

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Police Department Building, 1041 Wilmington Pike, Westtown
Tuesday, May 21, 2013 at 7:30PM

In attendance were: Chairman Thomas Haws, Vice Chair Carol DeWolf, Police Commissioner Charles Barber, Township Manager Robert Layman, WEGO Chief of Police, Brenda Bernot, Township Solicitor Bob Adams, and Planning Commission member Dick Pomerantz. There were 18 guests present.

I. Call to Order

Chairman Haws called the meeting to order at 7:36pm and led those present in the Pledge of Allegiance.

II. Approval of Minutes (Board of Supervisors, May 6, 2013)

Mr. Barber made a motion to accept the minutes, seconded by Mr. Haws. There was no public comment and the minutes were approved. Ms. DeWolf abstained because she was not present at the May 6 meeting.

III. Summary of Board of Supervisors Workshop – May 21, 2013

Chairman Haws briefly summarized the supervisor's workshop, which began at 6:00pm.

They had an executive session on personnel issues. Following that, they discussed using a GPS system to track PPU's. Based on comments from the Chief, the Board decided to table that issue. They also looked at the inter-municipal police agreement and allocating billing of PPU's.

The Board considered several current legislative issues: Conservation District Funding, Stormwater Authority, and Prevailing Wage.

Bob Adams was present at the workshop to give an update on Westtown School's connection to public sewer, the Crebilly tract, and the Rustin flexible development.

There were no questions or comments regarding the workshop.

IV. Departmental Reports

A. WEGO Police Department – Chief Brenda Bernot

Chief Bernot commented on PPU allocation. Prior to reallocation, roughly 20 patrol hours/day were spent in Westtown Township. They are now spending approximately 26 hours/day in Westtown.

There are 8 active traffic complaints in Westtown, including an ongoing problem with parking at the Green Lane Village school bus stop, which the police have been trying to resolve. April was a busy month with respect to criminal incidents in Westtown Township. There were two incidents of theft by in-home health care aides. The Chief cautioned business owners about counterfeit \$100 bills reported in the area. There were several DUI arrests, including the one resulting in the death of a motorcyclist.

Chief Bernot also reported on a number of trespassing issues at the Westtown Lake area of the Westtown School, as well as motor biking on open space.

Tomorrow at the Police Commission meeting, the public is invited to watch a demonstration of their automated license plate meter. The system can identify stolen vehicles and suspended registrations.

Ray Gamble, 10 Deblyn V Lane, asked about the automated system. It is a laser device that reads the license plate and notifies the officer if the car is in the stolen vehicle database.

Mr. Haws asked about the considerable number of DUI arrests, and wondered if this was due to a step up in enforcement, or if it was a matter of the time of year. Chief Bernot said they had not made any changes in enforcement.

Mr. Haws also shared the thank you letter that came from WC Borough Mayor, Carolyn Comitta for WEGO's assistance with the recent incident involving hundreds of WCU students on S. Walnut Street.

There were no other questions or comments from the public.

B. Township Solicitor – Bob Adams

Mr. Adams stated that he had no report. There were no questions or comments from the public.

C. Township Planning Commission – Dick Pomerantz

The Planning Commission (PC) recommends approval of the revised plan for RiteAid/PNC on Rt. 3. The matter of a second entrance was heavily considered in the decision. The Police and Township traffic engineer felt the western driveway was not needed, while the applicant and PennDOT felt it was warranted.

The Commission reviewed the final version of the Alternative Energy Amendment to the Zoning Ordinance and recommends adoption.

Mr. Pomerantz also reported on the proposed Rustin Flexible Development consisting of 53 single family homes on 53.5 acres of the original 145 acre tract, leaving about 91 acres for the Rustin complex. Access would be from Shiloh road. Open space would include a baseball field, and easement area. The development would be served by public sewer and water.

There were no questions or comments from the public.

D. Parks and Recreation Commission – Bob Layman

Mr. Layman reported that the Community Yard Sale on Saturday, April 27 was a huge success. Parks and Rec thanked the Goshen Fire Police, the WCU Friars, and Roadmaster, Mark Gross for their help. The Mothers' Day Tea scheduled for Sunday, May 5 was cancelled due to lack of interest.

Future events include Cars of England June 1, and movie nights. These events are posted on our website.

V. Public Comment on Non-Agenda Items

Shriya Roberson, 1023 Farm Lane, was present from Girl Scout Troop 4048 working on her Bronze Award project on Emergency Preparedness. Shriya gave a presentation and suggested writing an article for our website and for the next newsletter.

Brian Walsh, 1529 Woodland Road, asked that the Township consider an ordinance that requires home health providers to be bonded.

Bob Perlschwig, 1191 Carrie Lane, spoke regarding the deterioration of the curbing on his street, stating that he was appearing on behalf of 9 residents on Carrie Lane, including Mr. Cicero at 1193 who, along with Mr. Perlschwig, essentially maintain the basin on a weekly basis by clearing debris. The stormwater basin there does not drain and is a breeding ground for mosquitoes. He stated that he has addressed this issue a number of times over the past three years and wants to know if and when anything is going to be done about it. Mr. Haws responded that we have a number of areas in the township with stormwater infrastructure issues. He said the Board will look at Carrie Lane again, talk to Mr. Gross, and see what can be done to improve the situation in the short run. In the interim, Mr. Perlschwig requested that the Township take responsibility for maintaining the basin. Mr. Haws asked Mr. Perlschwig to please put his comments in writing to the Board.

Gerry Nail, 1535 Marlboro Road, commented on solicitation. Does the ordinance cover anything about preventing solicitations if the homeowner has "No Solicitors" signage posted on his property?

Jack Embick, 189 Pheasant Run Road, thanked the police for responding to the incidents at Westtown Lake.

Dick Pomerantz, 1005 Robin Drive, stated that he and another commission member were approached at their homes after 8pm by a solicitor selling windows. They requested that the transient merchant ordinance be amended to curtail evening selling hours. He also asked if there is any ordinance regulating the use of fireworks. With Memorial Day coming up, he anticipates this being a problem. He was advised to call the Police if there is an issue.

There were no further comments from the public on non-agenda items.

VI. Old Business

A. RiteAid/PNC

Michael Gill, attorney representing Pineville Pintzuk LP, the owner of the property on Rt. 3 where the RiteAid/PNC development has been proposed, was present to discuss the redevelopment of this site. The applicant plans to remove the gas station (now a Green Drop), and replace with a new 4000 sq. foot PNC branch. The western portion of the tract will be an 11,000 sq. foot RiteAid. Mr. Gill stated that the project has been fully vetted by the ZHB, and the Planning Commission has recommended approval. The applicant is seeking conditional approval from the Board to allow them to move forward with the land development agreement and financial security agreement. He acknowledged that there will still be technical planning issues that need to be addressed.

The Board raised several questions raised in the review letters from McCormick Taylor, URS, and the Conservation District. These questions were addressed by representatives of the developer. Ms. DeWolf made a motion for approval of the RiteAid/PNC development, conditional upon the satisfaction of the outstanding issues raised in the review letters. The motion was seconded by Mr. Barber.

There were no questions from the public, and the motion was approved.

B. Renewable Energy Ordinance

The Board decided to table discussion of this until their next meeting.

C. On-Lot Management Ordinance

Ms. DeWolf made a motion to approve referral of the On Lot Management Ordinance to the Planning Commission for review. Mr. Barber seconded the motion. There was no public comment and the motion was passed.

VII. New Business

A. Monument Homes Development of Papenfuss property

Ray Gamble, President of Monument Homes was present to address questions regarding the proposed development of the 1006 Wilmington Pike (Papenfuss property on the west side of 202). He requested a "will serve" letter for public sewer connection to serve the development.

Ms. DeWolf had several questions about the proposed development, which Mr. Gamble addressed. Mr. Haws made a motion to approve the will serve letter, which was seconded by Mr. Barber.

There were no questions from the public. The motion was approved 2-1, with Ms. DeWolf voting against because she thought the questions should be resolved prior to approval

B. Announcements:

1. There is a Rain Garden workshop May 30th at the Ashland Nature Center, Hockessin.
2. West Goshen is hosting an electronics recycling event on Saturday June 1, from 9-1.

C. Intermunicipal Police Agreement

Mr. Barber made a motion to accept the Inter-municipal Police Agreement between Westtown and East Goshen in its original form, rejecting an amendment to Article VII – Budget dated May 13. Ms. DeWolf seconded the motion. There were no questions from the public and the motion was passed.

D. Stormwater Authority Support

Mr. Haws made a motion to send letters of support for the creation of Stormwater Authorities to all 4 state representatives (Killion and Truitt, Erickson and Pileggi).

E. Prevailing Wage Legislation Support

Mr. Haws made a motion to send letters of support for the Prevailing Wage Legislation, which was seconded by Mr. Barber. There were no questions from the public and the motion was approved.

VIII. Public Comments on All Topics

None.

IX. Payment of Bills

Ms. DeWolf and Mr. Barber stated they had reviewed the bills and had no questions. Mr. Barber made a motion to approve the bills for May 16, 2013. Mr. Haws seconded the motion. There were no public comments or questions, and the motion was approved.

X. Adjournment

Mr. Barber made a motion to adjourn the meeting, which was seconded by Mrs. DeWolf. The meeting was adjourned at 9:38pm.

Respectfully Submitted,
Robert Layman,
Township Manager