

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown  
March 1, 2010, 7:30PM

In attendance were Supervisors Chair Charles P. Barber and Vice Chair Carol R. De Wolf; Township Manager Robert Layman; Township Building Inspector John Wilson; and Oakbourne Mansion Commission Chair Eva Foster. There were approximately 150 guests in attendance.

**I. Call to Order.**

As there was a quorum present Chair Barber called the meeting to order at 7:40Pm and led those present in the pledge of allegiance to the flag.

**II. Approval of Minutes (February 16, 2010 Regular Meeting).**

Ms. De Wolf made a motion, seconded by Mr. Barber to approve the minutes of the Board of Supervisors February 16, 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 3/1/10.**

Mr. Barber reviewed the following items discussed at the Workshop: Status of Dedication of the Rustin Pump Station to the Township; WCASD request to connect Westtown-Thornbury Elementary School to the public sewer system; Collection of delinquent utility accounts; Status of Act 537 plan update; Kolbe Lane improvements and transfer of escrow funds to the Township; Pursuing lien for the abandoned property on Sage Road; and discussion of field usage by East Side Little League ("ESLL") and West Chester United Soccer Club ("WCUSC").

**IV. Departmental Reports.**

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

Mr. Wilson reviewed the February Building Report. He stated that he has issued three permits for Solar panels on residential roofs. He also stated two permits were issued for sewer laterals for connection to public sewer. Mr. Barber asked the status of the property on Sage Road. Mr. Wilson stated that the owner picked up a permit application which has not been returned.

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

As Mr. Gross was unable to attend the meeting Mr. Layman reviewed the February Road Report. He stated that the majority of the month was spent in snow plowing and snow cleanup. He also stated that several trucks had breakdowns during the storms. Ms. De Wolf asked about the snow budget. Mr. Layman responded that the budget is over by approximately \$25,000. He also stated that Chester County, through FEMA, could qualify for a rebate for the municipalities if certain criteria are met. He does not know at this time if those have been met.

Ms. De Wolf took at moment, at this time, to give a special welcome to all the children that were in attendance. She stated that it was good to have them in attendance and that they will have an opportunity to see how their local government works.

**C. Township Planning Commission.**

Mr. Layman stated that the February 17<sup>th</sup> meeting was canceled as the Rossiter's were not ready to make a presentation on their proposed three lot subdivision. This week's meeting is also canceled as there are no items for the agenda.

**D. Parks and Recreation Commission.**

Mr. Layman reported on the February 9<sup>th</sup> Parks and Recreation Meeting. He stated that the Commission continued discussion of the summer events and the Tree Lighting in December.

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

Mrs. Foster reported that there are two weddings scheduled for the Mansion and that the Cars of England show will be returning on June 5<sup>th</sup> with a rain date of June 6<sup>th</sup>. She has had inquiries about holding an estate auction at the Mansion and needs the Board's approval on the fee that would be charged. The auction company will have security in place for the event. Mrs. Foster said she has been speaking with the Chester County Historical Society concerning use of Oakbourne for their events.

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

The following residents and members of WCUSC expressed their feelings and issues with the Board of Supervisor's recent contract with ESLL for use of the lower Soccer field at Oakbourne Park for T-Ball. This field has been used and maintained by WCUSC since 1990. To summarize: The residents feel that the Board of Supervisors have not dealt fairly with negotiating a contract for use of the field. They felt that they had a verbal agreement with the Township and feel that there is lack of communication between the Township Manager, Board of Supervisors and WSCUS. They also feel there is a lack of respect for the residents from the Board. Members of WCUSC from Westtown will no longer have a home field for their recreational teams and travel teams. The field will not be maintained for soccer play but for T-ball. There will be three baseball fields and no soccer field in Westtown. They emphatically reminded the Board that they are taxpayers and voters.

Gary Bevilacqua, 109 Macroom Avenue  
Joe Grady, 1150 Fielding Drive  
Joe Sgro, Vice Chairman Thornbury Township Delaware County  
Pat Carmody, 1030 Goodwin Lane  
Sunil Godbole, 307 Carlyle Road  
Maureen Gillespie, 1168 Creamery Lane  
Andy Coe, 1043 Powderhorn Drive  
Mike Boas, 213 Swinburne Road  
West Goshen Resident (no name or address)  
Gina Lombardi, 1539 Marlboro Road  
Steve Schultheis, 915 S. New Street

In responding to the resident's the Board made the following comments.

Both Ms. De Wolf and Mr. Barber commented that they could not accept WCUSC's offer of \$5,000 for field use with the Township doing the maintenance as it would cost the Township approximately \$8,000 to maintain the fields.

Mr. Barber stated that there was no verbal agreement and emphasized that the Township has negotiated in good faith. He stated that both groups had an opportunity to bid and that ESLL and WCUSC need to work this out between them.

Ms. De Wolf said it was discussed in the Board's workshop that ESLL could sublet the field to WCUSC and ESLL could use the upper field near the Mansion for T-Ball. She also stated that the West Chester Area Councils of Governments (COG) is looking at the demand for field use in the area as our children need places to play. They are looking at regional playing fields to try and eliminate the competition for fields that is now going on. She also stated that she supported WCUSC bid for the field. She apologized that WCUSC was not contacted by the Township, before they heard it from ESLL, that they had a contract with the Township for the field.

Damon Nolan, representing WCUSC, stated that during Public Comment, he had met with Mr. Layman, Gary Bevilacqua and Len Chylack, ESLL. Mr. Nolan said the use of the upper soccer field by ESLL for T-Ball was discussed. He asked if this is acceptable would the Board void the agreement with ESLL for the lower field. Ms. De Wolf said she would support them in this. Mr. Barber asked that the leagues work together on an agreement and present it to the Board at a future meeting.

Mrs. Foster, 734 Westbourne Road, reminded the Board that the upper field borders on the Mansion. There are weddings and other paid events scheduled at the Mansion which would conflict with playing times. Parking would be a definite problem.

Kim Deleo, 1410 Johnny's Way, thanked Ms. De Wolf for her personal attention to the children in attendance. She also thanked Mr. Layman for opening discussions with the leagues. Mr. Layman responded that she should thank the Board because he was doing it with their consent.

**V. Old Business**

There was no old business

**VI. New Business.**

**A. Approve 2010 Charles Higgins Traffic Signals Maintenance Agreement.**

Mr. Barber stated that the contract is for one year for maintenance of our Traffic Signals in the amount of \$2,448.00. There is no increase in the contract from last year.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the 2010 Traffic Signals Maintenance Agreement with Charles Higgins in the amount of \$2,448.00 for one year. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the contract.

**B. Approve 2010 Battavio Service Agreement.**

Mr. Barber stated that the contract is for one year for maintenance of the Township's HVAC systems. There is no increase in price and there is a 5% discount for this year.

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve the 2010 Battavio Service Agreement. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the contract.

**C. Approve Escrow Release No. 9 Tract 2003-2 Liberty Square in The Amount of \$20,828.75.**

Mr. Barber stated that the Board has discussed the escrow release and there are concerns that Mr. Kilgarif has outstanding engineering fees in the amount of \$16,000. Mr. Layman stated that the Board could make a motion to release the escrow funds in the amount of \$20,828.75 conditioned that the release would not be made until the outstanding bill was paid.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve Escrow Release No. 9 for tract 2003-2 Liberty Square in the amount of \$20,828.75 conditioned on all outstanding engineering fees being paid before the escrow is released. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

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

There was no public comment.

**VIII. Payment of Bills.**

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

**IX Adjournment.**

On the motion of Ms. De Wolf, seconded by Mr. Barber the meeting was unanimously adjourned at 9:13Pm.

Respectfully Submitted,  
Robert Layman,  
Township Manager

