

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
TOWNSHIP ASSEMBLY HALL, 1039 WILMINGTON PIKE  
October 6, 2003 7:30PM

In attendance were Supervisors Chairman Victor J. Orlando, Vice-Chairman Robert A. Genzano and Police commissioner L. Charles Scipione; Township Manger Robert Layman; Township Solicitor Robert F. Adams; Township Engineer Angelo M. Capuzzi; Township Building Inspector Gerald R. DiNunzio; Township Roadmaster Mark S. Gross; and Township Planning Commission member Mark Purcell. There were thirty-two guests in attendance.

**1. Call to Order.**

Chairman Victor J. Orlando led the Board of Supervisors, staff and guests in the Pledge of Allegiance and called the meeting to order.

**11. Approval of Minutes (September 15, 2003 Regular Meeting).**

On the motion of Mr. Genzano, seconded by Mr. Scipione, the Board of Supervisors unanimously approved the September 15, 2003 regular meeting minutes with minor corrections.

**111. Departmental Reports.**

**A. Township Building Inspector – Gerald R. DiNunzio.**

Mr. DiNunzio reviewed the September Building Report with the Board of Supervisors. He stated that the paving and curb work in Phase IV of Green Lane is almost completed. He also stated that Bucciarelli has started the concrete work at the Enclave. The contractor estimates the work will be completed in two weeks time. Mr. Orlando asked about the paving work. Mr. Capuzzi responded that Mr. Kravitz has a proposal from Chester County Seal Coat for the paving work. Mr. Scipione directed Mr. DiNunzio to keep in communication with Mr. Kravitz concerning his acceptance of the paving contract.

Mr. Orlando asked about Total Construction's violation for the Malvern Bank project. Mr. DiNunzio advised Mr. Orlando that the violation has been corrected.

**B. Township Roadmaster – Mark S. Gross.**

Mr. Gross presented the September Road/Parks report to the Board of Supervisors. He stated the weather in September kept the department busy with downed trees and branch cleanup. He advised the Board that the Westtown-Township Chester Creek plant and the Pleasant Grove pump station were on generator power for approximately two days during the hurricane with no problems at either plant.

Mr. Gross said line painting was held up due to weather conditions and will be completed this week. He stated that due to the volume of traffic on Route 202 at Route 926 the Township had asked PennDOT in June to re-time the traffic signals at this intersection. PennDOT has agreed and timing is being revised.

Mr. Gross stated that the fall spraying for noxious weeds in Oakbourne Park has been completed. Mr. Orlando asked if this is controlling the problem. Mr. Gross responded that the spraying will be done over a four year period and appears to be working as there is regeneration of desirable plants. Mr. Gross advised the Board that the annual tree trimming/removal project will be done this year in areas west of Route 202. He stated that the Road Department will rotate tree trimming on a yearly basis based on the snow plowing routes.

Mr. Scipione asked about the sewer pumping station at Windermere. Mr. Gross stated that the pump station is maintained and owned by Windermere. The Township receives a monthly report from American Water Services on the pump station operation. Mr. Scipione asked if the island at the entrance to Kolbe Lane will be removed by Bucciarelli.

Mr. Capuzzi said it is included in the Township's paving bid for Kolbe Lane as it makes more sense to remove the island at the time the road is paved.

Mr. Genzano commended the Road Department for their work during the recent hurricane and heavy September rain storms.

Mr. Pavelchek asked when the poplar tree in front of the Mansion is to be removed. Mr. Gross stated that the work will be done in approximately three weeks after the tree trimming is completed. The contractor will remove the poplar tree and also a maple tree at the rear of the Mansion.

Mrs. Mary Lyons, 1136 Kolbe Lane, asked for clarification of the paving project. Mrs. Lyons was advised by Mr. Capuzzi that in his opinion the curb work needs to be completed first as it is the most critical. Mr. Capuzzi stated that if after two weeks Mr. Kravitz has not signed a contract with Chester County Seal Coat for the paving the Board of Supervisors can award the paving bid to Chester County Seal Coat. He stated that Chester County Seal Coat will be working on S. Concord Road and the Township will have the advantage of having all the necessary documentation for the contractor. Mr. Orlando said if the Township waits two weeks to award the paving bid we are still in the time line to have the work completed by Thanksgiving. Mr. DiNunzio advised Mrs. Lyons that he will be keeping the Board of Supervisors updated on the paving contract situation so they will be prepared to award the bid if necessary.

**C. Planning Commission – Mark Purcell.**

Mr. Purcell reviewed the agenda for the October 8, 2003 meeting. He stated that the Commission would be interviewing candidates for the vacancy on the Commission. Mr. Purcell advised anyone interested in serving on the Planning Commission to contact Elaine Adler at the Township Office. He also stated the Commission will be reviewing the SS. Simon and Jude Plan for the new church. Mr. Purcell said as he is on the church planning committee he will review the plan but is recusing himself from any deliberations by the Commission before voting on the plan.

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

Mrs. Barbara Reed, 1017 Ashley Road, expressed her concerns that Shiloh Road will become a major traffic route when the "Singing Bridge" is closed. She requested that temporary stop signs be installed on Shiloh Road at two of the roads in Plumly that intersect with Shiloh Road. She also requested that the speed limit be lowered to 25 mph.

Mr. Orlando advised Mrs. Reed that this has been discussed with Chief Dumond and the Police will be constantly patrolling Shiloh Road when the bridge is closed. He also stated that the Board of Supervisors will be voting this evening to change the speed limit on Shiloh Road to 30 mph. The change in the speed limit is being done in accordance with PennDOT regulations. Mr. Genzano stated that the Board is ready to take any action if necessary to control the traffic on Shiloh Road.

Mrs. Deborah Rode, 1506 Charles Road, said she was present this evening with her neighbor Mrs. Barbara O'Brien, 1507 Charles Road to address a water runoff problem in her cul-de-sac. She stated that since public water was installed on Charles Road two years ago the situation has become much worse. She also stated that PSWCO claims the water is not coming from their installation but from underground springs. She also stated that Mr. Gross has assessed the situation and has had to remove ice in this area in the winter.

Mr. Gross advised the Board of Supervisors that installation of storm drains would correct the situation. He stated that since this is a high priority area for public sewer he feels the storm drain installation should be done at the same time the sanitary sewer line is installed. Mr. Orlando asked what could be done temporarily to correct the situation. Mr. Gross said work has already been done at the end of Mrs. Rode's driveway to help channel the water runoff. Mr. Scipione directed Mr. Gross to take remedial steps now to address the situation. Mr. Gross will contact Mr. Capuzzi about this project.

**V. Conditional Use Hearing Tract 2003-10 Orvis TAG Builders.**

At this time the Board of Supervisors held a Conditional Use Hearing for TAG Builders for the Orvis Property, 401 W. Pleasant Grove Road. (Transcript available at the Township office)

At the close of the hearing Mr. Adams stated that the record would be held open for further review of open space issues.

**V1. Old Business.**

**A. Westminster Presbyterian Church – Final Plan Approval Parking Lot Expansion.**

Mr. Edward McFalls, Chairman of the Church Building Committee, reviewed the following changes in the plan with the Board of Supervisors: addition of an island; installation of sidewalks around the perimeter of parking area; construction of an exit only lane; and expansion of the stormwater basin. Mr. McFalls stated that they have received impervious coverage relief from the Zoning Hearing Board and recommendation of approval from the Planning Commission based on CVE's letter of September 29, 2003. He also stated that they have applied to the Chester County Conservation District for their Erosion and Sedimentation control permit. The Church would like to have the parking lot completed by Christmas.

Mr. Orlando asked Mr. Capuzzi if he has reviewed the plans for the drainage basin. Mr. Capuzzi responded that he has met with the project engineer and the Church meets all stormwater detention and recharge requirements.

Mr. Genzano made a motion, seconded by Mr. Scipione, to grant final plan approval for the Westminster Presbyterian Church parking lot expansion conditioned on CVE's letter of September 29, 2003. Mr. Orlando asked for public comment. There was no public comment. The Board of Supervisors unanimously granted final plan approval.

**B. Execution of Shiloh Road Turnback Agreement Extension to 12/31/06.**

Mr. Layman advised the Board of Supervisors that PennDOT has granted the Township an extension to December 31, 2006 in order to coordinate the Shiloh Road Turnback improvements with construction of the Bayard Rustin High School.

Mr. Scipione made a motion, seconded by Mr. Genzano to execute the Shiloh Road Turnback Extension Agreement. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved execution of the Agreement.

**C. Award of Kolbe Lane Road Rehabilitation Bid to Chester County Seal Coat Inc, in the Amount of \$73,843.50.**

Mr. Layman advised the Board of Supervisors that two bids were received for the project with Chester County Seal Coat, Inc., the low bidder in the amount of \$73,834.49 for both paving and curbing. The amount being held in escrow for the Enclave project at the present time is \$60,596.53. Mr. Layman stated that since Mr. Bucciarelli has started the concrete work did the Board want to award the paving part of the contract this evening.

Mr. Capuzzi stated he feels that Bucciarelli will complete the curbing project and that the project would not be delayed if the Board waited an additional two weeks to award this bid. The Board tabled this item for two weeks.

**D. Award of the South Concord Road Rehabilitation Bid to Chester County Seal Coat in the Amount of \$131,532.50.**

Mr. Layman informed the Board of Supervisors that the only bid received was from Chester County Seal Coat. He stated that an addendum was added to the project for 97

feet of road restoration on Fielding Drive. Mr. Layman advised the Board that there is enough money in the budget to do the project this year.

Mr. Orlando asked that S. Concord Road be kept open as much as possible during the project.

Mr. Genzano made a motion, seconded by Mr. Scipione, to award the S. Concord Road Rehabilitation project and project addendum to Chester County Seal Coat in the amount of \$131,532.50. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously awarded the bid.

**E. Carroll Brown Way Drainage Improvements- Rittenbaugh, Inc., Final Payment Request in the Amount of \$2,311.75.**

Mr. Scipione made a motion, seconded by Mr. Genzano, to approve the final payment request for Rittenbaugh, Inc., in the amount of \$2,311.75. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved the final payment request for Rittenbaugh Inc.

**V11. New Business.**

**A. Adoption of Ordinance 2003-4 Reduction of Speed Limit Shiloh Road.**

Mr. Layman stated that Frank Zabawski, Township traffic consultant, did a traffic study based on PennDOT guidelines, to reduce the speed limit on Shiloh Road. He stated that Mr. Zabawski recommends the speed limit be reduced from 35 mph to 30 mph. He also stated that the Ordinance has been advertised and is ready for the Boards adoption this evening.

Mr. Genzano made a motion, seconded by Mr. Scipione, to adopt Ordinance 2003-4 to reduce the speed limit on the entire length of Shiloh Road from 35 mph to 30 mph. Mr. Orlando asked for public comment. There was no public comment at this time. The Board of Supervisors unanimously approved adoption of Ordinance 2003-4.

**B. Final Payment Request #14 D. J. Adams Westtown-Chester Creek in the amount of \$33,053.72.**

Mr. Layman advised the Board of Supervisors that URS is recommending final payment to D. J. Adams. Mr. Orlando asked Mr. Gross if this was acceptable. Mr. Gross responded that the payment can be released and that the equipment installed is still under warranty.

Mr. Scipione made a motion, seconded by Mr. Genzano, to approve final payment request #14 to D. J. Adams in the amount of \$33,053.72. Mr. Orlando asked for public comment. There was no public comment at this time.

**V111. Public Comment (All Topics).**

There was no public comment at this time.

**1X. Payment of Bills.**

On the motion of Mr. Genzano, seconded by Mr. Scipione, the Board of Supervisors approved payment of the bills.

**X. Adjournment:**

On the motion of Mr. Scipione, seconded by Mr. Genzano, the Board of Supervisors unanimously adjourned the meeting.

Respectfully Submitted, Robert Layman Township Manager

