

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

In attendance were Supervisors Chair Charles P. Barber; Vice Chair Carol F. De Wolf; and Police Commissioner Thomas A. Foster; Township Manager Robert Layman; Township Building Inspector John Wilson; Township Roadmaster Mark Gross; Township Planning Commission member Brent Whitig; and Park and Recreation Commission Chair Kristine Lisi. There were ten guests in attendance.

I. Call to Order.

As there was a quorum present, Chair Barber called the meeting to order at 7:29Pm and led those present in the pledge of allegiance to the flag.

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

Mr. Foster made a motion, seconded by Ms. De Wolf, to approve the minutes of the Board of Supervisors August 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 9/7/10.

Mr. Barber stated the Board discussed the following items at the workshop; Commission/Committee reappointments for 2011 and an appointment to the Vacancy Board. Chamber of Business request for Westtown to become a member at the cost of \$300.00 per year; Donation request from the Visiting Nurse Association; Update on progress of architect for Oakbourne Mansion; Mr. Layman's efforts, by letter and phone, to schedule a meeting with Mrs. Hooper concerning the Lain's sewer easement request; Discussed the approximate \$280,000 in delinquent sewer and trash accounts of which \$85,000 has been collected so far; and discussed Township Finances pertaining to the police pension plan, general fund and sewer fund.

Ms. De Wolf stated that the Board held an executive session on September 1, 2010 to discuss legal matters pertaining to the Lain's request for connection to public sewer. She stated that Board is considering eminent domain proceedings to obtain an easement for the sewer connection. Ms. De Wolf asked about a letter concerning repaving of Serpentine Drive. Mr. Gross stated that roads to be paved are evaluated on the overall condition of the road and the volume of traffic. He stated that there are some surface cracks in the road but no structural failures. He will address this issue with the resident. Ms. De Wolf also mentioned the Township's civil suit with Premier Construction. Mr. Barber stated that it has been determined that Premier is not party to the suit and there is no decision on the case at this time.

IV. Departmental Reports.

A. Township Building Inspector – John Wilson.

Mr. Wilson reported that the amount of permits issued so far this year is about the same as last year but the receipts are double. He reported that work has commenced on the new office building on Skiles Boulevard at the Jefferson Center. Mr. Wilson stated that he has had complaints concerning the condition of a property at 115 W. Hilltop Road where renovations were started but not completed. He has been in touch with the contractor who stated that he will be continuing work on the project this week. Mr. Barber asked about the property on Springview Court. Mr. Wilson stated that very little work has been done on the addition.

B. Township Roadmaster- Mark Gross.

Mr. Gross presented the August Road Report. He stated that stormwater inlets were rebuilt, and manholes raised and replaced in anticipation of the 2010 road paving project. The road paving has started and should be completed by next Tuesday. He also stated for visibility reasons a large tree was removed at the intersection of E. Pleasant Grove and Kerwood Roads. The Township contracted for the tree removal and also for tree work in Oakbourne Park. Mr. Gross stated that grit cleaning was done on the chambers at the Westtown-Chester Creek Plant. Mr. Barber asked what portion of Little Shiloh Road is owned by the State as a letter was received from PennDOT concerning the Township taking back the road. Mr. Gross responded that the State is responsible for the west side of the road and the Township the east side from Shiloh Road to Five Points. _____

C. Planning Commission – Brent Whitig.

Mr. Whitig reviewed the August 18th, 2010 Planning Commission Meeting. He stated that the Commission continued review of the Township open space. They feel they need more information and will ask Mr. Gross to attend their next meeting. The Commission also reviewed the renovation plan for the Penn Wood Elementary School. Mr. Whitig stated as several large trees will need to be removed the applicant is proposing a fee in lieu of planting compensatory trees. He also stated the applicant is requesting a waiver from the sidewalk requirement. The Commission has recommended the Board grant the waiver as there are no sidewalks on Johnny's Way now so it would not be necessary. Mr. Layman said as there are no sidewalks on Johnnys Way which connect one neighborhood to another the sidewalk would only be on the school property. Ms. De Wolf expressed her feeling that sidewalks are needed for the safety of the children who might walk to school. She also stated that it has been a long standing policy of the Township not to have many sidewalks but the "walkability" of the Township should be considered when planning today. She feels the Commission should look at the issue of sidewalks. Mr. Barber mentioned that his business was located near a school in E. Brandywine and that a bus stopped and picked up a child who lived only approximately 100 yards from the school. He stated that the busing rules for the school district should be looked into when addressing the issue of sidewalks. Mr. Whitig said he would bring the Boards comments back to the Commission. He then stated that at this week's Commission meeting they will be continuing the review for the renovations at Penn Wood and the Lain's request to DEP for a public sewer connection.

D. Parks and Recreation Commission – Kristine Lisi.

Ms. Lisi thanked the Board for appointing Lori Aaronson to the Commission stating she is a valuable asset. She also thanked the First National Bank of Chester County for their \$500.00 donation for the Dog Show to be held on Saturday, September 25th from 10:00Am to 12:00Pm. The date of Sunday, December 5th has been decided for the Winter Festival which will commence at 3:00Pm. She will present a 2011 Budget to the Board when she has the final tally of the proceeds from the movie nights.

E. Oakbourne Mansion Commission.

Mr. Foster reporting for the Oakbourne Mansion Commission stated that a letter promoting holiday parties at the Mansion has been sent to local businesses and that two weddings are scheduled for the fall. He also stated that the Commission is looking for guidance on how to proceed as they have been told not to rent for 2011 until a decision is made concerning the Mansion.

IV. Public Comment Non-Agenda Items.

There was no public comment.

V. Old Business

A. Adopt Ordinance 2010-3 Amending Chapter 132 of The Code of Westtown Township.

Mr. Barber stated the Ordinance is a revision of sewer rates for schools in the Township. The rates are calculated on the number of pupils in attendance (see attached).

Mr. Foster made a motion to adopt Ordinance 2010-3 Amending Chapter 132 of the Code of Westtown raising the sewer rates for schools in the Township. Ms. De Wolf noted that this is not for schools subject to metering and there metering capability will preempt the ordinance. Mr. Barber seconded the motion. He asked for public comment. There was no public comment. The Board of Supervisors approved the motion. Ms. De Wolf voted against the motion stating that the entities involved were not notified of the ordinance change. Mr. Barber stated that the Ordinance, as required by law was legally advertised.

VI. New Business.

A. Adopt Resolution 2010-15 Amending Resolution 2006-7 Westtown Township Fee Schedule.

Mr. Barber stated that as our bank is increasing the charge for processing returned checks the Township does not wish to absorb these costs and is revising the fee scheduled to reflect this.

Mr. Foster made a motion, seconded by Ms. De Wolf, to adopt Resolution 2010-15 amending Resolution 2006-7 Westtown Township Fee Schedule. Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

B. Approve Escrow Release No. 10 Tract 2003-2 Liberty Square in The Amount of \$33,888.16.

Mr. Barber stated that the Township Engineer has reviewed and approved the request for release of the escrow funds in the amount of \$33,886.16. This will leave a balance in escrow of \$67,366.50. The Township Engineer estimates it will cost \$23,350 to complete the outstanding items with an alternative of \$7,000 for a play lot.

Mr. Foster made a motion, seconded by Ms. De Wolf, to approve escrow release No.10 Tract 2003-2 Liberty Square in the amount of \$33,888.16, Mr. Barber asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

C. Presentation West Chester Library.

Victoria Dow, Library Director, and Howard Sundwall, President Board of Directors, were in attendance for the Library,

Mr. Sundwall gave a handout to the Board concerning the Libraries financial condition. He stated that the West Chester Library serves the Borough of West Chester and five surrounding Township's of which Westtown is one. He stated that their circulation has grown in the past three years with an increase in the materials taken out by children and teens. He also stated that there were 86 families from Westtown who attended the summer reading program. Because of the recession, even though the demand for services has increased, they have had to cut back on their budget as they are receiving less money from the State. In order to stay within their budget they have had to cut back on hours and materials. Mr. Sundwall said going into 2011 the library is in a precarious position with funding and are looking for help from the Township to close the budget gap. He stated that the last time Westtown gave funds to the Library was in 2006 and explained that the State encourages funding from local Townships. Westtown and West Goshen are the only two Townships' that do not give support to the library. Ms. De Wolf said that as a Board member she is totally embarrassed that the Township does not support the Library. She stated it should not just be individuals supporting the library but that the Township should also be doing this. Mr. Sundwall said the guideline for support is \$1.00 per resident. If the Township uses this guideline there would be more funding available at the State level. Ms. De Wolf said she felt that the Township could do this. Mr. Foster said that he does give a personal donation and feels that this is the way it should be. Ms. De Wolf said many people cannot afford to give a donation and the Township budget can support this figure. Mr. Foster questioned if Ms. De Wolf's comment about the budget was correct. Ms. De Wolf responded yes the Township does have the funds and have always supported the library and that this is a poor statement from our Board. Mr. Foster and Mr. Barber said they would take this under consideration. Mr. Sundwall said that their annual appeal does earn a good amount with one third coming from private sources. Mr. Foster said the library is welcome to put an article in our newsletter and on our website encouraging residents to support the library. Mr. Foster asked how the funds received from the County are distributed. Ms. Dow stated that \$800,000 is distributed between the 18 member

libraries with the majority going to the two library centers; Exton and Hankin. Mr. Barber stated that the Neighboring Visiting Nurses and the Senior Center are also requesting donations and that Ms. De Wolf has every right to believe that the library is the most important. Mr. Barber said his question is why is the library more important than the other requests? Mr. Sundwall said because those entities are private charitable organizations and the library is part of the State System of Education. He stated libraries are designed to be funded by the State of Pennsylvania and the local municipalities. Other states fund their libraries but Pennsylvania has a unique system where local libraries are dependent on the local municipalities for funding but are part of the State system. There are laws that govern the libraries such as how many hours they must be open. Mr. Barber stated if the State passes the laws isn't it the State's obligation to fund the libraries properly. Mr. Sundwall said if he could wave a magic wand and make Harrisburg provide better funding for the libraries he would but he has to live within the laws that are passed. This means he needs to go to the Municipalities each year for funding. Mr. Sundwall said he understands the importance of the Senior Center but the library helps people learn English, find jobs, and give access to knowledge and books for all stages of life for free which is for the public good. Ms. De Wolf agreed with Mr. Sundwall that the Library is for the public good and should be supported as such.

D. County Open Space Preservation.

Grant DeCosta, Chester County Preservation Compliance Coordinator, was in attendance.

Mr. DeCosta stated that the County annually inspects any non farm land projects that have received funding money from the County. The properties are inspected to determine if they are in compliance with the grant. The properties in Westtown are Oakbourne Park, Larchbourne Park, and the Stanton property. Mr. DeCosta said there had been a problem on the Stanton property where a neighboring property in Delaware County was dumping straw bedding near a stream. He stated he had visited the property with Mr. Layman and were working on correcting this situation. Ms. De Wolf stated that the Township Planning Commission has been reviewing the Township's open space and the information in the binder he presented to the Board will be very helpful. Mr. Barber asked if Mr. DeCosta foresees restrictions on Grant money in the future. Mr. DeCosta said he could not respond to that as he is not involved with the grant applications. Ms. De Wolf requested that the information in the binder be provided digitally to the Township,

VII. Public Comment (all topics)

There was no public comment.

VIII. Payment of Bills.

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

IX Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Foster the meeting was adjourned at 8:35Pm.

Respectfully Submitted,
Robert Layman, Township Manager.

