

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown
July 7, 2008 7:30PM

In attendance were Supervisors, Thomas Foster Chair. Carol R. De Wolf, Vice-Chair, and Police Commissioner Charles P. Barber; Township Manager Robert Layman; Township Building Inspector John Wilson; Township Roadmaster Mark Gross; Township Planning Commission member Jim Lees; Parks Advisory Group Chairman Leonard Tehrani; and Oakbourne Mansion Commission Chair Eva Foster. There were thirteen guests in attendance.

I. Call to Order.

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:32PM and led those present in the Pledge of Allegiance.

II. Approval of Minutes (June 16, 2008 Regular Meeting).

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve the minutes of the June 16, 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. Township Building Inspector John Wilson.

Mr. Wilson presented the June Building Report. He stated that there are still nine lots left to be sold in Arborview. Mr. Wilson said he did a five week survey of recycling in Pleasant Grove and there was only one household that did not have recycling out during his survey. Mr. Foster asked how the survey will be implemented. Mr. Wilson stated that Mrs. Greer would be sending letters to the offenders. Ms. De Wolf asked to review the letter that will be sent as the letter should be positive and encourage recycling. Mr. Wilson reported that the Gate House was left in excellent condition by the tenants who recently moved. The only problem was a window that was broken by the movers. Mr. Wilson recommended that their security deposit be returned minus the cost of the window. He also recommended a few updates that need to be done before it is rented again.

B. Township Roadmaster – Mark Gross.

Mr. Gross reviewed the June Road Report. He stated a cross pipe and two end walls were replaced on Clearview Road. The line painting has been completed and weather permitting the intersection markings will be done on Wednesday night. A new fuel tank will be installed at the Cobblefield Pump Station to insure that the generator does not run out of fuel during an extended power outage. As the 2008 road resurfacing project will start on July 14th the Department is replacing sanitary manhole lids with new casketed lids and rebuilding stormwater inlets on the roads that will be paved. Mr. Foster thanked Mr. Gross and Mr. Culberson for their emergency repair work at the Westtown-Chester Creek plant. Mr. Gross stated that they had the help of Concord Township with the repairs. Ms. De Wolf asked if the preparation for road work includes Jacqueline Drive. Mr. Gross responded in the affirmative and also advised the Board that General Howe Drive will be done if the budget allows. Mr. Foster thanked Mrs. Grube, Finance Director, for greatly increasing the Township's rate of interest through renegotiations with Willow Financial Bank.

C. Township Planning Commission – Jim Lees.

Mr. Lees reported on the June 18th, 2008 Planning Commission Meeting. He commented that a letter was received from owners of the Market Place shopping center concerning not giving an easement to Swiss Farms. He hopes that this is being addressed by both parties. He stated there was also a complaint about parking at the Land Rover on Route 3. As this is a zoning issued it is being monitored by the Assistant Township Zoning Officer. Mr. Lees stated that the Planning Commission

would like to receive all the information for their meeting the Friday before the meeting. If the information is not received by Friday they are requesting that that item not be on their meeting agenda. Ms. De Wolf asked when do they normally receive their information. Mr. Lees responded that a case in point is that a letter recommending changes for the Presby Homes Conditional Use was received by the Commission at the meeting on the 18th. The Commission could not make any recommendations on the Conditional Use as the letter was just received. Mr. Lees stated that Mr. Lieberman will be attending the July 9th meeting and the Planning Commission should be able to make a recommendation at that time.

D. Parks Advisory Group – Leonard Tehrani.

Mr. Tehrani reported on the events Parks Advisory will be holding at Oakbourne Park. He thanked Mr. Gross for helping to install the new sign for the events. He stated there will be two movie nights. The first one is this Friday and Cars will be the feature movie. The second one will be August 8th with Ground Hog Day as the feature movie. There is also a Dog Show which will be held on September 13th. Mr. Tehrani stated that Parks Advisory held their last meeting at Oakbourne Park in order to look at ways of enhancing the park and this use of valuable Township asset. Ms. De Wolf suggested that Parks Advisory receive a copy of the Forest and Tree Survey Plan for Oakbourne Park to review. Mr. Foster advised Mr. Tehrani that these are the type of events that Parks Advisory should be doing. Events for children and young families that are not costly to the Township nor to the residents. Mr. Foster stated that an event such as the Mother's Day Tea should not be done again as it was a cost to the Township of \$800.00. Mr. Foster advised Mr. Tehrani that the Oakbourne Mansion Commission is charged with having fund raising events and Parks Advisory is to hold family events. He also stated that Parks Advisory should have a budget that the Board could review which would specify events and the costs. Mr. Tehrani advised Mr. Foster that they learned from that event and are trying to recoup the cost. He stated that he will be attending the Oakbourne Mansion Commission meetings and that Kristine Lisi would attend the Friends of Oakbourne meetings in order to work together. Mr. Foster asked about the food they plan to sell on movie night as there are specific regulations from the Chester County Health Department that need to be followed. Mr. Tehrani stated that all food to be sold would be pre-packaged.

E. Oakbourne Mansion Commission – Eva Foster.

In attendance were Eva Foster, Chair, Michelle Gifford, Vice-Chair and Emilie Barber board member of the reorganized Oakbourne Mansion Commission.

Mrs. Foster stated her board members are long time residents of the Township and she is very grateful for their willingness to serve on this Commission. Mrs. Foster reviewed the following list of proposed events: an Antique Road Show, Car Show and Rally, Halloween Masquerade Ball, Thanksgiving food event, and decorating of the Mansion for Christmas to be used for corporate parties or events for the residents. The following are events that would be by subscription: Jazz night, food sampling, wine tasting, book and history lectures, storytelling night and a comedy night. Mrs. Foster said before they move forward with these events they would like the Board's input. Ms. De Wolf asked about the subscription events. Mrs. Foster explained that you would pay for a membership in the Oakbourne Mansion society. This would entitle you to attend four or six events a year which would be by invitation only. Ms. De Wolf asked if there would there be a way of subsidizing those who would like to attend these events but could not afford the full membership as Oakbourne is a public building and we do not want to appear exclusive. Mrs. Foster said that Parks Advisory's events are for the whole spectrum of residents both young and old. Ms. DeWolf asked if Parks Advisory can use the Mansion. Mrs. Foster said they need to coordinate through the Oakbourne Commission. Mrs. De Wolf asked if they wanted the Board to prioritize their list of events. Mr. Foster said he feels that they cannot do everything in 2008. He thought the idea of decorating the Mansion for Christmas to attract corporate events would be a good source of revenue. He also liked the Halloween event if they could find a sponsor. Ms. De Wolf suggested that they do a Jazz night that would not be a subscription event. She stated she likes their enthusiasm and is supportive of their ideas. Mrs. Gifford said she is working on the marketing aspect of the Mansion and asked if she needed the Boards permission to contact the Inquirer and local papers to do articles on the Mansion. She also asked if she needed permission to hold an open house or other marketing event. Mr. Foster advised Mrs. Gifford that the Board appointed her to the Commission and the responsibility is on them to find volunteers, set up sub-committees, plan events etc. Ms. De Wolf asked that Mr. Layman be

informed when contacting the media as this is public park and public building and any exposure should be positive. Mrs. Gifford said they will prioritize their projects and submit them in detail to the Board.

Mr. Wilson advised the Board that the Water Tower appears to need re-pointing. As this is an endearing feature of Oakbourne Park it should be addressed. Mr. Foster asked Mr. Wilson if he would prepare a cost to have this work done. Mr. Gross said he feels an expert should look at the Tower as the bricks are spalling which has to do with the mixture that was used for pointing. He stated that this is not normal deterioration. Ms. De Wolf asked what the status was of the Historic Designation for the Mansion. Mr. Layman will address this with Patrick McDonough.

IV. Public Comment Non Agenda Items.

Mr. Tehrani stated that after listening to the Oakbourne Mansion Commissions report he feels it is time to have a workshop to define what Parks Advisory's position is. He stated that on the Township website they are listed as Parks and Recreation not Parks Advisory. He stated Mrs. Foster indicated that Parks Advisory had to go through the Mansion Commission in order to do anything in the Park or use the Mansion. Mr. Tehrani said he feels this is a wrong statement as they are the Parks Advisory group or Park and Recreation and they should be working as team to provide services to the Township. He stated that the Mansion is in the Park and it is his understanding that it is under their jurisdiction. Mr. Foster advised Mr. Tehrani that the Mission Statement of the Oakbourne Mansion Commissions puts the Mansion under their jurisdiction. Ms. De Wolf suggested that Parks Advisory concentrate on kids and families and stated she feels that they do have every right to use the Mansion. Mr. Tehrani said the Halloween event could be a joint effort. Ms. De Wolf said going to go to the Oakbourne Mansion Commission meetings will help to develop a working relationship so there will not be the ownership issue that appears to be going on now. Mrs. De Wolf said the Oakbourne Commission has a different purpose and different goals and it might be good to sit down and better define the roles of the two groups. Mr. Tehrani said he would like to see participation from Township Officials in their events. He asked if the Board would judge the Dog Show in September and will email then about this.

Mr. Mammucari, 523 W. Pleasant Grove Road, complimented the Police Department on their traffic control efforts on W. Pleasant Grove Road. He asked the status of the On Lot Management program as he needs to pump his septic system by the end of the summer. Mr. Foster stated because of problems with DEP this has taken longer than planned. The Board had a recent meeting with DEP and will now be able to move forward with the program. The Township will be reimbursed for 85 % of the cost of the residential inspections. Mr. Foster advised Mr. Mammucari he could pump anytime he wanted. Mr. Mammucari said he does not want to pump now and have to pump again when the system is inspected. Ms. De Wolf said she is in the same situation and will pump this year. Mr. Mammucari asked what are the criteria that the inspector will be looking for. Ms. De Wolf said he will look at the whole system and how it is working. Mr. Mammucari said if my system is working correctly in 2008 why would it not be in 2009. Mr. Foster said he would have to pump again when the system is inspected.

Ms. De Wolf announced that the Police Commission is entering into collective bargaining with the Police Association as their contract is up at the end of this year. Mr. Foster stated the Commission had to go to arbitration for the last contract and would like to avoid doing that this time. They hope to develop a contract that will provide the services that are needed without having to raise Township taxes. Ballad Spahr Andrews & Ingersoll, LLP will be the negotiators for the Police Commission. He stated the Commission hopes to have this completed by the end of the year.

V. Old Business.

Mr. Foster announced that the Township has the opportunity to pay off a 1997 Bond issue for sewer by using proceeds from the sale of the Old Township Building. He stated we are paying 5% interest on the bond. The Township auditors have approved the bond payoff. Mr. Barber stated that Mrs. Grube feels that this is the most economical return for the Township. As the Board will need to approve this by resolution a motion was passed to prepare the resolution.

Ms. De Wolf made a motion, seconded by Mr. Barber to approve preparation of a resolution pertaining to the payoff of the 1997 Sewer Bond Issue. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the preparation of the resolution.

VI. New Business.

A. Approve Escrow Account Tract 2006-3 Swiss Farms in the Amount of \$219,722.58.

Mr. Foster asked if the escrow account included the potential sidewalks on Manley Road and Route 3. Mr. Layman responded that they were not included in the current escrow from our Township Engineer. He stated that they were included in the escrow prepared by the applicant's engineer in the amount of \$10,065. Mr. Layman was asked to have Mr. Pingar review the estimate for sidewalks for a future escrow if necessary.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the escrow account for Tract 2006-3 Swiss Farms in the amount of \$219,722.58. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow for Swiss Farms.

Ms. De Wolf made a motion, seconded by Mr. Barber, to have a separate escrow account for sidewalks if they are deemed necessary in the future. The escrow will be determined by the Township Engineer. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously the motion.

B. Refer Proposed Township Zoning Ordinance Amendments to the Chester County Planning Commission for Review.

In attendance were John Jaros, Solicitor for Presby Homes, Sean Kelly, Engineer, and Craig Kalemjian, solicitor for Crebilly Farms.

Mr. Jaros asked if the Board had reviewed the modifications to the text amendment in their July 1st letter to Mr. Adams. Mr. Foster stated that the Board had discussed this at the Workshop and are ready to move forward to send the proposed amendments to the Chester County Planning Commission for their review. He stated that on the issue of trails in section 170-503C3 the word trails will be left in but the clause pertaining to the Growth Management Plan will be deleted. The applicant has already agreed to a north south sidewalk trail. The Growth Management Plan has detail that might not be applicable to the plan. There was a discussion on Section 170-1304F pertaining to recreation. It was determined that the Board and the applicant were in agreement on this section. Mr. Jaros requested that the Board's motion included authorization to re-advertise the text amendment.

Ms. De Wolf made a motion, seconded by Mr. Barber, to refer the proposed Township Zoning Ordinance Amendments to the Chester County Planning Commission for their review and authorized re-advertising of the text amendment. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

Mr. Kalemjian wanted to clarify meeting with the Board before the next Conditional Use Hearing on July 21st. Mr. Foster said the Board would be meeting next week for additional review of sewer issues. He stated that he will be in touch with Mr. Kalemjian. Ms. De Wolf said she would not be at the July 21st meeting. Mr. Foster stated that if there are no outstanding issues the record could be closed on July 21st.

Mr. Jaros stated that they are very pleased with the outcome of the meeting with PennDOT. The applicant will do the two left hand turn lanes east bound on Route 926 and the right turn lane south bound on Route 202. He stated that they are prepared to move forward. Mr. Foster asked what is the expectation of their time line. Mr. Kelly indicated that they would be doing the improvements when they receive a building permit for phase I of MaKemie Ridge.

C. Approve URS Ponds Edge Road Contract Revision in the Amount of \$768.62.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the URS Ponds Edge Road Contract Revision in the amount of \$768.62. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the URS Ponds Edge Road contract revision.

VII. Public Comment (all topics)

There was no public comment.

VIII. Payment of Bills.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve payment of the bills. 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 unanimously adjourned at 8:57Pm.

Respectfully Submitted,

Robert Layman,
Township Manager