

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING  
Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown  
Monday, April 17, 2017 at 7:30 PM

In attendance were: Chair Mike Di Domenico, Vice Chair Carol De Wolf, Police Commissioner Tom Haws, Township Manager Rob Pingar, WEGO Police Chief Brenda Bernot, Township Solicitor Patrick McKenna, P&R Commissioner Phillip Garabedian, and Planning Commissioner Jim Lees. There were 8 guests present.

**I. Pledge of Allegiance & Call to Order**

Mr. Di Domenico led the Pledge of Allegiance, and called the meeting to order at 7:38 PM. He asked if anyone was recording the meeting. There was no response.

**II. Approval of Minutes (April 3, 2017)**

Ms. De Wolf made a motion to approve the April 3, 2017 Board of Supervisors meeting minutes. Mr. Haws seconded the motion. There was no public comment and the motion was approved.

**III. Workshop Meeting Summary (April 17, 2017)**

Mr. Di Domenico stated that the Board's workshop began with an executive session to interview a candidate for the Planning Commission. The Board also discussed Act 247 review of the Pipelines Ordinance, and authorizing advertisement of the Historic Resource Map Amendment and Fire Insurance Claims Ordinance. The Board also discussed the Zoning Map Revision (C2 to R2) for the Westtown Woods Tract, and have decided to table that issue for another meeting.

There were no questions regarding the workshop.

**IV. Departmental Reports**

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

Chief Bernot was pleased to report that the issues the department was having with their website have been resolved. She encouraged residents to visit [www.westtownpolice.org](http://www.westtownpolice.org) for the latest police blotter.

Regarding crime trends, the Chief reported that scams continue to be a problem. She stated that public education is the best safeguard against scams. She also reported that marijuana possession charges are on the rise. Contrary to popular belief, marijuana possession is still illegal in Pennsylvania, and is a misdemeanor offense.

She also reported on the fake citation scam that occurred in Pleasant Grove. The 16-year-old perpetrator has been identified and charges have been filed with the Chester County Juvenile Probation Department. He and his family are cooperating with police in the matter.

Jim Cahill, 9 Jacqueline Drive, was surprised to learn from a WEGO officer that radar guns can only be used by State Troopers in Pennsylvania. He asked what it would take to get that law changed. Chief Bernot encouraged residents to contact their state representatives, and voice their support of allowing local police to use radar to enforce speed limits.

Mr. Pingar asked the Chief why legislators are so hesitant to allow local police to use radar. The Chief stated that there is concern that radar enforcement would be over used as a revenue generator, and also there are questions about proper use of radar. As a 28-year veteran of the

State Police, Chief Bernot stated that radar enforcement is foolproof. As to revenue generation, she stated it costs more money to write a citation than is made by the township.

Mr. Cahill said that despite traffic calming measures, speeding continues to be an issue on Jacqueline Drive. The Chief stated that the Traffic Safety Unit spends more time on Jacqueline Drive than any other road in their three township jurisdiction. Mr. Haws stated that 60% of the citations and warnings are given to residents who live on Jacqueline Drive or within ½ mile of it. Ms. De Wolf stated that speeding has decreased, but cross through traffic will continue to be an issue. Mr. Cahill asked if he could put a sign in his yard to get people to slow down. Ms. De Wolf stated that he would need to abide by the township's sign ordinance.

Megan Bruns, 4 Jacqueline Drive, questioned the amount of police presence in the area, stating that she hasn't seen as many police vehicles in the past few months. The Chief maintained there has not been a decline in police patrol. The Chief stated that parking cars on the road is an excellent method for traffic calming, but she understands some residents don't want to street park. Mrs. Bruns stated that she thinks the only solution is changing traffic patterns.

Ms. De Wolf said that speed humps would help, but said the residents objected to speed humps as one of the initial traffic calming measures. She said that a frontage road will help once it is constructed, and perhaps residents will have to reconsider speed humps, or making Jacqueline Drive one-way.

Mr. Di Domenico thanked Chief Bernot for the opportunity to ride with Officer Ted Cam on a recent morning during on traffic detail.

There were no additional comments or questions.

**B. Township Solicitor – Patrick McKenna**

Mr. McKenna stated that his firm worked on the items discussed during the workshop: the Pipelines Ordinance, the Fire Insurance Ordinance, the Historical Resources Map Amendment, and the Zoning Map Amendment. He has prepared a draft indemnification agreement for the Minacci property (AME abandoned cemetery), indemnifying him from any injury incurred as a result of clearing the property. He has also been preparing for the Crebilly hearing on Wednesday.

There were no questions or comments.

**C. Parks & Recreation Commission (P&R) – Phillip Garabedian**

Regarding upcoming events, Mr. Garabedian reported that the commission is working on the Community Yard Sale, which will be held April 29 from 8am to 1pm. He stated that vendor registration is a bit low, but historically registration numbers increase closer to the event date. P&R also decided upon a fourth movie night to be held September 29. This will be a "Fall Back in Time" themed evening, featuring "Casablanca."

Mr. Garabedian said the commission submitted their recommendation for the Veterans' Memorial to the Board. Mr. Di Domenico stated that the Board will be visiting the proposed sites in May.

There were no questions or comments.

**D. Planning Commission (PC) – Jim Lees**

Mr. Lees stated that at their April 5 meeting the PC had a lengthy discussion on sidewalks and trails. He said the consensus of the PC was to include sidewalks in any new development in the township.

The April 19 PC meeting has been cancelled in order for members to attend the Toll Conditional Use Hearing at 6:00 at Westtown School.

There were no questions or comments.

**V. Public Comment Non Agenda Items**

Jim Cahill stated that this area is being overdeveloped. He said overdevelopment brings crime to the area, like drug use, including heroin. He felt that area townships should meet regularly to regulate development and develop a master plan.

Ms. De Wolf responded: "If I may, Chester County has Landscapes III that they're working on, and they have done some projected population demographics for Chester County, and there is no doubt that we will continue to grow. And yes, how we grow will really impact the people that live there, and those around them. So, you know, you can use conservation zoning. You can use really good planning boards reviewing these plans, and Boards of Supervisors in the area that are following through on those kinds of things. I don't think that we can stop development from happening, or growth in numbers. I think what we can do is be responsible for how and where we put additional people. And I think you're right. I think that asks us to look at not only our geography, but the area, and especially when you're looking at where to keep that open space, and where it's appropriate for people to develop. And I think there's a lot of people working on that right now."

There was no additional public comment.

**VI. Old Business**

**A. Historical Resources Map Amendment**

Ms. De Wolf made a motion to authorize Act 247 review of the proposed Historic Resource Map Amendment. Mr. Haws seconded the motion. There was no public comment and the motion was unanimously approved.

**VII. New Business**

**A. Planning Commission Appointment**

The Board interviewed five candidates for the vacancy on the PC: Robert Atwell, Jack Embick, John Mattiola, Martha O'Malley, Thomas Sennett, and Robin Senss. Ms. De Wolf made a motion to appoint Jack Embick to the Planning Commission. Mr. Haws seconded the motion, adding that the appointment is for an unexpired term ending December 31, 2019. There was no public comment and the motion was unanimously approved.

**B. Pipelines Ordinance – Act 247 Review**

The draft Pipelines Ordinance is modeled from those prepared by the Chester County Planning Commission, and has been reviewed by the Township Solicitor. Ms. De Wolf made a motion to authorize Act 247 review of the proposed zoning ordinance amendment to address surface land uses associated with transmission pipelines. Mr. Haws seconded the motion. There was no public comment and the motion was unanimously approved, with Mr. Di Domenico stating he was doing so "with reservation."

**C. Fire Insurance Claims Ordinance – authorize advertisement**

This amendment requires insurance companies to establish a defined escrow with the Township in order to recover costs incurred by the Township in the mitigation of health/safety/welfare issues

associated with fire events, and/or unpaid taxes or utility bills. As this falls outside zoning and subdivision, it does not need 247 review. Ms. De Wolf made a motion to authorize the Township Solicitor to prepare and execute the required legal advertising for the proposed Fire Insurance Claims ordinance. Mr. Haws seconded the motion, adding that the ordinance will be considered for adoption at the May 1, 2017 Board of Supervisors meeting. There was no public comment and the motion was unanimously approved.

**D. Zoning Map Revision, Westtown Woods Tract - authorize advertisement**

This item was tabled pending further review.

**VIII. Announcements**

Mr. Di Domenico made the following announcements:

1. Board of Supervisors Conditional Use Hearing - Crebilly Tract/Toll Brothers – Wednesday, April 19, 2017, 6:00 pm at Westtown School Theater
2. CRC Streams Cleanup – Saturday April 22, 9am-11:30am at Goose Creek Park Pavilion. Mr. Haws stated that he will be attending the event.
3. Comprehensive Plan Update Task Force Meeting – Thursday, April 27, 7:00 pm at Township Building.
4. Westtown Community Yard Sale – Saturday April 29, 8am to 1pm at Oakbourne Park
5. State Representative Carolyn Comitta – Rep. Comitta is scheduled to attend the May 1, 2017 Board meeting to share information on her office locations and constituent services offered.

**IX. Public Comment on All Topics**

Nancy Harkins, 1521 Woodland Road, thanked the Board for their work on the pipelines ordinance. She asked when the ordinance would be available for public review. Mr. Pingar stated it was on the website with tonight's meeting information. Mrs. Harkins asked whether the township has met with other municipalities since the last Board meeting to discuss zoning ordinances. Mr. Pingar stated that the West Chester Area Council of Governments (COG) meets infrequently. Ms. De Wolf asked what issue Mrs. Harkins would like elevated to the COG. Mr. Pingar stated that he believed Mrs. Harkins was referring to pipeline safety. Ms. De Wolf stated that she would try to get it on the next agenda.

There was no other public comment.

**X. Payment of Bills**

Ms. De Wolf made a motion to approve the General Fund bills in the amount of \$40,873.80, and Wastewater Fund bills in the amount of \$7,520.47, for a grand total of \$48,394.27. The motion was seconded by Mr. Haws. There was no public comment, and the check register was approved.

**XI. Adjournment**

Mr. Haws made a motion to adjourn the meeting, seconded by Mr. Di Domenico. The meeting adjourned at 8:24 PM.

Respectfully submitted,

Robert Pingar  
Township Manager