

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown  
Monday, April 1, 2013 at 7:30PM

In attendance were: Chairman Thomas Haws, Vice Chair Carol DeWolf, Police Commissioner Charles Barber, Township Manager Robert Layman, Roadmaster Mark Gross, Township Building Inspector John Wilson, and Planning Commission members Dave Walter and Russ Hatton. There were 7 guests present.

**I. Call to Order**

Chairman Haws called the meeting to order at 7:30pm and led those present in the Pledge of Allegiance.

**II. Approval of Minutes (Board of Supervisors, March 18, 2013)**

Mr. Haws asked that the minutes be corrected to add "delegate" to his appointment as alternate Police Commissioner. Mr. Gross noted that the dates for the sewage overflows at Kirkwood and Pleasant Grove were reversed.

Mr. Haws made a motion to accept the minutes with the changes noted. Ms. DeWolf seconded the motion. There was no public comment and the minutes were approved.

**III. Summary of Board of Supervisors Workshop – April 1, 2013**

Chairman Haws briefly summarized the supervisor's workshop, which began at 6:00pm. The supervisors met with representatives from the Leukemia & Lymphoma Society (LLS) and Rick Brown, Director, Oakbourne Mansion to discuss their fundraising walk on September 28, 2013. The Board gave the green light to proceed with the event.

The Board also listened to a presentation by a developer regarding a land development opportunities at Route 3 and Green Lane.

After this meeting, the Board will reconvene to discuss focus areas and priorities for the coming year, and have an executive session to discuss Police matters.

There were no questions or comments regarding the workshop.

**IV. Departmental Reports**

**A. Township Building Inspector – John Wilson**

Mr. Wilson was not present so Mr. Layman summarized the monthly permit report. There were 17 residential, 7 commercial permits in March, and one commercial resale. There is an error on the report regarding one of the Westtown School Science Center permits. One of the construction trailer permits was listed as \$100,000, rather than \$1000. After this correction, the total value of the permits was \$205,780, with permit fees of \$4,126.

There were no questions or comments from the public.

**B. Township Roadmaster – Mark Gross**

Mr. Gross reported that the 2013 Road Paving bid has been posted on PennBid. The bid opening date is April 9, at 2pm. Mr. Haws asked about the final wording in the bid. Mr. Gross

responded that the requirement that bidders must be a PennDOT prequalified contractor was removed, but the security requirements were increased. This was done to allow for greater competition among the bidders, while still ensuring they have the financial capability to perform the contract.

There was one salting event in March. In April, they plan to remove the salting equipment from the trucks and begin pruning and mulching the landscape beds. As part of our MS4 stormwater permit requirement, the road employees attended a seminar on the proper handling of hazardous materials. At Oakbourne Park they started to refurbish the stone trails to repair washout, and redid the parking area by the ball fields. Three wastewater employees took a continuing education seminar for their wastewater licenses, and a pump was rebuilt at one of the pump stations.

Mr. Haws asked about the stone pull off at 926 and Shiloh road for WEGO mentioned in the Road Report. Mr. Gross explained that this was simply a small off shoulder parking area for the police to use when they are working the traffic signal.

Ms. DeWolf asked when they will begin working on the water tower repairs. Mr. Gross replied that they need to wait until overnight temperatures remain above freezing in order for the mortar to set properly.

There were no other questions or comments from the public.

#### **C. Township Planning Commission – Russ Hatton**

Mr. Hatton stated that the Planning Commission last met on Wed, Feb 20<sup>th</sup>. Since then, they have not had any agenda items. He reported that the Planning Commission has received comments from our solicitor regarding the Alternative Energy Systems Zoning Ordinance, and will be meeting this Wednesday to discuss them. There have been no communications regarding the RiteAid development or the Crebilly apartments.

Mr. Hatton announced a Zoning Hearing Board meeting tomorrow, Tuesday, April 2 regarding a request for an accessory garage at 415 Walnut Hill Road.

There were no questions or comments from the public.

#### **V. Public Comment on Non-Agenda Items**

Mr. Haws reported that we have not heard anything from DEP on our Act 537 Sewer Plan. He also stated that the newly formed Historic Commission met for the first time last Thursday, March 28, 2013. They plan to meet at the Oakbourne Mansion at 6pm on the last Thursday of each month.

Mike DiDomenico, 1530 Woodland Road, informed the Board that Mike Rasner, head of the DEP, retired. Mr. DiDomenico called Killion's office and was told they will go through Pat Patterson, the liason, until the position is filled. Mr. DiDomenico asked that the Board be proactive regarding finding out where we stand on the 537 Plan. Mr. Haws responded that our representative at URS contacted DEP a few weeks ago and was told they had not finished their review.

Mr. DiDomenico also commented that he made a second call to PECO regarding the smart meters. He was told he was on the "don't install list", and encouraged others to call PECO if they have concerns about the smart meters.

Russ Hatton mentioned again the "Healthy Kids Run" sign at 926 and Shiloh Road, and asked how long it will be allowed to stay up. Mr. Layman said he would check with Elaine Adler about it.

There were no further comments from the public.

**VI. Old Business**

**A. Swearing In Ceremony for WEGO Chief of Police**

Mr. Haws stated that on Monday, March 25, Brenda Bernot was sworn in as the new WEGO Police Chief at a special joint meeting of Westtown and East Goshen Townships. She is scheduled to attend the next Board meeting.

**VII. New Business**

**A. Chapter 94 Report**

Mr. Haws explained that the Chapter 94 report provides details of our sewer plants and must be submitted annually to DEP. He stated that he found several errors in the 2012 Annual Report on Wasteload Management prepared for the Township by URS. Specifically, the tables in Figures 1 and 2 have headers for Birmingham Township. He wondered if this was merely a typo in the header, or if the data was for that township too. In Table 1, there are areas in grey, but there is not any corresponding notation to explain the highlighting. In Table 3, Mr. Haws questioned the data for February, 2012, which was about triple the load for other months.

Ms. DeWolf stated for the record that this is the second time we have received a report from URS with "cut and paste" errors.

In addition to the quality issues, Mr. Haws also expressed concern over the timing of the receipt of the report from URS. The report was due to DEP by March 31, 2013, and should have been received by the Board for approval no later than their March 18 meeting. Mr. Haws asked the amount of this Task Order, and the due date. Mr. Layman estimated the fee to be \$4000-\$5000, but said he did not think a due date was addressed in the order. Mr. Haws suggested that going forward, we should have due dates included.

Mr. Haws made a motion to approve the report under the condition that the accuracy of the data be re-examined, and asked that a representative from URS be present at the next Board meeting to address the Boards questions. The motion was seconded by Mr. Barber.

Mr. Haws then asked for public comment.

Mike DiDomenico stated his frustration over hearing that the report was inaccurate, and not submitted in time to allow for thorough review prior to submission to DEP.

Kathy DiDomenico stated that she didn't feel URS should be allowed to charge the Township for their time at the next Board meeting. Mr. Layman agreed.

There was no further public comment and the motion was approved.

**B. Road Closure Report**

Sarah Mears has submitted a request to close Route 352 between St. Simon & Jude and Wickerton Drive for the Pedal in Pink Breast Cancer Awareness fundraiser on May 11, 2013. This event was held last year. This is not actually a road closure. The bike ride occurs on the shoulder of the road. The state has asked for a letter from the Township endorsing this event. Lt. DeCave has been coordinating this with Ms. Mears.

Ms. DeWolf made a motion to endorse the event and allow a letter to be sent to PennDOT stating their support. The motion was seconded by Mr. Haws.

There was no public comment and the motion to endorse the event was approved.

### **C. Announcements**

1. The CRC Watershed Association Spring Meeting is Sunday, April 7 from 2-3:30 at the Old Mill in Rose Valley. Walter Cressler will be presenting "The Flow of History along the Chester, Ridley, and Crum Creeks." The program is free and open to the public.
2. The Westtown Township Community Yard Sale will be held on Saturday, April 27 from 10am to 1pm at Oakbourne Park, 1014 S. Concord Road. The rain date is Saturday, May 4, 2013.
3. The Open Space Task Force is conducting an online survey of the Townships parks, recreation, and Open Space. Residents are encouraged to participate. There is a link to the survey on the home page of the Township website. There are also printed copies available at the Township office.
4. The CRC Watershed Association will hold its 8<sup>th</sup> Annual Earth Day Clean up on Saturday, April 20 from 9 to 11am. Volunteers should meet at the Goose Creek Parking lot at 9am.

Mr. Haws asked for any public comment regarding these announcements.

Kathy DiDomenico expressed concern over the legitimacy of the survey results. She stated that she was able to complete the survey more than once. She stated that someone with an agenda could sway the results if they desired. Mr. Haws stated this is not a scientific survey. We do not have the resources to conduct that type of survey. It is intended to get an idea of what the residents want, and will be used to guide the Task Force.

### **VIII. Public Comments on All Topics**

Kathy DiDomenico asked about the status of the website advisory committee. Mr. Layman stated that he met with our IT service provider for his input. Mr. Haws stated that we are still in the early stages of gathering information before deciding on the formation of a task force. Mrs. DiDomenico outlined her efforts on the issue to date:

- o November 5, 2012 - proposed a citizen's website committee
- o November 19, 2012 - met with Mr. Layman to brainstorm on the subject, and followed up at the Board of Supervisors meeting that evening
- o December 17, 2012 - Board passed the 2013 budget, including \$20K for website design
- o January 7, 2013 - inquired about the status of the website design
- o January 22, 2013 - implored the Board to form a citizen's committee
- o February 13, 2013 - list serve notice sent soliciting resident volunteers for a committee.
- o February 20, 2013 – Mr. Layman stated that 9 volunteers responded to the listserv notice
- o March 4 & 18, 2013 - inquired about the status of the project, to which Ms. DeWolf responded that progress was being made

Mrs. DiDomenico questioned the fiscal responsibility of refusing to allow willing residents to offer their free assistance, and stressed the importance of creating a new website that will have the ability to help with sewer monitoring.

Mr. Haws explained that other issues such as hiring the new Chief of Police have taken priority over the website. He stated that they met with the Township's IT consultant for guidance so that if/when a website advisory group is created, the Board will have a clear mission for that task force. He reminded Mrs. DiDomenico that our IT service provider changed at the end of last year. The new group is still evaluating our infrastructure and making recommendations.

Mr. Haws stated that the Board is not going to create a task force without first addressing our IT infrastructure. In addition, it does not make sense to develop sewer monitoring software before

hearing from DEP as to whether they even accept our on-lot management proposal. If DEP doesn't accept the plan, then that component of the website would not be necessary.

Mr. DiDomenico pressed for a timeline on the infrastructure changes. Mr. Haws stated that there is no set timeframe. Mr. Barber reiterated that there is no point in starting an on-lot monitoring program before knowing whether DEP even accepts our plan.

Mr. Haws asked for any other public comment on all topics.

Richard Clay, 1534 Johnny's Way, wanted the Board to be aware of the blind spot on Route 352 created by the hill near Carmac Road. When traveling north on 352, he recently encountered a line of stopped cars, waiting to turn left onto Johnny's Way. The stopped cars were not visible until he came over the crest at Carmac. He wants PennDOT to be informed of this problem. Mr. Clay also commented on the increase in truck traffic on 352 and Johnny's Way over the last 8 months. Mr. Haws stated that it might be related to the renovations at Penn Wood Elementary. Mr. Barber said he would make the Police aware of the complaint. Finally, Mr. Clay stated that he has observed a number of drivers exceeding the speed limit on Johnny's Way.

**IX. Payment of Bills**

Ms. DeWolf and Mr. Barber stated they had reviewed the bills and had no questions. Ms. DeWolf made a motion to approve the bills for March, 2013. Mr. Barber seconded the motion.

There were no public comments or questions and the motion was approved.

**X. Adjournment**

Mr. Haws called for a motion to adjourn the meeting, which was made by Ms DeWolf and seconded by Mr. Haws. The meeting was adjourned at 8:40pm.

Respectfully Submitted,

Robert Layman,  
Township Manager