

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
Tuesday, February 22, 2011 7:30Pm

In attendance were Supervisors Chair Thomas A. Foster, 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 David Walter. There were eleven guests in attendance.

I. Call to Order.

As there was a quorum present, Chair Foster called the meeting to order at 7:30Pm. and led those present in the pledge of allegiance to the flag.

II. Approval of Minutes (February 7, 2011 Regular Meeting).

Ms. De Wolf made a motion, seconded by Mr. Foster to approve the minutes of the February 7th, 2011 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as corrected (Page 3 Section VI:F change sentence to read "She feels the funds would be better spent on a permanent bridge replacement even if takes one year").

III. Summary of Board of Supervisors Workshop 2/22/2011.

Mr. Foster reviewed the items discussed at the Workshop: Discussed updating of the Employee Manuel; discussed having an investment policy as suggested by the Township's bond financier; Reviewed letter from PennDOT turning down request for three way stop signs at Westbourne and S. Concord Road; Township Engineer will be directed to appeal this decision with PennDOT; Discussed the Police Side Agreement which has been agreed on by both parties but not as yet signed; As Chief Dumond is retiring in August 2012 the search for a new Police Chief was discussed; Discussed rental of the Gate House; A formal proposal will be requested from HomeTown Press to prepare the Township Newsletter at no cost to the Township.

IV. Departmental Reports.

A. Township Solicitor Robert F. Adams.

There were not items for the solicitor at this time.

B. Planning Commission – David Walter.

Mr. Walter stated that the Commission's meeting on February 9th was canceled. At this week's meeting the Commission will discuss revisions to the Township Zoning Ordinance pertaining to fences and walls. The Commission will also look at the need for an alternative energy ordinance.

C. Westtown-East Goshen Police Department – Chief John Dumond.

Chief Dumond presented the January Police Report. The Department responded to 437 calls in Westtown in January. Chief Dumond reported that they are working with the US Secret Service on a case concerning the passing of two \$100.00 counterfeit bills at the Westtown Village Acme. Chief reinstated the importance of not leaving anything of value in your vehicle as incidents of car windows being smashed and valuables stolen is increasing. Ms. De Wolf said her vehicle was broken into at her work recently and all her identification was stolen. The Police have arrested two suspects in the theft. Ms. De Wolf stated that it is very stressful to have to go through this.

V. Public Comment-Non Agenda Items.

Eva Foster, Chair Oakbourne Mansion Commission, introduced Mary Harris, President Women's Aux of Chester County Hospital. Ms. Harris stated that the 71st Chester County Day will be held on Saturday October 1st and they would like to be able to have Oakbourne Park as a lunch stop for the "Day". She stated that they would not have a food service but would be selling box lunches only. They would also provide additional portable facilities and make sure there is no trash left on the grounds. She stated that this would be one of five rest stops on the tour. Mr. Foster asked about having the Mansion open for tours as it would not be decorated. Ms. Harris stated that would not be necessary as they would just like to use the park. Ms. Harris was asked to coordinate the portable facilities and traffic control with the Township Manager.

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve the use of Oakbourne Park, without a fee, as a rest/lunch stop for Chester County Day. Mr. Foster asked for public comment. There was not public comment. The Board of Supervisors unanimously approved the motion. Mrs. Harris expressed her appreciation to the Board.

Helen Harding, 1511 Overhill Road, thanked the Road Department for the good snow removal this year and in the past. She stated that she had talked to Mr. Layman last year about having Overhill Road paved and asked if it would be done this year. She also stated that she knows that the issue of providing public sewer is a reason the road has not been repaved. She stated that personally she does not want public sewer and that their road, one of the oldest in the Township, has not been paved in 42 years. Mr. Foster stated that the Township is waiting for an order from DEP concerning the Act 537 Plan, which should be received in the near future. The order will determine what areas will have to have public sewer specifically roads in her neighborhood. Mrs. Harding asked how long it would be before they would start to do the installation. Mr. Foster said the work would begin in a year or two. Ms. De Wolf stated that DEP is going to require the Township to sewer certain areas of the Township in an accelerated fashion. As Overhill Road is in one of the first neighborhoods for sewer it does not make sense to pave a road that would be torn up in the next year. Ms. De Wolf also stated that the Board is looking at an alternative sewer system where the installation will not be as deep and will take a shorter time. Mrs. Harding stated regardless it is very frustrating. Ms. De Wolf said the Township is behind in its road repairs and are sensitive to her frustration. Mrs. Harding say there wasn't anything in the Newsletter about sewers and feels if someone cannot not pay they will be forced to move. Ms. De Wolf stated that the Township is looking at ways to help with the financing. Mrs. Harding asked if connection to the public sewer would be mandatory. Mr. Foster replied that it would be. Mr. Foster stated that this has been forced on the Township by the Lains private request to DEP which put the Township at the mercy of DEP in revising our Act 537 Plan. Mrs. Harding stated that some residents think that public sewer s no longer an issue. Ms. De Wolf stated that in the revised Act 537 Plan, a system of on lot management will also be required of all residents with septic systems.

VI. Old Business:

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There was no old business at this time.

VII. New Business.

A. Approve Advertising of Ordinance 2011-1 Parking of Certain Vehicles on Township Roads.

Mr. Foster stated that the ordinance pertains to such things as un-registered vehicles, RV's and dumpsters. He stated that the fine is only \$25.00 and feels that it should be calculated daily. Mr. Adams stated that this is no different than any parking violation and the police would issue a ticket.

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve the advertising of Ordinance 2011-1 Parking of Certain Vehicles on Township Roads. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

B. Approve Advertising of Ordinance 2011-2 Right Turns Only Route 202 and Pleasant Grove Road.

Mr. Foster stated that as this is a dangerous intersection for crossing Route 202 and making left turns PennDOT has approved the right turns only at the intersection. The Township will install signage for right turns only. This will be a moving violation and drivers can be ticketed.

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve advertising of Ordinance 2011-2 Right Turns only Route 202 and Pleasant Grove Road. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

C. Approve 2011 Maintenance Agreement Battavio/B&F Service Company.

Mr. Foster stated that this is a contract for heating and air conditioning services for all the Township Buildings. Ms. De Wolf asked if we are required to bid. Mr. Layman responded no as the bid is under \$4,000. The bid amount is \$1,859.15 the same as last year.

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve the 2011 Maintenance Agreement with Battavio/B&F Service Company in the amount of \$1,859.15. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

D. Approve Agreement Prudential Fox & Roach Gate House Rental.

Mr. Foster stated that the signing of the agreement needs to be ratified by the Board.

Ms. De Wolf, made a motion, seconded by Mr. Foster, to approve the ratification of the agreement with Prudential Fox & Roach for Gate House rental. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

E. Approve Rebidding of the Liberty Square Completion Project.

Mr. Foster stated that the D.G.S. Landscaping, low bidder, for the project has not met the requirements of the bid process. Therefore the Board will reject his bid and re-bid for the project.

Ms. De Wolf made a motion, seconded by Mr. Foster, to reject the low bidder D.G.S. Landscaping for the Liberty Square Completion project and approve re-bidding the project. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

VIII. Public Comment.

Charles Scipione, White Horse Village, asked what is the status of the Fountain that was to be located in the Skiles Boulevard cloverleaf when the Fountains at Westtown project was built This was approved 10 years ago and he would like to see it finished in his lifetime. Mr. Foster advised Mr. Scipione that the project was sold to another developer and the plans have changed considerably. The Board also looked at the fountain and what it would cost the Township in maintenance and felt it prudent not to do the fountain. The developer also did not want the responsibility. The Board felt that a garden area would be less maintenance and not a hazard that water from the fountain would cause on the roads and power lines. Mr. Scipione asked if the new developer was required to put in the fountain. Mr. Adams stated that the new owner had no legal obligation to do this. The Board made the decision in the best interest of the Township. Mr. Adams also stated that approval of the fountain was different from a deed restriction that would still be required with a new owner. Mr. Scipione said it feels this fell by the wayside. The fountain is a vital thing, youthful and kinetic. He stated no other Township has a fountain and we would be unique in this and that a garden is mundane. He would like the Board to reconsider. Mr. Foster said the Board would review this and be in contact with him. Ms. De Wolf thanked Mr. Scipione for his comments. She stated that Mr. Scipione had contacted her concerning this issue and she

had asked Mr. Layman to provide Mr. Scipione with documentation on the decision not to install the Fountain. She understands he has not received this information and directed Mr. Layman to make sure the documentation is sent to Mr. Scipione. Mr. Scipione said he is no longer a resident but his roots are here and he would like to see this happen but the Board knows what their expenses are and what their legal rights are. He then stated that he has heard through the grapevine that the Board intends to sell the Township building. He feels that this building has given the Township dignity and would like them to reconsider selling the building. Mr. Foster said they feel the Mansion certainly has prestige. The Board is reviewing the cost of maintaining two buildings and is considering renovating the rear of Oakbourne Mansion for the Township offices. He stated no final decision has been made.

IX. Payment of Bills.

On the motion of Ms. De Wolf, seconded by Mr. Foster, 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. Foster, the meeting was unanimously adjourned at 8:21Pm.

Respectfully Submitted,
Robert Layman, Township Manager