

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
March 16, 2009 7:30Pm

In attendance were Supervisors Chair Carol R. De Wolf, Vice Chair Charles P. Barber and Police Commissioner Thomas A. Foster; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond; Township Solicitor Robert F. Adams and Township Planning Commission Member Brent Whitig. There were twenty-two guests in attendance.

I. Call to Order.

As there was a quorum present Chair De Wolf called the meeting to order at 7:33 PM and led those present in the pledge of allegiance to the flag.

II. Approval of Minutes (March 2, 2009 Regular Meeting).

Mr. Foster made a motion, seconded by Mr. Barber to approve the minutes of the March 2, 2009 regular meeting. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

III. Summary of Board of Supervisors Workshop 2/17/09.

Ms. De Wolf stated that the Board discussed the following items: Clear Wires request for a cell tower at the Westtown-Chester Creek plant; The Board will not pursue this at this time; East Side Little Leagues Lease which expires at the end of this year; Oakbourne Mansion repairs and the feasibility of placing the Mansion on the National Register; Eagle Scout projects; the Geese problem in Pleasant Grove; the lighting ordinance and a change in location for the April 20th Board of Supervisors meeting. Ms. De Wolf stated that as all the Board members will be at the PSATS State Convention in Hersey on April 20th the Board will hold a workshop at the convention in place of their regular Township meeting.

IV. Departmental Reports.

A. Westtown-East Goshen Police Chief John Dumond.

Chief Dumond reviewed the February Police Report. He stated that the Department responded to 434 calls in Westtown last month.

1. Presentation Officer of the Year Award.

Dr. Clapper, Chairman of the Westtown-East Goshen Police Commission, was in attendance.

Chief Dumond presented the Officer of the Year Award to Officer Joseph Armbruster. Officer Armbruster has been on the force for 10 years serving in the Patrol Division. Chief Dumond addressing Officer Armbruster stated that it is an honor to receive this award as it is a vote by his peers. Officer Armbruster expressed his thanks for receiving the award.

B. Township Solicitor – Robert Adams.

Mr. Adams stated that he had nothing to report at this time.

C. Planning Commission – Brent Whitig.

Mr. Whitig stated that the Planning Commission had canceled their March 4th meeting in order to attend the meeting on the proposed lighting ordinance held at the Bayard Rustin High School. He stated that the Planning Commission will be reviewing the following plans at this week's meeting: The Reserve senior apartments at Jefferson Center; Sketch Plan for a

three lot subdivision on the Rossiter property, 500 E. Pleasant Grove Road, J.A. Construction 2 lot subdivision, 1015 Shiloh Road, and a sketch plan for a six lot subdivision of the Hurd property 719 -711 Oakbourne Road.

V. Public Comment-Non Agenda Items.

Lisa Walsh, 1189 Blenheim Road, stated she has been in contact with the Township through emails and phone calls concerning the Canada Geese problem in Pleasant Grove. There are 100-150 geese who are becoming year around residents in the Township open space and pond area (behind Blenheim, Baywood and Carlyle). The residential properties in this area are being affected by the geese eating their grass and leaving their droppings on the lawns and sidewalks. Mrs. Walsh stated that this is a quality of life and health issue for the residents. The residents are asking for the Boards help in controlling the geese and would like permission to purchase solar powered flashing lights to put in the pond. The lights are designed to disturb the environment of the geese by interfering with their nesting, mating and resting habits. Each light emits the power of a 100 watt bulb. Mrs. Walsh stated that the residents would place the lights and maintain them. Two lights would be needed because of the island in the middle of the pond. The residents are asking the Board to consider paying 50% of the cost. The lights come with a 90 day money back guarantee. Mrs. Walsh said the residents would appreciate the Board's consideration of this issue which cannot be solved without their help. Ms. De Wolf said this was discussed in the Board's workshop. She stated that she has spoken with Natural Lands Trust and they suggested plantings that are used to deter the geese. Ms. De Wolf expressed that she would not be opposed to trying the lights but had questions concerning the 90 day guarantee. Mrs. Walsh will look into the stipulations in the guarantee. Mr. Barber asked how long this product had been available. Mrs. Walsh said it was advertised nationally on Good Morning America. She also stated that she has spoken with the engineer who developed the light. Ms. De Wolf said there would need to be a consensus of the residents who live in the area of the pond before the lights were installed.

Bill Martin, 226 Baywood Road, stated he has lived here since 1984 and the geese problem has only increased over the years and is now a health problem. He stated he approached the Township several years ago but no help was forthcoming and he is glad that the Board is now considering helping with the situation.

Creighton Murphy, 221 Baywood Road, suggested removing the island in the pond which acts as a protective barrier for the geese.

Jim Nee, 1178, Blenheim Road, stated that he feels the lights would be a good deterrent and would not affect the neighbors. Mr. Barber asked if they are migratory or local geese. Mrs. Walsh responded that there are about 100 resident geese and in the winter it can increase to 200 or more. She stated that she feels changing the environment around the pond would not help. The geese jump fences and can fly to neighboring properties. Mr. Foster suggested letting the grass grow taller in the open space which would give cover for predators of the geese. The Board stated that they will consider the lights.

Jennifer Shea, 1518 Carmac Road, stated that there is a dog running loose in her neighborhood attacking other dogs. She stated she had addressed this with the Township a year ago and Mr. Layman had sent a letter to the resident whose dogs are the problem. This was only effective for a short time. Ms. Shea said her dog and another dog were recently attacked. She also stated that she had spoken with Mrs. Adler who was very helpful and advised her she should speak to the police. Ms. Shea said she spoke with Officer Brown who was helpful but said unless the Township had "something on the books" they could not do anything. She asked if information could be placed on the Township website that would make the public aware of what can be done about dogs running loose. Chief Dumond advised Ms. Shea that the police can enforce the dog laws. They owner can be sited but a witness would need to testify. Ms. Shea stated she would be glad to testify. Chief Dumond will contact Ms. Shea about this issue.

Jim Hurd, owner of 711 and 719 Oakbourne Road, stated that his project is on the Planning Commission Agenda this week but that Mr. Layman suggested that he speak to the Board about being able to connect to public sewer. He stated there is public sewer available at the northeast corner of the property. He also stated that he would like to use a low pressure grinder pump

system for connecting to public sewer. Ms. De Wolf stated that he would be limited in the type of line to connect to public sewer as they could not tie into the force main. Mr. Hurd said before he continues with the subdivision he needs to know about public sewer. Mr. Foster advised Mr. Hurd that as he is on the Planning Commission Agenda and that he should first review his plan with them. The Board will have a better understanding of his subdivision plan after it is reviewed by the Planning Commission. It was also suggested that he talk to his neighbors to see if they are interested in connecting to public sewer.

VI. Old Business:

A. Out Door Lighting Ordinance Update.

Ms. De Wolf stated that the Board held a public meeting at Bayard Rustin High School and at that time took public comment from the residents. The Board discussed the draft ordinance in the Workshop and it was decided to stay with 20 events per year but Ms. De Wolf stated that personally she would like to see a higher number. Only one field per campus can be lighted. The ordinance will be sent to the Chester County Planning Commission (CCPC) who has thirty days to review the ordinance and make their comments. Mr. Layman said once the comments are received from the CCPC the ordinance can be advertised for adoption by the Board. He expects to be able to advertise by April 20th and have the ordinance on the May 18th agenda for adoption. After adoption the West Chester Area School District could present their plan. They would first have to go back to the Zoning Hearing Board as required in the Zoning Board's decision of January 31, 2003. They would also need to make application for conditional use and prepare a land development plan. Mr. Adams said the ordinance would not be appealable. If they were seeking relief from the ordinance, as adopted, they would then go to the Zoning Hearing Board. He also stated that there is no basis to appeal as the ordinance the Board adopts will be in place until the Board chooses to amend it.

VII. New Business:

Ms. De Wolf announced the Chester Ridley Crum Creek Association will hold its annual meeting on Sunday, March 29th, 2:00Pm at the Old Mill at Rose Valley, all our welcome.

A. Oakbourne Mansion Use Request.

Ms. De Wolf stated that West Chester University would like to have a seminar at Oakbourne Mansion. As they are a corporate body they do not have the status to purchase insurance. They are asking to be exempt from the insurance requirement and will be responsible for any damage to the Mansion.

Mr. Foster made a motion, seconded by Mr. Barber, to grant West Chester University's request to waive the insurance requirement. The university will be responsible for any damages. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the request.

B. Adopt Resolution 2009-4 Disposition of Records.

Ms. De Wolf stated that as the Pennsylvania Historical Commission has revised the requirements for disposing of records the Township needs to amend its resolution so that records can be discarded in accordance with the State requirements

Mr. Foster made a motion, seconded by Mr. Barber, to adopt Resolution 2009-4 Disposition of Records. Ms. De Wolf asked for public comment. There was no public comment. The Board of Supervisors unanimously adopted the resolution.

C. Adopt Resolution 2009-5 Amend Township Permit Fee Schedule.

Ms. De Wolf stated that the schedule of permit fees will be amended to include the following: \$4.00 for the UCC fee; \$30.00 if a re-inspection is needed on a re-sale of a property; and \$15.00 certificate of occupancy fee for all residential and commercial permits. Mr. Layman

stated that the under the UCC the Township is required to submit quarterly to the State \$4.00 for each permit issued.

VIII. Public Comment.

Joyce Jasinski, 1003 Dunning Drive, asked for an update on the dedication of Dunning Drive. She feels there will be issues with parking when field lighting is installed. Mr. Layman stated that the District has not offered Shiloh Road for dedication as the road is deteriorating. The Township sent the District a letter in December stating what needed to be done but the District has not responded. Mr. Layman said he has met with Jim Smith, president of the School Board, who expressed interest in getting this resolved and would see what he could do to move forward with this issue. Ms. De Wolf said that the Township has been waiting to hear from the District on how they intend to fix the deterioration. She would like to have this done as soon as the weather changes. Mr. Layman said we need to hear from Kevin Campbell before we can move forward. Mr. Barber said the school has been opened for three years and neither the sewer line nor the road has been dedicated. He stated there is a group more interested in having lights than having the sewer or road dedicated. He stated that political pressure needs to be put on the District. Mrs. Jasinski said her fear is that the lights are coming. Mr. Adams stated that the district feels Alan Myers, who was the contractor, should be addressing the road issues. Mr. Adams stated that the Township looks to the District to address this issue.

Gary Bevilacqua, 109 Macroom Avenue, thanked the Board for the meeting at Bayard Rustin and stated that the meeting was well run.

Mrs. Jasinski said that Kevin Campbell had no parking signs put up on the schools portion of Dunning Drive. She asked if parking by permit only signs could be installed on their road before dedication. Mr. Layman said the Board would have to pass an ordinance in order to do this and would also need a consensus from the neighborhood before it was done. Mr. Barber asked Chief Dumond if this is enforceable. Chief Dumond will contact West Chester Borough who has permit parking to see how this is enforced. Mr. Layman said the Township does have permit parking in Wild Goose Farms. Ms. De Wolf suggested that Mrs. Jasinski might want to address this with other roads in the neighborhood.

IX. Payment of Bills.

On the motion of Mr. Foster, seconded by Mr. Barber the Board of Supervisors unanimously approved the bills as presented.

X. Adjournment.

On the motion of Mr. Foster, seconded by Mr. Barber, the meeting was unanimously adjourned at 8: 47Pm.

Respectfully Submitted,
Robert Layman, Township Manager