

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown  
May 2, 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 Building Inspector John Wilson; Township Roadmaster Mark Gross; Township Planning Commission member Russ Hatton; Park and Recreation Vice Chair Jennifer Shea-Schwacke; and Oakbourne Mansion Commission Chair Eva Foster. There were six guests in attendance.

**I. Call to Order.**

As there was a quorum present Chair Foster called the meeting to order at 7:33Pm.

**II. Approval of Minutes (April 4, 2011 Regular Meeting).**

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the minutes of the April 4, 2011 Board of Supervisors regular meeting. 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 5/2/2011.**

Mr. Foster stated the following items were discussed at the workshop: Met with URS concerning updating the Township's Act 537 Plan; Discussed Chief Dumond's retirement; Discussed revising the road program for 2011 due to budget restraints; reviewed the request from Mr. Weiss, 959 S. Matlack street to connect to public sewer and will ask Mr. Weiss for more details on the connection; discussed fencing for the Community Garden and reviewed the problems with Keystone Collections pertaining to the collection of the Earned Income Tax which is effecting the cash flow in most Townships in Chester County.

**IV. Departmental Reports.**

**A. Township Building Inspector – John Wilson.**

Mr. Wilson presented the April building report. He stated that at April's meeting a resident felt he did not have enough detail in his report and asked the Board's opinion on this matter. Mr. Foster stated that the Board feels the report is sufficient for them. Mr. Wilson stated that he had issued twenty citations to property owners concerning parking on lawns and the majority have corrected the situation.

**B. Township Roadmaster- Mark Gross.**

Mr. Gross reviewed the April Road Report. He stated that there has been an ongoing stormwater problem on Thorne Drive which has been corrected. Mr. Gross reported that the line painting has been done and signage reconfigured for the "no left turns" at Pleasant Grove Road and Route 202. He also reported on the check valve problem at the Wild Goose Pump Station.

**C. Township Planning Commission – Russ Hatton.**

Mr. Hatton reported on the May 4<sup>th</sup>, 2011 Planning Commission meeting. He stated that the Commission reviewed the proposed C-2 Zoning Amendment and reviewed the Rustin field lighting. Mr. Hatton stated that until the lights are installed the issues of sound, light glare, and traffic cannot be properly addressed and finalized. The Commission is recommending approval as long as all the zoning conditions are met. Mr. Hatton stated that Mr. Rossiter is planning to attend a Board of Supervisor's meeting concerning his proposed three lot subdivision. He would like a waiver for the riparian buffer. Mr. Barber asked about safety lighting at Rustin. Mr. Hatton responded that walkway lighting is a condition in the ordinance. Mr. Foster asked about a review by the sound engineer. Mr. Hatton said that will be difficult until the lights are installed and that

the sound can be adjusted to meet the zoning ordinance requirements. He announced that this week's Planning Commission has been canceled.

**D. Parks and Recreation Commission – Jennifer Shea-Schwacke.**

Ms. Schwacke reported that the yard sale was a successful event with 60 vendors present. She thanked Mr. Gross for the help of the Road Department. Mr. Foster stated that he had attended the yard sale and commended the Commission for the event. Ms. Schwacke said the first movie night is June 17<sup>th</sup> and votes are being taken for the movie presentation.

**E. Oakbourne Mansion Commission – Eva Foster.**

Mrs. Foster commended Parks and Recreation for a great job on the yard sale. She reported on the upcoming events at the Mansion. Mrs. Foster asked the Board if it would be possible to make Oakbourne Park a "smoke free park" and if not would they consider designating a 100 foot area around the Mansion as smoke free. She also asked the Board about air conditioning the Mansion as she had seen a system of air conditioning units in a church in Kennett Square that she felt would work in the Mansion. Mr. Wilson stated that this is ductless system and would cost approximately \$7,000 for the equipment. Mrs. Foster stated that the Township might be able to obtain stimulus money for the project. Ms. De Wolf said she felt if the Mansion was to be air conditioned the best system for the Mansion should be determined by an outside consultant. Mr. Foster stated that this had been discussed with the architect but did not include the front rooms of the Mansion. He also stated air conditioning the Mansion is not being considering at this time because of the Township's financial situation due to the EIT collections. Ms. De Wolf advised Mrs. Foster that the smoking issue will be discussed later in the meeting.

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

Will Mallalieu, 1014 S. Chester Road, asked why the Board of Supervisors is considering relocating the Township office to Oakbourne Mansion as it will be expensive to update the Mansion for a public building. Mr. Foster said the Board is always looking at ways to lower costs and the Township has more buildings than it actually needs. This is a financial consideration as there are commercial users interested in our current building and the sale price would be used to upgrade the Mansion. Mr. Mallalieu expressed his concern that the Township's yard waste collection does not work. He feels the price quoted by the hauler of \$3,200 per additional pickups is unfair. He also stated when the Township went to once a week collection the price did not decrease but increased. Mr. Mallalieu said as they are a two person household they would like the pay for bag collection. This was suggested by the recycling committee the last time the Township went out for bid but was not considered by the Board at that time. Mr. Foster stated that the current contract is through 2012. A new contract will be bid in the fall of next year and the Township will look at other options, such as pay for bag or allowing the residents to have their own hauler. Mr. Foster also stated that DEP has instituted stricter rules for yard waste collection that the Township must follow. Because this has become an issue with the residents the Board is looking at options for additional collections. Mr. Foster stated that the Board will discuss this at their next workshop. Ms. De Wolf stated that she is supportive of the pay for bag collection system.

Richard Weaver, 1014 S. Concord Road, asked how the community garden will be funded as he has not seen any delineation of how this will be supported and does not feel it should be paid for by the tax payers. Ms. De Wolf advised Mr. Weaver that there are 20 to 25 families that are interested at this time. The cost of the soil and wood for the beds will be paid for by the resident. They will also pay a yearly fee of \$25.00. She stated that she is hoping the community garden will be self sustaining. The Township will make an expenditure for the fencing. Mr. Weaver asked if there was a source of water. Mr. Foster responded that there is one in the pavilion area. Mr. Weaver again expressed that this should not be done at the expense of the taxpayer. Mr. Foster responded he was in agreement with Mr. Weaver.

Ann Medoro, 901 S. Chester Road, expressed her concern with the amount of traffic accidents at Johnnys Way and Route 352. She stated that people do not realize that there is a left hand turn for Johnny's Way and end up on their lawn which they constantly have to repair. They also do not pay any attention to the flashing yellow light and do not slow down. She asked if there could be additional police presence or was there anything else the Township could do to for them concerning this situation. Ms. De Wolf suggested that the speed limit be re-evaluated which would have to be done with PennDOT as 352 is a State road. Mr. Foster suggested that the Township ask for more traffic control. Ms. De wolf will bring

this to the Police Commission. Mr. Barber directed Mr. Layman to consult with the Township Traffic Engineer to look for ways to correct this problem.

Mr. Mallalieu said that police patrols are non existence. He stated that he is afraid to cut his grass and that Mrs. Medoro is correct that it is a horrible situation.

**V. Old Business**

There was no old business

**VI. New Business.**

**A. Award Contract for Oakbourne Road Bridge Repair to NuPump Corporation.**

Mr. Foster stated that the contract is being awarded to the low bidder NuPump Corporation in the amount of \$62,790.00. The contractor expects to have the repairs done by the end of June.

Ms. De Wolf made a motion, seconded by Mr. Barber, to award the contract for the Oakbourne Road Bridge Repair to NuPump Corporation in the amount of \$62,790.00. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

**B. Approve Escrow Release Tract 2003-2 Liberty Square Subdivision Project Completion.**

This item was tabled for further review.

**C Approve Escrow Agreement Tract 2000-8 Gardens at Westtown Phase I.**

Mr. Foster stated the escrow in the amount of \$200,070.13 is for site work and has been reviewed by the Township Engineer.

Mr. Barber made a motion, seconded by Ms. De Wolf to approve the Escrow Agreement for Tract 2000-8 Gardens at Westtown in the amount of \$200,070.13 for site work. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

Mr. Gross asked about the loop road dedication and the condition of the curbs. Mr. Foster asked Mr. Gross for a list of repairs relating to dedication.

**D. Approve Revising of The Park Rules and Regulations Creating a Smoke Free Zone Around Oakbourne Mansion.**

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve revising the Park Rules and Regulations creating a smoke free zone of 100 feet around the Oakbourne Mansion. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

Mr. Foster stated the Mansion will be posted. He also asked Mr. Layman to look into State Laws concerning smoking in public places.

**VII. Public Comment (all topics)**

There was no public comment.

**VIII. Payment of Bills.**

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

**IX Adjournment.**

The meeting was adjourned at 8:37Pm on the motion of Ms. DeWolf, seconded by Mr. Barber.

Respectfully Submitted,  
Robert Layman,  
Township Manager