

# WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Monday, December 7, 2015 at 7:30 PM

In attendance were: Chair Mike Di Domenico, Vice Chair Carol De Wolf, Police Commissioner Tom Haws, Township Manager Rob Pingar, Township Roadmaster Mark Gross, Historical Commissioner Eileen Fresta, Planning Commissioner Scott Yaw, and Police Chief Brenda Bernot. There were 8 guests present.

## **I. Pledge of Allegiance & Call to Order**

Mr. Di Domenico led the Pledge of Allegiance and called the meeting to order at 7:43 PM. He apologized for convening the meeting late, but stated that the workshop session ran long. He asked if anyone in the audience was using a recording device. No one was.

## **II. Approval of Minutes (November 2 and 16, 2015)**

Mrs. De Wolf made a motion to approve the minutes of the November 2 and November 16 Board of Supervisors meetings. Mr. Haws seconded the motion. There were no comments and the motion was unanimously approved.

## **III. Workshop Meeting Summary (December 7, 2015)**

Mr. Di Domenico stated that the Board held an Executive Session dealing with the police budget, litigation, and personnel matters. The Board also discussed the MS4 Total Maximum Daily Load (TMDL) strategy and the SUO repeal. Mr. Haws explained that the township's MS4 strategy has to be submitted to the DEP by year end. Public comments made during the comment period will be included in the report. The cost to reduce the TMDL in Goose Creek over the 15 year implementation period is \$330,000 to \$550,000, so money will have to be reserved for the program. The Board also discussed how to proceed with the Special Use Overlay (SUO) District – whether to keep it, amend it, or repeal it.

## **IV. Departmental Reports**

### **A. Public Works – Mark Gross**

Mr. Gross reported that fair weather in November allowed the crew to do tree trimming in Pleasant Grove. As part of the traffic calming measures, the crew also installed a Residential Neighborhood sign on the east entrance of Jacqueline Drive. Mr. Gross mentioned that he has set the radar speed sign to send an alert to his phone for any high speed offenses. He said that as a result of the radar sign, the neighborhood sign, and the additional police presence, high speed alerts have dropped from 5-6/day to only 1-2/week.

All traffic signals in the Township were inspected by Higgins Electric per PennDOT requirements. A few signage issues need to be addressed, but mechanically the signals and flashers are working as programmed. All trucks have been prepped for the winter and salt is stocked. At the park, several downed trees on a hill behind the pond were cut up, and the leaf cleanup is in progress.

A new employee started at the wastewater plant last week, providing much needed redundancy in operations. Mr. Gross thanked the Board for supporting that addition to staff.

If the weather stays fair, the crew will continue work on storm drain repair. Mr. Gross has also begun discussions with Mr. Pingar on the 2016 Road Maintenance selections.

There were no questions or comments.

**B. Building Department – Rob Pingar**

Mr. Pingar reported that building permits were down for the month of November with 16 permits, including 12 residential and 4 commercial. There were 31 Certificates of Occupancy, 1 demolition permit, 4 sign permits, and one sewer tap in. There were also 5 zoning permits for fences/sheds.

Mr. Pingar stated that the Farmer's Market and Planet Fitness in the former Acme are hoping to open in early January.

Paul Oravez, 1137 Cockburn Drive, asked about the Farmer's Market. Mr. Pingar mentioned some of the vendors that will be in the market, and said that they would be open Wednesday – Saturday.

There were no other questions or comments.

**C. Historical Commission (HC) – Eileen Fresta**

Ms. Fresta stated that at their November 19 meeting the HC decided to amend the designation on the Historical Resources List of Walt Pavelchek's home at 1050 South New Street. It will now be shown as a property with historic elements. No other property owner on the list asked to have their designation changed. The HC is now drafting a letter to be sent to property owners on the list asking permission to photograph the property and for any historic information.

Local chapters of the Sons and Daughters of the American Revolution have begun fundraising to purchase markers for the Revolutionary War veterans buried on the Taylor burial ground in Pleasant Grove.

The HC has started its photography project to photograph all commercial, multi-family, and public facilities in the township to document them for future historians.

On December 10, HC Chair, Dave Walter, will attend a meeting of the Brandywine Battlefield Task Force for a discussion on the possibility of acquiring or preserving some portion of Crebilly farm where skirmishes occurred during the Battle of the Brandywine in 1777.

Ms. Fresta announced that the HC meeting scheduled for December 17 has been cancelled. The next HC meeting will be January 21, 2016.

Paul Oravez stated that he received a letter from Chris Patriarca, Zoning Officer, indicating that his property is a potential archeological site. He asked the implication of that designation. Mr. Oravez stated he emailed Dave Walter, chair of the Historical Commission, but did not receive a reply. Mr. Pingar replied that the township received four emails today, the final day of the public comment period, including Mr. Oravez's email. Mr. Pingar stated that his property is part of the Taylor Burial Ground which is a known archeological site, but was disturbed during construction of the Pleasant Grove homes. Mr. Pingar explained that for physical structures on the list, the proposed ordinance would *request* that property owners allow the Historical Commission to photograph the structure prior to demolition or alteration. The property owner would have the right to refuse. Mr. Pingar said that for below grade archeological site designations, there is no impact to the homeowner. The designation is for mapping purposes only. Mr. Oravez stated for the record that he did not want any plaque or monument placed on his property.

There were no other questions or comments.

**D. Planning Commission (PC) – Scott Yaw**

Mr. Yaw stated that the November 18 meeting of the PC was cancelled due to the interviews with consultants for the Comprehensive Plan review. The next meeting of the PC is this Wednesday, November 9.

There were no questions or comments.

**V. Public Comment Non Agenda Items**

There was none.

**VI. Old Business**

**A. Historic Resources List Public Comment**

Mr. Di Domenico stated this is the end of the public comment period to allow any resident to speak on the issue of the Historic Resources Map. Affected property owners were notified by letter the week of October 12.

Mr. Haws asked Mr. Pingar if he was going to summarize the public comments for the Board. Mr. Pingar stated that the comments may be used to clarify language in the draft ordinance. Mr. Haws stated that the purpose of the list is to document the historical resources in the Township.

Walt Pavelchek, 1050 South New Street, asked if the list was going to be made public. Mr. Pingar stated that the map and the list will be public record. The map will be posted on the website. Mr. Pavelchek expressed concern over people parading to see houses on the list.

Heather Dattilo, 708 Oakbourne Road, asked if there would be any restrictions other than the 30 day courtesy period prior to issuing a building or demolition permit. Mr. Pingar stated there would be absolutely no requirements other than the request to photograph a property before demolition or alteration.

There were no additional questions or comments.

**VII. New Business**

**A. Parks & Recreation Commission Resignation & Vacancy**

Mr. Walter Pavelchek resigned from the P&R commission effective November 16. Ms. De Wolf made a motion to accept Mr. Pavelchek's resignation. Mr. Haws seconded the motion. There was no public comment and the motion was approved. Mr. Di Domenico thanked Walt for all his years of service to the township.

Mr. Haws stated that the township is seeking to fill the vacancy and asked that anyone interested send their resume and letter of interest to Rob Pingar.

**B. 2016 Westtown-East Goshen Regional Police Department Budget**

Mr. Di Domenico stated that under the terms of the agreement between Westtown and East Goshen, the police budget is to be approved by both Boards before the end of the calendar year. The two Boards are not in agreement on the police budget. Discussion on this matter ensued with Chief Bernot participating.

Ultimately, Mr. Haws made a motion to approve the 2016 WEGO Police Budget, Version 6.1, in the amount of \$7,162,010.08 where Westtown's budget obligation would be 42.9% of that total

amount, in the amount of \$2,544,319.67. The motion was seconded by Mr. Di Domenico. There was no public comment and the motion was unanimously approved.

Mr. Haws then made an additional motion that Mr. Pingar, Township Manager, contact Kathy Brill, who is the WEGO Business Manager, to generate a default budget to prepare for including Westtown's default budget allocation in the approved 2016 Township Budget. Mr. Di Domenico seconded the motion. There was no public comment and the motion was approved.

#### **C. Appointment of Certified Public Accountant, Mingis, Gutowski & Company**

Mingis, Gutowski & Company has submitted an engagement letter dated November 2, 2015 confirming their services for auditing the financial statements of Westtown Township for the fiscal years of 2015, 2016, and 2017. The fee for this service will be \$13,500 per year for each of the three years. This is a \$400 increase from 2015. Ms. DeWolf made a motion to approve the Mingis, Gutowski & Company engagement letter dated November 2, 2015. Mr. Haws seconded the motion. There was no public comment and the motion was approved.

Ms. DeWolf then made a motion to approve Resolution 2015-11 appointing Mingis, Gutowski & Company to make an examination of the accounts of the township for the fiscal year of 2015. Mr. Haws seconded the motion. There was no public comment and the motion was approved.

#### **D. 2016 Sludge Bid Award – Aqua Wastewater Management**

Mr. Gross explained that this is a three year contract for hauling and disposal of liquid waste material from our treatment plant. There were four bidders: Aqua Wastewater, Franc Environmental, McGovern Environmental, and Russell Reid. Aqua Wastewater Management is the existing contractor, and was again the low bidder at \$48.70/1000 gallons for transportation for all 3 years and disposal of \$0.13/gallon. Mr. Gross recommended award of the contract to Aqua Wastewater Management, stating they have provided excellent service over the past 3 years.

Ms. DeWolf asked about the emergency response cost. Mr. Gross replied that it doesn't often come into play, but it is for situations such as the force main break on S. Concord Road several years ago. Ms. DeWolf asked how much raw sewage is transported in a year. Mr. Gross responded that the bid was based on an estimate of 550,000 gallons of sludge per year.

Mr. Haws made a motion to award the 2016-2018 Sludge Transportation and Disposal Service bid to Aqua Wastewater Management in the amount of \$48.70 per 1000 gallons for hauling and \$0.13/gallon disposal for the three years. Ms. DeWolf commented that the McGovern had a higher hauling cost at \$54/1000 gallons over the three year period, but a \$.125/gallon disposal cost. Mr. Gross stated that the net cost of the Aqua contract was lower slightly lower than McGovern. Ms. De Wolf seconded the motion. There was no public comment and the motion was approved.

#### **E. Announcements**

Mr. Di Domenico read the following announcements:

1. Parks & Recreation and Historical Commission meetings for December have been cancelled.
2. CRC Watersheds Stormwater Survey: Westtown is working with the Chester Ridley Crum (CRC) Watersheds Association to improve water quality in our local streams. Your responses to a quick five-minute survey will help us efficiently meet state requirements for public education and outreach on stormwater and create programs that will improve our streams. A link to the survey is on the home page and the Stormwater Management page of the Township website. It has also been sent out on the listserv.

3. Westtown Township's Goose Creek MS4 Total Maximum Daily Load (TMDL) Strategy is available to the public for review on the Stormwater Management page of the Township website and at the Township Building. Written and verbal comments will be accepted until December 14. The Strategy outlines how the Township is proposing to address the phosphorous wasteload allocation assigned in the Goose Creek Watershed TMDL Report per NPDES (National Pollutant Discharge Elimination System) MS4 permit requirements.

Mr. Pingar made an additional announcement stating that the new township website has gone live. He read the listserv that went out to subscribers:

The newly redesigned Westtown Township website is going live; however, the migration of the new site to servers worldwide will take 24-48 hours. During this transition period, depending on the location of your Internet Service Provider's server, you may still see the old site. We welcome your feedback! Please direct your comments and suggestions on the new website to [pcoleman@westtown.org](mailto:pcoleman@westtown.org).

Visit [www.westtownpa.org](http://www.westtownpa.org).

#### **VIII. Public Comment on All Topics**

Kathy Di Domenico, 1530 Woodland Road, stated she saw the new website just before she came to the meeting. She asked how comments, concerns, and suggestions will be addressed and tracked. Mr. Pingar stated that if it is something that can be handled on a staff level, it will be. Otherwise, it will be elevated to the Board. Ms. DeWolf asked that all comments be logged and provided to the Board.

There were no other comments.

#### **IX. Payment of Bills**

Ms. De Wolf made a motion to approve General Fund bills in the amount of \$508,602.54 and Wastewater Fund bills in the amount of \$132,358.40, Capital Projects Fund bills in the amount of \$18,700, for a grand total of \$659,660.94. The motion was seconded by Mr. Haws. There was no public comment and the check registers were approved.

#### **X. Adjournment**

Ms. De Wolf made a motion to adjourn the meeting, seconded by Mr. Di Domenico. The meeting was adjourned at 9:09 PM.

Respectfully submitted,

Robert R. Pingar  
Township Manager