

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
Township Municipal Building, Stokes Assembly Hall, 1039 Wilmington Pike, Westtown
December 1, 2008 7:30PM

In attendance were Supervisors, Chair Thomas Foster, and Vice-Chair Carol R. De Wolf; Township Manager Robert Layman; Township Roadmaster Mark Gross; and Oakbourne Mansion Commission Chair Eva Foster. There were six guests in attendance.

I. Call to Order.

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:37PM and led those present in the Pledge of Allegiance.

II. Approval of Minutes (November 17, 2008 Regular Meeting).

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve the minutes of the November 17, 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.

In the absence of Mr. Wilson, Mr. Layman reviewed the November Building Report. The Board had no questions on the report.

B. Township Roadmaster – Mark Gross.

Mr. Gross reported on the Road Department's activities for November. He stated that the Township trucks have been serviced and the plows installed in anticipation of winter weather. The Department did repair work to a depressed curb on Blenheim Road and also redirected the stream channel at the Blenheim culvert as the creek is affected by runoff and sedimentation from the south side of Route 926 in Thornbury Township. Mr. Gross stated that cleanup work was done in the Township parks along with removal of a hazardous Maple Tree in Oakbourne Park. Mr. Gross reported that a pump was down today at the Westtown-Chester Creek plant due to a seal failure. He stated that the Department will be tub grinding the wood debris in Oakbourne Park and the mulch will be used on the walking trails. A tree service has been hired to remove a hazardous tree on Shiloh Hill Road. Mr. Foster asked if our snow contractors had to be called out for the recent small snow storm. Mr. Gross responded that three contractors were called in but only minimal salting needed to be done.

C. Township Planning Commission.

Mr. Layman reported on the November 19th Planning Commission Meeting. He stated that residents of Hidden Pond Way were present to express their concern with the proposed connector road from W. Pleasant Grove Road to Stetson Middle School. The residents were informed that the Arbor View Plan was approved with the connector Road and that any changes to the approved plan would have to be submitted to the Township by Mr. Galbally, the developer of the property. The Commission continued review of the Gate House simple subdivision and a review of Mr. Loew's land development plan for a proposed office building at 1081 Wilmington Pike. Mr. Layman stated that at this week's meeting the Commission will continue review of the Loew land development plan and review sketch plans from Mr. Tordone for the possible subdivision of 1015 Shiloh Road.

D. Parks Advisory Group – Leonard Tehrani.

As Mr. Tehrani was not in attendance Mr. Foster asked Mr. Layman to advise the Parks Advisory Group that they must submit their plans and or a budget for 2009 by the December 15th meeting or they will not receive funding for next year.

E. Oakbourne Mansion Commission – Eva Foster.

Mrs. Foster stated that the Mansion was decorated for the Holidays in time for the ARC event on November 6th. The Commission received \$2300.00 in donations plus goods and services for decorating the Mansion. The Commission was appreciative of the seven volunteers who helped with the decorating. Mrs. Foster stated that QVC was seriously considering using Oakbourne Mansion for one of their programs which would have been excellent exposure for the Mansion. But due to the economy and the layoffs at QVC this did not materialize. Mrs. Foster said the Commission has presented their plans and a budget to Mr. Layman for next year and mentioned that Oakbourne Park has been rented for a "Cars of Great Britain" show on June 6th. Mrs. Foster would like to be able to inform the residents about events at the Mansion either through the email list or Township Newsletter. Ms. De Wolf commended Mrs. Foster for the incredible work the Commission is doing for the Mansion. Mr. Layman advised Mrs. Foster that articles for the newsletter must be received by Mrs. Adler no later than December 22nd.

IV. Public Comment Non Agenda Items.

John Lain, 1540 Johnny's Way, said he would like the agenda for the Board meeting available the Wednesday before the meeting and the minutes available the Friday immediately following the meeting. Mr. Layman advised Mr. Lain that the policy is that the agenda and the minutes are available the Friday before the meeting. He stated that his deadline for receiving information necessary for the meeting is by noon on Thursday. As Township Consultants and other entities can't always meet this deadline the agenda is finalized on Friday. Mr. Layman stated that Mr. Lain can always contact him concerning the items to be on the agenda. Mr. Lain asked about the minutes. Mr. Layman stated when Mrs. Greer completes the minutes is determined by other office work that might take precedence. He will discuss this with her. Mr. Lain then referred to the minutes of the November 17th meeting concerning the proposed lighting ordinance discussed in the workshop. He stated his concern is not with the ordinance but that there is not a posted agenda for the workshop so there is no public dialogue. He asked if the Board arrived at the 2009 budget in private conversations or at the workshop. Ms. De Wolf responded that the budget was discussed publically by the Board at the Board meeting on the 17th. She stated that the workshop is held at 6:30Pm before the regular meeting. It is an open meeting, not a closed session, and there is an agenda for the workshop. Mrs. De Wolf suggested Mr. Lain either email or contact a Board member if he would like an update on any issue. Mr. Foster asked Mr. Lain if his issue is with the proposed lighting ordinance or the workshop. Mr. Lain responded his issue is with the workshop as he feels the Board is circumventing public comment. Mr. Foster said anyone can attend the workshop. He also stated the workshop is for discussions and no decisions are made. Mr. Lain again asked how the Board arrived at the budget figures for 2009. Ms. De Wolf said the budget was discussed with Mr. Layman at a workshop and was presented to the public at the last Board meeting. Ms. De Wolf stated that a summary of the workshop could be given at the beginning of the regular meeting.

Mr. Foster reviewed this evening's workshop and said the Board first discussed the vacancies on several Township Boards and Commissions. A request for resumes from residents interested in filling these positions will be posted on the website and in the Westtown Gazette. All interested candidates will be interviewed by the Board. The Board also discussed revision of the Park Use Policy pertaining to usage of the grounds and Mansion by various groups and clarification of user fees. Mr. Foster stated that at the request of the applicant the Board reviewed a zoning variance application for a property on Garden Circle. The Board will defer to the Zoning Hearing Board in this matter.

Mr. Pavelchek, 1050 S. New Street, said reporting on the workshop at the regular meeting is an excellent idea. He asked, for the record, if there has been any input from the residents on the proposed 2009 budget to be presented on December 15th. Mr. Foster stated that copies of the proposed budget are available at the Township Office for anyone to review and make comments. Ms. De Wolf advised Mr. Pavelchek that the proposed budget is also available on the Township website. Mr. Pavelchek stated that he does not like the format that is used for the budget as he feels it is not helpful. He feels a column should be included that shows the projected end of the year budget. Mr. Layman said that a new computer program is being used this year and that he does understand what Mr. Pavelchek would like to see in the budget. He will discuss the formatting with Ms. Grube. Mr. Pavelchek asked if the Board was considering any changes to the proposed budget and questioned the across the board 7.6% wage increase. Mr. Foster stated that was incorrect and is being revised. Mr. Layman said inadvertently items

were included in the salary calculations that should not have been. Mr. Foster said that there are no other major changes being considered for the budget at this time. Mr. Foster stated that some items will be increasing, such as the police and there is no way to reduce the cost. He also stated that the Board is not anticipating a tax increase this year. Ms. De Wolf stated that there will be minor increases in the utility billing.

Jeff Winiacki, 207 Swinburne Road, said we all know, as stated by Ms. De Wolf, that the proposed lighting ordinance is a controversial issue and that he believes that there are some, not necessarily on the Board, that would like to put the ordinance aside and bury it forever. Mr. Winiacki said he would like to know the status of the ordinance and when will there be a date for a public hearing. He asked that they not keep tabling the ordinance but open the issue to public comment and let the public make some of the decisions. Mr. Foster advised Mr. Winiacki part of the ordinance process is obtaining information which will be helpful in preparing the ordinance. He said the Township knows at some point WCASD will ask us for lighting which as of this date they have not done and the Township would like a strong ordinance in place. Mr. Winiacki said the ordinance is not just for Rustin but also for St. Maximilian Kolbe. Mr. Foster responded that the ordinance will be for all schools in the Township. Ms. De Wolf said there is a draft ordinance that the Board has reviewed and which is available for public review. She also stated that the Board will make a site visit to Rustin with the sound engineer to discuss how to mitigate any noise issues that would result from stadium lighting. Ms. De Wolf said the Board might not be in agreement as to how noise issues relate to the lighting ordinance. Mr. Winiacki said for the record shouldn't the engineers recommend what would be in the ordinance and not any personal wish of a Board member. Ms. De Wolf responded in the negative that the engineers would only recommend how to deal with noise issues at the stadium or the area surrounding the stadium. This information is just one more thing we will look at when a final determination is made on the language for the ordinance. The Board will need to be in agreement with the language in the ordinance. Mr. Layman stated that the draft lighting ordinance has been recommended to the Board by the Planning Commission and that Mr. Winiacki is welcomed to review the ordinance. Mr. Layman said as the Board is meeting with the sound engineer next week, a realistic date for a public hearing would be in January. Mr. Winiacki responded that this would be acceptable.

V. Old Business.

There was no old business at this time.

VI. New Business.

A. Tordone Presentation Minor Subdivision Sketch Plan for 1015 Shiloh Road.

Fred Tordone, 1551 Ulster Circle, presented two sketch plans to the Board for a minor subdivision of the 2 ½ acre Spickler property at 1015 Shiloh Road. Public water is available but both lots would have on lot site septic systems. The original house would be demolished and two new homes would be built. Mr. Tordone said he had reviewed his original plan with Mrs. Adler but as there is a conflict between the Township Zoning Ordinance and Subdivision Ordinance concerning interior lots she suggested that he have an alternative plan. Mr. Tordone stated that Mrs. Adler advised him that he should present both sketch plans to the Board for their direction on how to proceed. The Board reviewed the plans with Mr. Tordone and discussed the interior lot issues. The Board of Supervisors advised Mr. Tordone that they preferred the alternate sketch plan and to present this plan to the Planning Commission if he wished to do so.

B. Approve SPCA 2008 Contract.

Mr. Foster stated that Westtown has a contract with the SPCA for the pickup of stray dogs and cats in the Township. The contract amount for 2009 will be \$2,350.00

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve the 2009 SPCA contract in the amount of \$2,350.00. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the contract.

C. Accept Tract 2008-6 Land Development Plan Fair Share Properties.

Mr. Foster stated that the Fair Share Properties is submitting a land development plan for an office building at Wilmington Pike. The plan meets the requirements of the Township Traffic Engineer for the connector road from W. Pleasant Grove to Stetson Middle School. The plan will be passed to the Planning Commission for their review.

Ms. De Wolf made a motion, seconded by Mr. Foster, to accept Tract 2008-6 Land Development Plan Fair Share Properties and pass to the Planning Commission for their review. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously accepted the plan.

VII. Public Comment (all topics)

There was no public comment at this time.

VIII. Payment of Bills.

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

IX Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Foster, the meeting was unanimously adjourned at 9:03Pm

Respectfully Submitted,

Robert Layman,
Township Manager