

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike
September 4, 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 Solicitor Robert Adams; Township Building Inspector John Wilson; Township Roadmaster Mark S. Gross; Planning Commission Vice Chair Mark Purcell. There were seven guests in attendance.

I. Call to Order.

As there was a quorum present Chair De Wolf led those present in the Pledge of Allegiance and called the meeting to order (7:34PM).

II. Approval of Minutes (August 23, 2007 Regular Meeting).

Ms. De Wolf abstained from voting as she was not present at the August 23rd meeting.

Mr. Foster made a motion, seconded by Mr. Barber to approve the minutes of the August 23, 2007 regular meeting. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as present.

III. Departmental Reports.

A. Township Building Inspector – John Wilson.

Mr. Wilson reviewed the August Building Report. He stated the flooring project at Oakbourne has been completed and approved for final payment. Mr. Wilson stated that there have been numerous complaints about line of sight at intersections. He stated there needs to be a resolution as to who is responsible for keeping the intersections clear; the homeowner or the Township. Mr. Foster asked if this would require the Township to have a Tree Ordinance. Mr. Wilson responded that the Township has a Tree Policy which addresses this issue and seems to work well. He stated he will be meeting with the Roadmaster and Assistant Zoning Officer to try and resolve this.

Ms. De Wolf asked the status of the revised permit fee schedule. Mr. Layman responded that the proposed fee schedule is still being reviewed.

B. Township Roadmaster - Mark Gross.

Mr. Gross reviewed the August Road Report. He reported that a storm pipe has been replaced at the intersection of Hummingbird Lane and Little Shiloh Road. As the Township only owns half of the road PennDOT replaced the pipe and Westtown did the drainage work. The Department helped put the Township Office back in working order after the mold remediation was completed. Mr. Gross stated that the Shiloh Road project is moving slower than expected and a project meeting is scheduled for next week. Mr. Gross also stated that the Township general road paving for this year has not started. He is hopeful that the contractor will start on Monday. He advised the Board that the paving contract was still in the time frame of the contract. Mr. Gross stated that Mr. Ceritano has completed his project on Elk Lane and the Township will replace the curbing at the inlet. Mr. Gross stated he is reviewing proposals for resurfacing the Tennis Courts this fall.

Ms. De Wolf stated that residents parking on Jacqueline Drive at night are creating a hazardous condition for vehicles exiting Route 202 onto Jacqueline Drive. Mr. Layman stated that the road is posted for no parking between 2:00Am and 8:00Am as per Township Ordinance. Mrs. Adler stated that the original intention of the ordinance was to discourage overnight parking. Mr. Layman will address this issue.

Township Planning Commission – Mark Purcell.

Mr. Purcell stated that the Planning Commission is anxious to have a full membership on the Board and would welcome a recommendation from the Board of Supervisors. He stated that WaWa will present a revised plan at this week's Planning Commission meeting. The Commission should be able to make a recommendation for plan approval after this review. The Commission will also review minor revisions to the lighting ordinance. Mr. Purcell stated because of the proposed overlay to the A/C district the Zoning Map would need to be revised. The Commission will also review plans for the Jefferson Office Building and the Senior Apartments, now called the Westtown Gardens. There are stormwater and parking issues with the office building and jug handle and landscaping issues with the apartments. Ms. De Wolf asked if there are any outstanding issues, other than the Zoning map, with the overlay ordinance. She asked that each Planning Commission member put in writing any points that still need to be handled that the Board should know about. Mr. Purcell said he is not aware of any outstanding issues and feel the Commission had covered everything. He will let the members know and they can contact Ms. De Wolf concerning this. Mr. Barber asked Ms. De Wolf if she was asking the individual members to state if they are for or against the overlay district. Ms. De Wolf responded no but she would like individual feedback on any outstanding issues with the overlay. Ms. De Wolf asked Mr. Layman the status of checking the noise levels at Rustin. Mr. Layman stated he is scheduling that this week. Ms. De Wolf asked about the Presby Homes traffic impact study which was received from Schoor DePalma. Mr. Layman stated he will be discussing this with Al Federico, our Traffic Consultant. Ms. De Wolf also inquired about Thornbury Chester County's proposed trail plan. Mrs. Adler advised the Board that Thornbury will give a presentation of the trail plan at the September 19th Planning Commission meeting.

Ms. De Wolf asked for the record that that Mr. Layman review and respond to the August 27th letter from Thornbury Chester County concerning the generator for the traffic signals at Routes 926 and 202.

D. Parks Advisory Group.

Mr. Layman reviewed the August Parks Advisory Meeting. He stated there were three members present so they had a quorum. The possibility of having day meetings was discussed. Mr. Layman stated that Parks Advisory discussed what is being done at the park by Friends of Oakbourne and the Oakbourne Mansion Commission. He stated that they are looking at programs for next year. He also stated that as Parks Advisory has asked for clarification of their role he is drafting a memo to this effect for the Board's review.

IV. Public Comment Non-Agenda Items.

William Steele, 1055 E. Niels Lane, again expressed his frustration with the swale on the Arbor View development that is still not draining properly. The swale looks good as it has been graded and sod put in place but it is not draining correctly. Mr. Steele said in the last heavy rain storm it took 3 1/2 hours for the swale to drain. He presented the Board with pictures he had taken at that time and stated that if the water had gone any higher it would have overflowed on his property. Mr. Foster asked what the water drains into. Mr. Steele stated that the water drains underground and goes to an inlet in the road. Mr. Wilson advised the Board that Mr. Pingar, Township Engineer and Mr. Galbally, project contractor, are aware of this situation and that there is a clog in the pipe between the inlet behind lot 3 and the inlet in the street. The contractor is waiting to correct this until all the lots are completed on the north side. Mr. Wilson said this will have to be done before they receive final project approval. Mr. Layman stated that the contractor needs to do the work now. He will discuss this with Mr. Pingar.

Ms. De Wolf asked the status of the situation with Mr. Hill on Ponds Edge Road. Mr. Layman said he has spoken with Mr. Hill's attorney and will be discussing this with Mr. Pingar.

Gerald R. DiNunzio, Jr., 1517 Woodland Road, said he had five questions, the first concerned about the speeding on Woodland Road as vehicles use this as a thoroughfare to Route 352. He asked if speed limit signs could be installed. There is one sign but it is obstructed by a tree. He also stated that he feels that there is not enough traffic to warrant a police presence. Mr. Barber will address this. Mr. DiNunzio asked how long traffic would be detoured on Route 926 and where would the detour be. The signs state the detour will start on September 10th. Ms. De Wolf stated that she is not aware of the detour but will

have Mr. Layman look into this. Mr. DiNunzio's next question concerned cardboard recycling as at the present time cardboard must be cut up not just flattened. Mr. Foster stated that the Township had considered that a dumpster for cardboard should be placed in a convenient location in the Township and the Board should revisit this. Mr. DiNunzio's next question concerned Act 537. He asked if he had to replace his septic system in the next five years and public sewer was installed would he be exempt from connecting. Ms. De Wolf stated that the Board has discussed this and would be sensitive to this issue. Mr. Foster said the Board has come to the conclusion that an on lot management system is needed for the whole Township and the areas that are determined to have failing systems will be considered for public sewer. He stated it will take a year to have the data from the study. Ms. De Wolf stated that the Board can better answer this question in a year as they move forward with the on lot management program. Mr. DiNunzio's last question concerned the sanitary sewer line for the high school. He asked if the Township is paying for pumping the system. Ms. De Wolf responded that the cost is paid for by the WCASD. Mr. DiNunzio responded "then I am still paying". Mr. Layman said the line has not been dedicated to the Township and will not be accepted until it is in working order.

V. Old Business.

There was no old business at this time.

VI. New Business.

A. Approve Minimum Municipal Obligation (MMO).

Mr. Layman stated that the Board does not need to take action on this item. The MMO, which is the defined contribution for the employee's pension plan, administered by PMRS, must be presented to the Board of Supervisors at a regular September Board meeting. The contribution for this year is in the amount of \$32,941.00.

B. Approve Advertising Municipal Solid Waste Bid.

Ms. De Wolf stated that the contract bid was discussed with Mrs. Greer at the Board's workshop. Mr. Foster stated that the contract to be bid is similar to what the residents are now doing for trash/recycling. The pickup will be once a week for both trash/recycling and because of high tipping fees it will be determined by the bid if there will be a re-deduction in the amount of cans per pickup.

Mr. Foster made a motion, seconded by Mr. Barber, to approve the advertising for the Municipal Solid Waste Bid. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the advertising.

C. Conditional Use Hearing – Tract 2007-3 Exxon/Juna, Inc.

Mr. Adams stated as the applicant was not present, and we are not sure why, it would be prudent to open the hearing and then continue the hearing to the next regular Board meeting on September 17, 2007. Ms. Adler stated that a letter was sent to the applicant with the date of the hearing. Mr. Adams also stated that the hearing was advertised as required under the ordinance.

At this time the hearing was convened and then continued until September 17th, 2007, at 7:30Pm. (Transcripts available at Township office when completed).

VII. Public Comment (all topics).

Ms. De Wolf asked if the proposed Lighting Ordinance will be for new installations only or for all existing lighting. Mr. Layman stated that the ordinance is still under review by the Planning Commission. Mr. Adams said this is an amendment to the ordinance and existing lighting will be considered non-conforming.

VIII. Payment of Bills.

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

IX Adjournment.

On the motion of Mr. Foster, seconded by Mr. Barber, the meeting was adjourned at 8:37Pm.

Respectfully Submitted,
Robert Layman,
Township Manager