

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
Monday, May 21, 2012 7:30Pm

In attendance were Supervisors Chair Charles P. Barber, Vice Chair Thomas F. Haws, and Police Commissioner Carol R. De Wolf; Township Manager Robert Layman; Township Solicitor Robert F. Adams, Westtown-East Goshen Police Sergeant Richard Gorman and Township Planning Commission member Richard Pomerantz. There were 46 guests in attendance.

I. Call to Order.

As there was a quorum present, Chair Barber called the meeting to order at 7:35Pm and led those present in the pledge of allegiance to the flag.

II. Approval of Minutes (Board of Supervisors April 16, 2012 Regular Meeting).

Ms. De Wolf made a motion, seconded by Mr. Haws, to approve the minutes of the Board of Supervisors April 16, 2012 regular meeting. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

III. Summary of Board of Supervisors Workshop 5/21/2012

Mr. Baber stated that the Board held an executive session pertaining to the Police Labor contract and heard comments on public sewer from the residents in attendance at the workshop.

IV. Departmental Reports.

A. Westtown East Goshen Police Chief – Sergeant Richard Gorman.

Sergeant Gorman presented the April Police Report. He stated that there were 322 calls for service in Westtown for April.

B. Township Solicitor - Robert F. Adams.

1. Adopt Ordinance 2012-5 Amending 170-1603 of The Westtown Township Code - Accessory Dwellings.

Mr. Adams stated that the ordinance has been amended to redefine an accessory dwelling and place restrictions as to their location. He presented the "Proof of Publication" that the ordinance was advertised on April 30th, and May 7th, 2012 in the Daily Local News. The ordinance has been reviewed by the Township Planning Commission and the Chester County Planning Commission. Mr. Adams presented letters of recommendation for adoption of the ordinance from both commissions. He stated the ordinance is in proper form to be adopted by the Board this evening.

Ms. De Wolf, made a motion, seconded by Mr. Haws, to adopt Ordinance 2012-5 Accessory Dwellings. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion as presented.

C. Planning Commission – Richard Pomerantz.

Mr. Pomerantz stated that he does not have a report as the Planning Commission's May 9th meeting was canceled and that they will not be meeting this week. Ms. De Wolf asked if a Planning Commission member has been appointed to serve on the Open Space committee. Mr. Pomerantz stated that Eric Rohrbach was appointed and Jim Lees will be the alternate if needed.

Public Comment-Non Agenda Items.

Transcripts of public comments from the workshop and regular meeting pertaining to the sewer issue will be available at the Township Office and on the website when completed.

VI. Old Business:

There was no old business.

VII. New Business.

A. Approve Execution of The Vision Partnership Grant For Open Space, Recreational, and Environmental Resources Plan.

Mr. Barber stated that the Township will be receiving a \$20,000.00 grant from the County under the Vision Partnership program. The grant will be used toward an update of the Township's Open Space, Recreational, and Environmental Resources Plan which, if approved tonight, will be prepared by Natural Lands Trust (NLT).

Ms. De Wolf, made a motion, seconded by Mr. Haws, to approve execution of the Vision Partnership Grant. In answer to a question from the audience (no name given not at microphone) Ms. De Wolf stated the current plan is ten years old. Mr. Haws stated that Township will pay 60% of the cost of the plan. Mr. Baber stated that the grant approval must be executed by May 25th, 2012. Mrs. Foster, 734 Westbourne Road, stated that in the past the County had proposed that a Township wide trail be connected to private property which was rejected by the Township. She questioned why the Township is paying 60% of the cost of the plan to do what had been rejected in the past. Ms. De Wolf advised Mrs. Foster that the trails are not a major part of this plan but the issues to be addressed are the best uses for Township open space, parks and recreational needs. Mrs. Foster asked why it cost \$20,000.00 to review. Ms. De Wolf stated that a new plan will be prepared by NLT. Mrs. Foster asked if there was a bid for preparation of the plan. Ms. De Wolf responded that the Township does not have to bid for professional services. Mrs. Foster asked Ms. De Wolf for what company she works. Ms. De Wolf stated she works for NLT. Mrs. Foster stated that under the circumstances should this not been put out for bid. Ms. De Wolf said that she actually works for the Pennsylvania DCNR which is housed in NLT and works on a completely separate program. Ms. De Wolf said that she appreciates Mrs. Foster's comment that she has a potential conflict of interest but feel she does not because of the way that this has been handled. Mrs. Foster stated that she does not know if Ms. De Wolf does or does not have a conflict of interest and deferred to Mr. Adams, Township Solicitor, on this issue. Mr. Haws stated that NLT is on the top of the County list as one of the best firms in the area for our needs. Mrs. Foster said she feels that the Township should explore all options and that Brandywine Conservancy should be considered. Mr. Adams advised Ms. De Wolf that she could handle this by recusing herself from the vote, which, in his opinion would cure any objection.

Mrs. Ryan-Platt, 1069 Edgewood Chase Drive, stated that with her knowledge of the history of NLT she feels that they are an excellent resource for what the Township is trying to accomplish and does not object to the Township moving forward and executing the documents.

Mr. Barber asked that the motion be revised. Mr. Haws made a motion, seconded by Mr. Barber, to approve execution of the Vision Partnership Grant for an Open Space, Recreational, Environmental and Resources Plan. Ms. De Wolf recusing. The Board of Supervisors approved the motion as presented.

B. Approve Agreement Natural Lands Trust For The Open Space, Recreational and Environmental Resources Plan.

Mr. Barber reviewed the agreement. He stated that the cost of the contract is \$49,780.00 of which the Township's share will be \$29,780.00.

Mr. Haws made a motion, seconded by Mr. Barber to approve the agreement with Natural Lands Trust for the Open Space, Recreational and Environmental Resources Plan. Ms. De Wolf recusing. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors approved the motion.

C. Announcement Chester-Ridley Creek Watershed Association (“CRC”) – Rain Garden Workshop.

Mr. Barber stated that CRC will be holding a Rain Garden Workshop on June 14th. For information call the Township Office or go to the website www.westtownpa.org

D. Approve Bid Award 2012 Road Restoration Program to Innovative Construction Services In The Amount of \$267,137.00.

Mr. Barber stated that the bids for the 2012 Road Restoration Program have been reviewed by the Township Engineer who has recommended the bid be awarded to Innovative Construction Services, low bidder, in the amount of \$267,137.00. The roads to be done are: Dogwood lane, starting at Goodwin Lane – 882 linear feet; S. New Street, south of W. Pleasant Grove Road – 332 linear feet; S. New Street, South of the north Township line-1920 linear feet; Shady Grove Way, Route 926 to Johnnys Way – 3228 linear feet.

Mr. Haws made a motion, seconded by Ms. De Wolf, to award the 2012 Road Restoration Program to Innovative Construction Services in the amount of \$267,137.00 conditioned on the clarification of the MS924 special provisions. Mr. Barber asked for public comment. The Board of Supervisors unanimously approved the motion as presented.

E. Approve Proposal Oakbourne Mansion Roof Restoration in The Amount of \$13,750.00 to Scott Plumridge Construction Company.

Mr. Barber stated that included in the last bond issue were funds for restoration of the Mansion roof. The Township has received three proposals for the repairs which Mr. Gross has reviewed and is recommending the Board accept the proposal from Scott Plumridge Construction Company in the amount of \$13,750.00 with and option for slate repair in the amount of \$350.00.

Mr. Haws made a motion, seconded by Ms. De Wolf, to accept the proposal from Scott Plumridge Construction Company for restoration of the Oakbourne Mansion roof in the amount of \$13,750.00 with the option of \$350.00 for slate repair. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

VIII. Public Comment.

Mrs. Ryan-Platt asked if Rain Gardens and their maintenance are defined in the Township code as her neighbor's is not maintained. Mr. Layman responded Township code does not address Rain Gardens. Ms. De Wolf and Mr. Haws suggested that this should be on a Planning Commission Agenda.

IX. Payment of Bills.

On the motion of Ms. De Wolf, seconded by Mr. Haws, the Board of Supervisors unanimously approved the payment of the bills as presented.

X. Adjournment.

On the motion of Mr. Haws, by Mr. Ms. De Wolf, the meeting was adjourned at 8:52Pm

Respectfully Submitted,
Robert Layman,
Township Manager