

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Monday, December 21, 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, Chief Brenda Bernot, Township Solicitor Patrick McKenna, and Planning Commission member Elaine Adler. There were 4 guests present.

I. Pledge of Allegiance & Call to Order

Mr. Di Domenico led the Pledge of Allegiance and called the meeting to order at 7:34 PM. He asked if anyone was using a recording device. No one responded.

II. Approval of Minutes (December 7, 2015)

Ms. De Wolf made a motion to approve the December 7, 2015 minutes, seconded by Mr. Haws. There were no comments and the motion was approved.

III. Workshop Meeting Summary (December 21, 2015)

Mr. Di Domenico stated that during their workshop the Board discussed a Small Flow Treatment Facility at 905 Oakbourne Road and the selection of a consultant for the Comprehensive Plan update. Both items are on the regular agenda tonight.

Mr. Haws added that the Board will be reconvening after the regular meeting for an executive session to discuss litigation.

There were no questions from the public regarding the workshop.

IV. Departmental Reports

A. WEGO Police- Chief Brenda Bernot

Chief Bernot encouraged residents to read the police blotter available on their website (www.westtownpolice.org) to stay informed about significant police activity in the community. She mentioned there was an article in the Daily Local News about the Safe Trade Zone that has been established at the WEGO station for residents to safely meet to accomplish transactions made through online sites such as Craigslist. The Chief also reported that WEGO was part of a burglary taskforce that caught the burglars red-handed who have been plaguing the area. Individuals stealing tips and gift cards left for the trash haulers were also apprehended.

Ms. De Wolf applauded WEGO for their timely communication of police alerts and blotters.

Chief Bernot also reported that as a public service, the department now has a large television in their lobby so that people waiting can view educational and entertaining material such as news releases and public safety tips. They also share "Thank You" notes sent to the officers by children who benefit from the school programs conducted by WEGO.

There were no other comments or questions.

B. Township Solicitor - Patrick McKenna

Mr. McKenna stated he did not have anything to report regarding legal matters, but he did thank the Board for the wonderful time he and his wife had at the Township Holiday party. He also

stated that he has had occasion to use the new township website and found it very easy to navigate and stated that it looks great. Finally, Mr. McKenna thanked the Board and expressed his appreciation to all the township staff for their assistance this year.

C. Parks and Recreation (P&R) – Rob Pingar

Mr. Pingar reported that the annual Winter Festival on Sunday, December 6 at Oakbourne Mansion was very successful, with attendance doubling from approximately 100 people last year to 200 this year. There were 8 craft vendors in the Dunning Room selling various items. The P&R Commission expressed their thanks to the Rustin High School students who volunteered to help with the event.

For 2016, in addition to annual events such as the Community Yard Sale, Summer Movie Nights, Summer Concert, and Winter Festival, the Commission is planning a 5K fun run in May. A Westtown Community Day in September, co-sponsored by the Historical Commission, is also planned for 2016.

Mr. Pingar also mentioned that another commissioner has resigned, so P&R is looking to fill two vacancies.

There were no comments or questions.

D. Planning Commission (PC) – Elaine Adler

Mrs. Adler reported that at their December 9 meeting the PC had an extensive discussion of the Hawthorne subdivision on Shiloh Road. The developer is asking for 4-5 waivers concerning the size of the cul-de-sac, open space, stormwater management, and a landscaping berm outside the right-of-way along Shiloh Road.

The PC also received information for a variance on the side yard setback for 1430 Johnny's Way, and made suggestions regarding the driveway for the Zoning Hearing Board to consider during the Special Exception Hearing on January 5, 2016.

Mrs. Adler reported that Mr. Walter Pavelchek made a presentation to the PC on the development of sidewalks in the township, and also made recommendations for review of the implementation of the Open Space and Parks & Recreation Plan.

Ms. De Wolf asked about the stormwater detention basin in the Hawthorne subdivision. Ms. Adler explained that the developer is proposing that the basin be on a separate lot owned by the Homeowner's Association, but if the lot is less than an acre, then it may require a variance.

Mr. Di Domenico asked about snow removal if the size of the cul de sac is reduced. The developer has approached the Township Roadmaster, Mark Gross, and he accepts the proposal of a 45' cul de sac rather than 50'. Mr. Pingar stated the plan also must show an easement on one of the lots where the snow could be deposited. An easement would prevent landscaping or mailboxes from being installed. Mr. Haws expressed concern over enforcement of the easement. Mr. McKenna stated that language in the easement would be enforceable. Ms. Adler reminded the Board that this is a preliminary plan. The developer needs to address the outstanding issues with the preliminary plan, and then resubmit the plans for another review by McCormick Taylor and the PC recommendation, before coming to the Board for approval.

There were no other comments or questions.

V. Public Comment Non Agenda Items

There was no public comment.

VI. Old Business

A. **Special Use Overlay (SUO) Text Amendment – Ordinance Repeal & Zoning Map Change**

Mr. McKenna stated the Township has received comments from the Chester County Planning Commission (CCPC) and the Township Planning Commission on the SUO repeal. Because the ordinance amendment requires at least 30 day notice to the four affected property owners prior to adoption, the amendment is being advertised for adoption at the February 1, 2016 Board meeting. Ms. De Wolf asked if Mr. McKenna had received any feedback on the SUO repeal from the Robinsons. Mr. McKenna stated he had not received feedback from any member of the public.

Ms. De Wolf then made a motion to authorize advertisement of the ordinance amendment to repeal of the SUO Text Amendment and associated Zoning Map. Mr. Haws seconded the motion. There were no questions and the motion was approved.

B. **Historic Resources Ordinance Amendment - Map & List**

Ms. De Wolf made a motion to authorize advertisement of the Historical Resources Ordinance amendment for adoption at the February 15, 2016 Board meeting, subject to Act 247 review. Mr. Haws seconded the motion.

Mr. Haws asked when the amendment would be submitted to the CCPC. Mr. Pingar replied that if it hadn't already been submitted, it would be tomorrow. Mr. McKenna stated there would be sufficient time for Act 247 review to make the Feb. 15 meeting. Mr. Haws also asked that the most current Historic Resources List be provided to the Board.

There were no other questions or comments and the motion was approved.

VII. New Business

A. **Westtown Township 2016 Budget**

Joanne Grube, Director of Finance, was present to review major points regarding the 2016 budget. Mrs. Grube reported that the 2016 budget is \$12,758 lower than the 2015 budget.

Mr. Haws highlighted the following aspects of the 2016 budget:

1. \$2,544,319.67 as Westtown's budget obligation to WEGO. This is 23% of Westtown's overall budget
2. A reduction in the On-Lot Management Assessment from \$100/year to \$24/year
3. \$10,000 for the Open Space Preservation/Master Park Plan
4. Other road improvements include \$140,000 for the Dunvegan Road culvert replacement
5. \$995,000 for road maintenance (pavement milling and overlays and miscellaneous drainage improvements)
6. \$35,000 for the Comprehensive Plan Update (50% reimbursement from Chester Co.)
7. The **Wastewater Department** budget includes the replacement of bio-filters at the sewer plant and pump stations, as well as design changes at the Chester Creek Wastewater Treatment Plant
8. Sewer capital improvements are estimated at \$319,500 which can be funded by the Reserves

Mr. Haws stated there is no tax increase this year. Ms. De Wolf made a motion to approve the 2016 Westtown budget in the amount of \$11,175,063. Mr. Haws seconded the motion. There were no questions and the motion was approved.

Mr. Di Domenico stated that East Goshen passed the 6.1 version of the WEGO budget, but added a \$140,000 addendum. Westtown will be meeting with East Goshen Township on January 26, 2016 to try to come to an agreement on the WEGO budget. Mr. Haws stated that if the parties cannot reach a consensus, then arbitration is an option.

B. Small Flow Treatment Facility (SFTF) – 905 Oakbourne Road

The owners of 905 Oakbourne Road (UPI 67-2-1.4) seek to construct a small flow treatment facility on their property. This facility will not utilize any existing Township infrastructure and will outfall directly into a watercourse. In order for the application to be considered complete with the DEP, the Township must pass a resolution supporting the module as well as an Operation and Maintenance Agreement. The resolution is taken verbatim from the sample provided and previously approved by the DEP for these requests. Although monitored by the DEP, the O&M agreement allows for the Township to address health/safety issues if necessary.

Mr. Haws made a motion to approve Resolution 2015-12 and execute the O&M Agreement for a SFTF at 905 Oakbourne Road. Ms. De Wolf seconded the motion. There were no comments and the motion was approved.

C. Comprehensive Plan Update - Consultant Selection

The Township received proposals from two design teams to update the township's 2001 Growth Management Plan:

- a) Carter Van Dyke Associates
- b) Brandywine Conservancy-Thomas Comitta Associates

The Board and Planning Commission interviewed both firms and checked references to aid in selecting the preferred firm.

Mr. Haws made a motion to award the contract to prepare the township's comprehensive plan update to Brandywine Conservancy & Thomas Comitta Associates in the amount of \$50,000. Ms. De Wolf seconded the motion. There were no questions or comments and the motion was approved.

D. Parks & Recreation Commission Resignation

Maria Klang has resigned from the P&R Commission effective January 1, 2016.

Ms. De Wolf made a motion to accept the resignation, seconded by Mr. Haws. The Board expressed their thanks for Mrs. Klang's service. The motion was passed.

E. Announcements

Mr. Di Domenico made the following announcements:

1. The Township is seeking volunteers to fill two vacancies on the Parks & Recreation Commission. If you would like to become involved with Township parks and recreation programs, activities, and planning, please send your letter of interest and resume to the Township Manager, Rob Pingar.
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 short survey will help the township 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.

VIII. Public Comment on All Topics

There was none.

IX. Payment of Bills

End of year bills will be approved at the January 4, 2016 meeting.

X. Adjournment

Mr. Di Domenico made a motion to adjourn the meeting, seconded by Ms. De Wolf. The meeting was adjourned at 8:19 PM.

Respectfully submitted,

Robert R. Pingar
Township Manager

DRAFT