

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Monday, July 1, 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 Paul Mullin, and Planning Commissioner Elaine Adler. There were 8 guests.

I. Call to Order

Mr. Yaw called the meeting to order at 7:30 PM. He asked if anyone was recording the meeting. Eva Foster stated that she was making an audio recording.

II. Approval of Minutes (June 17, 2019)

Mr. Di Domenico made a motion to approve the June 17, 2019 Board of Supervisors meeting minutes. Ms. De Wolf seconded the motion. There were no questions or comments and the minutes were unanimously approved.

III. Workshop Meeting Summary (July 1, 2019)

Mr. Yaw reported that the Board held an Executive Session before the open workshop to discuss police arbitration and collective bargaining matters, several personnel matters, and litigation. In the public workshop, the Board discussed an ordinance amendment to outdoor lighting regulations, which is on tonight's regular meeting agenda.

There were no comments or questions on the workshop.

IV. Departmental Reports

A. Public Works (PW) – Mark Gross

Mr. Gross reported that in June the Public Works department addressed downed trees and washouts caused by the ongoing heavy rains. They also dealt with electrical issues at the administration building, garage, and sewage treatment plant, perhaps related to the storms. The A/C units in all township buildings were also serviced for the season.

At Oakbourne Park, the stone base for the new park entrance sign has been constructed and the electrical work has been completed. The sign is being fabricated.

In the Wastewater Department, Mr. Gross reported that there have been some programming issues during power outages at the Kirkwood Pump Station caused by the switch between the backup generator and utility power. Mr. Gross has been working with the manufacturer to address the problem. The contractor is working on fencing and the township will complete landscaping once the fence is finished. He added that the force main relocation at Oakbourne Bridge in preparation for the bridge replacement was completed today and is operational.

Future projects include stormwater inlet repairs for the Road Maintenance Program

Mr. Di Domenico thanked Mr. Gross for clearing the overgrown vegetation around the stop sign on Woodland Road.

Mr. Yaw commented that the masonry work on the sign base at the park is beautiful. Mr. Gross stated that the stone was salvaged from the property. Mr. Yaw asked when the road program will begin. Mr. Gross stated it would probably begin in mid-August.

There were no other comments or questions.

B. Historical Commission (HC) – Paul Mullin

Mr. Mullin reported that the excavation project at the Huey site being performed by the West Chester University (WCU) Archeology Department is on summer hiatus and will resume in late August. The HC is considering displaying some of the artifacts found at the site on Westtown Day. The HC is still working on the Westtown history book, and hopes to have it published by late summer. They are also finalizing the Historical Resource List updates, and planning for a public meeting date in October. Mr. Mullin also reported that a former HC commissioner, Jon Hoppe, found an article at the Chester County Historical Society supporting the theory that the gatehouse at Oakbourne Park was the Mercer Schoolhouse.

Mr. Mullin stated that the HC is looking forward to discussing the future of the Shiloh Road AME cemetery project with the Board, and asked if they could contact the owner directly. They would also like the Board's decision on the historical roadside markers they have proposed, as well as guidelines regarding the presence of political officials at Westtown Day.

Mr. Mullin asked about the status of the Veterans' Memorial project and whether the Board was reconsidering the location. Mr. Pingar stated that the project will go to bid and the Board will decide on whether to move forward on the project based on the bids.

Regarding the roadside markers, Mr. Di Domenico stated that Birmingham Township is currently seeking a grant for an interpretive plan for the Brandywine Battlefield. Ms. De Wolf stated that interpretive signage and roadside markers need to be coordinated. The Board would like to wait until their plan is finished before deciding on the location of the Battlefield Marker in Westtown.

With respect to political candidates at Westtown Day, Mr. Yaw stated that the township solicitor is researching the matter. The Board will provide guidance to the HC and Parks & Recreation commission as soon as possible.

Mr. Pingar stated that any communication regarding the Shiloh Road AME cemetery should come from the Board, not from the HC. He stated that the Board has no plans to move forward with the project at this time.

There were no other comments or questions.

C. Planning Commission (PC) – Elaine Adler

Mrs. Adler stated that the PC meeting on June 19 dealt primarily with the amendments to the zoning ordinance. A new draft will be reviewed by the PC at their July 17 meeting. The PC also was apprised of three upcoming Zoning Hearing Board applications, which they will review in the coming weeks.

Mr. Yaw thanked the PC for their review of the zoning ordinance amendment. He stated that the changes are significant enough to warrant sending back the Chester County Planning Commission for another Act 247 review.

There were no additional comments or questions.

D. Manager's Report – Rob Pingar

Mr. Pingar said that at a recent pipeline meeting, the contractor (Michels) stated that installation of the 16" pipeline will begin in September. The contractor will be contacting East Goshen, Thornbury, and Westtown Townships to request a waiver to the noise ordinance allowing them to operate 24/7 to avoid possible problems caused by starting and stopping the pulling of the pipeline. Mr. Pingar stated he would provide that request to the Board once he receives it.

On other matters, Mr. Pingar also reported that another emergency services tabletop exercise is being planned. This one will focus on an active shooter scenario. He will notify the Board when that is scheduled. Mr. Pingar noted that on June 24, a police union contract arbitration hearing was held. That negotiation is ongoing. He stated that another hearing for the Westtown School Conditional Use application was held on June 26, and the final hearing is scheduled for July 23, consisting primarily of public comment. Mr. Pingar stated that the bid opening for Phase II of the Tyson Park project is Monday, July 8. He added that final drainage revisions are being made to the plans for the Veteran's Memorial, and expects that project to be bid in August. Finally, Mr. Pingar stated that George Csete of StreamBend, LLC, who did a 3D scan of the Huey ruins, also scanned the Oakbourne water tower last week. The scan will enable people to see what the interior looks like, since it is not safe or practical to allow people inside.

Mr. Di Domenico asked about the timeframe for the 24/7 work on the pipeline. Mr. Pingar stated that Michels has not made the request yet, but they will be asking to work 24/7 for a few days while they pull the 16" diameter pipe. If they aren't permitted to work 24/7, then pulling the pipe will take longer. Mr. Pingar said the 16" pipe work is expected to be completed by September, and then the entire process will be repeated for the 20" pipe. Work on the 20" line is expected to continue into next year.

There were no other comments or questions.

V. Public Comment (Non Agenda Items)

Steve Berstler, 201 Larchwood Road in West Goshen, asked if the township could clean the storm drains on his street more often. Mr. Gross replied that he has responded to Mr. Berstler's phone calls many times over the years. Mr. Gross stated that the township does not have the resources to clean every storm drain after every rain event, and noted that no storm drain could handle the heavy rainfall we have had in recent storms. He added that leaves and tree debris come from yards, and it takes community effort to help keep the drains clear. The township has 3 employees to maintain 980 storm drains. Ms. De Wolf stated that the amount of rain we have been experiencing cannot be handled by stormwater infrastructure alone. She said residents need to understand their part in stormwater management. Homeowners can use rain gardens and other stormwater management techniques to help reduce the flow of stormwater runoff. The Stormwater page on the township website provides tips for homeowners.

There were no additional comments or questions.

VI. Old Business

A. Ordinance 2019-05, Amendments to Township Code Chapter 170, Zoning – Authorize Act 247 Review of the revised ordinance amendment

Mr. Yaw noted that the initial version of this proposed ordinance was authorized by the Board for Act 247 review on June 3, 2019; however, additional edits were deemed substantive enough to warrant re-authorization of Act 247 review.

Mr. Di Domenico made a motion to authorize Act 247 review of revised Ordinance 2019-05 amending Chapter 170 of the Code of Westtown Township:

1. Article II Definitions
2. Article V A/C Agricultural/Cluster Residential District
3. Article IX Flexible Development Procedure
4. Article XV General Regulations
5. Article XX Administration

Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

VII. New Business

A. West Goshen Sewer Authority – Sewage Treatment Agreement

Mr. Di Domenico made a motion to approve the Sewage Treatment Agreement between Westtown Township, the West Goshen Sewer Authority and Township of West Goshen for the treatment of sewage from 1095 Westtown Township public sewer customers that flows to the West Goshen Sewage Treatment Plant on S. Concord Road. This is an updated agreement to address the West Goshen Sewer Authority's capital improvement projects, and to resolve pending litigation among the parties to the agreement. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

B. Oakbourne Mansion Exterior Repairs – Contract Award

On June 11, the township received two bids for exterior repairs and painting of the Oakbourne Mansion and carriage house. Linn Architects and Mark Gross reviewed the proposals and recommend that the township award the contract to R.C. Legnini Company, Inc.

Mr. Di Domenico made a motion to award the Oakbourne Mansion Exterior Repairs project to R.C. Legnini Company, Inc. for Bid Packages 1, 2, & 3 and Alternates A, B, & C in the total amount of \$352,736.07. Ms. De Wolf seconded the motion. Mr. Yaw thanked Mark Gross and Pam Coleman for their work on this project. Mr. Yaw stated that the mansion is a valuable asset to the township, and that these repairs are long overdue. There was no additional comment and the motion was unanimously approved.

C. Oakbourne Mansion Exterior Repairs – Construction Management Services Agreement

Mr. Yaw explained that the nature of this project demands the services of an architect with experience in historic restoration. Linn Architects and the architectural historian they enlisted to help prepare the detailed scope of work and associated bid package for this project are uniquely qualified to provide these services.

Mr. Di Domenico made a motion to accept the proposal from Linn Architects to provide professional architectural services for the Oakbourne Mansion Exterior Repairs project for a budget amount of \$8,730.00. Ms. De Wolf seconded the motion. Mr. Gross stated that the restoration will not be an exact historical replication, but the work will be done to closely replicate the ornate architectural details of the mansion. There was no additional comment and the motion was unanimously approved.

D. Ordinance 2019-06, Amendment to Township Code, Chapter 170, Article XV Outdoor Lighting – Authorize Act 247 review

Mr. Yaw stated that the West Chester Area School District (WCASD) desires to increase the maximum number of nights the Rustin stadium lights can be used from 20 nights to 30, to accommodate the needs of non-football sports for boys and girls.

Mr. Di Domenico made a motion to authorize Act 247 Review amending The Code of Westtown, Article XV Outdoor Lighting, to permit a maximum of 30 lighted events per calendar year on any one school campus where permanent lighting is permitted. Ms. De Wolf seconded the motion. Mr. Di Domenico added that the existing ordinance allows for three additional nights for playoffs, if needed.

Eva Foster, 734 Westbourne Road, complained about the noise generated at night games and other Rustin events such as movie nights and band practice. She stated that if the Board approves the Westtown School application for over 200 lighted night games, then the WCASD will come back asking for more. Mr. Yaw stated that the WCASD indicated they would not be seeking additional nights.

There was no other public comment and the motion was unanimously approved.

VIII. Announcements

A. Parks & Recreation Commission Vacancies - The township is accepting applications for appointment to the Parks & Rec (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.

B. Holiday Closure - Township Offices will be closed Thursday, July 4 for Independence Day.

C. West Chester Area Council of Governments - Renewable Energy Plan Workshop will be held on July 11, 2019 at West Whiteland Township Building from 6-8PM. This is a public workshop on regional energy planning in the West Chester area.

D. Movie Night – Friday, July 19 at 7:30pm at Oakbourne Park. Featuring “The Princess Bride.”

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 of 365,797.38, Wastewater Fund bills of \$316,625.55, and Capital Projects Fund bills of \$20,901.74, for a grand total of \$703,324.67. Ms. De Wolf seconded the motion. There were no questions or comments, and the check registers were unanimously approved.

XI. Adjournment

Ms. De Wolf made a motion to adjourn the meeting. Mr. Di Domenico seconded the motion. The motion was unanimously approved and the meeting adjourned at 8:31 PM.

Respectfully submitted,

Robert Pingar
Township Manager