

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL 1039 WILMINGTON PIKE
February 7, 2005, 7:30PM

In attendance were Supervisors Chairman Kenton S. Stokes, Vice-Chairman L. Charles Scipione and Carol De Wolf Police Commissioner; Township Manager Robert Layman; Township Building Inspector Gerald R. DiNunzio; and Township Planning Commission Chairman Don L. Verdiani. There were three guests in attendance.

I. Call to Order.

As there was a quorum present Chairman Stokes called the meeting to order.

II. Approval of Minutes (January 18, 2005 Regular Meeting).

Mr. Scipione made a motion, seconded by Ms. De Wolf, to approve the minutes of the January 18, 2005 regular meeting. Dr. Stokes 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 – Gerald R. DiNunzio.

Mr. DiNunzio reviewed the January Building Report. He stated both the Bayard Rustin High School, and SS. Simon and Jude Church projects are moving forward and on schedule. Mr. DiNunzio stated he has issued the final two building permits for the Enclave Subdivision and that Mr. Kravitz has paid for one permit and started construction on the single family home.

B. Township Roadmaster – Mark S. Gross.

In the absence of Mr. Gross who had a family emergency Mr. Layman reviewed the January Road and Parks Report.

Dr. Stokes stated that he was pleased with the reconstruction work on S. New Street and that the road was not closed for any longer than four days.

C. Township Planning Commission.

Mr. Verdiani reviewed the January 19, 2005 Planning Commission meeting. He stated the Commission is still working on a possible zoning reclassification for Gaudenzia and reviewing alternative ordinances. He also stated that his calls to Gaudenzia have not been returned. Mr. DiNunzio asked if a change in zoning will affect the building renovation plan recently submitted by Gaudenzia. Mr. Verdiani advised Mr. DiNunzio that these are unrelated issues. Mr. Verdiani stated the Commission reviewed the renovations to the Westtown School Athletic Building and do not have any major issues with the plan. Even though the building is increasing in size the Commission feels the current parking will be sufficient as the school is not increasing the events held in the Athletic Building.

Mr. DiNunzio said he had received a call from an architect concerning Westtown School constructing staff housing on the property off of Westtown Road where the old farm house is located. Ms. De Wolf asked if the proposed housing is shown on Westtown School's master plan. Mr. Verdiani responded that it is not.

Mr. Verdiani stated that the Planning Commission is not making a recommendation to the Board concerning the Act 537 Addendum. The Commission has not received the information they requested and feel they cannot make an informed decision.

D. Parks Advisory Group – Kathy Stambolian.

As Ms. Stambolian was unable to attend the meeting due to another commitment, Mr. Layman reviewed the January 11, 2005 Parks Advisory meeting. He stated that signs have been installed on the walking trail stating "Walking Trail Only" as people have been driving their vehicles on the trail. The Parks Advisory Group will interview candidates at their February 15, 2005 meeting for the vacant position on the committee.

Ms. De Wolf said she has been contacted by the Delaware Valley Orienteering Association who would like to construct an orienteering course in Oakbourne Park and was advised there might be funding for this project. She asked Mr. Layman to pass this information to the Parks Advisory Group.

Dr. Stokes asked that the grouted letters on the sign at the new entrance to Oakbourne Park be painted with reflective paint for better visibility at night.

IV. Public Comment-Non Agenda Items.

There was no public comment at this time.

V. Old Business.

A. Adopt Ordinance 2005-2 Industrial Pre-Treatment Ordinance.

Dr. Stokes stated that West Goshen Sewer Authority is requiring that Westtown adopt this ordinance. The Ordinance has been advertised and is in proper form for adoption this evening.

Ms. De Wolf made a motion, seconded by Mr. Scipione, to adopt Ordinance 2005-2 Industrial Pre-Treatment Ordinance. Dr. Stokes asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously adopted Ordinance 2005-2

B. Award Township Lawn Mowing/Landscaping Bid.

Mr. Layman stated the low bidder was Carter and Sons Lawn Care, Inc. in the amount of \$28,750.00 for the second bid option which includes grass cutting and landscape work. Mr. Scipione asked if the mowing and landscaping could be done by Township staff. Dr. Stokes stated the Township has reviewed this in the past and has found that it is more cost effective to have the work done by an outside contractor.

Ms. De Wolf made a motion, seconded by Mr. Scipione, to award the Township Lawn Mowing/Landscape bid for two years to Carter and Sons Lawn Care, Inc., in the amount of \$28,750.00 per year for grass cutting and landscaping. Dr. Stokes asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved the bid award.

C. Approval of The Act 537 Plan Addendum.

Chris Rogers, URS, was in attendance and reviewed the Act 537 Plan Addendum. He stated that the addendum must be approved by Resolution of the Board of Supervisors. The addendum provides the results of the survey done by West Chester University. There was an 85% response rate to the survey. The survey showed that all un-sewered areas of the Township will eventually need public sewer. The first study sector is the area which will be handled by the Westtown-Chester Creek plant. This will be an all gravity system and will be done in years 0-5. The route 202 area and the West Goshen study area still need additional planning for selection of the gravity alternative and phasing plan. Ms. De Wolf advised Mr. Rogers that for the record the Township has chosen gravity conveyance for these areas and the only planning to be done would be the engineering of the project. Mr. Rogers stated that the gravity conveyance would need to be designated on the map for any future Act 537 planning of this area. The sewer project will be done in phases with the first phase to be completed by the spring of 2007, the second phase the winter of 2009. Planning for the third and fourth phases will begin in the winter of 2006. Mr. Rogers stated that a public meeting for the Act 537 Addendum was held on Oct 19, 2004. A

public notice was placed in the Daily Local for the thirty day public response period. He stated the Township has responded to all comments received from the residents during this period.

Dr. Stokes asked for public comment at this time.

Walter Pavelchek, 1050 S. New Street, said he feels that the Board of Supervisors has not kept its word to the residents by unilaterally deciding on a gravity system for the whole Township. The Board had stated in earlier public meetings concerning the Act 537 plan that meetings would be held in each neighborhood and the residents consulted as to what would be the best system, (gravity or grinder pumps) for their area. At the October 19, 2004 meeting the Board's decision was all gravity. Mr. Pavelchek feels the Board has broken faith with the residents. Ms. De Wolf referenced the January 20th, 2004 Board of Supervisors minutes. At that meeting Mr. Genzano stated (Page I Section II: second paragraph) "There will be a project team for each area which will consist of elected officials, an engineering firm, and residents of the sector who would like to be involved in the decision process." And (Page 2 paragraph 10) "All residents in a sector will be notified and invited to be involved in the planning of the system for their sector." Ms. De Wolf also referenced her comments from that meeting as follows: "Ms. De Wolf (Page 3 second paragraph) said once approval is received from DEP the Township can move forward with neighborhood planning meetings. Ms. De Wolf stated it is her understanding that these meetings will be held prior to the installation of public sewer in any area so that the residents will have notification of the fee structure and how the project will be implemented. She also stated that the comments received after these meetings were that the residents clearly wanted a gravity system not grinder pumps. Ms. De Wolf said she does not know if it was the clear intention of the whole Board to hold meetings or only Mr. Genzano's intention. When Mr. Genzano resigned it was not the decision of the new Board or part of the planning process. Mr. Pavelchek asked Ms. De Wolf to summarize her comments. Ms. De Wolf stated, based on what she just said, she does not feel this is necessary. She stated that the Board felt that they had a very clear direction from the residents as to what system they preferred. Mr. Pavelchek said his comments to the Board are still the same. Mr. Scipione said he feels the Board has been diligent and patient in listening to the resident's comments. He also stated that in a number of public meetings it was clear that the majority of the residents want a gravity system.

Don Verdiani, 105 Lockerbie Lane, stated that the Planning Commission could not make a recommendation because they could not rationalize the original Act 537 plan with the Addendum. The Commission had requested data that would show the cost difference between a grinder and gravity system. In the absence of that data a recommendation could not be made. He said speaking as a resident he finds this disingenuous as no data has been shown to indicate that a grinder system is worse than a gravity system. There have been no engineering done or cost estimates done. The last presentation of the Act 537 plan the grinder pump system was the least expensive option. He stated the Board is committing the Township to do something that is not supported by engineering or economics. Without engineering it is impossible to consider the options. Dr. Stokes said he empathizes with Mr. Verdiani as he researched grinder pumps and thought they were a viable option but the Board could not convince the residents of this. At the first meeting held on the Act 537 plan the residents were very vocal in their preference for a gravity system. It will be much more expensive to do a gravity system. As many of the residents in the Township have come from areas where they already have public sewer they cannot understand how grinder pumps work and are fearful of what will happen if they lose electricity. It is disappointing to me that we could not enlighten the general population on grinder pumps. Dr. Stokes stated we have listened to the residents not just in meetings but through letters and emails. Mr. Verdiani said it is possible that after the engineering is done the residents may change their minds. He also stated the only residents you are hearing from are the ones who do not want grinder pumps. Ms. De Wolf said a pre cost analysis was done and tapping fees for gravity will be between \$10,000 and \$18,000; Grinder pumps \$800 - \$8,000; Connection fees for gravity \$2,000 to \$4,000, Grinder pumps \$3,000 to \$5,000; the cost to fill septic system is the same for both Grinder and gravity \$500 - \$1500. The analysis does not include maintenance, repairs and parts for grinder pumps. She stated it is possible that Grinder pumps would cost the Township more in the years to come for maintenance than a gravity system.

Ms. De Wolf made a motion, seconded by Mr. Scipione, to approve Resolution 2005-5 Act 537 Plan Addendum. Dr. Stokes asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved the Resolution.

VI. New Business.

A. Accept Final Plan Tract 2000-8 Fountains – McCawley/Jefferson Center.

Mr. Scipione made a motion, seconded by Ms. De Wolf to accept Tract 2000-8 Fountains as Final and pass the plan to the Planning Commission for their review. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved acceptance of the plan as final.

B. Adopt Resolution 2005-4 Designation of the National Incident Management System.

Mr. Verdiani, Township Emergency Management Coordinator, reviewed the Resolution. He stated that the 911 Commission found that the national response system was inadequate. The national system needed to be standardized so that all emergency response teams would be organized the same way. He stated that our police and local fire companies have been using this response system for years.

Ms. De Wolf made a motion, seconded by Mr. Scipione, to adopt Resolution 2005-4 Designation of the National Incident Management System. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors approved Resolution 2005-4.

C. Authorization to Advertise Ordinance 2005-3 Supervisors Compensation.

Dr. Stokes stated that as determined by State Law Township Supervisors are permitted to receive up to \$3,200 per year. This only applies to new Supervisors elected this year the current Board will remain under the previous compensation schedule.

Mr. Scipione made a motion, seconded by Dr. Stokes, to authorized advertising of Ordinance 2005-3 Supervisors Compensation. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors approved the advertising. Ms. De Wolf abstaining.

D. Approve Escrow Release No. 7 Tract 2003-2 Liberty Square in the Amount of \$39,159.53.

Mr. Scipione made a motion, seconded by Ms. De Wolf, on the recommendation of Chester Valley Engineers, to approve escrow release No. 7 in the amount of \$39,159.53 for Liberty Square. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow release.

E. Approve Escrow Release No. 7 Tract 2002-8 SS. Simon & Jude in the Amount of \$13,284.00.

Ms. De Wolf made a motion, seconded by Mr. Scipione, on the recommendation of Chester Valley Engineers, to approve escrow Release No.7 Tract 2002-8 SS. Simon and Jude in the Amount of \$13,284.00. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the escrow release.

F. Approve Change Orders for the Westtown-East Goshen Police Station – MCA GC -30.01 GC 31.01, and GC 32.01; Keares Electric EI-6.01, EI-7.01.

Mr. Scipione reviewed the change orders. He stated that he had concerns with change order GC 32.01 and EI 6.01. He will review these change orders with the contractors at tomorrow's construction meeting. He asked that the Board approve the change orders conditioned on further review. The Total of the Change orders is \$6,617.25.

Ms. De Wolf, made a motion, seconded by Mr. Scipione, to approve change orders MCA GC-30.10, GC 31.01, GC 32.01, EI 6.01 and EI 7.01 conditioned on further review of GC 32.01 and EI 6.01 by Mr. Scipione. Dr. Stokes asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the change orders as conditioned.

VII. Public Comment (all topics)

There were no public comments at this time.

VIII. Payment of Bills.

On the motion of Ms. De Wolf, seconded by Mr. Scipione, the Board of Supervisors unanimously approved payment of the bills as presented.

IX Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Scipione, the meeting was adjourned.

Respectfully Submitted
Robert Layman,
Township Manager