

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL 1039 WILMINGTON PIKE
June 5, 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; and Township Building Inspector John Wilson; There were six 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 (May 15, 2006 Regular Meeting).

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve the minutes of the May 15, 2006 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as corrected (Page 1 Section III:B last sentence change to "as this is a requirement"; Page 2 Section VI:A third paragraph correct to read Struble Trail).

III. Departmental Reports.

A. Township Building Inspector – John Wilson.

Mr. Wilson reviewed the May Building report. He stated he inspected connections to public sewer this month and feels the contractors need to be better informed on lateral connections to the Township's sewer system. Mr. Wilson reported on several problems with the West Chester Area School District. He stated that the District does not have approved plans for the pumping station at the Bayard Rustin High School and have not applied for permits for the tennis courts which are already built. He also stated that the District has been dumping soil from Henderson High School at the back of Starkweather Elementary School. The Chester Conservation District has been out to the site and suggested that the Township issue a stop work order. Mr. Wilson said as the work is already done he can not issue an order but will be writing a letter to Kevin Campbell, Director of Operations, to have the site stabilized. The Conservation District advised Mr. Wilson that it is common for School Districts to disregard the rules. Mr. Foster said it is time to be more aggressive with the District as they appear to be taking advantage of the Township. Mr. Wilson said the Township has done very few inspections at the high school and does not have reports on any of the mechanical systems. Mr. Foster said the District has had a private inspector but directed Mr. Layman to obtain reports on heating, plumbing, and the security system.

B. Township Roadmaster – Mark S. Gross.

In the absence of Mr. Gross who had a family commitment, Mr. Layman reviewed the Road report for May. He stated the Department has been preparing for the road restoration in Pleasant Grove. The contractor for the project has received a notice to proceed as of June 15th. Mr. Foster asked that a letter be sent to the residents notifying them when the work will be started. Mr. Layman stated the Department mowed Township Open Space and continued maintenance work at Oakbourne Park. Mr. Foster asked about hazardous tree removal in Oakbourne Park and other areas of the Township. Mr. Layman responded that Mr. Gross is obtaining proposals for this work. Ms. De Wolf asked about the compromising of the walking trail in Oakbourne Park by SBA. Mr. Layman stated that when working on the cell tower the contractor had damaged the trail. The Township repaired the damaged and billed SBA for the work.

C. Township Planning Commission.

Mr. Layman stated that the May 17th Planning Commission meeting was canceled. He stated that the Commission will continue review of fencing of detention basins at this weeks meeting. Mr.

Foster asked about Commerce Bank. Mr. Layman responded that a letter of extension for the plan review period has been received from the Commerce Bank.

D. Parks Advisory Group – Rob Upton.

Mr. Layman reported on the May 9th 2006 Parks Advisory Group meeting. He stated the trail study proposal from Ray Sachs, Town and Country Planning, was reviewed with a recommendation that the Board of Supervisors accept the proposal. As Thornbury Township Chester County has turned down the joint proposal this is no longer an issue. Mr. Layman stated that the Committee is revising a draft proposal for removing wood from Township parks. The playground equipment has been installed at Oakbourne Park and is on the agenda this evening for payment approval.

IV. Public Comment Non-Agenda Items.

Jeff Watkin, 1003 Ashley Road, said he appreciated that Mr. Wilson brought to the Board's attention the lack of response from the West Chester Area School District on outstanding issues with the construction of the new high school. Mr. Watkin stated that his attorney has informed Mr. Adams, Township Solicitor, that he is suing the Township concerning the run-off which has been destroying his property. The runoff appears to be coming from the detention basin on the school property. Mr. Watkin said he does not want to do this but this has been going on for eighteen months and neither the School District nor the Township is accepting responsibility. He stated he has given the Township permission to do work on his property to correct the situation but as yet no work has been done. Mr. Foster said the Township has been trying to work with the School District but cannot do work on the pond which is on school property. The Township Engineer and the Chester County Conservation District have been addressing this situation. Mr. Foster stated that the root of the problem needs to be resolved and that is determining from where the water is coming. Ms. De Wolf stated that the Township has the option to not issue a Certificate of Occupancy for the high school until all outstanding issues are resolved. She stated the Township needs to be firmer with the School District on our position. Mr. Layman advised the Board that Mr. Adams said issuing of a Certificate of Occupancy can be withheld until all issues are resolved with the District. He also stated Mr. Adams was advised to notify the District, in writing, of the Township's concerns.

V. Old Business.

There was no old business before the Board.

VI. New Business.

A. Approve Escrow Release No. 19 Tract 2002-8 SS. Simon & Jude in The Amount of \$27,389.36.

Mr. Foster stated that the Township Engineer has reviewed the escrow and recommends approval.

Ms. De Wolf made a motion, seconded by Mr. Barber to approve escrow release No.19 Tract 2002-8 SS. Simon & Jude in the amount of \$27,389.36. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow release.

B. Approve Payment Application Police Station Cook's Service Co, in The Amount of \$8670.27.

Mr. Foster asked if the system was working correctly as this is a payment for the HVAC installation. Mr. Layman responded that at the present time it appears to be functioning properly. Mr. Barber asked if the system was under warranty. Mr. Layman stated the warranties were good for one year from the date the Certificate of Occupancy was issued which was May 17, 2005. He stated that a defective unit in the CID room was replaced in April which would extend that one unit for another year. Ms. De Wolf stated that the Police Commission asked that the warranty period be reevaluated and be extended until it is proved that the whole system is operating as it should

be. Mr. Layman was directed to address this issue with Barton Associates consultant for Lynch Associates.

The Board of Supervisors tabled this item for further review.

C. Approve Payment Oakbourne Park Playground Equipment.

Mr. Layman stated that installation of the equipment has been completed. The only remaining work is the handicapped access, which was a requirement of the County Grant. This will be done by our Road Department. Mr. Barber asked about the grant funds. Mr. Layman responded that we received \$20,000 from Senator Erickson's office and will receive approximately \$16,000 from the County grant.

Ms. De Wolf made a motion, seconded by Mr. Barber, to approve payment to Recreation Resources in the amount of \$39,978.50. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the payment.

D. Sign Installation Request – Penn State Delaware County Campus.

In attendance for Penn State were Lisa Yerges, Director of Business Services, and David Horevay, Group Leader Safety and Security Systems.

Mr. Foster advised Ms. Yerges and Mr. Horevay that the Township has not received all the information needed to make a decision this evening. Ms. Yerges stated there is a 10% increase of students from Chester County who are attending the Delaware County Campus and parents have been requesting directional signs. Ms. Yerges also stated there was a question about the dimensions of the sign and she referred Mrs. Adler to the PennDOT regulations. Mr. Layman asked which Tourist sign were they considering. Mr. Horevay said it would be the museum sign which is brown with a white background and approximately 48" by 16". Ms. De Wolf said the Township needs pictures of what the sign will look like and also the locations where the signs will be installed. Ms. De Wolf stated that she can not give approval without more information. Ms. Yerges stated that PennDOT requires that the Township first approve the signs and then they are required to receive permission from any business location where the sign would be placed. Mr. Foster directed Mr. Layman to contact PennDOT concerning this issue. He advised the representatives from Penn State that the Board could not give official approval at this time.

E. Accept Preliminary/Final Plan Tract 2006-4 Koberg Two Lot Subdivision 1111 Shady Grove Way.

The Board of Supervisors reviewed the plan. Ms. De Wolf said there are wetlands on the property and asked that the Planning Commission stipulate that public sewer will be required for the two lots.

Ms. De Wolf made a motion, seconded by Mr. Barber, to accept the Preliminary/Final plan Tract 2006-4 Koberg with the stipulation that public sewer be required for both lots. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously accepted the plan and passed the plan to the Planning Commission for review.

F. Accept Preliminary/Final Plan Tract 2006-5 Stambolian Reverse Subdivision 10 Broadway.

Mr. Layman stated that this is a consolidation of two tracts in order to create a building lot. Ms. De Wolf questioned the sewer lateral going directly to an existing manhole. Mr. Barber asked about the seepage bed shown on the plan.

Ms. De Wolf made a motion, seconded by Mr. Barber, to accept the Preliminary/Final plan Tract 2006-5 Stambolian with the stipulation that the lateral to the manhole and the seepage bed are addressed by the Planning Commission. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously accepted the plan and passed the plan to the Planning Commission for review.

VII. Public Comment (all topics)

Mr. Pavelchek, 1050 S. New Street, member Friends of Oakbourne, reported that a second planting of Cherry Trees was done at Oakbourne Park by Scout Troop 66. Ms. De Wolf asked that letters be sent to the Scouts and Students at Westtown-Thornbury who had helped with the tree planting.

Mr. Pavelchek stated he could not hear the discussions on the plan acceptance and hoped that it had been recorded. He asked that the Board, in the future summarized their discussions.

VIII. Payment of Bills.

Mr. Barber made a motion, seconded by Ms. De Wolf, 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 adjourned.

Respectfully Submitted

Robert Layman,
Township Manager