

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
Smith Mansion Oakbourne Park 1014 South Concord Road  
February 5, 2007 7:30PM

In attendance were Supervisors Chair Carol De Wolf, Vice-Chair Thomas A. Foster and Police Commissioner Charles Barber; Township Manager Robert Layman; Township Building Inspector John Wilson; and Township Planning Commission Member Elaine L. Adler. There were nine guests in attendance.

**I. Call to Order.**

As there was a quorum present Chair De Wolf called the meeting to order (7:42PM).

**II. Approval of Minutes (January 16, 2007 Regular Meeting).**

Mr. Foster made a motion, seconded by Mr. Barber, to approve the minutes of the January 16, 2007 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. Departmental Reports.**

**A. Township Building Inspector – John Wilson.**

Mr. Wilson reported that the Field House at Westtown School has been completed and the plans for the stabilization of the parking area have been approved by the Township Engineer. The stabilization work will be completed when weather permits. He also reported that the sewer lateral work has been completed at Gaudenzia and he will issue a Certificate of Occupancy when the as-built plans are received. Mr. Wilson stated a letter approved by the Township Manager and Township Solicitor, was sent to the contractor for the Gate House, itemizing the items that need completion and stating that final payment will be withheld until the work is completed to the Township's satisfaction. Ms. De Wolf asked how the work will be completed if not done by the contractor. Mr. Layman stated that the contractor will be given a chance to respond to the letter and that today he had received a change order from the contractor he has passed on to Mr. Wilson for review.

**B. Township Roadmaster- Mark Gross.**

As Mr. Gross, was on vacation, Mr. Layman reviewed the January Road Department report. There were several snow/ice storms in January but the removal costs so far this year are half the cost of last year. He reported that repairs had to be done to the boiler in the Mansion. Ms. De Wolf said work was done on the shoulder of W. Pleasant Grove Road but feels that more fill is needed. Mr. Layman advised the Board that the list of roads scheduled for reconstruction this year was included in their information packet. Jacqueline Drive was not included as Aqua is planning to provide public water to that area this year and the Township would like to coordinate any road work with the water installation. He said he has spoken with Aqua and so far they have only received one response to their survey. They will keep us informed as to the project. Mr. Foster asked if Aqua would be making a monetary contribution for the road work on Goodwin Lane as water service was recently installed there. Mr. Layman said Aqua did the restoration work that was required by the Township when the project was completed. He was directed to discuss this with Aqua. Mr. Foster asked about the letter from Chris Sabatino, 1025 Robin Drive, concerning water runoff as it was his understanding that this project was completed. Mr. Layman said that he made a site visit and the icing problem has greatly improved. He stated that Mr. Sabatino was only suggesting that installation of another stormwater inlet be considered when installing the public sewer line. Mr. Foster said he would like to pursue updating the Township's policy concerning trees in the road right-of-way. Ms. De Wolf suggested this should be discussed at a Board's workshop.

**C. Township Planning Commission.**

Mrs. Adler reported on the February 17, 2007 Planning Commission meeting. She stated the Commission had reviewed a sketch plan for a Super Wawa at the intersection of Route 3 and Manley Road, the site of the old Lincoln Mercury Dealership. The applicant is proposing a left turn into a four way intersection at the entrance to Market Place. As the applicant has not completed its traffic study the Commission's questions relating to traffic circulation could not be addressed at this time. The Commission also had concerns about lighting and the size of signs. The applicant also feels that they meet the requirements for a retail sales use and will not require a special exception for a gas station. Mrs. Adler stated that this has been reviewed with the Township Solicitor who has determined that the use fits the retail sales category and does not meet our ordinance definition for an automobile service station. The Commission also discussed the latest draft of the revisions to the A/C zoning district. The Commission had a special meeting on January 24<sup>th</sup>, 2007 where they reviewed an updated zoning draft and will continue their review at this week's meeting. Mr. Foster asked if the Commission is in favor of the overlay for the A/C District. Mrs. Adler said they have not made a decision as yet but the overlay appears as though it would have the best advantages for the Township. Mr. Barber asked about the parcel on Old Wilmington Pike that had an approved development plan. Mrs. Adler responded this five acre out parcel is zoned R-1 and the plan that was approved in the early 1990's was only valid for five years.

**D. Parks Advisory Group.**

Mr. Layman stated that the Parks Advisory Group did not have a quorum at the January meeting and will not hold a meeting in February. The March meeting will be a site visit to Oakbourne Park. The Parks Advisory Group will be reassessing how beneficial it is to the Township and what direction they should be taking.

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

There was no public comment.

**V. Old Business.**

**A. Appointment of David K. Walter to The Township Planning Commission.**

Mr. Barber made a motion, seconded by Mr. Foster, to appoint David K. Walter to the Planning Commission to fill the unexpired term of Dane Criddle through 2009. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the appointment.

**B. Appointment of Robert Gliem as Township Fire Marshal.**

Mr. Foster made a motion, seconded by Mr. Barber, to appoint Robert Gliem as the Township Fire Marshal. Ms De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the appointment.

**C. Appointment of Michael Murray and Leonard Tehrani to the Parks Advisory Group.**

Mr. Foster made a motion, seconded by Mr. Barber, to appoint Michael Murray and Leonard Tehrani to the Parks Advisory Group. Mr. Murray will serve a four year term through 2010 and Mr. Tehrani will fill the unexpired term of Paul Coleman through 2008. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the appointments.

**D. Appointment of Jason Lisi to The Oakbourne Mansion Commission.**

Mr. Foster made a motion, seconded by Mr. Barber, to appoint Jason Lisi to the Oakbourne Mansion Commission for a term of four years through 2010. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the appointment.

**VI. New Business.**

**A. Grant Preliminary/Final Land Development Approval Tract 2004-3 Sharon Bank 1632 West Chester Pike.**

Martin Eustace was in attendance for Eustace Engineering. He stated that the applicant will comply with all the conditions of the Township Engineers letter of January 23, 2007 and URS's letter of January 17, 2007.

Mr. Foster made a motion, seconded by Mr. Barber, to grant preliminary/Final Land Development approval for Tract 2004-3 Sharon Bank conditioned on the Township Engineer's letter of January 23, 2007 and URS's letter of January 17, 2007. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously granted Preliminary/Final Land Development approval for Sharon Bank.

**B. Award The 2007 Lawn Mowing/Landscape Bid – Main Line Turf in The Amount of \$26,890.00.**

Ms. De Wolf stated that on the recommendation of Mark Gross, Township Roadmaster, the bid will be awarded to the low bidder Main Line Turf as they have worked for the Township in the past. .

Mr. Foster made a motion, seconded by Mr. Barber, to award the 2007 Lawn Mowing/Landscape Bid to Main Line Turf in the amount of \$26,890.00. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the bid award to Main Line Turf.

**C. Adopt Resolution 2007-3-Chester Creek Partnership.**

Ms. De Wolf said the Township has been an informal member of the Partnership but at this time would like to become a formal member. Mr. Foster asked how the Township benefits by becoming an official member of the partnership. Mr. Layman stated that the partnership helps us meet the public notification requirements of the MS4 stormwater permitting. They help us lower our costs by doing joint advertising in the newspapers, holding workshops and seminars. They also work with the Road Department on stormwater management.

Mr. Barber made a motion, seconded by Mr. Foster, to adopt Resolution 2007-3 Chester Creek Partnership. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the Resolution.

**D. Approve Escrow Release McCawley/Malvern Bank Tract 2001-5 in The Amount of \$62,392.49.**

This item was tabled for further review.

**E. Approve URS 2007 Wastewater Engineer Services Agreement.**

Mr. Foster made a motion, seconded by Mr. Barber, to approve the URS 2007 Wastewater Engineering Services Agreement. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the Agreement.

**F. Approve URS 2007 Program Management Agreement.**

Ms. De Wolf stated that this agreement, in the amount of \$41,200. is for the management and coordination of the requirements in the implementation of the Act 537 plan.

Mr. Foster made a motion, seconded by Mr. Barber, to approve the URS 2007 Program Management Agreement in the amount of \$41,200. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the agreement.

**G. Approve URS Ponds Edge Road Pipe Replacement Project.**

Mr. Layman stated this is a change in the contract with Bull Dog Construction as more work was necessary on the replacement of the collapsed pipe on Ponds Edge Road.

Mr. Barber made a motion, seconded by Mr. Foster, to approve the changes to the Bull Dog Construction Contract for pipe replacement on Ponds Edge Road in the amount of \$31,500. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the contract change.

**H. Approve URS Ponds Edge Road Engineering Contract Cost Modification.**

Ms. De Wolf stated this is a cost increase of \$9,000 for additional engineering on the Ponds Edge Road project.

Mr. Foster made a motion, seconded by Mr. Barber, to approve the cost modification for the engineering of the Ponds Edge Road project in the amount of \$9,000. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the contract modification.

**I. Approve URS Engineering Services Kirkwood Pump Station.**

Mr. Barber asked if the upgrade of the pump station needed for Phase 1A and 1B of the sanitary sewer project could also accommodate additional flows from East Goshen. Ted DeBoda, URS, said he just became aware of the request from East Goshen for additional capacity to our treatment plant. He advised the Board to table the approval for further study of East Goshen's request. The Board tabled the item at this time.

**J. Approve URS Right-of-Way Services Agreement.**

Ms. De Wolf questioned some of the costs in the agreement as she felt they were included in the Wastewater and Program Management agreements. This item was tabled for further review.

**K. Approve Hall & Associates TMDL Agreement.**

Mr. Barber made a motion, seconded by Mr. Foster, to approve the additional cost of \$3,000 to the TMDL Agreement. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the additional charge.

**L. Approve Change Order #2 Bull Dog Construction Ponds Edge Road Contract.**

Mr. Barber stated that as the pipe on Westtown Road which connects to the treatment plant needed to be upgraded to take the flows from the high school and eventually Westtown School it was decided the work could be coordinated with the pipe replacement on Ponds Edge Road. The amount of the change order is \$96,130.00

Mr. Barber made a motion, seconded by Mr. Foster, to approve Change Order #2 Bull Dog Construction in the amount of \$96,130.00. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the change order.

**VII. Public Comment (all topics)**

William Steele, 1055 E. Niels Lane, asked about the new DEP regulations on swimming pools. Mr. Foster responded that you cannot release gray water from swimming pools into the street or into any sanitary sewer system. Ms. De Wolf said the Township should look into alternatives for the residents and have the information in the Township Newsletter.

**VIII. Payment of Bills.**

Mr. Foster 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 Mr. Foster, seconded by Mr. Barber, the meeting was adjourned at 9:13 Pm.

Respectfully Submitted,

Robert Layman,  
Township Manager