

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL 1039 WILMINGTON PIKE
March 20, 2006 7:30Pm

In attendance were Supervisors Chairman Thomas A. Foster, Vice Chairman Charles P. Barber, and Carol R. De Wolf Police Commissioner; Township Manager Robert Layman; Township Solicitor Robert F. Adams; Township Planning Commission member Elaine L. Adler; and Westtown-East Goshen Police Chief John M. Dumond. There were 10 guests in attendance.

I. Call to Order.

As there was a quorum present Chairman Foster called the meeting to order and led those present in the pledge of allegiance.

II. Approval of Minutes (March 6, 2006 Regular Meeting).

On the motion of Ms. De Wolf, seconded by Mr. Barber, the Board of Supervisors unanimously approved the minutes of March 6, 2006 as presented.

III. Departmental Reports.

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

Chief Dumond reviewed the February Police Report. He reported on an incident at Market Place Shopping Center where an elderly woman was scammed into withdrawing \$17,000 from her bank account. He also stated that the Department was involved with the Chester County Municipal Drug Task Force in making an arrest at the Rose Hill Apartments in East Goshen. Chief Dumond announced that Officer David Leahy has been chosen as "Officer of The Year" and will be honored at the Board of Supervisors meeting on April 17th. He also announced that the open house for the public will be held on Saturday April 8th. It will be advertised in the Daily Local and on the Police and Township websites and in the Township Newsletter. Mr. Foster asked what the results were of the DUI checkpoint on March 17th. Chief responded that two arrests were made.

B. Township Planning Commission.

Ms. Adler stated that due to the lack of a quorum the March 8th meeting had been canceled. She stated that at this week's meeting the Commission will do a second review of the preliminary plan for Sharon Bank, continue discussion of the zoning ordinance revisions, and review the revision of the Planning Commission By-Laws. Ms. Adler said the Commission was asked by Mr. Layman to discuss the fencing of detention ponds. She stated that the most logical place for the proposed regulations would be in the design section of the Stormwater Management Ordinance. Mr. Foster asked if other than the press release, is there anymore information concerning Crebilly Farm. No other information has been submitted.

Alan Peppelman, 1140 Old Wilmington Pike, said the press release made a false statement concerning Westminster Presbyterian Church and the property owners on Old Wilmington Pike. The press release stated that Westminster Presbyterian Church has reached an agreement in principal with the landowners which would mean they have signed an agreement with the landowners to buy their property. Mr. Peppelman said an agreement has not been signed. The property owners are still working on the terms of the agreement. He stated in the past the residents on Old Wilmington Pike were told by the Board of Supervisors that their properties would be included in any zoning changes for Crebilly which would be better for them than "spot zoning" on their properties. The residents are still waiting for the zoning revisions. Mr. Peppelman stated he does not have a problem with the Township but with Crebilly for making false statements. Ms. De

Wolf said it is her understanding that the press release was for Presbyterian Homes to purchase 100 acres of Crebilly for a Continuing Care Residential Community with separate contingencies pertaining to Westminster Presbyterian Church and the Old Wilmington Pike properties. Mr. Peppelman said the Church is proposing an agreement that would lock the residents into an eighteen month period in which they could not sell their properties. Mr. Foster thanked Mr. Peppelman for his insight on Crebilly.

C. Financial Report – Robert Layman.

Mr. Layman said as he stated last month it is too early to tell if the finances are in keeping with the 2006 budget. At the present time the expenditures are over mainly due to additional expenses in the Building Department for plan review. Revenues are down but this is the beginning of the year and is to be expected.

IV. Public Comment-Non Agenda Items.

Joseph Sherick, Special Projects Manager for Gaudenzia, discussed the situation with the Pleasant Grove Pump Station with the Board of Supervisors. He stated that it is his understanding that DEP will give approval to Gaudenzia's planning module if the Township signs the DEP waiver with a commitment to upgrade the pumping station. Gaudenzia has been waiting for several months for the Township to act on this. Mr. Foster advised Mr. Sherick that the Township does not have a problem with Gaudenzia connecting to the sewer system but the problem with the pump station not running at capacity needs to be resolved before they can connect. Mr. Sherick stated that their engineer had made a recommendation on January 26th that a 14" impeller be installed as he feels this will correct the problem. He asked if anyone had addressed this suggestion. Mr. Layman stated that the Township Sewer Consultant has been looking into the problem and today had mentioned that it might be the impeller. The manufacturer is being contacted to make an on site inspection of the impellers. Mr. Sherick said the Township was emailed at the end of January that this might be the problem. He produced an email in this regard dated January 26th. However, the email was a communication internal to the Gaudenzia community. He stated that the facility is totally completed and as it was constructed with County and Federal funds they would like to see the facility in operation. He said he feels the Township has been dragging its feet on this issue. Ms. De Wolf stated she had just learned tonight that the impellers might be the problem. She stated that URS has been working on trying to identify the problem and that URS has been informed that they must actively pursue this issue. Mr. Sherick said he does not understand why the Township can not sign off on the DEP module so this part of the process could move forward. Ms. De Wolf said we have a problem with capacity as Arborview will also go to the Pleasant Grove Pump station. Mr. Foster said the pumps are only working at half the capacity at this time and Arborview will add to the problem. Mr. Sherick said that he understands but Gaudenzia's flow will be de minimus and asked again that the Township sign off on the DEP waiver. He stated regardless the Township has to fix the pump station. Ms. De Wolf stated that the Township's Consultant is very aware that they must speed up their time table. Mr. Foster said as soon as the problem is located the Township will move forward. Mr. Adams asked if the lateral from the new facility to the sewer main has been connected. Mr. Sherick responded that the lateral cannot be connected until they receive DEP approval. Mr. Adams asked if the Board would agree to sign off on the DEP waiver as soon as the problem is found and not wait till the next Board meeting. Mr. Foster said the Board needs to wait until URS tells them that the problem has been located and can be corrected. Ms. De Wolf asked Mr. Sherick to give them two weeks as the Board will be better able to address the issue at that time.

V. Old Business:

Ms. De Wolf said this is not in the budget but she would like a traffic study done to address traffic calming devices, such as speed humps, to control the traffic on Jacqueline Drive and General Howe Drive. The study should cover the area between Birmingham Road and Route 202. Ms. De Wolf asked that Mr. Gross monitor the road repairs on S. New Street by Aqua necessitated by a water main break over the weekend. She also expressed concerns that Route 926 west of Route 202 is continuing to deteriorate.

Mr. Foster mentioned that Wedgwood Swim Club has asked to have a yellow blinking light installed on Matlack Street before their driveway. He suggested that this also be looked at by our traffic consultant. Mr. Layman said he had asked Mr. Wilson to look at the brush problem at the

residence next to the swim club. He stated that Mr. Wilson suggested that it would be more effective if the swim club made changes to their driveway which would improve the sight visibility.

Mr. Pavelchek, 1050 S. New Street, suggested that the Board look at the "speed ramps" that were installed on S. Matlack in West Goshen.

VI. New Business:

A. Approve Escrow Release No.1 Tract 2003-11 1645 Associates in the Amount of \$110,728.80.

Mr. Foster stated that the Township Engineer has reviewed the escrow and recommends release this evening.

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve escrow release No.1, tract 2003-11, 1645 Associates in the Amount of \$110,728.80. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow release.

B. Approve Escrow Release No. 6 Tract 2003-10 Arborview in the Amount of \$136,364.76.

Mr. Foster stated that the Township Engineer has recommended release and asked if Mr. Galbally has been paying toward his engineering fees. Mr. Layman responded that he has.

Ms. De Wolf, made a motion, seconded by Mr. Barber, to approve escrow release No. 6 Tract 2003-10 Arborview in the amount of \$136,364.76. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow release.

C. Approve GIS Consortium Tier II Agreement.

Mr. Layman reviewed the agreement for membership in the GIS consortium. He stated this enables the Township's Road Department to have County support for our GIS tracking system. Ms. De Wolf asked the difference between a Tier I and a Tier II Agreement. Mr. Layman responded that it is the amount of hours we contract for.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the GIS Consortium Tier II Agreement. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the agreement.

D. Adopt Resolution 2006-9 House Bill 881.

Mr. Layman said the resolution will be sent to the State Legislature, asking that House Bill 881 not be approved. The bill would limit the time a Township had for a BOCA review appeal. The appeal would have to be heard within ten days. Mr. Layman stated that he feels, because of the time limitation, projects of lesser quality could be approved. He also stated that PSATS is against passing of the bill.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve Resolution 2006-9 House Bill 881. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously adopted Resolution 2006-9.

E. Approve Sewer Easement Dedication WCASD (Route 202).

This item was tabled for further review.

VI. Public Comment.

There was no public comment.

VIII. Payment of Bills.

On the motion of Ms. De Wolf, seconded by Mr. Barber, 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.

Respectfully Submitted,
Robert Layman,
Township Manager