

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE  
Tuesday, January 18, 2011 7:30Pm

In attendance were Supervisors Chair Thomas A. Foster, Vice Chair Charles P. Barber, and Police Commissioner Carol R. De Wolf; Township Manager Robert Layman; Township Solicitor Robert F. Adams; Westtown-East Goshen Police Chief John M. Dumond; and Planning Commission Member Richard Pomerantz. There were six guests in attendance.

**I. Call to Order.**

As there was a quorum present, Chair Foster called the meeting to order at 7:37Pm. and led those present in the pledge of allegiance to the flag.

**II. Approval of Minutes (January 3, 2011 Reorganization and Regular Meeting).**

Mr. Barber made a motion, seconded by Mr. Foster. to approve the minutes of the January 3<sup>rd</sup>, 2011 Reorganization Meeting and Regular Board Meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented. (Ms. De Wolf was not in attendance at the January 3, 2011 meetings).

**III. Summary of Board of Supervisors Workshop 1/18/2011.**

Mr. Foster stated that the following items were discussed at the workshop: Representatives from Chester County Outdoor were present to discuss their application to the Zoning Hearing Board for installation of a bill board on the Quick Lube property on West Chester Pike; They agreed to a thirty day extension for the hearing; Review of the Township Engineers report for repairs to the Oakbourne Road Bridge and the S. New Street Bridge; The cost of the repair to the S. New Street Bridge would be \$85,000 to \$115,000; A temporary repair to the Oakbourne Bridge would be \$140,000 to \$160,000 and would take approximately 3-6 months; A full bridge replacement, at a cost of \$700,000, would take up to two years as a right of way easement would be needed from SEPTA and permits from DEP would be involved; This will be discussed at the next Board meeting; Discussed the recommendation from the Township Traffic Consultant, pertaining to the intersection of Route 202 and Pleasant Grove Road, that only right turns could be made from East or West Pleasant Grove Roads; and discussed having a meeting with residents concerning the use of Penn Wood Field by East Side Little League;

Ms. De Wolf announced that the Police Commission held an executive session on January, 13, 2011 and have reached a consensus concerning the Side Agreement of the Police Contract pertaining to dental and vision reimbursements.

**IV. Departmental Reports.**

**A. Westtown-East Goshen Police Chief John M. Dumond.**

Chief Dumond stated that the Department responded to 441 calls in Westtown in December. He stated that there are three suspects in custody for the burglaries at Dunkin Donuts and the LukOil on Route 202. Chief Dumond stated it has been a year since Officer Hubbard was shot and this is still an unsolved crime. On January 17<sup>th</sup>, the anniversary date of the incident, several of the local TV stations ran a story about the incident and announced that there is a \$30,000 reward offered by the Citizens Crime Commission for any information leading to an arrest.

**B. Township Solicitor Robert F. Adams.**

**1. Approval of Lain Agreement for Connection to Public Sewer.**

Mr. Adams stated that this is an amendment to the 2009 agreement with the Lain's. The agreement, which has been reviewed by the Board, due to time restraints, was executed by the Chairman prior to this meeting. Mr. Adams stated that the agreement resolves the private request that the Lain's had filed with DEP to implement the Township's Act 537 Plan. The sewer line will be extended to an existing manhole on the Hooper property at 1545 Johnnys Way. This will enable the Lain's to connect to public sewer and provide for future connections for properties on Johnny's Way.

Ms. De Wolf made a motion, seconded by Mr. Barber, to ratify the agreement with the Lain's for connection to the Township public sewer system. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

**2. Adopt Resolution 2011-5 Eminent Domain For Right-of-Way.**

Mr. Adams stated the Board has had discussions with Mrs. Hooper concerning obtaining a right-of-way to connect to the man hole on her property. The Lain's tried under the 2009 agreement to obtain the right-of-way but failed to do so. Mr. Adams stated that the Township has assumed the responsibility to obtain the right-of-way. The right-of-way was designed and engineered by DL. Howell and previously approved by URS, Township Sewer Consultant. The first step in obtaining the right-of-way is to adopt the Resolution which authorizes the Township to exercise a "Declaration of Taking".

Ms. De Wolf made a motion, seconded by Mr. Barber, to adopt Resolution 2011-5. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

**C. Planning Commission – Richard Pomerantz.**

Mr. Pomerantz reported on the January 5<sup>th</sup> meeting. The Commission held an election of officers for 2011. Jim Lees and David Walters will continue as Chairman and Vice-Chairman for this year. Elaine Adler, who Mr. Pomerantz stated is indispensable to the Commission, was reelected as secretary. Mr. Pomerantz reported that the Commission reviewed the application to the Zoning Hearing Board by Chester County Outdoors to install a bill board on Route 3 at the Quick Lube. They will continue their review at this week's meeting.

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

Mr. Pomerantz, addressing Chief Dumond, asked if crime had increased in our area in 2010. Chief Dumond responded that in looking at the statistics there is more crime coming out of Delaware affecting our area. He stated that the economy is probably a factor in the amount of retail thefts and that assaults appear to be more violent. Mr. Pomerantz stated that in other municipalities around the country citizens take an active role in policing their communities. He asked what could be done in Westtown. Chief Dumond responded that some neighboring communities have a Town Watch. This is not totally effective as most of the crimes, destroying mail boxes etc, happen after midnight when the Town Watch is no longer patrolling. Mr. Pomerantz stated that in California and Massachusetts citizen volunteers work in police dispatch centers. Ms. De Wolf stated there is extensive training for dispatchers and suggested Mr. Pomerantz consider looking into a Town Watch. Ms. De Wolf also stated that the Police Department conducts a Citizens Police Academy each year for interested which is held in the fall.

**VI. Old Business:**

**A. Report On Bridge Repairs.**

Mr. Foster stated that this was covered under the Workshop portion of the meeting.

**VII. New Business.**

**A. Approve Appointment Citizen At Large Westtown East Goshen Police Commission.**

Mr. Foster stated Westtown and East Goshen, under the Agreement for the Westtown East Goshen Police Department, each appoint a supervisor to the Police Commission. Under the contract with Thornbury Township they are entitled to appoint the third member of the Commission which is then approved by Westtown and East Goshen. Thornbury is appointing Ed Travis as the Citizen at Large.

Ms. De Wolf made a motion, seconded by Mr. Barber, to appoint Ed Travis, Thornbury Township, as Citizen at Large on the Westtown-East Goshen Police Commission. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

Mr. Foster stated that an email was received from a citizen in Pleasant Grove concerning the position of Citizen at Large. Mr. Foster stated that this position is covered under the contract with Thornbury. He stated that the resident is welcome to attend the Police Commission meetings which are held on the third Thursday of the month.

**B. Approve Appointment Open Records Officer.**

Mr. Foster stated that PSATS has informed the Township that the "Open Records Officer" is a yearly appointment. He stated that Robert Layman will be appointed as officer and that Helen Greer will be appointed as assistant officer.

Ms. De Wolf made a motion, seconded by Mr. Barber, to appoint Robert Layman as the Open Records Officer and Helen Greer as assistant Open Records Officer. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

**C. Announcements – CRC Seminar – Lawn Alternatives for the Real World.**

Mr. Foster announced that that Chester-Ridley-Crum-Creek Association will be holding a seminar on "Lawn Alternatives for the Real World" on Sunday, February 20<sup>th</sup>. Mr. Layman stated there will also be a Naturalized Basin and Lawn Alternatives Site Tour on June 18<sup>th</sup>. For more information please contact the Township Office.

**D. Approve Gate House Rental Listing.**

This item was tabled.

**E. Resolution 2011-6 Approve Execution of First Niagara Municipal Deposit Resolution.**

Mr. Foster stated that this resolution is to approve an additional signature on one of the Township Accounts.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve Resolution 2011-7 execution of First Niagara Municipal Deposit Resolution. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

**VIII. Public Comment.**

There was no public comment.

**IX. Payment of Bills.**

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

**X. Adjournment.**

On the motion of Ms. De Wolf, seconded by Mr. Barber, the meeting was unanimously adjourned at 8:12Pm.

Respectfully Submitted,  
Robert Layman, Township Manager