

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
Monday, October 18, 2010 7:30Pm

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

I. Call to Order.

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

II. Approval of Minutes (October 4, 2010 Regular Meeting).

Mr. Foster made a motion, seconded by Ms. De Wolf, to approve the minutes of the October 4, 2010 regular meeting. Mr. Barber 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 10/18/2010.

Mr. Barber stated the following items were discussed at the workshop: Liberty Square; Meeting with our insurance agent concerning an accident on Shiloh Road; and Advertising of the Rental Unit Ordinance. The Board held an executive session with Mr. Adams concerning the Township's counter proposal to the Lain's for connection to public sewer

IV. Departmental Reports.

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

Chief Dumond reviewed the September Police report and stated there were 507 calls for service in Westtown. Chief Dumond stated that there was a recent robbery at the TD Bank in the Westtown Village Shopping Center. As there have been similar robberies in Delaware the Department is working with the Delaware State Police. Chief Dumond also commended Officer Rob Kinch for his intervention with a man threatening suicide in East Goshen Park. The man was taken into custody and transferred to a mental health facility.

B. Township Solicitor Robert F. Adams.

There were no items for Mr. Adams at this time.

C. Planning Commission – Jim Lees.

Mr. Lees stated that the October 6th, 2010 Planning Commission meeting had been canceled. On this week's agenda is the continued review of the Township Open Space. Mr. Lees stated the Commission will review the renovations plans for the Westtown-Thornbury Elementary School at their first meeting in November. Mr. Foster stated that the sewer issue will need to be resolved before the renovation plans can move forward. Mr. Layman stated that discussions with the District have started at the staff level concerning this issue.

V. Public Comment-Non Agenda Items.

Katherine Curley was in attendance representing T-Mobile. Ms. Curley asked if the Board had reviewed the proposed lease for installation of a cell tower at the Westtown-Chester Creek Plant on Westtown Road.

Mr. Barber responded that the Board is in negotiations with Westtown School concerning several issues pertaining to public sewer and once these issues are resolved then the Township will consider T-Mobile's request for a cell tower at the Westtown-Chester Creek Plant. Ms. Curley stated that this information will be helpful to her. She also stated that T-Mobile might want her to look at another location. She stated that Westtown School had turned them down for a tower on their smoke stack. Mr. Foster advised Ms. Curley that cell towers are only allowed in the T (Township) Zoning District. Ms. De Wolf asked if there is a gap in reception in this area. Ms. Curley responded that there is a half mile area of dead zone and that the area is mostly residential. Ms. Curley will provide the Township with a map of the area where they would like a cell tower.

Robert Perlsweig, 1191 Carrie Lane, thanked the Board for the work that had been done on Carrie Lane to the standpipe and basin. He stated that this has been effective and the water is flowing to the creek. Mr. Perlsweig said minor work was done to the headwall but that work needs to be done to the curb as water is pooling again and the road has been further undermined. The culvert on the east side of the road is tilted in and has spread two feet into the center of the road. This could be a liability issue. Mr. Foster asked if this was curb or road work that needed to be done. Mr. Perlsweig responded both as stones collect in the culvert and impede the water flow. Mr. Foster stated that Township ordinance requires homeowners to maintain the curbs and in the past Carrie Lane residents did not wish to pay for curb work. Mr. Adams stated that when the sidewalk ordinance was discussed in 2009 the Board's feeling was that curb work was more of a part of roadwork than sidewalks were. The Board then discussed the issue of curb maintenance and how this would be paid for if the Township took the responsibility of curb maintenance. Mr. Layman stated that the issue of curbs will be on a future workshop agenda.

VI. Old Business:

A. Liberty Square Project Update.

Mr. Barber stated the Township did not receive any bids for the Liberty Square Project. Mr. Adams stated that under State Statutes the bid would need to be re-advertised. If there are no bids received after the second advertisement the Township may contract for the work to complete the project.

Ms. De Wolf made a motion, seconded by Mr. Foster, to re-advertise the bid for the Liberty Square Project. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion as presented.

VII. New Business.

A. Approve Payment 2010 Road Restoration Dan Malloy Paving, Inc., in The Amount of \$258,495.70.

Mr. Barber stated that the Township Engineer has reviewed and approved the payment request in the amount of \$258,495.70 as conditioned in his letter of October 15, 2010.

Mr. Foster made a motion, seconded by Ms. De Wolf, to approve payment for the 2010 Road Restoration Project to Dan Malloy Paving, Inc., in the amount of \$258,495.70 as conditioned in the Township Engineer's letter of October 15th, 2010. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

B. Park & Recreation 2011 Program Presentation.

This item was tabled.

C. Authorization to Advertise Ordinance 2010-5 Rental Status and Occupancy Reporting.

Mr. Layman stated that the ordinance will require rental properties to notify the Township of change in occupancy for the collection of the Earned Income Tax and the Local Services Tax.

He stated that this is also necessary as DEP requires that all residents of the Township be notified of the stormwater requirements under the Township's MS4 permit.
Mr. Foster made a motion, seconded by Ms. De Wolf, to authorize advertising of Ordinance 2010-5 Rental Status and Occupancy Reporting. Mr. Barber 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 Mr. Foster, seconded by Ms. De Wolf, the Board of Supervisors unanimously approved the payment of the bills as presented.

X. Adjournment.

On the motion of Mr. Foster, seconded by Ms. De Wolf, the meeting was unanimously adjourned at 8:05Pm.

Respectfully Submitted,
Robert Layman, Township Manager