

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown
Monday, October 3, 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 Roadmaster Mark Gross; Planning Commission Member Jim Lees; and Oakbourne Mansion Commission Chair Eva Foster. There were five guests in attendance.

I. Call to Order.

As there was a quorum present Chair Foster called the meeting to order at 7:32Pm and led those present in the Pledge of Allegiance.

II. Approval of Minutes (September 19, 2011 Regular Meeting).

Ms. De Wolf made a motion, seconded by Mr. Barber to approve the September 19, 2011 regular meeting minutes. Mr. Foster 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 10/3/11.

Mr. Foster reviewed the workshop. He stated that the Board met with the Township's financial advisor concerning a bond issue to help lower the Township's debt. The Board also held an executive session on police matters.

IV. Departmental Reports.

A. Township Building Inspector – John Wilson.

As Mr. Wilson was not in attendance Mr. Layman reviewed the September Building Report with the Board and stated that only eight permits were issued last month. Mr. Layman also stated that the plans for the renovations at Westtown-Thornbury Elementary School are still under review.

B. Township Roadmaster – Mark Gross.

Mr. Gross stated that the Department continued with storm damage cleanup. He also stated repairs were made to stormwater pipes, with some pipes needing replacement and re-grading of the stone walking trail in Oakbourne Park was done due to storm damage. Mr. Gross said the mill race at the Westtown-Chester Creek plant has been cleaned up as it was washed out from the storm. This will be addressed as to the best way to repair the damage. Mr. Gross said the Department will be doing asphalt repairs on Kolbe Lane this month.

C. Township Planning Commission – Jim Lees.

Mr. Lees reviewed the September 7th Planning Commission Meeting. He stated that the Commission approved the changes to the revised Fence Ordinance and a letter was sent to the Board of Supervisors recommending adoption of the Ordinance. Mr. Lees stated the Commission, will be reviewing Portland Oregon's alternative energy ordinance. He stated that the consensus of the Commission is that all forms of alternative energy should be included in one ordinance. Mr. Lees advised the Board that the Planning Commission meeting for this week has been canceled for lack of an agenda. He also stated that they have not heard when the Rossiter's are planning to return to the Commission for review of their proposed subdivision. Mr. Foster advised Mr. Lees that the Board had approved advertising of the Fence Ordinance at their September 19th meeting. Mr. Foster asked about the status of the revisions to the Accessory Dwelling Ordinance. Mr. Layman indicated that he had not received comments on the revisions from all the Board members. The Board will address their comments on the revisions to the Planning Commission.

D. Parks and Recreation Commission – Kristine Lisi.

As Ms. Lisi was not in attendance Mr. Layman reported for Park and Recreation. He stated that the last movie night, Despicable Me, had been canceled due to the inclement weather. He stated that Parks & Recreation are planning to show Secretariat on October 21th. The movie company will reimburse the Township for the cost of one movie. Mr. Foster said he feels a movie night that late in October might not be well attended due to the colder weather at that time. Ms. De Wolf suggested that the movie could be shown in Stokes Assembly Hall. Mr. Layman will recommend this to Ms. Lisi. Mr. Layman announced that the Dog Show will be held on Saturday, October 8th at Oakbourne Park.

E. Oakbourne Mansion Commission.

Mrs. Foster stated that October is a very busy month at the Mansion, with three weddings and an auction to be held on October 15th, and 16th. She also stated that Chester County Day generated a lot of interest in the Mansion and that Jon Pennington, Park Caretaker, had been very helpful due to his knowledge of the Mansion. Mrs. Foster thanked the Board again for installation of the air conditioning. Ms. De Wolf asked how the air conditioning was working. Mrs. Foster stated it appears to be fine.

V. Public Comment Non-Agenda Items.

James Cameron, 1426 Cider Knoll Road, was in attendance with Mr. Frank Daly his solicitor. Mr. Daly addressed the Board concerning the stormwater management issue in the front of Mr. Cameron's property which has been going on for the past twenty years. He presented the Board with pictures relating to the problem. Mr. Daly stated that his client has tried to be patient with the Township but that it is the Township's responsibility to correct the problem. He also stated that the storm drain on the opposite side of the street works well but that mud and debris builds up on the storm drain in front of Mr. Cameron's property. Mr. Daly stated that a contractor had looked at the situation and feels that cutting and lowering the storm drain by three inches would correct the problem. The estimated cost would be approximately \$3,800.00. Mr. Foster said he had made a visit to the site and it appears that the stormwater grate is the issue. Mr. Gross said he has watched this problem over the years and that part of the problem is the runoff from the upper end of Mr. Cameron's driveway. Mr. Gross said in order to lower the grate three inches a concrete apron would be needed on each side with asphalt feathered in. Mr. Gross stated that he feels this is more a cosmetic repair and not a safety hazard and that the funds in the Road Department budget are allocated for hazardous conditions. Mr. Foster said the repair can be made and advised Mr. Cameron that this will be considered for next year's budget.

Tom Haws, 1609 West Lynn Drive, asked if any action has been taken to mitigate the accidents at Route 352 and Johnnys Way. Mr. Foster advised Mr. Haws that the police are very aware of this problem and there has been extra traffic patrol and speed enforcement on Route 352.

VI. Old Business

There was no old business at this time.

VII. New Business

A. Approve Payment to Innovative Construction Services, Inc. in The Amount of \$260,420.13 For The 2011 Road Restoration Project.

Mr. Layman advised Mr. Foster that the full payment in the amount of \$274,126.45 can be approved as the Township Engineer has received all the final paper work for the project.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve payment to Innovative Construction Services, Inc., in the amount of \$274,126.45 for the 2011 Road Restoration Project. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion as presented.

B. Commonwealth Allocation General Municipal Pension System – Westtown-East Goshen Police.

Mr. Foster announced the annual contribution from the Commonwealth in the amount of \$135,660.83 toward Westtown-East Goshen's Police pension fund.

Ms. De Wolf made a motion to approve release of the Commonwealth allocation of \$135,660.83 for the Westtown-East Goshen Police Pension Fund. Mr. Barber stated that this is a 'drop in the bucket' for the pension fund partially due to the disabilities that the police force has experienced. He stated at the last pension meeting with the Actuary seven officers were retiring and six are on disability and the only normal retirement had been Chief MacIntyre. Mr. Barber stated that he wants the Westtown residents to be aware that Westtown's contribution to the pension fund this year is between \$700,000 and \$800,000. This is a fully funded pension plan and the Township's liability at this point is over 6 million dollars which shows a progression of what is taking place not only here but in other local police forces. Mr. Foster said the problem is that a disability pension is 70% of one's salary compared to 50% for a normal retirement and disability retirement comes earlier in a career. Mr. Foster stated that this is why the pension system is not in good shape and is being addressed. Mr. Barber seconded the motion. Mr. Foster asked for public comment. Lee Hartwig, 1001 Russell Lane, stated that disability pension plans are not taxable therefore one would do better by retiring with a disability pension and as stated by Mr. Barber seems to be the trend across municipalities. The Board of Supervisors unanimously approved the motion as presented.

C. Approve Declaration of Disaster Emergency Tropical Storm Lee.

Mr. Foster stated that the approval by the Board for the Emergency Declaration for Tropical Storm Lee had to precede this meeting. Approval is needed this evening for administration purposes.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the Declaration of Disaster Emergency for Tropical Storm Lee. Mr. Foster asked for public comment. The Board of Supervisors unanimously approved the motion. Mr. Foster asked that the notice from FEMA pertaining to financial help for victims of Lee be available on the website.

D. Approve Refinancing of Township Debt.

Mr. Foster asked for a motion to proceed with the work involved for refinancing of the Township Debt through Boening & Scattergood and our Bond Council Pepper Hamilton. The refinancing will be advertised for approval at the November 21st, 2011 Board of Supervisors meeting.

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve proceeding with the refinancing of the Township Debt. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

VIII. Public Comment (all topics)

Lee Hartwig, 1001 Russell Lane, asked about the Rustin stadium lights, He stating that he had been a party to the hearing held by the Zoning Hearing Board. He stated that page 26 Section E1 of the Zoning Hearing Board Opinion, states that there have been no complaints from residents about the loud speakers. He stated that this is not true, that residents have complained to the School District and that the speakers need to be addressed. Ms. De Wolf said that the current sound system does need work. Mr. Foster said the speaker system used at night will not be the system used during the day. Mr. Foster stated that the speakers cannot be turned on until they are tested. Ms. De Wolf said she has concerns about the outside speaker being used for general announcements.

Mr. Haws asked when the Fence Ordinance would be adopted. Mr. Layman stated if it has been advertised it would be on the agenda for the October 17th meeting. Mr. Haws asked if there was a followup on the situation with the Wild Goose Farms stormwater basin. Mr. Layman stated that the Township Engineer has been to the site and will make an assessment. Mr. Haws also asked about the water issue on W. Pleasant Grove Road. Mr. Layman responded that the Township Engineer is reviewing this issue. He also stated that the residents whose properties have been affected were notified concerning reimbursement from FEMA. Ms. De Wolf stated that there is an ongoing runoff issue not just storm damage. Mr. Foster said the bottom line is if our ordinance is followed. Mr. Haws then asked about the police issues that were discussed at the workshop. Mr. Foster stated that personnel matters are confidential and discussed in an executive session. Ms. De Wolf stated that executive sessions are also

held at the Police Commission meetings on any matters concerning personnel and that this information cannot be shared.

IX. Payment of Bills.

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

X. Adjournment.

The meeting was adjourned at 8:20Pm on the motion of Mr. Barber, seconded by Ms. De Wolf.

Respectfully Submitted,
Robert Layman,
Township Manager