Members of the Board:

On behalf of Glenn Ammons and Rachel McMullin, the homeowners of property located at 429 North Walnut Street, West Chester, PA, Tax Parcel Number 1-5-84, please accept the enclosed check in the required fee amount of \$400.00 and this Application to the Zoning Hearing Board as follows:

A. APPLICANT:

Glenn Ammons and Rachel McMullin
429 North Walnut Street
West Chester, PA 19380

B. LOCATION OF REAL ESTATE:

429 North Walnut Street, West Chester, PA
Tax Parcel Number 1-5-84

C. DESCRIPTION OF PROPERTY:

The subject property is improved with residential home - being one-half of a twin dwelling, with yard and parking area to the rear.

D. CURRENT ZONING CLASSIFICATION:

NC-2 – Block Class A

E. ZONING CODE SECTIONS RELATING TO APPLICATION:

Section 112-88.J Accessory Use Structures in Yards

MAILING ADDRESS | P.O. Box 515, West Chester, PA 19381-0515 | T: 610.692.1371 F: 610.918.1361

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F. PROPOSED IMPROVEMENT:

The Applicants own and reside in the home located at 429 North Walnut Street. The Applicants wish to have a detached garage constructed upon their property. The garage is proposed to be situated in the rear yard, alongside the alley and be approximately twenty-two (22') feet by twenty-two (22') feet in size. The homes on both sides on their property currently have garages and the Applicant intends for the garage to be similar in dimensions and location as measured from the alley.

G. STATEMENT OF APPLICATION:

The Applicants seek a variance to allow for the garage to be located closer to one of the side yard property lines than is permitted by the Zoning Ordinance. The Applicants seek a variance from Section 122-88.J of the Zoning Ordinance in order to situate the garage approximately two (2') feet from the side yard property line rather than the required five (5') feet. The location of the proposed garage is in keeping with the how neighboring garages are situated upon adjacent properties and the Applicant's proposed location will have the least impact upon adjacent properties. Most homes in the vicinity have garages already located upon their properties and the garage walls are situated directly on the side yard property lines or within inches of such lines. The Applicants intends to construct a garage very similar in size and location upon their own property with at least a two (2') foot side yard setback. The Applicants do not believe that they required any additional relief from the Zoning Hearing Board other than the three (3') foot dimensional variance.

Attached please find a Site Plan depicting the property and the proposed improvements and a GIS aerial photograph of the property.

Thank you.

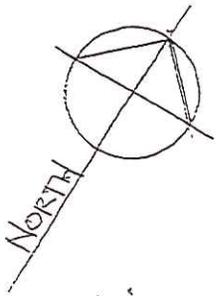
Very truly yours,



Kimberly P. Venzie, Esquire
Counsel for Applicants

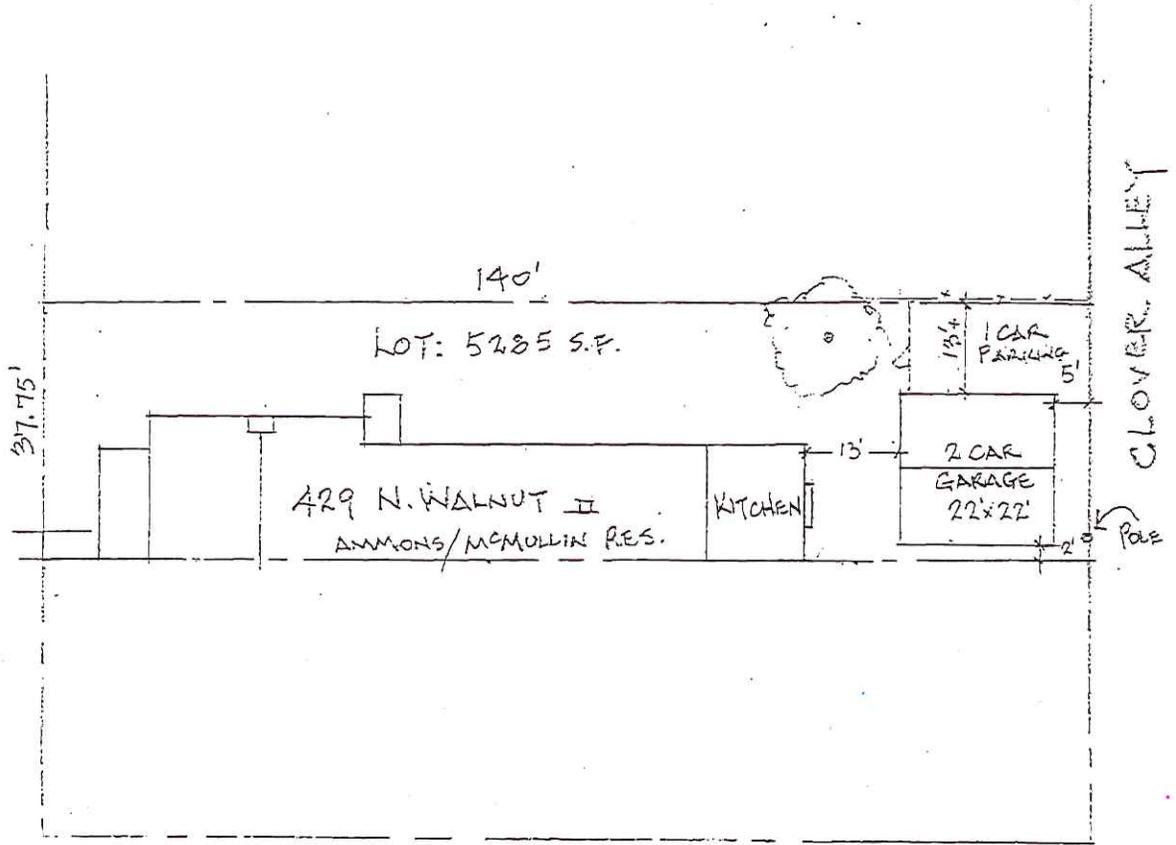
KPV/cac
Enclosure

cc: Glenn Ammons and Rachel McMullin

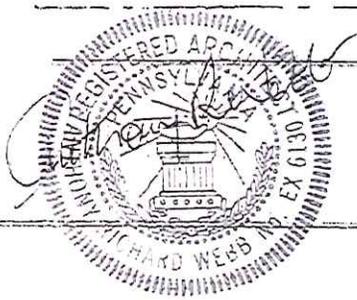


NORTH

N. WALNUT ST.



E. LAFAYETTE ST.



SITE PLAN 1" = 25'

ANTHONY R. WEBB - ARCHITECT

429 N. Walnut



140x 372-35
5285 #

Legend

-  Parcel 1-5-84.
-  Parcel Boundaries

NC-Z*



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1 inch = 25 feet

