

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE  
July 21, 2008, 7:30Pm

In attendance were Supervisors Chair Thomas A. Foster, and Charles P. Barber Police Commissioner; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond and Township Planning Commission member Elaine L. Adler. There were nineteen guests in attendance.

**I. Call to Order.**

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:32 PM and led those present in the pledge of allegiance to the flag. Mr. Foster stated that Ms. De Wolf was on vacation and would not be in attendance.

**II. Approval of Minutes (July 7, 2008 Regular Meetings).**

Mr. Barber made a motion, seconded by Mr. Foster, to approve the minutes of the July 7, 2008 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

**III. Departmental Reports.**

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

Chief Dumond reviewed the Police Report and noted that the Department responded to 574 calls in Westtown in June. He stated there were no incidents at East Goshen's Fourth of July Fireworks display which was attended by several thousand people. Mr. Foster advised Chief Dumond that there have been reports of drivers running the stop signs at the intersection of S. Concord and Oakbourne Roads and asked for the traffic patrol at this location.

**B. Planning Commission – Elaine L. Adler.**

Mrs. Adler reported on the July 9<sup>th</sup> Planning Commission Meeting. The Commission reviewed the revised plans for Presby Homes. Discussed at length was the building height, distance between buildings, and the length of the buildings. Mrs. Adler said, as stated in the Planning Commission's July 16<sup>th</sup> letter to Board the Commission does not object to the proposed plan revisions but hopes there can be some adjustment in the building height, The Commission feels that the plan is innovated, creative and a good project. Mrs. Adler said although the buildings are well designed they are massive buildings and perhaps there are other ways to mitigate the impact of this large project or ways to compensate for the impact. Mr. Foster said this can be addressed at land development. Mrs. Adler stated that it was the Commission's understanding that this should be brought to the attention of the Board during Conditional Use rather than wait for land development, hence their rather detailed letter. Mr. Foster said this can be introduced at tonight's hearing. Mrs. Adler stated that this week's Planning Commission meeting has been canceled as there are no items for an agenda.

**C. Financial Report – Robert Layman.**

Mr. Layman reviewed the May financial report. He stated that the total of revenues should be corrected to read \$152,397.78. He reported on revenues stated that taxes are where they should be this time of year. Licenses are down but not a concern at this time. Interest and trash fees are down. Rent is also down which could be attributed to the slow rentals of Oakbourne Mansion. Zoning and Subdivision fees, for which the Township is reimbursed, are up. In reviewing the expenditures, Mr. Layman stated that administration is over but there are outstanding developer fees to be collected. Street expenses are down as we had a mild winter. Trash is over because of the tipping fees at

the landfill. Wastewater is up due to developer reviews which will be reimbursed. Mr. Foster asked if we will be keeping in line with the budget for the rest of the year. Mr. Layman responded that that he did not anticipate anything that would change this. He also stated that because of the fuel costs the Township had to scale back some of its road work. Mr. Foster asked about snow plowing. Mr. Layman stated that the Township recently bid for snow/ice control as our contracts are up at the end of this year but did not receive any bids. Mr. Layman advised those present that the Gate House at Oakbourne Park is for rent as the current tenants moved at the end of June. If anyone is interested please contact the Township office.

Walter Pavelchek, 1050 S. New Street, asked if the financial report was for six months. Mr. Layman responded the report is through May. Mr. Pavelchek was given a copy of the report.

**D. Township Solicitor – Robert F. Adams.**

**1. Conditional Use Hearing – Presby Homes.**

Mr. Adams conducted the Conditional Use Hearing for Presby Homes. At the close of the hearing the record was left opened and the hearing continued to Tuesday, September 2, 2008 at 7:30Pm.

Transcripts, when completed, are available for review at the Township Office.

**2. Conditional Use Hearing – Crebilly Farms.**

Mr. Adams conducted the Conditional Use Hearing for Crebilly Farms. At the close of the hearing the record was left opened and the hearing continued to Tuesday, September 2, 2008 at 7:30Pm.

Transcripts, when completed, are available for review at the Township Office,

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

Charles MacIntyre, 1555 Carmac, thanked the Board of Supervisors for their quick response to his recent complaint concerning property maintenance at 1553 Carmac Road.

**V. Old Business:**

**A. Approval Amended Lease American Tower.**

Mr. Foster stated that American Tower who operates the cellular tower at the Township Garage, 10 E. Pleasant Grove Road, has asked to expand its lease to include additional users. Mr. Foster said the Board of Supervisors is agreeable to the terms of the lease.

Mr. Barber made a motion, seconded by Mr. Foster, to approve the amended lease with American Tower, conditioned on review of the lease by the Township Manger with American Tower and any corrections so noted. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

**VI. New Business:**

**A. Approve Payment Application Final Nick Falcone & Sons, Inc. Shiloh Road Improvements in the Amount of \$45,792.40.**

Mr. Foster stated that this was for work done on the northern end of Shiloh Road last year. The outstanding items have been completed and the Township Engineer has approved release of the final payment.

Mr. Barber made a motion, seconded by Mr. Foster, to approve the final payment application for Nick Falcone & Sons, Inc. Shiloh Road improvements in the amount of

\$45,792.40. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the payment.

**B. Grant Extension Fair Share Properties Conditional Use.**

Mr. Foster stated that Fair Share properties are asking for a three month extension of their Conditional Use. He stated that the Board of Supervisors is not satisfied with the discussions the Township has been having with the applicant's attorneys concerning the northern part of the connector road which runs from West Pleasant Grove Road to Stetson. The Board will grant a one month extension to September 6<sup>th</sup>, 2008 and will expect significant progress to be made on the land development issue. If progress is made further extension will be granted if not there will be no more extensions. Mr. Barber asked that it be included in the motion that Mr. Federico, Township Traffic Consultant, officially has conveyed the Board's wishes in this matter.

Mr. Foster made a motion, seconded by Mr. Barber, to grant Fair Share Properties, a one month extension until September 6<sup>th</sup>, 2008 for their Conditional Use and that Mr. Federico officially has conveyed the Board's wishes in this matter. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously granted a one month extension for Fair Share Properties Conditional Use.

**VII. Public Comment (All Topics).**

Mr. Pavelchek stated that he is a party to the Crebilly hearing and asked to be able to see the documents from tonight's hearing. Mr. Foster advised Mr. Pavelchek that all the transcripts, documents, exhibits, etc, are available for review at the Township Office except for the transcript of tonight's hearing.

**VIII. Payment of Bills.**

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

**IX. Adjournment.**

On the motion of Mr. Barber, seconded by Mr. Foster the meeting was adjourned at 8:42Pm.

Respectfully Submitted,

Robert Layman,  
Township Manager