

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown
July 6, 2009, 7:30PM

In attendance were Supervisors Chair Carol R. De Wolf, Vice Chair Charles P. Barber; and Police Commissioner Thomas A. Foster; Township Manager Robert Layman; Township Building Inspector John Wilson; Township Road Master Mark Gross; Township Planning Commission Member Elaine L. Adler; Parks Advisory Group Chair Leonard Tehrani; and Oakbourne Mansion Commission Chair Eva Foster. There were forty-nine guests in attendance.

I. Call to Order.

As there was a quorum present Chair De Wolf called the meeting to order at 7:36Pm and led those present in the Pledge of Allegiance.

II. Approval of Minutes (June 15, 2009 Regular Meeting).

Mr. Foster made a motion, seconded by Mr. Barber, to approve the minutes of the June 15, 2009 regular meeting. Ms. De Wolf 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 7/6/09.

Ms. De Wolf reviewed the following items covered at the workshop: Police Arbitration which was to be held on July 1st, 2009; as the third arbitrator failed to appear arbitration was not held; however, the parties involved did reach a tentative settlement to be approved by East Goshen and Westtown. Discussed the tentative three year Police contract with Thornbury Chester County which needs to be approved by East Goshen; Continued discussion of delinquent utility bills; Discussed a meeting with Presby Homes to negotiate some changes which they are proposing for cost savings; and discussed stormwater and curbing issues on Carrie Lane.

1V. Departmental Reports.

A. Township Building Inspector – John Wilson.

Mr. Wilson reviewed the June Building Report. Second notices will be sent to property owners who receive the annual weed notice and did not have their property cut by June 15th. Mr. Wilson said due to the article in the Township Gazette several residents have reported on intersections where there are line of site issues. He stated that building permits are down 33% so far this year. He reported that work has commenced on the gutter replacement at Oakbourne Mansion.

B. Township Roadmaster- Mark Gross.

Mr. Gross reviewed the June Road Report. He stated that the Department is continuing with stormwater inlet repairs and has commenced the monthly mowing of Township open space. Time was spent cleaning the roads of downed trees and debris caused by the heavy June rains. The Department also manicured Oakbourne Park for the "Cars of Great Britain" Show. Mr. Gross advised the Board that bids are due this Friday for this year's Road Restoration program.

C. Township Planning Commission – Elaine L. Adler.

Mrs. Adler reviewed the June 17th Planning Commission Meeting. The only item on their agenda was the proposed three lot subdivision for the Rossiter property at 500 E. Pleasant Grove Road. She stated that Mark Purcell, Commission Chairman, will be resigning at the end of August due to work commitments. As there are no items on their agenda the Planning Commission meeting for this week has been canceled. At their July 22nd meeting the Commission will be reviewing the

revised final land development plan for Mr. Loew's property at 1081 Wilmington Pike. Ms. De Wolf said that Mr. Purcell will be missed. His professional skills were very useful to the Commission. She asked that a letter be sent to Mr. Purcell from the Board of Supervisors.

D. Parks Advisory Group – Leonard Tehrani.

Mr. Tehrani reported that the movie night on June 26th was very successful. He stated that B101, a Philadelphia radio station, will be attending the next movie night on Friday, August 7th. Mr. Tehrani said Parks Advisory is considering having a Township barbeque around Labor Day. Ms. De Wolf asked how this would be advertised as the third quarter Township Gazette has already been mailed to residents. Mr. Tehrani responded that this is still in the planning stages and they would like to involve other Township Commissions in this effort. He also stated that Parks Advisory is continuing their discussions on a Township-wide trail. They would like to meet with the Board regarding the Park Policy.

E. Oakbourne Mansion Commission – Eva Foster.

Mrs. Foster stated that the car show was more successful than they expected. The Commission and the car clubs are considering making this a two day event next year. She also stated that the Commission is working on fees for use of the Mansion for next year and will be presenting this to the Board. At their next meeting the Mansion Commission will focus on marketing the Mansion for Christmas events.

VI. Public Comment (Non Agenda Items).

Russ Hatton, 940 Kilduff Circle, stated that several weeks ago a car was parked on Kilduff Circle for the whole day which became a concern to the residents. It was finally determined that this was an unmarked police vehicle, part of the Chester County Task Force. He asked that residents be informed when the police are going to be in the neighborhood. Mr. Foster, Police Commissioner, stated that as this was an undercover operation it would not be wise to make this public. Ms. De Wolf advised Mr. Hatton to contact the police for information if this happens again.

Edward Vannaerssen, 1051 E. Niels Lane, asked if the speed limit will remain the same when the proposed speed humps are installed on W. Pleasant Grove Road. At the present time the speed limit is 35mph. Ms. De Wolf responded that drivers would have to slow down for the speed humps which in effect reduce the 35mph speed limit. She also stated that this is a very dangerous road and the speed humps are a short term solution until the road improvements for the Presby Homes development are completed. It is hoped that this will discourage drivers from using W. Pleasant Grove Road. Mr. Vannaerssen suggested closing off the street during rush hour. Ms. De Wolf said this has been addressed but would make it difficult for the residents in the area. Mr. Vannaerssen asked about putting speed humps between Dunvegan and S. New Street. Ms. De Wolf said the area of concern at this time is between Dunvegan and Route 202.

Patricia Ryan Platt, 1069 Edgewood Chase Drive, stated that her neighbor Peter Archer could not be here this evening but he had sent a letter to the Board of Supervisors concerning the placement of the driveway for the proposed new house on E. Street Road. She stated that the location of the driveway is extremely dangerous as it is at the crest of the hill after the curve on Route 926. She asked if the driveway could be incorporated with the neighboring driveway. Ms. De Wolf asked Mrs. Adler if the Planning Commission had discussed the site lines of the driveway. Mrs. Adler responded that as this is a State Road the driveway permit is issued by PennDOT. The Township does not have the authority to issue the permit. Mrs. Adler stated that comments were made at the Planning Commission meeting that there really is no desirable location for a driveway on the property. She also said the Township would have to determine their legal position for requiring that the owner secure access to his own property from another property. It was PennDOT's decision that this was the safest location on the property for the driveway. Mrs. Platt said that they respectfully disagree with this as they feel there were inconsistencies in PennDOT's determination of the driveway. She stated that the residents would like more communication with the Township concerning this issue. Ms. De Wolf asked what would be the next step, as Mr. Lady, owner of the property, was denied his variance request by the Zoning Hearing Board. Mr. Layman stated that he would have to submit a building plan that meets the requirements of the Township Zoning Ordinance. He also stated that Mrs. Platt was correct that they have not been communicated with but then neither has the Township. As Mrs. Adler stated this is a PennDOT issue and the Township has

no authority. Ms. De Wolf said the Township does have the ability to comment and stand up for its residents. She asked if there is a better place for the driveway. Mrs. Alder said there is not. Mr. Layman will meet with Mrs. Platt to discuss this issue.

VII. Old Business

A. Adopt Ordinance 2009-3 False Alarms.

Ms. De Wolf stated that this ordinance should save money for both the fire companies and the Township as it is designed to encourage residents to fix faulty alarm systems. Mr. Barber stated that this ordinance will also be passed by East Goshen Township so there will be a uniform code enforceable by the Westtown-East Goshen Police.

Mr. Foster made a motion, seconded by Mr. Barber to adopt Ordinance 2009-3 False Alarms. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously adopted Ordinance 2009-3.

B. Adopt Ordinance 2009-4 Outdoor Lighting.

Ms. De Wolf stated that this is the final draft of the ordinance and has been reviewed by the Chester County Planning Commission who did not have any further comments. Mr. Layman stated the ordinance has been advertised on June 22nd, and June 29th, 2009 in the Daily Local News for adoption this evening.

Mr. Foster made a motion, seconded by Mr. Barber, to adopt Ordinance 2009-4 Outdoor Lighting. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously adopted Ordinance 2009-4.

VIII. New Business.

A. Adopt Resolution 2009-11 House Bill 1682 The County and Municipal Tax Relief and Collaborative Services Act.

Ms. De Wolf stated that this resolution pertains to Chester County establishing a 1% sales and use tax in Chester County. Mr. Layman explained that this bill is before the State Legislature and would authorize the County to have a 1% sales tax. He stated that 50% of the funds generated would be kept by the County and 40% would go to the municipalities. The municipalities would have to use 60% of the funds they receive for property tax reduction. This would be an advantage to the Township as they would have additional funding. There is a negative to the bill as the municipalities that border on states that don't have a state sales tax, such as Delaware, would see more people buying out of state. Ms. De Wolf asked what funds the Township could anticipate. Mr. Layman stated approximately \$500,000 would come to the Township with 60% for tax reduction; the additional revenue would be \$200,000. He stated that he has prepared two resolutions for the Board one in support of the bill and the other opposed to the bill. The resolution the Board approves would be sent to our State Representative. Both Mr. Foster and Mr. Barber expressed reservations about the resolution and felt they needed more information. Ms. De Wolf made a motion to approve the resolution in support of House Bill 1682. She stated that the Township has many infrastructure issues that would be helped by this additional funding. There was no second to Ms. De Wolf's motion. This item was tabled.

VIII. Public Comment (all topics)

There was no public comment.

IX. Payment of Bills.

Mr. Foster made a motion, seconded by Mr. Barber to approve the bills as presented.

X. Adjournment.

On the motion of Mr. Foster, seconded by Mr. Barber, the Board of Supervisors the meeting was unanimously adjourned at 8:21Pm.

Respectfully Submitted,
Robert Layman,
Township Manager