

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
TOWNSHIP ASSEMBLY HALL, 1039 WILMINGTON PIKE
April 22, 2002 7:30Pm

In attendance were Supervisors Victor J. Orlando, Robert A. Genzano and L. Charles Scipione; Township Manager Michael A. Cotter; Township Solicitor Robert F. Adams (arrived at the commencement of "Old Business"); Township Engineer Angelo M. Capuzzi; Westtown-East Goshen Police Chief John M. Dumond; and Planning Commission member Art Holland. There were six 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. Approval of Minutes (2 April 2002).

On the motion of Mr. Scipione, second by Mr. Genzano the Board of Supervisors unanimously approved the 2 April 2002 regular meeting minutes as corrected. (Section III: A: spelling of "homes", Section IV: paragraph 2 "eastern" to "western").

III. Departmental Reports.

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

Chief Dumond reviewed the March Police Report with the Board of Supervisors. He stated that he recently spoke with Senator Jane Earl and Representative Robert Flick concerning the Radar Bill before the House (House Bill 1961). He reviewed the Bill with the Board and stated that both the Police Chief Association and the State Police have objections to the Bill. Under the Bill if radar is used a driver would not be charged "points" unless their speed is 26 mph over the speed limit. At the present time "two points" are given for speeds of 6 to 10 mph over the speed limit. The bill also requires that the radar only be used by full time police officers and that the officer using the radar must be in a visible location.

Chief Dumond advised the Board that as there are concerns with the amount of ambulance calls for police support at Sunrise Assisted Living and the Bellingham Retirement Home. He will be meeting with both agencies to discuss this issue.

He also read into the record a letter from Stuart Rich, 927 Tyson Drive, who was stopped for speeding on Little Shiloh Road commending the Officer and Police Department for their safety concerns of the residents.

Mr. Orlando asked about the large amount of false alarms in East Goshen. Chief Dumond responded that they were all false alarms and some were storm related.

Mr. Genzano asked that the Speed Board be used more frequently on Shady Grove Road. The Chief discussed traffic "blitzing" with the Board of Supervisors.

Mrs. Eva Foster, 734 Westbourne Road, stated that the Police Departments "speed blitz" is working on Westbourne Road but that she noticed a police officer driving faster than he should have been. She also requested that the Speed Board be placed on Westbourne Road in the morning around 8:30am when the traffic is the heaviest.

B. Township Engineer – Angelo M. Capuzzi.

Mr. Capuzzi stated that the Ponds Edge Road Reconstruction project is going well. He stated that the S. New Street restoration project is tentatively scheduled to start on 6 May 2002 and be completed by 24 May 2002. A pre-construction meeting will be held this week with Malloy Paving the contractor for the project.

Mr. Scipione asked who is responsible for the signage and traffic control on Pond's Edge Road. Mr. Capuzzi responded that the Contractor is responsible and that Mark Gross and a representative from Chester Valley are also helping with traffic control in the area. Mr. Scipione asked if a warning that the road was closed could be given ahead of turning onto Ponds Edge. Mr. Capuzzi stated that the road was not to be closed but kept opened at all times.

Mr. Scipione also asked if the height of the catch basins will be the same once the finished paving is completed. Mr. Capuzzi said that the lip of the inlet is an inch and half and that there will be an inch and a half of overlay when the paving is done.

C. Financial Report – Michael A. Cotter.

Mr. Cotter reviewed the first quarter financial report with the Board of Supervisors. He advised the Board that the Township has received \$117,114 in Liquid Fuel Funds.

Mr. Orlando asked about the \$8,600 that was moved from the Highway Turn Back Fund into another account. Mr. Cotter stated that this is the contribution of \$4,300 for the past two years for Shiloh Road which the PADOT State Auditor advised him should not be in the Turn Back Fund.

Mr. Orlando also questioned the heating oil charges, which are over budget, as we had a mild winter. Mr. Cotter will review this item with the bookkeeper.

D. Planning Commission – Art Holland.

Mr. Holland reviewed the 4 April 2002 Planning Commission meeting with the Board of Supervisors.

He stated that John Snook, from Brandywine Conservancy, gave an excellent and very informative power point presentation on the proposed R1 zoning changes.

The Commission reviewed the plans for the proposed Commerce Bank on the property owned by Silver Star Associates adjacent to the Westtown Village Center. The plan has been revised to increase the landscaped area along route 202 by reducing the drive thru lanes from four to three and having one way angled parking. The set backs meet the requirement for any widening of Route 202. A conditional use hearing will be necessary because of precautionary slopes. Mr. Holland said the Commission recommends approval of the plan if conditional use is received. Mr. Orlando asked if Knole Way will remain a one way street. Mr. Cotter responded that the applicant has applied to PADOT to make Knole Way a two way street.

The Commission also reviewed the Joyce Realty plan to combine two parcels into one. A office building is planned for the combined parcel. Mr. Holland said there are some concerns about the wet lands in this area.

Mr. Holland stated that the developer has asked to use stone curbing, not concrete curbing at the Reserve at Chesterfield as the stone is more attractive in appearance. Mr. Scipione asked if the stone would be pre-cut granite. Mr. Holland said Belgian Blocks would be used. He also stated that the Commission is acceptable to the change. Mr. Scipione asked if the curbing is internal and Mr. Holland responded yes.

A plan for a proposed Jaguar/Landrover dealership on the Jerrehian tract, 1568 West Chester Pike, was also reviewed. It was determined that the applicant will need three variances. The Commission is concerned that the car carriers will be unable to unload safely in the area of West Chester Pike.

Mr. Holland stated that Mr. Gagliardi is proposing another lot line change to avoid demolishing the boat house. A formal plan needs to be submitted to the Commission.

Mr. Orlando thanked Mr. Holland for his years of service on the Planning Commission and wished him well on his move to South Carolina.

IV. Public Comment-Non Agenda Items.

Mr. Walter Pavelchek, 1050 S. New Street, stated that Mr. Snook's excellent power point presentation at the Planning Commission was the clearest explanation he has seen of the proposed R1 Zoning changes. Mr. Pavelchek also stated that "Earth Day" at Oakbourne Park was a success with good participation from various groups. He asked that the dates, agenda and minutes of the High School Committee meetings be posted on the Township Web site.

Mr. Genzano asked why the hedges on the property located at Shiloh Road and Farm Lane have not been cut back as requested in the 2 April meeting minutes. Mr. Cotter responded that as speeding on Shiloh Road, not site visibility is the problem at this intersection the property owner is not inclined to remove the hedges. The property owner feels if the speed limit was reduced on Shiloh Road he would not have to remove the hedges. Mr. Cotter stated that the property owner will be addressing this situation with the Board of Supervisors.

V. Old Business:

A. Action on the Award of the Township's Tree Trimming Bid to Acme Tree Trimming Service, in the amount of \$15,450.

Mr. Cotter stated that Mr. Gross has worked with the contractor and has been able to reduce the bid from \$18,900 to \$15,450. The Township will provide flag men for the work to be done on Pleasant Grove and Westbourne Road. The Township will also close S. Concord Road between Little Shiloh Road and Oakbourne Road which will reduce the amount of time it will take to trim in this area. Mr. Orlando asked what time would the road be closed. Mr. Cotter stated only between 9:00Am and 3:00Pm. He also stated that the contractor feels the work can be done in approximately four hours.

Mr. Scipione made a motion, second Mr. Genzano, to award the Township's Tree Trimming Bid to Acme Tree Trimming Service in the amount of \$15,450. Mr. Orlando asked for public comment. As there was no public comment at this time the Board of Supervisors unanimously awarded the Tree Trimming Bid to Acme Tree Service.

B. Execution of the Malloy Paving South New Street Paving Project Contract in the amount of \$89,950.

Mr. Adams stated that he has reviewed the contract and the contract is ready for the execution by the Board of Supervisors this evening. Mr. Cotter stated that all bonds and Insurance have been received by the Township.

Mr. Scipione made a motion, seconded by Mr. Genzano, to execute the Malloy Paving South New Street Paving Project contract in the amount of \$89,950. Mr. Orlando asked for public comment. As there was not public comment at this time

the Board of Supervisors unanimously approved execution of the Malloy Paving contract.

C. Execution of the South Chester Road (SR 352) and Green Lane I Improvement Escrow Agreement.

This item was tabled at this time.

VI. New Business:

A. Execution of the West Chester United Soccer Club Use and Maintenance Agreement.

Mr. Cotter stated that Mr. Adams has reviewed the agreement which is comparable to the agreement with East Side Little League. He also stated that the Parks Advisory Group has approved the agreement. The agreement will give West Chester United Soccer more formal use of the Oakbourne Soccer field for tournament use.

Mr. Genzano asked if the \$25.00 per day use of fields by residents would also apply to this agreement. Mr. Cotter stated yes it would be the same as using East Side Little League's field.

Mr. Genzano made a motion, seconded by Mr. Scipione, to execute the West Chester United Soccer Use and Maintenance Agreement. Mr. Orlando asked for public comment. As there was no public comment at this time the Board of Supervisors unanimously approved execution of the West Chester United Soccer Agreement.

B. Execution of the URDC Oakbourne Park Phase I Design Contract.

Mr. Cotter stated that the proposed agreement is to design the Phase I improvements to Oakbourne Park. The Township has received a grant from the County for 50% of the cost of the improvements. A new entrance will be constructed, a one mile paved trail loop will be installed, a second picnic pavilion will be constructed near the water company tower, and new play ground equipment will be also be installed. The design phase should take approximately 14 -16 weeks to be bid in late August or early September. Mr. Cotter stated he is hopeful that the improvements will be completed by the end of the year.

Mr. Genzano asked about section D of the proposal, the memorial tree program, which is being excluded from the proposal. Mr. Cotter stated that the Parks Advisory Group recommends that this not be done at the present time because of the cost and time frame of the project. Mr. Pavelchek stated Parks Advisory feels a memorial tree program is not needed at this time and would slow up the proposal process.

Mr. Cotter stated that he has worked with Drew Sontag of URDC in the past and that he is a good architectural designer in this field. Mr. Genzano asked how URDC was selected. Mr. Cotter said Parks Advisory felt the Township should continue with URDC to keep the process moving.

Mr. Genzano made a motion, seconded by Mr. Scipione, to execute the URDC Oakbourne Park Phase I Design Contract, excluding section D, in the amount of \$33,900. Mr. Orlando asked for public comment at this time. Mr. Pavelchek asked if Mr. Cotter could arrange for URDC to meet with Parks Advisory at their next meeting. The Board of Supervisors unanimously approved execution of the URDC Design Contract.

C. Action on the Green Line Consultants Forestry Management Proposal in Amount of \$3,850.

Mr. Cotter advised the Board of Supervisors that this is the first major step in dealing with the evasive weed problem at Oakbourne and in starting a forestry management program that will preserve the present tree growth in the park. Mr. Green will do a complete survey of the size and species of trees in the northern area of the park. This is not a logging or harvesting program but a program to insure that we still have a wood lot fifty years from now.

Mr. Scipione asked if it is his understanding that the plan will show the diameter and names of the trees. Mr. Cotter responded yes. Mr. Genzano asked if this is in the budget. Mr. Cotter stated that it is included in the tree trimming line item of \$25,000.

Mr. Scipione made a motion, seconded by Mr. Genzano, to approve the Green Line Consultants Forestry Management Proposal in the amount of \$3,850. Mr. Orlando asked for public comment at this time. As there was no public comment the Board of Supervisors unanimously approved The Green Line Consultants proposal.

D. Action on the Westtown-Chester Creek WWTP Renovation Project Change Order No. 6, in the Credit Amount of \$525.00.

Mr. Cotter stated that this is a credit due the Township for block that is missing from the split face masonry work that was done at the plant.

Mr. Scipione made a motion, seconded by Mr. Genzano, to approve change Order No. 6 in the credit amount of \$525.00 for the Westtown-Chester Creek WWTP Project. Mr. Orlando asked for public comment. As there was no public comment at this time the Board of Supervisors unanimously approved change order No.6.

VII. Public Comment.

Mrs. Eva Foster asked if Mr. Cotter would send a letter to the residents of Westcroft Place the dumping of leaves on the property at the end of the cul-de-sac. After some discussion it was determined that Mrs. Foster was informed in the fall that this is her property not the Township's and she would be responsible for any dumping cleanup.

Mrs. Foster asked about the proposed amphitheater at Westtown-Thornbury Elementary School. Mr. Cotter stated that the school has not submitted any plans to the Township as of this date. Mrs. Foster said it was stated at the last meeting that the Board of Supervisors could waive the permitting process. Mr. Cotter responded that they have the right to do this but felt they would require a permit submission. Mr. Orlando advised Mrs. Foster that the Township would require the school to go through the permitting process.

VIII. Payment of Bills.

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

IX. Adjournment.

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

X. Conditional Use Hearing.

At this time the Board of Supervisors conducted a conditional use hearing to hear the application of Joyce Realty Corporation for construction of a 10,270 square foot office

building in the Township's R-3 Zoning District. (Transcript of the hearing is on file in the Township Office)

The Application of Silver Star Associates was continued to 7 May 2002.