

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
OAKBOURNE MANSION 1014 SOUTH CONCORD ROAD
May 21, 2001

In attendance were Supervisors L. Charles Scipione, Kenton S. Stokes and Victor J. Orlando; Township Manger Michael A. Cotter; Township Solicitor Robert F. Adams; Township Engineer Angelo M. Capuzzi; and Westtown-East Goshen Police Lt. Darren Stocker. There were eight guests in attendance.

I. Call to Order

There being a quorum present, Chairman L. Charles Scipione led the Board of Supervisors, staff and guests in the Pledge of Allegiance and called the meeting to order.

II. Approval of Minutes (7 May 2001).

On the motion of Dr. Stokes, second Mr. Orlando, the Board of Supervisors unanimously approved the minutes of 7May 2001.

III. Departmental Reports

A. Township Solicitor – Robert F. Adams:

1. BFI Contract Assignment.

Mr. Adams advised the Board of Supervisors that BFI was undergoing an internal restructuring with no change in the parent company Allied Waste Industries. Mr. Scipione asked if this would have any effect on the Township's contact with BFI. Mr. Cotter responded that operationally nothing is changing.

Mr. Orlando made a motion, second Dr. Stokes, to execute the BFI contract assignment. Mr. Scipione asked for public comment. As there was no public comment at this time the Board of Supervisors unanimously approved execution of the BFI contract assignment.

2. Truck Body Bids:

Mr. Adams stated that the three bids the Township received for the Truck Body were not in compliance with the bid requirements. He recommended that the Board of Supervisors reject all bids.

3. Modification of URS Westtown-Chester Creek Design Agreement.

Mr. Adams stated that he has reviewed the URS agreement which appears to be in correct form but that he could not comment on the amount of the agreement. Mr. Cotter advised the Board of Supervisors that URS is asking for an increase in the amount of the contract agreement, as they have had to spend additional time working with DEP and the Department of Dams and Waterways on the permitting for the plant.

Mr. Scipione asked how much additional time was spent. Mr. Cotter stated that there were three meetings with DEP and Dams and Waterways. Dr. Stokes stated that he has concerns over the cost and asked for a breakdown of the items in the agreement for the Board of Supervisor's review.

4. SBA Option.

Mr. Cotter stated that the Township is in receipt of a check in the amount of \$2,000 for SBA's option of the Land Use Lease Agreement.

On the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors unanimously approved the Land Use Lease Agreement option of SBA.

B. Westtown-East Goshen Police Department Lt. Darren Stocker.

Lt. Stocker reviewed the April Activity Report with the Board of Supervisors. Dr. Stokes advised Lt. Stocker that he would be addressing the need to expand the traffic control force at the next Police Commissioners meeting. He stated that the Township has received numerous complaints of speeding on Shady Grove Way and other areas of the Township.

Lt. Stocker said the Department has instituted a "Directed Patrol" in the last six weeks. He explained that the officers are required to allot thirty minutes per shift to address directed patrol issues such as traffic complaints, stationary position relief, etc. He also stated that the major complaint in all three Townships that the Department covers is speeding.

Mr. Scipione asked if the Department has a speed board. Lt. Stocker responded that the Department has submitted a grant application for a speed board. He stated that at the present time two "strips" are placed in the roadway which help to determine the amount of vehicle traffic on the road and the speed they are travelling.

C. Township Engineer – Angelo M. Capuzzi.

1. Construction Updates.

Westtown Associates – Mr. Capuzzi stated that the basic erosion control and detention basins have been completed and the contractor is completing the storm sewers. He said that per Mr. Cotter a building permit is not to be issued until all the erosion control is completed. Mr. Scipione asked if not issuing the building permit was legal. Mr. Capuzzi advised Mr. Scipione that it was stated on the approved erosion control plan that certain items had to be completed, because of the "tight" site and wetlands involved, before work on the building could be started.

Green Lane Village – Mr. Capuzzi stated that a pre-construction meeting with the contractor and a representative from Chester County Conservation was held in anticipation of work commencing on Phase 3 and Phase 4 of Green Lane Village this week.

Township Administration Building – Mr. Capuzzi said the rough grading for the access driveway has been completed. He also stated the erosion control devices are in place and that the pipes have been delivered for the manholes and inlets.

St. Maximilian Kolbe - Mr. Capuzzi said that the additional grading needed for the ballfields has been completed.

Barbone Subdivision – Shiloh Road – Mr. Capuzzi reported that the Engineer Inspector advised the site contractor that the detention basin must be completed and approved before a use and occupancy permit could be issued.

Westtown School – Bacon Cottage – Mr. Capuzzi stated that excavation and

construction of the required recharge bed has been completed.

Mr. Capuzzi stated that two projects are pending SBA and the Westtown Village Shopping Center expansion. Mr. Cotter said with the signing of the option for SBA this evening SBA's permit would be issued.

Dr. Stokes asked about the grease in the sewer lines from the Westtown Village Center. Mr. Cotter said the owner will be put on notice concerning the situation. Mr. Scipione would like a requirement made that the owner must certified every three months to the Township that the grease traps are clean and in working order. He stated this puts the onus on the owner not the Township.

2. Westtown Associates Request.

Mr. Capuzzi reviewed with the Board of Supervisors a plan submitted by Westtown Associates' architect to install ornamental metal screens to shield the lower parking area from West Chester Pike instead of the 6' high solid wall required by final plan approval. He stated that the applicant feels that as the level of West Chester Pike is 8' lower than the top of the parapet wall at its highest point the ornamental screening if combined with the required landscaping would act as an effective barrier as opposed to a solid wall.

After some discussion the Board of Supervisors directed Mr. Capuzzi to tell the applicant that they are willing to consider other options, possibly louvers that would shield the light at night from West Chester Pike.

3. Harlan Corporation Barnsworth Lane Subdivision Final Escrow release, in the amount of \$76,693.60.

Mr. Adams advised the Board of Supervisors that all documentation is in order for the dedication of Barnsworth Lane and release of the final escrow to Harlan Corporation. He stated that Mrs. Worth has received a payment for landscaping.

Mr. Orlando made a motion, second Dr. Stokes, to approval the final escrow release in the amount of \$76,693.60 to Harlan Corporation. Mr. Scipione asked for public comment. As there was no public comment at this time the Board of Supervisors unanimously approved the escrow release.

D. Planning Commission – Nicholas N. Bibbo.

As Mr. Bibbo was unable to attend the meeting Mr. Cotter reviewed the 9 May Planning Commission with the Board of Supervisors. He stated that Mr. John Snook of Brandywine Conservancy was present to review with the Commission zoning provisions for agriculture uses on small tracts. He stated that the Commission recommends sending a survey to property owners of two or more acres for their input and to hold a meeting with the owners in the fall to discuss this issue. Mr. Cotter stated that he feels this issue has already been covered in the Growth Management Plan. He also stated that Mr. Snook was well prepared and made a good presentation to the Commission.

Mr. Cotter said the Commission discussed amendments to the Planned Office Campus for age restricted apartments and felt the amendments should be modeled on the existing R3 regulations.

Mr. Cotter advised the Board of Supervisors that he has discussed the Boards decision not to change the zoning on the Orvis tract with Mr. Schmehl and how that will affect the Growth Management Plan. He stated that the Board should be seeing sketch plans for cluster on the Orvis Tract. Dr. Stokes stated that he is anxious to see a plan for a cluster

development, as one has not as yet been built in the Township. Mr. Scipione asked if cluster was allowed in R1. Mr. Cotter said cluster is a use by right in R1. Dr. Stokes stated that he feels its was made very clear that the Township did not want apartments on the Orvis tract and he is looking forward to seeing a plan for cluster development.

Mr. Cotter stated that the Planning Commission supported the submission of the Park and Recreation grants to Chester County.

V. Old Business.

A. Award of the Truck Body Bid, with Option A, to Lancaster Truck Body in the Amount of \$22,160.00.

As per Mr. Adams direction the Board of Supervisors on the motion of Mr. Orlando, second Dr. Stokes, unanimously rejected all truck Body Bids for non-compliance with the bid requirements.

VI. New Business.

A. Public Hearing on the Vacation of Oak Lane.

Mr. Barnard, attorney for Westtown School, stated that he has been informed that due to a misunderstanding the Board of Supervisors was not ready for a hearing on this matter this evening and asked if the hearing could be rescheduled to 4 June 2001. Mr. Cotter apologized to Mr. Barnard for not being able to hold the hearing this evening. Mr. Adams will advertise the meeting for 4 June 2001 and Westtown School will send notices to the residents.

Mr. Barnard stated that the School has held two meetings with the residents and has received good support for the closing of Oak Lane. Mr. Cotter stated that the Township Planning Commission supports the closing. Mr. Cotter also stated that PennDOT has approved the installation of a temporary traffic signal at Shady Grove Road and Route 926 and will be receiving a letter in the near future to this effect.

VII. Public Comment.

Mr. Robert Genzano, 1023 Plumly Road, asked about the status of the traffic signal at Shiloh Road and Route 926. Mr. Cotter stated that PennDOT has decided that the traffic division should be reviewing the permit not the construction division which normally handles temporary signal request so that the design approval is taking longer than planned. He stated that he is hopeful that the signal will be installed this summer.

Mr. Genzano asked if the new Township Administration building will be wired properly so that Township meetings can be video taped. He suggested that Mr. Jim Hanak a Township resident review what has been recommended for installation to insure that any future needs will be accommodated. Mr. Scipione advised Mr. Genzano that this is all part of the contract. Mr. Cotter stated that the whole building will be wired in every area for cable, jacks, etc. Dr. Stokes said that he felt a video of the meetings in lieu of tape recording has some merit especially for legal purposes. Mr. Scipione advised Mr. Genzano that Mr. Hanak will be able to produce a video tape as the facilities will be in place in the new building.

Mrs. Retallick, 1432 Johnnys Way, asked about the hole left by PECO on Robin Drive that has not been properly restored. Mr. Cotter advised her that PECO would be sending a contractor to complete the restoration.

Dr. Martin Goldberg, 901 Robin Drive, said the hole was on his property and wondered if the

work done had anything to do with correcting the electrical outages in the area. Mr. Cotter said he would have the Roadmaster look into the permit. Mr. Scipione said to give PECO no longer than a month to restore the area in question.

VII. Approval of Bills.

- A. Approval of Payment to Construction and Design, Inc. (Prime Contract #1-General Construction) for the Westtown Township Administration Building in the amount of \$32,792.00**
- B. Approval of Payment to Cook's Service Inc. (Prime Contract #2-Mechanical) for the Westtown Township Administration Building Project in the amount of \$5,780.70.)**
- C. Approval of Payment to Cook's Service Inc. (Prime Contract #3-Electrical) for the Westtown Township Administration Building Project in the amount of \$9,288.00.**
- D. Approval of Payment to Bondurant Plumbing (Prime Contract #4-Plumbing) for the Westtown Township Administration Building Project in the amount of \$4,995.00.**

Mr. Cotter advised the Board of Supervisors that Mr. Carroll, Building Inspector and Mr. Lombardi, Architect for the project, have certified all payments to the contractors.

On the motion of Dr. Stokes, second Mr. Orlando, the Board of Supervisors unanimously approved items A-D for payment.

E. Approval of Bills List.

On the motion of Dr. Stokes, second Mr. Orlando the Board of Supervisors unanimously approved payment of the bills.

VII Adjournment.

As there was no other business or comment, on the motion of Mr. Orlando, second Dr. Stokes, the Board of Supervisors adjourned the meeting.

Respectfully Submitted,
Michael A. Cotter,
Township Manager

