

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Monday, April 7, 2014 at 7:30 PM

In attendance were: Chair Carol DeWolf, Vice Chair Mike Di Domenico, Police Commissioner Tom Haws, Roadmaster Mark Gross, Director of Planning & Zoning Chris Patriarca, and Planning Commission member Elaine Adler, and Historical Commission Chair Dave Walter. There were 18 guests present.

I. Call to Order

Chairman DeWolf called the regular meeting to order at 7:30 PM and led Pledge of Allegiance. She then announced the appointment of Robert Pingar as the new Township Manager and Director of Engineering. Mr. Pingar was not present.

II. Approval of Minutes (Board of Supervisors March 17, 2014)

Mr. Di Domenico made a motion to approve the March 17 minutes. Mr. Haws seconded the motion.

Dick Pomerantz, approached the podium on behalf of the Township Planning Commission, and wanted to clarify the statement made by Jim Lees, regarding the placement of Township legal ads in the Daily Local. Mr. Haws asked Mr. Pomerantz to wait until the Public Comment period.

There was no other public comment and the minutes were approved.

III. Summary of Board of Supervisors Workshop – April 7, 2014

Ms. DeWolf summarized the Supervisor's workshop, which began at 6:00 PM. There were 3 items on the agenda:

- Discussed options for a retirement party for Elaine Adler
- Heard an update on the formation of citizen's committees
- Considered the 2014 Road Maintenance Program

There were no questions or comments from the public regarding the workshop.

IV. Departmental Reports

A. Building Department Report – Chris Patriarca

In March, 13 residential Certificates of Occupancy were issued, as well as 9 residential and 4 commercial building permits. Two demolition permits were issued (1 residential and 1 commercial). The Township also issued one plumbing permit, one sign permit, a permit for a construction trailer at the PNC site, and two zoning permits.

B. Township Roadmaster – Mark Gross

Mr. Gross reported that there were 3 snow/ice responses in March. The crew has also been doing tree work in the park and open spaces. The park was hit hard, and the crew is working to get it cleaned up before the yard sale on the 26th. The ornamentation on the roof of the Oakbourne water tower blew off during the recent high winds. It has been repaired, but the roof will need to be replaced in the next few years. Ms. De Wolf requested photos, which Mr.

Gross said he would provide. He added that repointing of the brick and stone on the north side of the tower will begin later this month. The south side was done last year.

Mr. Gross also reported that he has been working with WEGO police on placement of the radar speed sign, and has collected data from two locations, including Jacqueline Drive.

The sludge holding tank was drained, cleaned, and serviced this month, which will reduce odor.

Finally, he reported that the new township administration vehicle was delivered, and the exterior shutters at the administration building will be replaced this week.

C. Planning Commission – Elaine Adler

The majority of the last PC meeting was devoted to the Bozzuto proposal for Crebilly Farm. The developer will return before the PC at a later date, as Conditional Use Hearings continue.

There are 3 items on the agenda for Wednesday's meeting: the revised draft of the Renewable Energy Ordinance, the mission statement, and a presentation from a resident group called Stop Commercialization of Westtown Township (SCOWT).

There were no questions or comments.

D. Historical Commission – Dave Walter

Mr. Walter stated that the HC is making progress on the historic resources mapping project. Karen Marshall from the CCPC will be present at their next meeting on 4/17. The HC has identified approximately 100 properties that either have a historical structure built prior to 1901 or is a possible archeological site. This list will eventually be given to the County to create a historical properties map for the Township.

The HC is also looking at the Bozzuto project, and is recommending that the developer save two of the historical buildings on the property.

Tonight the Board will be considering a resolution for the Brandywine Battlefield Route that the HC proposed.

The Commission also asked the Board to change the HC Ordinance to increase the number of members from 5 to 7. The Board authorized publication of the change to the ordinance.

Mr. Walter also provided an update on the abandoned cemetery on Shiloh Road. The HC has been rebuffed by the property owner, and is now looking into PA law governing cemeteries under private ownership.

Finally, Mr. Walter addressed the recent demolition of the house at 1010 Wilmington Pike. The Township does not currently have any formal procedure requiring that the HC be notified before an older building is torn down. This property was not eligible for historic status because it had already been substantially altered and it was only 10 feet away from 202, but he would have liked the opportunity to photograph the property before it was torn down.

Ms. De Wolf thanked Mr. Walter for all his work on the Historical Commission.

V. Public Comment on Non-Agenda Items

Dick Pomerantz, speaking on behalf of the Township Planning Commission, spoke about the SCOWT group, headed by Janice Oakley. Mr. Pomerantz stated that SCOWT will have an

opportunity will have a formal opportunity to speak at their next meeting. Legal counsel for the Bozzuto project will also be present at the Planning Commission meeting.

Mr. Pomerantz also wanted to clarify the statement Mr. Lees made at the last meeting regarding the placement of legal ads in the Daily Local. Dick stated that the PC voted unanimously to ask the Board to require that all legal ads begin with the header "Westtown Township" in capital letters, in order to make them easier for residents to find in the paper.

Will Mallalieu, 1014 S. Chester Road, complained about the condition of Overhill Road. He also complained about the \$100 on-lot program fee. Mr. Haws addressed the on-lot fee, stating the fee is necessary to cover the costs of the program as mandated by DEP. He added that residents on public sewer pay quarterly fees. This revenue source will be used only to fund the OLM program. Mr. Haws added that the OLM plan was pursued at the *request* of the residents, who were opposed to public sewer.

Mr. Mallalieu also complained about the trash and recycling fee. He advocated a pay per bag system. He complained that if this fee was included in the township taxes, then residents could at least deduct it on their taxes. Mr. Haws commented that when the issue was considered several years ago, the majority of the residents did not support a pay per bag service.

Rick Weaver, 1014 S. Chester Road, asked what the objections to the pay per bag system were. Mr. Haws stated that the feedback they got from residents and other municipalities was not positive.

Mr. Weaver also asked what the Board is doing to get PennDOT to repair the potholes on state roads, specifically 926. Ms. De Wolf stated that the Board was aware of the potholes and has made a number of requests to PennDOT. Mr. Gross stated that he spoke with the maintenance manager last Friday, who told him that they would be working on the potholes this week. He explained that PennDOT is required to prioritize higher volume roads such as Lancaster Avenue.

There was no other public comment.

VI. Old Business

A. Legal Ad Placement

Mr. Di Domenico made a motion to require all Township ads have "Westtown Township" in bold or capital letters at the top of the ad. The motion was seconded by Ms. De Wolf. There was no public comment and the motion was approved.

VII. New Business

A. Resolution 2014-6 Brandywine Battlefield Route

Mr. Di Domenico made a motion to pass resolution 2014-6, designating township owned property on the west side of S. New Street at Dunvegan Road as a commemorative site, as part of the Brandywine Battlefield Preservation Plan. Mr. Haws seconded the motion.

Mr. Pavelchek, 1050 S. New Street, wanted to know specifically what the resolution states. Mr. Di Domenico read the resolution:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA DESIGNATING THE BATTLE OF THE BRANDYWINE ROUTE

WHEREAS, the Battle of the Brandywine on Sept. 11, 1777, between the American forces of General George Washington and the invading forces of the British Empire under the Command of General Sir William Howe, was the largest land battle of the American Revolution, and

WHEREAS, the battle demonstrated the courage and ability of American forces to stand against battle-hardened British regiments and Hessian mercenaries, even in momentary defeat, and

WHEREAS, the right flank of the British attackers passed across the western boundaries of Westtown Township, after briefly resting on Osborne Hill in the Township, before attacking the American forces on Birmingham Hill, and

WHEREAS, the community today continues to venerate and remember the deeds of those who proclaimed and fought for the ideals of the American Revolution, therefore be it

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Westtown Township wishes to designate the Township property located on the route of the British advance, on the west side of South New Street, at Dunvegan Road, (1000 S. New Street, parcel #67-4J-89E, 2.7 acres, known as “Shenandoah”) for use as a commemorative site within the Brandywine Battlefield Preservation Plan, and will collaborate with the Brandywine Battlefield Task Force on the appropriate use of this Township owned property.

Mr. Walter stated that he recognized an error in the resolution as it was read. The resolution should read the “left flank of British attackers” rather than the right flank.

There was no other public comment and the motion was approved, with change.

B. Phosphorus Reduction Contract – Payment #2

Mr. Di Domenico made a motion to approve payments to Heisey Mechanical (general contractor) and Arrell & Snow (electrical) for work completed at the Westtown Wastewater Treatment plant in the amount of \$13944.46 and \$2865, respectively. The motion was seconded by Mr. Haws. There was no public comment and the motion was approved.

C. Announcements

1. There will be an Anything with a Plug event on April 12 from 9:00 AM to 1:00 PM at the Willistown Township Building located at 688 Sugartown Road, Malvern.
2. The 9th annual Chester Creek Cleanup is Saturday, April 12, 2014 from 9:00 AM to 11:00 AM. Westtown Township residents should meet at the Goose Creek Park pavilion before 9:00 AM. Pre-registration is requested at crcwatersheds.org.
3. The Westtown Township Community Yard Sale will be Saturday, April 26 from 10am to 1pm at Oakbourne Park, 1014 S. Concord Road.
4. Also on Saturday, April 26, there will be a Drug Take Back event from 10 AM to 2 PM at the Giant Food store at 1393 Dilworthtown Road. Residents can turn in expired or unused medications for safe disposal.
5. The work on the Sunoco Pipeline on Rt. 352 began this week and will continue for several weeks.

D. Right to Know Officer Appointment

Mr. Di Domenico made a motion to appoint Rob Pingar as the Right to Know (RTK) Officer, and Pam Coleman, who has completed the RTK training, as the Assistant RTK Officer. Mr. Haws seconded the motion. There was no public comment and the motion was approved.

VIII. Public Comments on All Topics

Mr. Pavelchek asked where to meet for the Goose Creek Clean up. Westtown residents should meet at the Goose Creek Park Pavilion.

Gerald Nail, 1535 Marlboro Road, asked that the township send all legal notices out on the listserv. Ms. De Wolf stated that all legal notices will be sent out on the listserv. She also encouraged residents to sign up to be put on the listserv.

IX. Payment of Bills

Mr. Di Domenico made a motion to pay the bills of April 4, 2014 in the amount of \$48,341.15 for the General Fund and \$41,163.02 for the Wastewater fund bills, totaling \$89,504.17. The motion was seconded by Mr. Haws. There was no public comment and the motion was approved.

X. Adjournment

Mr. Di Domenico made a motion to adjourn the meeting, seconded by Mr. Haws. There was no public comment and the meeting was adjourned at 8:35 PM.

Respectfully Submitted,
Robert Pingar, P.E.
Township Manager