

# WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown  
Monday, January 7, 2019 – 7:30 PM

In attendance were Chair Scott Yaw, Vice Chair Mike Di Domenico, Police Commissioner Carol De Wolf, Township Manager Rob Pingar, Public Works Director Mark Gross, Historical Commissioner Dan Campbell, Planning Commissioner Jim Lees, and Township Solicitor Pat McKenna. There were 7 guests.

## I. Call to Order

Mr. Yaw called the meeting to order at 7:42 PM. He asked if anyone was recording the meeting. Tom Foster stated that he was recording the meeting.

## II. Approval of Minutes (December 17, 2018)

Ms. De Wolf made a motion to approve the Board of Supervisors meeting minutes of December 17, 2018. Mr. Yaw seconded the motion. Mr. Di Domenico questioned the amount of print that was given to Eva Foster's public comment regarding the budget, noting that her comment was much longer than the minutes indicated. He also commented that Matt Kelly's public comment could have been given more detail as well. Mr. Yaw replied that the minutes should be a summary of topics discussed, not a transcript. Ms. De Wolf agreed.

Tom Foster, 734 Westbourne Rd, thanked Mr. Di Domenico for addressing the summary of Ms. Foster's comments. He expressed his frustration that such a detailed public comment would be summarized in a few lines. Ms. De Wolf responded that Ms. Foster received detailed responses from both the Board and the Director of Finance during the meeting and that the exchange did not have to be copied verbatim in the minutes. She also noted that staff would be more than happy to discuss the budget in detail outside of the regular meeting.

There were no other questions or comments and the minutes were unanimously approved.

## III. Workshop Meeting Summary (January 7, 2019)

Mr. Yaw stated that the Board held an Executive Session on legal and personnel matters.

There were no comments or questions.

## IV. Departmental Reports

### A. Public Works (PW) – Mark Gross

Mr. Gross reported that his department spent time in December replacing overhead street name signs at three signalized intersections on Rt. 926. Mr. Gross commented that the Township has had a problem with underground springs rising along road edges, including Woodland Road, S. New Street, and several other roads. The department did what they could to address it, although there is still some water rising through the asphalt due to the immense hydraulic pressure from the spring. Mr. Di Domenico expressed his concern that the water from the spring will freeze as it gets colder and present a road hazard. Mr. Gross replied that the crew will plan to salt the area and continue to monitor the situation.

Mr. Gross reported that the semi-annual inspections of all stand-by generators were completed and resulted in the replacement of all starting batteries. He also shared that a 21-year-old diesel pump was replaced at the Public Works facility.

Mr. Gross stated that the slate roof at Oakbourne Mansion was patched in two locations, but will require additional repairs in the future. He reported that the Springview Court stormwater pipe and inlet replacement is currently underway and should be complete in the next two weeks.

Mr. Gross also reported that he has spent a considerable amount of time managing the progress of the new Public Works garage, which is nearing completion.

Finally, he shared that a new Public Works employee, Steven Spranger, started today.

Ms. De Wolf commented that the Board would like to host an “opening” for the new Public Works garage and suggested they start planning for a day in February. Mr. Gross cautioned against an opening before spring, as the weather can be unpredictable. Mr. Pingar commented that he would look into scheduling the event as the project gets closer to completion.

There were no other comments or questions.

#### **B. Historical Commission (HC) – Dan Campbell**

Mr. Campbell reported that their annual update of the Historical Resource List is forthcoming, and reminded the Board that several updates from 2018 are still awaiting approval from the Planning Commission. Mr. Pingar agreed to review the ordinance to determine the next steps to get these updates approved.

Mr. Campbell continued with a description of the recently acquired Huey property and its historical significance. He passed out visual handouts to the Board depicting what the site may have looked like in its prime. Mr. Di Domenico asked if the Historical Commission is intending to recreate the structures shown in the handouts. Mr. Campbell replied that they are not, as it is too early to tell the value of the site.

Mr. Campbell had no status update on the Shiloh AME Cemetery project. He reported that the HC is continuing to work on editing and updating the History of Westtown book, and hopes to have a draft ready by spring. Mr. Campbell also acknowledged that funds had been allocated in the 2019 budget for the proposed Veterans’ Memorial, for which the HC has provided their input.

Looking forward, Mr. Campbell stated that the HC would like to consider seeking a historical marker for the Oakbourne Mansion. Mr. Pingar commented that when the HC has determined more details about the marker, they should coordinate with the Board and him on how to proceed. Ms. De Wolf commented that the Township already plans to install a new entrance sign at Oakbourne and the HC should take that into consideration when planning for the marker.

Mr. Di Domenico asked Mr. Pingar for an update on the Veteran’s Memorial project. Mr. Pingar replied that the consultant is working on a bid package. After the bids come in and the construction cost is known, the township will evaluate the project scope.

There were no other comments or questions.

#### **C. Planning Commission (PC) – Jim Lees**

Mr. Lees reported that the PC last met on December 5, 2018, as their Dec. 19<sup>th</sup> was cancelled. The next meeting is scheduled for Wednesday, January 9. Mr. Lees thanked the Board for their appointment of new planning commissioner, Kevin Flynn.

At the December 5 meeting, Tony Verway from Gawthrop Greenwood attended to finalize the Bi-Directional Amplifier Ordinance verbiage. The PC anticipates receiving a clean copy of both the Bi-Directional Amplifier Ordinance and the Sign Ordinance by the January 9<sup>th</sup> meeting, which will then be passed on to the Board for review.

There were no comments or questions.

**D. Township Solicitor – Pat McKenna**

Mr. McKenna reported that since his last update, his office has assisted the Public Works department with a bidding matter and Pam Coleman with a Right-To-Know Request. He also reported that his office is working on a response to the brief filed on December 21, 2018 by Toll Brothers regarding the Crebilly Farm case. Mr. McKenna shared that they have a tentative settlement agreement with Heather Glen apartments regarding their outstanding fees and Use and Occupancy permits. Mr. McKenna added that he has been working to schedule hearings for the Westtown School Conditional Use matter. He also reported assisting the Zoning Officer in addressing a fence violation. Finally, he reported that he worked on drafting a sewer easement for 111 E. Hilltop Road, which was withdrawn at the last meeting.

There were no questions or comments.

**E. Manager’s Report – Rob Pingar**

Mr. Pingar announced that there will be a number of capital improvement projects in 2019 including the Oakbourne Bridge replacement, Veteran’s Memorial, Tyson Park improvements, sewer projects, Oakbourne Park sign, and the annual Road Maintenance project.

The township commissions will be having their reorganization meetings this month:

- Parks & Recreation Commission – January 8
- Planning Commission – January 9
- Historical Commission – January 17

Ms. De Wolf reminded Mr. Pingar to schedule meetings with each of the commissions this spring to discuss their priorities with the Board.

There were no other comments or questions.

**V. Public Comment (Non Agenda Items)**

Tom Foster, 734 Westbourne Road, stated that the cost of the proposed Veteran’s Memorial has spun out of control as the project has grown from a modest \$10,000 project to relocate the Taylor memorial stones to a project estimated to cost over \$200,000. He asked Mr. Pingar if that was an accurate figure, to which Mr. Pingar replied that the cost of the project will not be known until it goes out to bid. Mr. Foster stated he is a veteran and asked if the Township had sought input from any veterans in the township.

Mr. Di Domenico and Ms. De Wolf provided background on the evolution of the project. Mr. Di Domenico agreed that the cost of the project has grown to the point that he is no longer comfortable with the cost. Mr. Yaw stated that Oakbourne Park is the centerpiece of the township, and is an asset that warrants township resources for improvements and maintenance. He agreed that the memorial cost estimates are high, but felt that the project should be bid to see where the actual construction costs come in.

Mr. Stancato, 942 S. Matlack Street, provided handouts to the Board and then spoke about the engineering review fees charged by McCormick Taylor for his son’s two-lot subdivision application with no stormwater management aspect. Mr. Stancato stated he would have accepted the \$3500 review fee, but not the additional costs. The Board stated they are reviewing this issue and other billing matters with McCormick Taylor and will follow up with Mr. Stancato.

Charlie Barber, 1030 Little Shiloh Road, asked about the proposed Open Space Referendum that Ms. De Wolf wrote about in the fall newsletter. Ms. De Wolf said the township plans to enlist the Trust for Public Land (TPL) to conduct a survey to get resident feedback. TPL will not charge the township for

the survey. The Board stated that funding options include an increase in real estate tax, Earned Income Tax, or debt, but indicated it is premature to discuss the preferred fund source at this time.

Mr. Barber echoed Mr. Foster's concern about the cost of the proposed Veterans' Memorial. Mr. Barber stated he is a Vietnam veteran, and stated that any money spent by the township should go to infrastructure such as the Oakbourne Bridge project. Mr. Barber also asked for clarification on the recent sewer rate increases. Mr. Pingar and the Board explained the new rates effective January 1, 2019, as outlined in Ordinance 2018-03. Finally, Mr. Barber asked when the marker flags at the abandoned AME cemetery at the corner of Shiloh and Little Shiloh Roads will be removed. Mr. McKenna stated that township was granted access to the property by the owner. The flags indicate hits from the ground penetrating radar that was conducted. Mr. Barber asked if the township is planning to purchase that property. Ms. De Wolf stated that the township is evaluating what to do with the site, as it is an historic cemetery. Mr. Barber stated that as a resident on the road, he would like to see the flags removed and was not in favor of the township purchasing the property.

There were no other comments or questions.

## **VI. Old Business**

### **A. Comprehensive Plan Update – Authorize Act 247 review**

Mr. Yaw stated that Westtown Township has completed the final draft of its latest Comprehensive Plan Update 2019 and as required by Section 302(a) of the Municipalities Planning Code (MPC), the draft Plan is to be distributed to Chester County Planning Commission, West Chester Area School District, and all contiguous municipalities for their review and comment. Pursuant to Section 302 of the MPC, any comments regarding the plan must be received within forty-five (45) days of the receipt of the township's transmittal letter.

Mr. Di Domenico made a motion to forward the Westtown Township Comprehensive Plan Update 2019 to Chester County Planning Commission, West Chester Area School District, and Willistown, East Goshen, West Goshen, East Bradford, Birmingham, and Thornbury Townships in Chester County, and Thornbury and Edgmont Townships in Delaware County, for review and comment. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

## **VII. New Business**

### **A. Resolution 2019-01 – 2019 Township Fee Schedule**

Mr. Di Domenico made a motion to approve Resolution 2019-01 establishing the 2019 Township Fee Schedule for fees and charges imposed by Westtown Township and Township consultants pursuant to the Code of Westtown. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

### **B. Resolution 2019-02 - Township Manager's Annual Compensation**

Mr. Yaw explained that Article XIII of the Second Class Township Code and Chapter 22 of the Code of Westtown requires that the annual compensation of the Township Manager be set by resolution of the Board of Supervisors.

Mr. Di Domenico made a motion to approve Resolution 2019-02 to set the Township Manager's annual compensation commensurate with the duties and responsibilities of the position and the Township Manager's performance. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

### **C. Resolution 2019-03 - Application to PennDOT for traffic signal approval at the intersection of US Route 202, Skiles Boulevard & Stetson Middle School Driveway**

- D. **Resolution 2019-04 - Application to PennDOT for traffic signal approval at the intersection of US Route 202 & Street Road**
- E. **Resolution 2019-05 - Application to PennDOT for traffic signal approval at the intersection of Street Road & Dalmally Drive**

Mr. Di Domenico made a motion to approve Resolutions 2019-03, 04, and 05 to. to authorize the Township Manager to sign and submit to PennDOT the applications for Traffic Signal Approval for the US Route 202, Skiles Boulevard, and Stetson Middle School Driveway intersection, US Route 202 and Street Road intersection, and Street Road and Dalmally Drive intersection, respectively. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

**VIII. Announcements**

Mr. Yaw made the following announcements:

1. Christmas tree and yard waste collection – Saturday, January 12. Please remove all ornaments, lights, garland, and tinsel. Trees in plastic bags will not be collected.
2. Township Office Closed Monday, January 21, 2019 for Martin Luther King, Jr. Day
3. Westtown Zoning Hearing Board Alternate – The township is accepting applications to fill this vacancy.

**IX. Public Comment on All Topics**

There was none.

**X. Payment of Bills**

Mr. Di Domenico made a motion to approve the General Fund bills in the amount of \$633,831.27, Wastewater Fund bills in the amount of \$1,534.17, Capital Projects Fund bills in the amount of \$290,998.16, for a grand total of \$926,363.60. The motion was seconded by Ms. De Wolf. There were no questions or comments, and the check registers were unanimously approved.

**XI. Adjournment**

Mr. Yaw made a motion to adjourn the meeting. Mr. Di Domenico seconded the motion. The motion was unanimously approved and the meeting adjourned at 8:57 PM.

Respectfully submitted,

Robert R. Pingar  
Township Manager