

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown
November 3, 2008 7:30PM

In attendance were Supervisors Chair Thomas A. Foster, Vice Chair Carol R. De Wolf, and Police Commissioner Charles P. Barber; Township Manager Robert Layman; Township Building Inspector John Wilson; Township Roadmaster Mark Gross; Planning Commission member Kevin Flynn and Oakbourne Mansion Commission Chair Eva Foster. There were two guests in attendance.

I. Call to Order.

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:32PM and led those present in the Pledge of Allegiance.

II. Approval of Minutes (October 20, 2008 Regular Meeting).

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve the minutes of the October 20, 2008 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

III. Departmental Reports.

A. Township Building Inspector John Wilson.

Mr. Wilson reviewed the October Building Report and stated that October like September was a slow month for permits. Mr. Foster advised Mr. Wilson he had reviewed State Senate Bill 100 as requested. The bill which has already been passed is for the regulation of home improvement contracts and the registration of certain contractors. Mr. Foster stated that the bill appears to provide help for the average citizen against unscrupulous contractors. He asked Mr. Wilson how this bill would affect the Township. Mr. Wilson responded that the Township did not know about this bill until it was passed. He stated contractors, except for plumbers, will now be registered by the State not the municipalities which results in a loss of funds for the Townships.

B. Township Roadmaster – Mark Gross.

Mr. Gross reviewed the October Road Report. He stated that the Department repaired a stormwater inlet that had collapsed at the intersection of W. Pleasant Grove Road and S. New Street and repaired a stormwater pipe in Pleasant Grove. Asphalt work was done to extend the radius on roads which were damaged by large vehicles due to the lack of curbs. Mr. Gross stated that the grit chambers at the Westtown-Chester Creek plant had their yearly cleaning and nothing out of the ordinary was found during the cleaning. Mr. Gross mentioned that one of the Department's utility trucks will not pass the state inspection and has been taken out of service. Projects for this month are repairing a sidewalk in Pleasant Grove adjacent to Township open space and completion of the asphalt work. Mr. Foster asked Mr. Gross what would be his recommendation for dedication of Kolbe Lane. The Township is holding \$20,000 in escrow for this development. Mr. Gross stated that he has done an assessment of the improvements and recommends doing repairs regardless of the cost. The sanitary sewer lines have been TV'd and they appear to be in good condition. There are some repairs needed around the inlets and the creek abutment. Mr. Gross said the repairs should be started before the Township takes dedication. Mr. Barber asked what the work would cost. Mr. Gross responded that it would be less expensive to do the work in house as contractors have to be paid prevailing wage. Mr. Barber feels the Township should use the escrow funds for the repairs and then take dedication of the road. Mr. Foster discussed with Mr. Gross his emails to PennDOT concerning the recent cinders and chipping on Route 926. Mr. Gross said he does not feel that this is the proper process to use on Route 926. There has been a large accumulation of cinders that has not been cleaned up by PennDOT and will eventually end up in our stormwater facilities. Mr. Foster asked if the Township has any leverage so that this process is not used in the future. Mr. Gross responded no as this is a cost decision by PennDOT.

C. Township Planning Commission – Kevin Flynn.

Mr. Flynn reviewed the October 22nd Planning Commission meeting. The Commission continued review of the Bayard Rustin Pump Station dedication. He stated that there are only a few technical issues to be resolved. Mr. Flynn mentioned a hanging Verizon wire on the site which is hazardous to truck traffic at the pump station. Mr. Gross said new electric poles were installed when the school was built but while PECO moved its wires Verizon never moved theirs. He stated that this needs to be done before dedication. Mr. Flynn stated that the Commission also reviewed an application to the Zoning Hearing Board for an 8 unit apartment building at 1120 S. Chester Road. Mr. Flynn stated that the Commission is not in favor of the project as there are traffic issues, access issues and zoning concerns with the site. He also stated that residents in attendance at the meeting expressed their opposition to the proposed project. At this week's meeting the Commission will be continue review of the Bayard pump station.

D. Parks Advisory Group.

Mr. Layman advised the Board that Parks Advisory Group has not had a meeting and he has nothing new to report.

E. Oakbourne Mansion Commission – Eva Foster.

Mrs. Foster said the Commission with the help of volunteers has been decorating the Mansion for the Holidays. They have received \$1,800 in donations for help with the decorations. Mrs. Foster stated that ARC of Chester County will be holding a cocktail party this Thursday, November 6th at the Mansion to showcase this year's holiday card which is a winter view of Oakbourne Mansion. She is hoping that the Supervisors will attend this event. Mrs. Foster said the Commission is hoping to book other holiday parties at the Mansion. She also stated that they are working on plans for 2009.

IV. Public Comment Non Agenda Items.

Jean Dowling, 629 James Drive, said she has lived in the Township for thirty-two years and expressed her interest in attending meetings and becoming involved in the Township. She asked if the Township had funds with PLGIT (Pennsylvania Local Investment Trust). Mr. Foster responded that they did in the past but receive better interest at local banks. Ms. De Wolf advised Mrs. Dowling that there are vacancies on Township Boards that might be of interest to her. Mr. Foster thanked her for her attendance and her comments.

V. Old Business.

A. Accept Dedication of Easements Tract 2000-14 Mears Simple Subdivision.

Mr. Layman advised the Board that the documents were in order for acceptance this evening.

Ms. De Wolf made a motion, seconded by Mr. Barber, to accept the Dedication of the Sanitary Sewer Easement and the Sanitary Sewer Facilities for Tract 2000-14 Mears Simple Subdivision. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously accepted the dedication.

Mr. Layman personally apologized to Mr. Mears for comments made at the October 20th, Board meeting pertaining to payment of outstanding fees. Mr. Layman expressed that there was a misunderstanding and that Mr. Mears has been diligent in paying any fees owed to the Township.

VI. New Business.

A. Tract 2008-5 L.V. Associates L.P> - Submission of Land Development and Conditional Use Application.

Mr. Foster stated that Jack Loew who purchased the old Township Building at 1081 Wilmington Pike has submitted a land development plan for a new office building at this location. The old building will

be demolished. The applicant would like the Conditional Use and Land Development to be addressed at the same time. Mr. Foster stated that this would be sensible for this type of development.

Ms. De Wolf made a motion, seconded by Mr. Barber, to accept Tract 2008-5 L.V. Associates, and pass the plan to the Planning Commission for their review in conjunction with a Conditional Use Hearing to be held by the Board of Supervisors. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

B. Accept West Chester Fire Services Agreement.

This item was tabled for further review.

C. Grant Conditional use Extension for Tract 2007-2 Fair Share Properties.

Mr. Foster stated that this project borders on the upper portion of the proposed connector road which is to run from Route 926 to Stetson. He stated that the Board was not willing to grant another extension until progress was made with the land development plan. The developer has now accepted the Township's recommendation for the connector road and has promised to submit a land development plan within the next thirty days.

Ms. De Wolf made a motion, seconded by Mr. Barber to grant a one month extension until December 1st, 2008 for Conditional Use for Tract 2007-2 Fair Share Properties. Mr. Foster asked for public comment.

Mr. Flynn stated that when this request was previously before the Board the applicant was told it would be the last extension. Mr. Foster said as progress has been made and a land development plan promised within thirty days they will grant the extension.

The Board of Supervisors unanimously granted the extension to Fair Share Properties.

D. Approve Amendment to Cell Tower Agreement.

This item was tabled for further review.

VII. Public Comment (all topics)

There was no public comment.

VIII. Payment of Bills.

Ms. De Wolf made a motion, seconded by Mr. Barber to approve payment of the bills. The Board of Supervisors unanimously approved payment of the bills as presented.

IX. Adjournment.

On the motion of Mr. Barber, seconded by Ms. De Wolf, the meeting was unanimously adjourned at 8:10Pm.

Respectfully Submitted,

Robert Layman,
Township Manager