

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Monday, October 15, 2012 at 7:35PM.

In attendance were, Chair Charles P. Barber; Vice Chair Thomas F. Haws; Police Commissioner Carol R. De Wolf; Township Manager Robert Layman; Police Chief Eugene Dooley; Lt. Cahill; and Lt. DeCave. There were 3 guests in attendance.

I. **Call to Order.**

Chair Charles 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, October 1, 2012 Regular Meeting and October 8, 2012 Special Meeting).**

Thomas Haws, Vice Chairman of the Board of Supervisors, made a comment asking to have Anthony Ruggieri's statement word for word placed into the meeting's minutes due to it being a prepared statement. Chairman Barber suggested it should be left up the Board members whether or not the statement should be included in the minutes and do it as an attachment. Mr. Haws makes a motion to approve October 1st minutes as presented with an amendment to the October 8th minutes that will include the statement read by Mr. Ruggieri. Carol DeWolf seconded the motion. October 1st and October 8th meeting minutes approved pending attachment of Anthony Ruggieri statement to the October 8th minutes.

There was no public comment at that time.

III. **Summary of Board of Supervisors Workshop 10/15/2012**

Chairman Barber summarized the Supervisors Workshop. Supervisors discussed the Police Budget with some questions and recommended changes. Supervisors discussed the traffic issue at Roslyn neighborhood. Supervisors asked Ms. DeWolf to go back to the COG and Robert Layman, Township Manager, to talk to West Chester and West Goshen about moving ahead with a traffic study to determine the safety factors, pro and cons, which may accrue with the change in traffic. Supervisors agreed to re-number Sunrise Assisted Living and Mr. Layman was handling that. The Board also discussed the Historical Marker letter of support and two contracts, American Water and URS, one of which will be approved tonight. The Reserve at Westtown has acquired the funding and sales to proceed but funds need to be released from the prior owners in the future. That has been put on next meeting's agenda to make sure the funds are available. Ms. DeWolf commented that a letter will be sent to West Goshen in regards to Roslyn traffic issues and the concerns involved. Mr. Haws wants to have a discussion with traffic engineer about the short term and long term impact with its closure as well as the impact on response time of EMS units due to the change in traffic flow before the letter should be sent to West Goshen. Mr. Layman will be asking Ms. McCormick to attend the next workshop meeting since a proposal is needed from McCormick Taylor to start the traffic study to gather necessary data.

There was no public comment at that time.

IV. **Departmental Reports**

A. **Westtown-East Goshen Police Department- Chief Eugene Dooley**

Mr. Haws vocalized a concern of a resident, Mr. Richard Pomerantz, from previous meeting that the Township wasn't being transparent enough with the residents about the incidents involving the police department, i.e. recent break-ins and wanted to know what more the Township could do to help residents feel safer. Chief Dooley responded that there were two

vehicle break-ins at the East end of the township and residents felt if the information was made public then they could have taken proper precautions to protect themselves. Mr. Haws agreed with Chief Dooley that a summary of incidents might be beneficial. Chief Dooley promised that next month's meeting he will have a presentation how to address the issue with recording and informing the residents of incidents as well as the challenge to disclose that information. Chairman Barber suggested uploading the Chief's monthly report on the website and Mr. Haws informed the Board that the Police Commission has a website where the Commission's minutes are posted with more detail. A resident commented that disclosing the police successes would be great for the residents to know about and show value of the Police Department.

Chief Dooley introduced the two new lieutenants:

- Lt. James DeCave- Promoted to Lieutenant in September 2012. Lt. DeCave commands the Patrol Division as well as the Training and Bicycle Units. He has been with the Police Department since 1988. His prior police service was with the Eddystone Police Department, Delaware County. He is certified in wire taps, electronic surveillance, hostage negotiations with the Emergency Response Team (SWAT) in addition to the training received from attending the FBI Inter-County Detective School and the West Point Command Institute. As a member of the Chester County Municipal Drug Task Force, Jim has taken part in over 400 drug investigations and has been recognized by both District Court and Common Pleas Court as an expert in narcotics investigations. Additional memberships include the Pennsylvania and New Jersey Narcotics Officers Associations and Chester County Chiefs of Police Association. Jim enjoys boating, fishing, and riding his Harley Davison motorcycle. He has four children with his first grandchild arriving March, 2013.
- Det. Lt. William F. Cahill, Jr. - Promoted to Detective Lieutenant in September 2012. Det. Lt. Cahill commands Criminal Investigations Division (CID) and Traffic Safety Unit. He was assigned to CID in 1998 but served the Department starting in 1987. Det. Lt. Cahill is certified in wire taps, fire arms instructor, electronic surveillance in addition to the training received from attending the FBI Leads Training, the FBI Command Institute, the FBI Inter-County Detective School, DEA Drug Investigator Course, and the National Fire Academy for fire investigations. All the training as lead him to have over 400 drug arrests and seen as an expert in narcotics and fire arms investigations. His memberships also include the Chester County Chiefs of Police Association and Chester County Municipal Drug Task Force as well as the Fire Arms Task Force. Det. Lt. Cahill received the Westtown-East Goshen Police Officer of the Year Award for 2000 and the Legion of Excellence Award by the Professional Police Officers Association. Will enjoys spending time with his family, trips to the Poconos, riding his Harley Davison motorcycle, and has a ten year dedication to working on varied NASCAR/Nationwide truck series teams.
- Det. Sgt. Glen Bretz - Promoted to Detective Sergeant in September 2012. He was assigned to Criminal Investigations Division (CID) in 2000 but served the Department starting in 1990. His prior police service was as a patrol officer with Upland and Norwood Police Department, both in Delaware County. He is the Lead Crime Scene Technician who has attended the FBI Inter-County Detective School as well as numerous other schools for crime scene investigations and finger printing training. His memberships include that of the Chester County Municipal Drug Task Force, Pennsylvania Homicide Investigator Association, and New Jersey Narcotics Officers Association and he has received the Westtown-East Goshen Police Officer of the Year Award for 1999.

Mr. Haws congratulated the officers on their promotions and is looking forward to building a stronger relationship between the Township and the Westtown-East Goshen Police Department.

B. Township Solicitor- Robert F. Adams

There were no items to be reported for Mr. Adams at this time.

C. Township Planning Commission- Richard Pomerantz

Mr. Layman is stated that the Planning Commission didn't meet two weeks ago but they will be meeting Wednesday, October 1, 2012 to review and discuss the renewable/alternative energy ordinance.

V. Public Comment on Non-Agenda Items

Mike DiDomenico, 1530 Woodland Road, asked if there had been any communication with the DEP regarding Resolution 2012-9 that was submitted. Mr. DiDomenico explained that the residents want to be included in the information sharing between Township and DEP. Board of Supervisors did pass along a letter from the Chester County Planning Commission to Mr. DiDomenico, which was been forwarded to DEP. Mr. Layman stated that there hasn't been any follow-up communication with DEP and that he put a call into Taylor to see if they have heard anything back yet. Ms. DeWolf said that the response received about the letter wasn't the response the Board was told they would get. Mr. Layman went on to say that he was told it had to make its way up the DEP chain of command and Mr. Haws stated that even though the letter wasn't entirely how the Board wanted it to read but it doesn't go against the submitted plans. That it just shows that the sewer plans are good for the short term (five to ten years) not the long term needs. Mr. DiDomenico suggested that Township can use the Westtown sewers e mail and website to distribute police incidents if they so choose.

There was no further public comment at that time.

VI. Old Business

There was no old business.

The floor was open to public comments.

Ms. DeWolf received a phone call from a resident on Saturday night in regards to the drums beating from 3:00PM to about 10:00PM. It was discussed that the event was one of the pre approved events that the school can have the lights on and that once the lights are off, the noise should stop as well. Mr. Layman said that he received an email from a resident about the lights being on four nights the week of October 1st, 2012 but those were also pre-approved lighted events. He emailed the resident back the lighted events schedule and asked the resident to notify the Township if something does match the schedule. Ms. DeWolf also received a request for the environmental renewable energy ordinance and suggested it to be put on the website as a benefit for the residents. Mr. Layman said he would make sure it gets on the website. She also suggested adding an item to the Budget to fix the Township's website to make it more user-friendly and fresh.

Mr. Haws asked to have clarity on the number of events Rustin can have with the lights on per year to which Mr. Layman replied that twenty, with an additional three for football playoffs.

There was no public comment at that time.

VII. New Business

A. Fire Company Funding- Authorize Transfer of Funds

Chairman Barber stated every year the Township receives money from the State to divide amongst Goshen Fire Company and Fame Fire Company and Goodwill Ambulance Company. Mr. Haws made a motion to authorize the transfer of funds to the emergency providers previously mentioned in the sum of \$92,770.00. Ms. DeWolf seconded the motion.

There was no public comment at that time.

Chairman Barber called for vote of the motion. Approved by the Board.

B. Police Pension Funding - Authorize Transfer of Funds to Westtown-East Goshen Police Department

Chairman Barber stated the Commonwealth sends the Township funds for use towards the pension obligations of police officers of East Goshen and Westtown which is credited to the Police Pension Fund. Mr. Haws made a motion to authorize the transfer of funds to the Westtown-East Goshen Police Department in the sum of \$82,883.00. Ms. DeWolf seconded the motion.

There was no public comment at that time.

Chairman Barber made a side comment that the Township contributions are much higher than what the State provides for the Pension Fund.

Chairman Barber called for vote of the motion. Approved by the Board.

C. PFM – Police Study- Rescind Authorization for Study

Chairman Barber explained that, on September 4 during police contract negotiations, the Board authorized Vijay Kapoor to do a study of the cost of operating the police department. Since the authorization of this study, a contract has been reached which leaves this study without purpose. Ms. De Wolf made a motion to rescind the authorization for the study. Mr. Haws seconded the motion.

There was no public comment at that time.

Chairman Barber called for vote on the motion. Approved by the Board.

D. Historical Marker- Motion to Approve

Chairman Barber explained that there was a desire to have a historic marker placed by the Goose Creek near the train trestle where Civil War prisoners, captured Union soldiers, were harbored. Mr. Haws made a motion authorizing Mr. Layman to create a letter of support on the behalf of the Board to apply for the Historical Marker. Ms. DeWolf seconded the motion.

There was no public comment at that time.

Chairman Barber called for vote of the motion. Approved by the Board.

E. Westtown Chester Creek Treatment Plant – Motion to Approve Contract for Phosphorus Removal

Chairman Barber explained that two companies, URS and Applied Water Management, had supplied bids for the DEP mandated reduction of phosphorus output at the Westtown Chester Creek Treatment Plant. The Contract is to design plant upgrades and permit the treatment plant to adhere to the mandate set by DEP and is time sensitive. URS was the lowest bidder for the Contract so Mr. Haws made the motion to approve the URS bid for the value of

\$15,110.00. Ms. DeWolf seconded the motion and asked how these bids were obtained. Mr. Layman responded by saying that he made phone calls to reach out to both companies.

There was no public comment at that time.

Chairman Barber called for vote of the motion. Approved by the Board.

F. Rite Aid/PNC Bank Application for Variances- Motion to Advise the Zoning Hearing Board of the Position of the Board of Supervisors

Chairman Barber and Mr. Haws attend the meeting of Rite Aid/PNC Bank where representatives for Rite Aid/PNC Bank asked for variances in signage and parking issues. The location in question is the north-bound side of Rt. 352 & Rt. 3 where PNC Bank branch, old Wawa, and old Exxon gas station buildings are. Developers are looking to transition the gas station plot into the new PNC Bank and old Wawa as well as current PNC Bank plot into the Rite Aid. They had considerable amount of variances but has been reduced with the planning commission to three sign variances and two parking variances.

Mr. Haws explained that the Township ordinance states that there can be three signs across this plot along Rt. 3 and currently there are five. Sign variances, for example, would be to increase that limit by one and allow signs to be 4ft to 10ft. He is in favor of informing the Zoning Hearing Board of the Board's support to grant these variances.

Chairman Barber wanted to go on record stating that he is in favor of informing the Zoning Hearing Board of the Board's support of the variances because of the moving the three entrances and exits back to where Rite Aid is will be beneficial to overall traffic safety. By developing these three pieces of land, there will be better tax paying entities instead of an old gas station and an abandoned Wawa building.

Ms. DeWolf stated the she doesn't like the size of the sign variance and that it exceeds the current ordinance. Due to the issues pertaining to the billboards and being cautious in not accruing more of them, going from 4ft to 10ft is a significant shift for a waiver and goes against everything the Township is trying to maintain in the Rt. 3 Corridor. Ms. DeWolf did make a suggestion to combine two signs into one and wants to see final sign presentation before she can approve the sign variances. She also wanted the egress and ingress into the spaces as well as transportation movements examined before she can give approval. Mr. Haws added that Robert Pingar attended the Zoning Hearing Board meeting to which Mr. Pingar stated that all concerns have been addressed by the applicant and only need the sign and parking variances. Mr. Haws believes that the new development might help with improving the storm water run-off issues. Mr. Layman asked if this would presented to the Board as a land development which was confirmed but the signage would be approved before then and access issues will be defined.

Mr. Haws made a motion to take the position of supporting the applicant's submission to the Zoning Hearing Board with the backing of the Supervisors. Chairman Barber seconded the motion.

There was no public comment at that time.

Chairman Barber called for vote of the motion. Chairman Barber and Mr. Haws voted aye and Ms. DeWolf abstained. Motion passed.

VII. Public Comments on All Topics

Kathy DiDomenico, 1530 Woodland Road, asked how the Township accepts bids for Township contracts, for example updating the website. Mrs. DiDomenico stated that she knew of people who do website design and would like to know what the protocol, time-frame, and format of the submission of a bid to upgrade the Township website or any bid.

Ms. DeWolf informed Mrs. DiDomenico that professional services do not require bidding but other services that are about \$18,500 do require a bidding process. She continued explaining that room hasn't been made in the budget yet regarding the website update and no one has been selected to provide the service. A suggestion was made for Mrs. DiDomenico to contact Mr. Layman to discuss since several names have been collected for consideration at this time.

Mr. Layman discussed that break down of dollar amounts of the cost of a service to the Township as follows:

\$0-\$10,000	-> Purchase
\$10,000-\$18,500	-> Gather Three Quotes for Service
\$18,500 or greater	-> Requires Bid*

*Must be advertised in the newspaper with prepared specifications to start bidding process.

Mrs. DiDomenico wanted to know how soon a decision would be made to which Ms. DeWolf explained that the decision to update the website will be determined based upon what the Township budget will allow for next year which will be happening next month. Mr. Haws would like to develop iPad and Android apps as well as developing a n updated website to allow residents to pay bills online.

Walter Pavelchek, 1050 S. New Street, asked that any details regarding the discussion on the cost of updating the Township website be included in the Board's meeting minutes for residents who want to stay informed.

Mr. Layman addressed the question whether or not a vote was taken on the Police Pension Transfer. After discussing with the Township Solicitor, Mr. Layman asked the Board to affirm their earlier votes. Ms. DeWolf made the motion and Mr. Haws seconded the motion. Chairman Barber called for vote of the motion. The Board voted unanimously reaffirming their authorization of the funds transfer to the Police Pension Fund.

VIII. Payment of Bills

Mr. Tom Haws reviewed the bills. There were no questions at that time. Mr. Haws made a comment about the Ferguson Heating & Cooling bill for \$2.18 and Chairman Barber wanted to know the purpose of the bill. Mr. Layman said that the purpose was that the State had inspected the Oakbourne Mansion boilers, and found that the boilers required extra protections. The \$2.18 balance was an underpayment of the last bill. Mr. Haws made a motion to pay the bills as presented. Ms. DeWolf seconded the motion and it was passed.

There were no public comments at that time.

Chairman Barber called for vote of the motion. Approved by the Board.

IX. Adjournment

On the motion of Mr. Haws, seconded by Chairman Barber, the meeting was adjourned at 8:33pm.

Respectfully Submitted,
Robert Layman,
Township Manager