

# WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Monday, February 4, 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 Pam Boulos, Planning Commissioner Dick Pomerantz, and Township Solicitor Pat McKenna. There were 3 guests.

## I. Call to Order

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

## II. Approval of Minutes (January 22, 2019)

Mr. Di Domenico made a motion to approve the Board of Supervisors meeting minutes of January 22, 2019. Ms. De Wolf seconded the motion. There were no questions or comments and the minutes were unanimously approved.

## III. Workshop Meeting Summary (February 4, 2019)

Mr. Yaw stated that the workshop began with an Executive Session on legal and personnel matters. The Board then heard a presentation from Cedarville Engineering on the township's MS4 Pollutant Reduction Plan. The two other items on the workshop agenda, Speed Detection Devices and the Exclusion of Harmful Waste Ordinance, were not discussed due to time limitation, and will be added to the Tuesday, February 19 workshop meeting.

There were no comments or questions.

## IV. Departmental Reports

### A. Public Works (PW) – Mark Gross

Mr. Gross reported that January was relatively mild with four salting/plowing events. He added that the crew has been spot salting and plowing several spots with high groundwater. They also addressed stormwater drainage issues on West Pleasant Grove Road near Arborview by using the backhoe to clear the culvert.

The new Public Works employee has proved to be an excellent addition to the crew, and the township has narrowed the candidates for an additional opening.

Due to recent swings in temperatures from single digits to mid-50s, Mr. Gross stated that he is anticipating potholes to open up in various areas, which will be an indicator of potential roads for the 2019 paving project.

The new Public Works garage is nearing completion. Punch list items are being addressed and Mr. Gross is waiting for the Notice of Substantial Completion from the builder and architect before taking possession of the building.

At Oakbourne Park, Mr. Gross met again with architects working on the Oakbourne Mansion exterior maintenance project, and hopes to have that bid package ready to go out this spring.

The crew also investigated odor complaints in the Wickerton Drive area and found grease coming from Marketplace Shopping Center blocking the sewer. He will have the line jetted again when weather permits, but stated that the township needs to work on the Harmful Waste Ordinance to address this ongoing issue.

Mr. Di Domenico asked about the zoning postings made around the perimeter of Westtown School. Mr. Gross stated that one of his staff made the postings, as required for the Conditional Use application made for a lighting ordinance amendment.

Mr. Yaw asked if the carriage house was included in the bid package for the Oakbourne Mansion exterior repairs. Mr. Gross stated that the bid will have several options, so the Township can decide what gets addressed based on cost. He said the carriage house doors are in terrible condition and several windows are missing. Mr. Yaw also thanked Mr. Gross for sharing photos of the trucks getting washed in the new wash bay. Mr. Gross replied that the wash bay will help extend the life of their equipment.

There were no other comments or questions.

**B. Historical Commission (HC) – Pam Boulos**

Mrs. Boulos reported that the HC has been removing the flags on the property of the abandoned AME cemetery on Little Shiloh Road, after neighboring residents complained about the appearance of the property.

Mrs. Boulos stated that the HC has acquired a grave marker for Valentine Kirgan (1771-1831), and has been struggling with what to do with it. He was a mason who was buried in the Taylor Family cemetery in Pleasant Grove, but he was not a veteran. She said the HC is pursuing a lead on a descendant of Mr. Kirgan, and hopes to get the stone to a family member.

The HC continues to work on updates and corrections to the Historical Resource List, which will then need to be reviewed by the Planning Commission and the Board. Mrs. Boulos added that several commissioners recently attended a Chester County Historic Preservation Leadership luncheon, and learned of a grant that is funding historical roadside markers for 15 municipalities that fall within the Battle of the Brandywine area.

Mr. Di Domenico asked if the HC was still working on updating the History of Westtown. Mrs. Boulos stated the commission is making good progress on the project, and intends to eventually post it on the township website.

There were no other comments or questions.

**C. Planning Commission (PC) – Dick Pomerantz**

Mr. Pomerantz reported that the PC met on January 23, 2019 to discuss the “clean” final draft of the Sign Ordinance. He stated that Elaine Adler found several discrepancies in the draft, and that a representative from Lamar Advertising spoke for about 45 minutes on the language in the ordinance, noting inconsistencies. As a result, the PC did not vote on the ordinance. On behalf the entire PC, Mr. Pomerantz stated that he felt they should have legal counsel present at meetings in which they are voting on an ordinance.

Mr. Yaw stated that legal representation for the PC will be a topic for discussion by the Board and the PC at their joint meeting on February 27. He stated there were three options to consider:

1. Legal counsel at every PC meeting
2. No legal counsel at PC meetings
3. Legal counsel present on a case by case basis

Mr. Di Domenico expressed frustration over information being presented to the PC by the commissioners who attend the Board meetings. Mr. Pomerantz stated there was a need for better communication between the Board and the PC.

Ms. De Wolf stated that she was not concerned about input from a sign lobbyist. Mr. Pomerantz agreed, but maintained there is a need for legal counsel. Mr. Yaw stated that the Board would

discuss the matter of legal representation for the PC at their upcoming joint meeting on February 27, 2019.

There were no other comments or questions.

**D. Township Solicitor – Pat McKenna**

Mr. McKenna reported that his office prepared comments to FERC regarding the Adelpia pipeline environmental assessment, and assisted with the Historical Resources List amendments. He stated they spent an inordinate amount of time coordinating schedules for the Westtown School Conditional Use hearings, the first of which is set for Wednesday, February 13. His office is also working on the brief for the Crebilly case, to be presented to the Commonwealth Court on or before February 22.

Ms. De Wolf inquired about the work on the Historical Resources List. Mr. McKenna stated that it was determined that changes to the list can be adopted by Resolution, rather than amendment to the Zoning Ordinance. She asked if Mr. Verway is working to correct the inconsistencies on the sign ordinance. Mr. McKenna stated that he was out last week and Mr. Verway is out this week. He did not know if the comments on the draft ordinance have been communicated to Mr. Verway.

There were no additional questions or comments.

**E. Manager's Report – Rob Pingar**

Mr. Pingar stated that he attended the WEGO Regional Police Commission meeting on January 23. He reported that WEGO is working on their re-accreditation. He stated that the new Act 44 Safe to Say reporting requirements may require more officer time. The Police Commission also discussed speed enforcement devices.

He reported that he has been working with Tom Galbally of Tag Builders on the connector road between the Stetson jughandle and West Pleasant Grove Road. Tag received a grant from the state for the road.

Mr. Pingar stated that he investigated a drainage complaint on Westbourne Road associated with the Hayes subdivision.

Finally, Mr. Pingar reminded all present that the first conditional use hearing for the Westtown School application for field lighting will be held at the Township building on Wednesday, February 13 at 7 PM.

Ms. De Wolf asked Mr. Pingar to follow up with PECO regarding the project on Robin Drive, and ensure that residents are informed.

Mr. Di Domenico asked Mr. Pingar if there has been any update on the Mariner II Project along Rt. 352. Mr. Pingar stated that the last update he received was several weeks ago, indicating that they will be doing two borings, one south of West Lynn, and one at St. Simon & Jude. Ms. De Wolf asked Mr. Pingar to make sure we post any information we receive on the website. Mr. Di Domenico asked if Sunoco indicated that they would provide results of their boring tests. Mr. Pingar replied they did not state they would provide information regarding the subsurface soil and rock testing.

There were no other comments or questions.

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

Eva Foster, 734 Westbourne Road, asked about the Westtown School Conditional Use hearing. Mr. McKenna stated that as with any other conditional use hearing, notice goes out to adjacent properties

as required by ordinance, and any member of the public can attend the hearing and be heard. It will be an on the record proceeding, with evidence and exhibits presented by legal counsel. He stated that he expects the hearing will run more than one evening.

There were no other comments or questions.

**VI. Old Business**

There was none.

**VII. New Business**

There was none.

**VIII. Announcements**

Mr. Yaw made the following announcements:

1. Westtown Zoning Hearing Board (ZHB) Alternate – The township is accepting applications for appointment to the ZHB as an Alternate member in the event a regular member is absent. The ZHB reviews and adjudicates zoning variance and special exception applications. Hearings are held at 7 PM on dates convenient to all members. Please send your letter of interest and resume to the Township Manager, Rob Pingar.
2. Parks & Recreation Commission vacancy - The township is accepting applications for appointment to the Parks & Recreation (P&R) Commission. P&R plans and runs community events at Oakbourne Park. It meets at 7:00 PM on the second Tuesday of the month at Oakbourne Mansion. If you would like to volunteer on P&R, please send your letter of interest and resume to the Township Manager, Rob Pingar.
3. The 2019 Westtown Comprehensive Plan comment period runs through February 21, 2019. Please submit your comments to Township Manager, Rob Pingar.

Mr. Yaw stated the Board will reconvene in Executive Session for a legal matter after the regular meeting.

**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 \$59,054.18, Wastewater Fund bills in the amount of \$10,710.57, Capital Projects Fund bills in the amount of \$3,628.50, for a grand total of \$73,393.25. Ms. De Wolf seconded the motion. 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 8:28 PM.

Respectfully submitted,

Robert Pingar  
Township Manager