

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
TOWNSHIP ASSEMBLY HALL, 1039 WILMINGTON PIKE
MARCH 4, 2002 7:30Pm

In attendance were Supervisors Victor J. Orlando, L. Charles Scipione and Robert A. Genzano; Township Manager Michael A. Cotter; Township Building Inspector Gerald R. DiNunzio; Township Road Master Mark S. Gross; and Planning Commission chairman Don L. Verdiani. There were eighteen guests in attendance.

I. Call to Order.

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

II. Eagle Scout Recognition

The Board of Supervisors presented Certificates of Appreciation to Eagle Scout Bradford Painter for establishing a picnic area at the ball fields, Eagle Scout Jason Buck for the Township Butterfly Garden, and to Eagle Scout Michael Jervis for restoration of the Water Tower area and fire circle. The Board thanked the scouts for their hard work and contribution to the Township.

III. Approval of Minutes (19 February 2002 Regular Meeting).

On the motion of Mr. Scipione, second by Mr. Genzano the Board of Supervisors unanimously approved the 19 February regular meeting minutes with the following correction. (Section III (A) should read Mr. Genzano questioned the number of days that the speed monitoring sign was in service during the month of January and asked if the device was capable of capturing and storing data.)

IV. Departmental Reports.

A. Township Building Inspector – Gerald R. DiNunzio.

Mr. DiNunzio reviewed the February Building Report with the Board of Supervisors. He informed the Board of Supervisors that the surveying work being done for Chesterfield II was destroyed by vandals and had to be redone. He also stated that he is in the process of reviewing the plans for the Kirkwood Office project.

Mr. Scipione asked for an update on Westtown Associates. Mr. DiNunzio stated that all the inside work is finished but the first floor is not yet leased. The landscaping and paving work will be completed in the spring.

B. Township Road and Parks – Mark S. Gross.

Mr. Gross stated that in preparation for the road work on Ponds Edge Road the storm water inlets were televised. All were in good condition except on the south side of Pond's Edge Road parallel to Lee's Link where the pipe was dislocated in three sections causing the road to sink. The pipes were realigned and encased in concrete. It was also determined that the brick inlets were deteriorating and it would be beneficial to replace them at this time. An addendum was added to the Pond's Edge Road bid to replace these inlets with new pre-cast concrete inlets.

Mr. Gross advised the Board of Supervisors that the bids for Tree Trimming and Roadside Maintenance have been advertised. He stated that trees will be trimmed, 14' off the road surface, on Robin Drive, Thrush Lane, Johnny's Way near Penn Wood School, all of Plumly Farms, southern half of Pleasant Grove, Ponds Edge Road, Cider Knoll Road, and Appleberry Way. The Roadside

Maintenance Bid is for three years and the Tree Trimming bid is for one year only. The cost of roadside maintenance is approximately \$1,500 per cut for three cuts per year. Mr. Cotter stated that the tree trimming is included in the \$28,000 which is budgeted for work at Oakbourne Park.

Mr. Scipione asked Mr. Gross to assess the damage that was done doing snow plowing to the bituminous curb on Carroll Brown Way and Carter Place.

Mr. William Steele, 1055 E. Niels Lane, commended the Road Department on the removal of trees in the Township open space on Niels Lane.

Mrs. Nancy Winther asked when the tree trimming is done in Plumly if the hedge at the intersection of Farm Lane and Shiloh Road could be cut back. She stated the hedge has been causing an on going problem with site visibility at this intersection. Mr. Gross will review the intersection using PADOT standards on site visibility.

C. Planning Commission – Don L. Verdiani.

Mr. Verdiani reviewed the 20 February Planning Commission with the Board of Supervisors. The discussion on flex development was tabled as Mr. Schmehl, Township consultant, was unable to attend the meeting.

Mr. Verdiani stated that the Commission reviewed a sketch plan, presented by Mr. Tordone, for a four lot subdivision of the Thompson property on 711 Oakbourne Road. The Commission had concerns with the shape of the lots, the access to the property using a Township right-of-way, the steep bank on Oakbourne Road, and the creation of flag lots. He stated that the Commission also feels that the lots should be on public water and public sewer.

The Commission also reviewed a sketch plan presented by Joyce Realty to extend their property with the addition of a parcel on the east side of the pond for construction of a day care center or office building. Mr. Verdiani stated that the day care center would have an area of 10, 500 square feet which the Commission feels is reasonable for the property. The sketch plan did not show a playground area and there are some wetland areas involved.

Mr. Verdiani stated the Commission is recommending that the Board of Supervisors grant final approval for the McCawley/Jefferson Center Office/Bank project. Approval is conditioned on the plans being noted as general office not medical as the approved parking is designed for office only. The landscaping plan is to be upgraded and reviewed by Mrs. Adler. Mr. Verdiani stated that the height of the building had been an issue but has been resolved.

Mr. Scipione asked about the rationale on the height of the building. Mr. Verdiani stated that the POC district allows, with Board of Supervisor's approval, 50% of the buildings to be 50' in height. The additional building height will allow for 9' feet between floors with 4' of space for mechanical equipment which will conceal all the mechanical units on the roof of the building.

V. Public Comment-Non Agenda Items.

Mr. Verdiani stated that Emergency Service Committee conducted their evacuation drill for a Limerick emergency. He stated that Mark Gross, Township Roadmaster and the Westtown-East Goshen police were of great assistance in the drill.

Mr. Verdiani also advised those present that the State and County have officially declared a drought emergency and a ban has been placed on all burning.

Mrs. Prudence Schran, 307 Ponds Edge Road, asked how the new High School will financially affect the Township real estate tax and other services. She questioned if resident's taxes will be increased. Mr. Orlando responded that the initial loss to the

Township will be approximately \$500,000 in real estate transfer tax on the homes that were to be built in the proposed adult community. The Township will continue to lose approximately \$75,000 to \$100,000 annually on earned income tax and real estate transfers. There will be a burden on the police department as extra police protection will be needed. Mr. Cotter stated that the Township will also lose revenue on sewer tapping fees of one and half million dollars. Mr. Orlando said hopefully some of our losses can be passed to the school district. Mr. Genzano said that Township taxes would not be increased in the near future. Mr. Orlando stated that the real estate tax and transfer taxes are 10% of the Township's budget. Mr. Genzano said that there is a chart on the Township's web site showing where the real estate taxes are used.

VI. Old Business.

A. Action on Ordinance 2002-2, an Amendment to the Agreement dated December 15, 1997 between Westtown Township and the Pennsylvania Municipal Retirement Board to allow Original Members of Pension Plan to be Fully Vested.

Mr. Cotter reviewed the Ordinance with the Board of Supervisors.

Mr. Genzano made a motion, second by Mr. Scipione, to adopt Ordinance 2002-2, an Amendment to the Agreement dated December 15, 1997 between Westtown Township and the Pennsylvania Municipal Retirement Board.

Mr. Scipione asked for public comment. Mr. Genzano asked for clarification of the retroactive date. Mr. Cotter explained the retroactive date of October 2001 is the date that the PMRS Board discovered the error in the Agreement.

The Board of Supervisors unanimously adopted Ordinance 2002-2.

B. Action on the GeoPlan Permit Management Software Implementation Agreement with Gilmore Associates in the Amount of \$71,800.

Mr. Orlando reviewed the Agreement. Mr. Genzano expressed his concern that the acceptance period on page 11 section C should read as 15 working days not calendar days as the vendor would not be responsible for any problems after the 15 days. He also stated that he would like a longer acceptance period. Mr. Cotter said he is comfortable with the implementation of the system and thought that Gilmore would be acceptable to a thirty day acceptance period.

Mr. Genzano stated that page 6 section III A, should read software fee payment upon successful implementation.

A motion was by Mr. Genzano, second by Mr. Scipione, to accept the Agreement with Gilmore Associates pending a change to thirty-days for the acceptance period. The Board will sign the Agreement after the changes are made.

C. Presentation of the Township Web Site.

Mr. Cotter made a visual presentation to those present on the Township Web Site. He stated that the Web Site has been completely redone by LJL communications. He thanked Mr. Genzano for his help and interest in the Web Site. Residents can obtain information on the site about the Township Budget, meeting dates and times, meeting agendas, and the Township Policy Manual. An explanation of the Act 537 plan should be on the site by next week. There are also links to Chester County information sites, State Web Sites, and the West Chester Area School District site.

Mr. Genzano asked the residents to let Mr. Cotter know if they have any ideas or suggestions for the site.

Mr. Pavelchek, 1050 S. New Street, said he has found that the meeting dates are not always correct. Mr. Cotter said the Township staff is in the process of being trained on maintaining the site.

D. Action on the Appointments to the High School Project Special Committee.

This item was tabled at this time.

E. Action on the Joseph McCawley Jefferson Center Bank/Office Final Land Development Plan.

Mr. Orlando stated that Mr. Joseph McCawley and Mr. Steve Marshall were in attendance at the meeting this evening. He also stated that the Board of Supervisors is in receipt of the Planning Commission Resolution 2002-1 recommending final plan approval.

Mr. Genzano asked for clarification of final plan approval. He was advised that the developer can apply for a building permit and begin construction of the site. Mr. Marshall stated that once approval is received a developer's agreement will be entered in with the Township and the necessary security posted.

Mr. Marshall reviewed the plan with the Board of Supervisors. The plan is for a 40,000 square foot office building which is 53' in height. He said exhibits had been prepared to show how the building relates to the other sites in Jefferson Center. He also stated that the landscaping will be redone to give the building a softer appearance from route 202.

Mr. Scipione expressed his concerns about the entrance to the building. He said he would like to see a more expressive entrance and relocate the entrance to the center of the building. He asked that Mr. McCawley have the architect re-work the entrance.

Mr. Genzano asked questions about the height of the building. He stated that he is confused as to why the Township is approving the plan with the 53' building height as it is in excess of the zoning ordinance maximum of 38'. Mr. McCawley said the building will be 50' as three feet are below grade and each story is 9'. There will be parapet walls on the roof to hide the mechanical equipment.

Mr. Cotter stated that the master plan for the site was considered in the planning of the office building. The office building will be on the southern boundary of the Jefferson Center with Sunrise the northern boundary. Mr. Genzano asked if all the other buildings on the site are 38' in height as required by ordinance. Mr. Cotter responded that Sunrise and the Jefferson apartments are higher. He also stated that the provisions and waivers can be granted for this site which will allow reasonable development of the site. The Fountains will have underground parking which will allow for a higher building height.

Mr. Genzano said he has to be sure that there is wisdom in having a building of this height close to route 202. Mr. Marshall said this is why the developer has worked with the Planning Commission to make this site as acceptable as possible. Mr. Cotter stated that part of the site is below grade which gives an illusion of less height. He also stated that how the building will appear from route 202 was discussed and the view will be softened when the fountain and landscaping is installed in the jug handle.

Mr. Scipione said if the roof had been flat it would have had an ugly and obtrusive look. The roof needs sloping to hide the mechanical equipment and he is willing to give 3' more for screening. He stated his only concern is the entrance. Mr. Marshall will address this with the architect.

Mr. Marshall also commented that this is not a normal development situation as the Curative Amendment stipulated how the site could be developed. Mr.

Genzano asked what the Township would be receiving for the height concession. Mr. Marshall responded an attractive building.

Mr. Cotter than stated that understanding the history of the site is very important when reviewing this project. Mr. McCawley was told that he could not build in the area where the jug handle and the fountain will be constructed. Mr. Genzano stated that he likes the architect use of Sunrise and the Jefferson Apartments but still thinks a two story building would be in the best interest on route 202.

Mr. Orlando stated he feels that this is the best alternative for the site and that he does not have a problem giving relief for additional height.

Mr. Cotter asked Mr. Genzano if he would like to see more sketches of the elevations. Mr. Genzano said he thought he would get a better feeling if he walked the site and will arrange to do this with Mr. McCawley.

On the motion of Mr. Scipione, second by Mr. Genzano, the Board of Supervisors unanimously approved the final plan for the Jefferson Center Office/Bank project conditioned on the Planning Commission's Resolution 2002-1. The Board of Supervisors will not sign the plans until they are revised.

VII. New Business:

A. Action on the Award of the Pond's Edge Road Infrastructure Improvement Project Bid to L.C. Costa Contracting in the Amount of #369,319.00.

Mr. Gross reviewed the bid with the Board of Supervisors. He stated that concrete upright curb will be installed on three quarters of Ponds Edge Road starting at Walnut Hill to Rollinview. All properties will be restored and driveways cut back and feather in six feet with asphalt. New storm water inlets will be installed and brick catch basins replaced with pre-caste concrete. Cold in place recycling will also be done and two speed humps installed.

B. Action on the Award of the South New Street Infrastructure Improvement Project bid to Malloy Paving in the Amount of \$89,950.

Mr. Gross reviewed the bid with the Board of Supervisors. He stated that the shoulder will be widened 4' and curbing installed.

Mr. Scipione asked about the back filling of the curbs on Ponds Edge. Mr. Gross stated that that the language has been changed in the bid to require restoration work to be done by a qualified landscaper that has been in business for at least five years. He also stated that the project will be video taped to have a permanent record for restoration.

Mr. Cotter stated that a meeting will be held with the residents of Ponds Edge Road before the work is started.

Mr. Scipione made a motion, second by Mr. Genzano, to award the Pond's Edge Road Project to L. C. Costa in the amount of \$369,319 and the South New Street Project to Malloy Paving in the amount of \$89,950.00. Mr. Scipione asked for public comment.

Mrs. Schran asked wouldn't it be more efficient to do all of Ponds Edge Road. Mr. Gross stated that the area between Rollinview Drive and Manley Road is in good condition.

Mr. Pavelchek asked what area of S. New Street will be done. Mr. Gross responded 400' North of and 400' South of Jacqueline Drive.

The Board of Supervisors unanimously approved awarding of the Pond's Edge Road and South New Streets projects.

VIII. Public Comment

There was no public comment at this time.

IX. Adjournment.

As there was no other business or comments, on the motion of Mr. Scipione, second by Mr. Genzano the Board of Supervisors unanimously adjourned the meeting.