

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Monday, August 21, 2017 at 7:30 PM

In attendance were: Chair Mike Di Domenico, Police Commissioner Tom Haws, Township Manager Rob Pingar, WEGO Police Chief Brenda Bernot, Township Solicitor Pat McKenna, P&R Commissioner Eileen Bengston and Planning Commissioner Steve Rodia. There were 14 guests present.

I. Pledge of Allegiance & Call to Order

Mr. Di Domenico led the Pledge of Allegiance, and called the meeting to order at 7:33 PM. He asked if anyone was recording the meeting. There was no response.

II. Approval of Minutes (August 7, 2017)

Approval of the August 7, 2017 Board of Supervisors meeting minutes was tabled. Mr. Di Domenico was not present at the August 7 meeting therefore could not vote on the minutes. Since Ms. De Wolf was not present tonight, there was no quorum of the August 7th attendees to vote.

III. Workshop Meeting Summary (August 21, 2017)

Mr. Di Domenico stated that the Board discussed the strength of public safety radio signals in school buildings, and will be working with the West Chester Area School District to address deficiencies in many of the schools. A Certificate of Continuance for the Kirkwood Fitness center was discussed and is on tonight's regular meeting agenda. The Board decided to table the Floodplains Ordinance until the September 5 meeting due to advertising requirements. Finally, the Board discussed the Westtown Woods subdivision application, which is on tonight's agenda for final approval consideration. Mr. Haws stated that the Board also held a brief executive session to discuss two personnel matters. There were no comments or questions from the public regarding the workshop.

IV. Departmental Reports

A. Westtown East Goshen Police (WEGO) – Chief Brenda Bernot

Chief Bernot reported that the department has seen an increase in burglaries. Most burglaries occur during the day while people are at work. There have been two in Westtown this month: one on Hidden Pond Way, and another in the 1700 block of S. Concord Road. There was also one cat burglary last month. Cat burglaries occur at night, while the homeowner is asleep, so the chance of confrontation is higher. Cat burglars look for unlocked doors, and often escape using by using car keys stolen during the burglary and taking the victim's car. She encouraged people to lock doors, and put car keys an inaccessible place so if someone were to break into your house, the car keys cannot be easily found.

The Chief reported that 6 Westtown residents will be participating in the Citizens' Police Academy, which begins September 6. The program teaches participants how the Police Department operates, and the department gains feedback on how they can better serve the community.

Mr. Haws asked about the two burglaries in Westtown. The Chief stated that entry was gained by kicking a back door in.

Jim Cahill, 9 Jacqueline Drive, asked if he was allowed to use firearms in the event his home is invaded. The Chief stated that under the "Stand Your Ground" rule, a person is allowed to use deadly force if he feels threatened, but she encouraged extreme caution. Mr. Cahill then asked if any consideration has been given to an auxiliary police force. The Chief stated that Pennsylvania

does not support auxiliary police, due to lack of training and liability concerns. Mr. Cahill said that Macungie, PA has a large fireworks display every year and uses auxiliary police for the event. The Chief stated that in Chester County, the Fire Police provide that type of service. They have professional training and equipment. Mr. Cahill also asked why there are not school zone signs and 15-mile speed limit on 202. Chief Bernot replied that no children exit or board buses on 202.

There were no additional questions or comments.

B. Township Solicitor – Patrick McKenna

Mr. McKenna stated he has been working on the Westtown Woods project, reviewed the Floodplains Ordinance, dealt with the adaptive reuse of the Kirkwood Fitness Club site, and has been coordinating with the Minacci's on the next steps for the AME Cemetery site. He stated that the future conditional use hearings for the Toll/Crebilly project have been slated for Tuesday, September 19 at Rustin High school and Tuesday, October 24 at Stetson Middle School.

Mr. Haws asked if Mr. McKenna had heard anything from Mr. Asplen. Mr. McKenna replied that he had not.

C. Parks & Recreation Commission (P&R) – Eileen Bengston

Mrs. Bengston stated that P&R met on Tuesday, August 8, with only 4 members present due to vacations. She reported that the movie night on Friday, August 18th was cancelled due to rain and lightning. The last movie of the season will be Friday, September 29, featuring Casablanca.

Regarding other projects, Mrs. Bengston reported that the geocaching project is moving forward. The commission has selected locations and written out the clues. The commission continues to work on the NWF Wildlife Habitat certification, planning for Westtown Day, and the Winter Festival. Mr. Haws encouraged P&R to create a list of tasks for the NWF certification so the supervisors can provide assistance.

There were no other comments or questions.

D. Planning Commission (PC) – Steve Rodia

Mr. Rodia stated that the PC had a short meeting on August 9. They discussed several zoning hearing board variances for sheds. The commission also reviewed the Floodplains Ordinance, voting to approve it. Mr. McKenna stated that the Floodplains Ordinance is not a township driven ordinance. It is governed by FEMA regulations, and there are few changes from the previous regulations in this update.

V. Public Comment Non Agenda Items

Jim Cahill asked about the status of traffic calming devices on Jacqueline Drive (JD). Mr. Pingar replied that he met with the township traffic engineer last week. He said the township is creating a notice to be sent to all JD residents, polling them regarding the installation of speed humps. The township will paint temporary lines where the humps will be located, and information will be sent showing residents what the humps will look like, and where signage will be placed, so that they can be fully informed when they vote on the speed humps. The township will require an approval rate of at least 70% rate before making any decision regarding the installation of speed humps.

Mr. Cahill continued to voice concerns regarding vehicular speed and the safety of the residents of Jaqueline Drive. Mr. Haws and Mr. Di Domenico stated that the decision regarding speed humps will be largely in the hands of the residents. Additional measures such as changing traffic patterns to one-way travel will be considered only after evaluating if speed humps make a difference.

Leonard Mammucari, 523 W. Pleasant Grove Road, echoed Mr. Cahill's concerns about cut-thru traffic. He suggested speed humps on W. Pleasant Grove Road (WPGR) 15 years ago. Two were installed, but then removed due to resident complaints. He agreed that something needs to be done on WPGR and Jacqueline Drive. The Chief stated that she would add WPGR to the list of active traffic complaints. Mr. Mammucari asked why the speed on WPGR is 35mph, while Jacqueline Drive is 25mph, and why there isn't a stop sign at Dunvegan Road. The Chief replied that stop signs cannot be placed to control speed. They are used to control traffic flow at intersections.

Doug Anderson, 606 Jacqueline Drive, thought other traffic calming options such as planters or chicanes should be considered. He suggested using ranked choice voting to determine the best option. He also asked about restricting trucks over a certain weight limit. The Chief stated that weight limits would apply to everything – fuel delivery, furniture trucks, parcel delivery companies – making it nearly impossible to enforce.

Ray D'Andrea, 1514 Marlboro Road, provided the Board with information from Fair Districts and asked their support of a bi-partisan bill to amend the PA Constitution process for drawing legislative districts to prevent gerrymandering. He stated that 63 municipalities across the state, including 12 in Chester County, have endorsed the bill, as well as Senators Killion and Dinniman, and Representative Comitta. Mr. Haws said he was familiar with the bill and suggested that Mr. D'Andrea attend a future Board of Supervisors workshop meeting to make a full presentation.

There were no additional comments or questions.

VI. Old Business

A. 1646 West Chester Pike - Certificate of Continuance

In August 2015 the property owner, Spencer Qualls, requested a Certificate of Continuance to extend the existing non-conforming use at the former Kirkwood Fitness Center property at 1646 West Chester Pike for a period of one year. Since the fitness center closed in 2015, the 30,000 square foot building has been marketed without success. Mr. Qualls requested a one-year extension in 2016, and he is now requesting another one-year extension in 2017 as they continue to market the property.

Mr. Haws made a motion to approve Spencer Quall's request for a Certificate of Continuance for a non-conforming use through September 1, 2018, in accordance with Section 170-1901.E of the Westtown Township Zoning Ordinance. Mr. Di Domenico seconded the motion. There was no public comment and the motion was approved.

B. Westtown Woods Subdivision – Final Approval

Mr. Haws made a motion to approve the Westtown Woods preliminary/final subdivision application, including the 10 ordinance waivers noted on the plans, conditioned upon the applicant satisfactorily addressing the outstanding items noted in the township engineer's August 16, 2107 review letter. Mr. Di Domenico seconded the motion.

Doug Anderson, 606 Jacqueline Drive, read a prepared statement of his comments regarding the waivers requested for the Westtown Woods subdivision, expressing his concerns over plantings, signage, construction access, and traffic.

There was no further public comment. The motion was unanimously approved.

C. 2017 Road Program – Invoice No. 3

Inncon submitted invoice #3 for the 2017 Road Program in the amount of \$392,006.56. McCormick Taylor has recommended payment of \$372,406.23 (95% of the request), withholding

5% retainage. Mr. Haws made a motion to approve payment #3 to Inconn in the amount of \$372,406.23. Mr. Di Domenico seconded the motion. There was no public comment and the motion was approved.

VII. New Business

A. Ordinance 2017-03 – Floodplain Regulations

This agenda item was tabled until the September 5 Board meeting.

VIII. Announcements

Mr. Di Domenico made the following announcements:

1. **Board of Supervisors Conditional Use Hearing - Crebilly Tract/Toll Brothers** – Tuesday August 29 and Tuesday September 19, 2017, 6:00 pm at Rustin High School, and Tuesday October 24, 2017 at Stetson Middle School.
2. **Comprehensive Plan Update Survey** - closes September 5, 2017. The Township is in the process of updating its Comprehensive Plan which will guide important policies and decisions over a 10-20 year planning horizon. The Task Force would like your input as they seek consensus on strategies that can be implemented by the Township. Go to the township website home page to click on the survey. It will take about 10 minutes to complete and all answers will be kept confidential. Compiled results will be made public.
3. **Comprehensive Plan Update Open House** is Wednesday October 11th from 6:00 to 8:00 pm at the Rustin High School cafeteria to allow for further public involvement in the planning process.
4. **Neighborhood University** – Starts Thursday, September 14 at 7:00 pm. NU is a free program offered by the West Chester Area Council of Governments to educate citizens about local government and increase their awareness of available municipal services and resources. Go to the link on the township website for more information and to register or visit www.nugwc.org.
5. **Westtown Day** – Sunday October 1, 2017, 10:00 am to 2:00 pm

IX. Public Comment on All Topics

There was none.

X. Payment of Bills

Mr. Haws made a motion to approve the General Fund bills in the amount of \$191,884.20, the Wastewater Fund bills in the amount of \$21,284.77, and the Capital Projects Fund bills in the amount of \$7,093.75, for a grand total of \$220,262.72. The motion was seconded by Mr. Di Domenico. There was no public comment, and the check registers were approved.

XI. Adjournment

Mr. Di Domenico made a motion to adjourn the meeting, seconded by Mr. Haws. The meeting adjourned at 8:31 PM.

Respectfully submitted,

Robert Pingar
Township Manager