

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
November 17, 2008 7:30Pm

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

I. Call to Order.

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:36 PM and led those present in the pledge of allegiance to the flag.

II. Approval of Minutes (October 20, 2008 Regular Meeting).

Ms. De Wolf made a motion, seconded by Mr. Barber to approve the minutes of the October 20, 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 presented the October Police Report. He stated that the Department is continuing the investigation of a burglary in the 1100 block of S. New Street. Chief Dumond said that they are working with other police departments as this burglary is similar to ones in other areas where there is no one at home at the time of the burglary. He also stated that there have been thefts from unlocked vehicles in the Martone and Overhill Road area. Chief Dumond reiterated how important it is to lock your car and not leave anything of value in your vehicle.

B. Planning Commission – Elaine L. Adler.

Mrs. Adler reported on the November 5th Planning Commission meeting. She stated the Commission completed review of the Rustin Pump Station plan and has sent a letter to the Board recommending approval of the plan with conditions. Mrs. Adler stated that at this week's meeting the Commission will review the simple subdivision plan for the Gate House. Mr. Foster asked which if any of the five conditions for approval of the pump station could be a problem. Mrs. Adler stated that the conditions are based on the Township Engineer's review letter of November 5th, 2008. She reviewed the conditions as follows: Item 1 concerns the additional sliver of land from SEPTA which is already in an existing easement therefore the Commission feels the plan can be approved without the additional land; Item 2 pertains to technical corrections that need to be shown on the final plan. Item 6 concerns the removal of utility poles; Item 7 relates to the fact the driveway existed before present regulations and is therefore an existing non-conforming driveway and there is no original paper work for this. The Township Engineer is looking for some documentation from the WCASD relating to the driveway.

C. Financial Report – Robert Layman.

Mr. Layman presented the financial report through September. He stated there is still a small surplus in tax revenue and engineering and subdivision reimbursements. On the expenditure side trash/recycling is running a deficit due to tipping fees. Sewer expenditures have increased due to the raise in chemical and fuel costs. He stated that overall the Township's financial condition is stable. Mr. Foster said he understands that there is approximately \$100,000.00 outstanding in fees billed for sewer and trash. Mr. Layman advised the Board that ways to collect these overdue accounts will be discussed with the Township Solicitor.

IV. Public Comment-Non Agenda Items.

There was no public comment.

V. Old Business:

There was no old business at this time.

VI. New Business:

A. Approve Lot Line Revision Tract 2008-1 Rustin Pump Station.

Ross Unruh, Solicitor WCASD, and Tim Burns, Project Coordinator for the WCASD were in attendance.

Mr. Unruh reviewed the conditions in the Township Engineer's letter of November 5th, 2008. Mr. Barber asked about the right-of-way issue on Westtown Road. Mr. Unruh responded that this issue has been resolved with Dr. Benner but has yet to be resolved with Westtown School. Mr. Foster said he feels there is a fire safety issue with the low hanging wires that need to be removed. Mr. Unruh advised Mr. Foster that this was a cable line not an electric line and that the WCASD does not have the authority to remove the cable.

Ms. De Wolf, made a motion, seconded by Mr. Barber, to approve Tract 2008-1 Lot Line Revision Rustin Pump Station conditioned on the McCormick Taylor letter of November 5, 2008 and the Planning Commission Letter of November 13, 2008. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved Tract 2008-1 Rustin Pump Station.

B. Approve Five Year Agreement West Chester Fire Services.

Mr. Foster stated that the Board had met with representatives of the West Chester Fire Department at their earlier workshop. He stated that the Board's questions concerning the agreement had been answered to their satisfaction.

Ms. De Wolf made a motion, seconded by Mr. Barber to approve the five year agreement with West Chester Fire Services in the amount of \$78,231.00 per year. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the agreement.

C. Approve Third Amendment with American Tower for the Site Lease Agreement Township Garage.

Mr. Foster stated that agreement is to add another user to the cell tower and to increase the lease site by 72 square feet. The Township will receive an additional \$90.00 per month for the lease.

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve the third amendment with American Tower for the site lease agreement. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the amendment.

D. Presentation of the 2009 Draft Township Budget.

Mr. Foster stated that at this time the 2009 budget is still in draft form and the Board is working toward finalizing the budget for adoption at their December 15th regular meeting. Mr. Layman said the Board is not looking at any increase in the real estate tax this year. There will be a slight increase in the trash/recycling collection due to the second year increase in our contract. He also stated that expenditures are up by 4-6%. Ms. De Wolf stated that these are only suggested increases at this time and the Board is looking at ways to cut expenses. Mr. Foster stated that the draft budget for the general fund at this time is \$6,054,358.00. Mr. Layman stated that copies of the budget are available at the Township

office. Ms. De Wolf asked the draft 2009 budget be available on the Township website (www.westtownpa.org).

VII. Public Comment (All Topics).

Vincent Scriboni, 134 Hidden Pond Way, stated that at the recent Homeowners Association meeting for Arborview, it was brought to his attention that there is a possible change in the design of Hidden Pond Way from a cul-de-sac to a through road. When he purchased his home he was told the only possible change in the road would be for emergency access only. He understands the need for an emergency access but that the residents feel a through road would decrease the value of their homes. It is also an area with young children and there is a concern for their safety. Ms. De Wolf asked if when he purchased his home if he was told about the connector road which has been in the planning stages for years. Mr. Scriboni stated that he was told about the emergency access road and asked why the connector road is necessary. Ms. De Wolf stated that the road has been in the Township's comprehensive plan for ten years. The arterial road and will run from Stetson to Route 926. Mr. Adams said their appears to be a misunderstanding as Hidden Pond Way was approved as a full connection intersection with emergency access only until construction of the connector road. It was approved as a full service road. Mr. Scriboni asked what is the chance of the road remaining as emergency access only. Mr. Adams said that request would have to come from Mr. Galbally to the Board. He suggested that Mr. Scriboni contact Mr. Galbally concerning this issue.

Gary Bevilacqua, 109 Macroom Avenue, stated when he attended a Board meeting in August he was informed that there were issues with the WCASD that needed to be resolved before the lighting ordinance was considered. Mr. Bevilacqua said at that time he did not see the connection with the lighting ordinance and the issues with the District. As the issues with Dunning Drive and the pump station appear to be resolved, what is the status of the lighting ordinance? Mr. Foster responded that there are still issues with Dunning Drive. Mr. Bevilacqua stated he has concerns as a tax payer and feels that the lighting ordinance should be a separate issue and questioned why it is taking so long. Ms. De Wolf advised Mr. Bevilacqua that this was discussed at the workshop and has been on several previous workshop agendas. She stated that the Board still has some issues to resolve with the lighting ordinance. The Board is also consulting with a sound engineer about installing sound barriers. She stated there should be a public hearing in the near future. Mr. Bevilacqua asked when the Board has completed their review would the ordinance be reviewed again by the Planning Commission. Mr. Foster responded that the Planning Commission has completed their review and made their recommendations. Ms. De Wolf advised Mr. Bevilacqua to contact Mr. Layman concerning the placement of the ordinance on a workshop or the regular meeting agenda.

VIII. Payment of Bills.

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

IX. Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Barber the meeting was adjourned at 8:00Pm.

Respectfully Submitted,

Robert Layman,
Township Manager