

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Tuesday, September 3, 2013 at 7:30PM

In attendance were: Chair Thomas Haws, Vice Chair Carol DeWolf, Police Commissioner Charles Barber, Township Manager Robert Layman, Roadmaster Mark Gross, Planning Commission member Elaine Adler, Township Engineer Christie Pace (McCormick Taylor), Parks & Recreation Commission member Rick Brown. There were 7 guests present.

I. Call to Order

Chairman Haws led the Pledge of Allegiance and called the meeting to order at 7:38pm.

II. Approval of Minutes (Board of Supervisors, August 19, 2013)

Ms. DeWolf announced that due to technical difficulties, the last meeting was not recorded. The minutes are based on the notes and recollections of those present.

Kathy DiDomenico, 1530 Woodland Road, stated it was an "atrocious" that the August 19 meeting was not recorded. Mr. Haws responded that it was unfortunate that the tape failed, but he said we tried to capture the salient points expressed in the meeting. He stated that the Board will table approval of the minutes, and suggested that Mrs. DiDomenico provide her notes to Mr. Layman. Mr. Haws reminded those present that meeting minutes are a summary, not a verbatim transcript.

Ms. DiDomenico ignored Mr. Haws's comments and continued to list errors in the minutes, and accused the Board of "Westtowngate." Mr. Haws replied that the technical issue was accidental, and again asked Ms. DiDomenico to submit her notes to Mr. Layman. He made a motion to table the minutes until next meeting, seconded by Ms. DeWolf.

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

III. Summary of Board of Supervisors Workshop – September 3, 2013

Chairman Haws summarized the Supervisor's workshop, which began at 5:30pm. There were 5 items on the agenda and the Board discussed three more:

- Permit inspections & contract with Bureau Veritas
- Meeting with the new state reps Oct. 7, prior to Workshop
- McCormick Taylor gave update to Act 167 Stormwater Management Ordinance
- Oakbourne Mansion furnace replacement - added item under New Business
- Preview of 2014 Roads program - need to create Comprehensive Plan & coordinate it with stormwater management issues
- Progress of Westtown School sewer tap in & bills
- 2014 Budget
- Nomination to the Working Committee to work on an RFP to study the police merger

Mr. Haws stated that the September 16 Board meeting will be postponed until September 23 due to lack of quorum.

Kathy DiDomenico asked if the Act 167 Stormwater Ordinance was related to Act 13. Mr. Haws responded that it is not.

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

IV. Departmental Reports

A. Township Building Report – Bob Layman

Mr. Layman summarized the monthly permit report. There were 35 permits issued in August, which included 20 Certificates of Occupancy. There were 4 tap-in fees paid: two for new homes on Hidden Pond Way, and 2 for the Rossiter subdivision on E. Pleasant Grove.

There were no questions or comments.

B. Township Roadmaster – Mark Gross

Mr. Gross provided an update on the Paving Program. Pennsbury Drive is complete except for the lawn restoration. Curbs and lawn restoration are complete on Larchwood. Milling and paving will continue in that neighborhood for the next week.

Kolbe Lane pipe relining project is complete and functioning well. The crew also elevated some trees along Walnut Hill Rd. and Shady Grove Road and installed 25mph speed signs on Coventry Lane and Robin Drive.

Stone walking trails at the park were washed out by Sunday's storm. Re-pointing on the south face of the water tower is complete. Extra bricks were used on the Carriage House. Window replacement and painting of the cupola is next on the restoration project.

The new phosphorus reduction system at the Wastewater Treatment plant is working well. Mr. Culberson continues to fine tune the chemical usage to meet permit requirements.

There were no questions or comments.

C. Township Planning Commission – Elaine Adler

Mrs. Adler said there is a revision to the PC agenda for tomorrow night. The Commission's letter to the Chester Co. Planning Commission regarding the West Wynn I Special Study is sufficient, so there is no need for further discussion.

New business items include the Monument Homes sketch plan (Papenfuss property on Rt. 202) with 14 single family homes. The Township Engineer, Christie Pace, will be present to lead the discussion on the Act 167 Stormwater Management Ordinance.

Mr. Haws inquired about the Commission's 5-2 vote on the West Wynn I Special Study, asking Mrs. Adler if she knew the reason for the two dissenting votes. She stated that the individuals did not provide specific reasons at the time of the vote. Based on their comments during the meeting, she got the impression that they were concerned about the prospect of the DEP requiring public sewer in the area.

There were no additional questions or comments from the public.

V. Public Comment on Non-Agenda Items

Kathy DiDomenico brought up the tape failure again and requested another update on the Act 537 plan.

Mr. Haws responded by reminding everyone that the Township is currently operating under a Consent Order from DEP. Our On-Lot Management (OLM) Plan was approved except for the West Wynn I (WWI) area, which the DEP said requires additional study. URS is working on the OLM program which will be rolled out Township-wide (including WWI) by the end of the year. DEP required a Special Study of the West Wynn I area in addition to the OLM Plan.

In late June, the Township had an informal meeting with DEP to discuss their proposal for WWI. This plan included using data from the OLM plan to further evaluate the WWI area, evaluating existing sewer infrastructure, and looking at DEP approved alternatives for existing failed systems. DEP responded positively to the plan, and told the Township it would issue written approval of the Township's plan in a week.

In the meantime, three Township residents filed appeals, resulting in DEP's decision that it would not be prudent for them to respond, and instead required the Township to formally submit the Special Study for West Wynn I. URS submitted this study to our Planning Commission, the Chester Co. Planning Commission (CCPC), and the Chester County Dept. of Public Health. To date, we have received approval from our PC and the Health Department. Mr. Layman interjected, stating that we received support of the interim plan from the CCPC today.

Mrs. DiDomenico wanted to know details on the timing of the implementation of the Plan. Mr. Haws stated that the WWI Special Study stipulates including that area in Phase One of the OLM Plan, along with the eastern end of the Township. Data will be collected annually and supplied to DEP. Concurrently, the Township will collect data on the main intercept line that goes to the Wastewater Treatment plant to access capacity. The Study would cover a three year period.

A draft of the Plan was submitted to DEP for informal review to ensure there were no technical deficiencies, but the actual Special Study has not been submitted yet because the Public Comment period just ended. Resident comments, both in favor of and against public sewer, need to be included with the Special Study, along with the Township responses to those comments. The Special Study must be submitted by October 7, 2013. DEP then has 180 days to review the Special Study.

Ms. DiDomenico asked what the Township is doing to address data collection, and the website improvement. Mr. Haws stated that Mr. Corbett from URS will be present at our next meeting to update us on the status of the Program implementation. The Township has not decided what method will be used to track the data. It may not be website based.

Ms. DiDomenico requested that the letters from CCPC and CCHD relating to the West Wynn I Special Study be posted on the website.

Bill Chesko, 1025 S. Concord, made two sign requests. He requested a "Dogs Must Be Leashed" sign be placed at Oakbourne Park on the post where the dog waste bags are kept. He also requested a "Trailhead Parking" sign be placed to reduce foot traffic through his property. Mr. Gross asked if he had "Private Property" signs posted. Mr. Chesko said that he did, and also had "No Trespassing" signs. He felt that a sign indicating that the trailhead is to the left might help.

There were no other comments from the public.

VI. Old Business

A. RiteAid/PNC

The engineer for the RiteAid/PNC development has provided plans for the alteration of the traffic signal at Routes 3 and 352. These plans were developed in accordance with the desires of the Board. The permit for the Traffic Signal is in the name of the Township, so the proposed alteration needs to be submitted by the Township. Ms. DeWolf made a motion to approve Resolution 2013-10, seconded by Mr. Haws.

There was no public comment and the motion was approved.

B. 2013 Road Program – Partial Payment

Our road engineer has recommended partial payment for road work. The request is for \$220,457.95, leaving \$381,745.96 for completion. We are holding 5% retainage for seeding and restoration of the area behind the curb. Ms. DeWolf made a motion to approve payment of \$220,457.95 to Charlestown Paving and Excavating, Inc.

There were no questions or comment and the motion was approved.

C. Police Merger – Working Committee Appointment

At the last meeting, the Board approved moving ahead with the study of the possibility of West Goshen Police joining WEGO. It has been proposed to create a working committee which would be tasked with developing the RFP for hiring an outside firm to conduct a study, collecting information, identifying issues, and any other activities related to the merger. The committee would report back to the Executive Committee composed of the different Boards. Ms. DeWolf made a motion to appoint Mr. Haws to serve on this working committee, seconded by Mr. Barber.

There was no public comment and the motion was approved.

VII. New Business

A. Bureau Veritas Contract

The contract was discussed in the workshop. Ms. DeWolf made a motion to approve the revised contract from Bureau Veritas, seconded by Mr. Barber.

Kathy DiDomenico asked for a copy of the contract. Mr. Layman responded that he would email it to her.

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

B. Resolution 2013-11

Related to the Bureau Veritas contract is Resolution 2013-11 containing a provision to address permit fees for work performed by a third party. Ms. DeWolf made a motion to approve Resolution 2013-11, seconded by Mr. Barber.

There was no public comment and the motion was approved.

C. Minimum Municipal Obligation – 2014 Pension

The law requires that the Board be informed of the Township's expected financial obligation for coming year. The MMO for 2014 is \$39,388. Most, if not all of this obligation will be provided through state funding. This serves to acknowledge that the Board has been notified of the MMO.

There was no public comment.

D. Announcements

1. Movie Night Friday, September 6, at 8pm at Oakbourne Park, featuring "Here Comes the Boom." PG rating.
2. Historical Marker Dedication for the Civil War POW Camp, September 7 at 1pm at Oakbourne & Trellis Lane.

3. Fall Yard Sale Saturday, September 21, 10am-1pm at Oakbourne Park. Registration forms are available on the township website & in the office.

Kathy DiDomenico stated that she did not receive notice of the historic marker dedication on the listserv. Mr. Layman stated that we would resend the notice.

Mr. Layman mentioned that Dave Walter, who worked to secure the marker and organized the event, was expecting a member of the Board to speak at the dedication. Mr. Haws stated that he would be present.

There were no other public comments.

E. Mansion Boiler

This item was added to the agenda as a result of the Supervisor's Workshop. The boiler needs to be replaced. Mr. Gross investigated options for switching from oil to natural gas and has provided bids from three companies, and a natural gas contract from PECO. Ms. DeWolf made a motion to approve the proposal for a new gas boiler for \$29,858.36, which was seconded by Mr. Barber.

There was no public comment and the motion was approved.

VIII. Public Comments on All Topics

Bill Chesko asked if the pension MMO was the municipal pension or the police pension. Mr. Haws responded that the figure represented the municipal MMO. Mr. Layman added that the police MMO would be announced at their meeting.

Kathy DiDomenico requested that in the future, if any technical problems occur with the recording of the meeting that it is noted at the beginning of the minutes.

There was no additional public comment.

IX. Payment of Bills

The Board stated they had reviewed the bills and had no questions. Ms. DeWolf made a motion to approve the bills August 30, 2013 bills as presented. Mr. Barber seconded the motion.

There was no public comment and the motion was approved.

X. Adjournment

Ms. DeWolf made a motion to adjourn the meeting at 8:35, seconded by Mr. Haws.

Respectfully Submitted,
Robert Layman
Township Manager