

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
August 18, 2008 7:30Pm

In attendance were Supervisors Chair Thomas A. Foster, and Charles P. Barber Police Commissioner; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond and Township Solicitor Robert F. Adams. There were seventeen guests in attendance.

I. Call to Order.

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:31 PM and led those present in the pledge of allegiance to the flag. Mr. Foster stated that Ms. De Wolf was on vacation and would not be in attendance.

II. Approval of Minutes (August 4, 2008 Regular Meetings).

Mr. Barber made a motion, seconded by Mr. Foster, to approve the minutes of the August 4, 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. Westtown-East Goshen Police Chief John M. Dumond.

Chief Dumond reviewed the Police Report. The Department responded to 509 calls in Westtown in July. Chief Dumond reported that there were only minor incidents at the Goshen Fair.

B. Planning Commission.

Mr. Layman reported that the August 6th Planning Commission meeting was canceled. He stated that there was only one item for this week's meeting which was review of the simple subdivision for the Bayard Rustin Pump Station. The meeting has been canceled as West Chester School District is still negotiating with SEPTA and would not be ready for the meeting.

C. Financial Report – Robert Layman.

Mr. Layman reviewed the financial report. He stated financially the budget is showing we are where we would expect to be at this time of the year. He stated that tax revenues are up because of the earned income tax. Because of the condition of the economy this was unexpected. The main reason for the increase in expenditures is fees paid to our consultants. The majority of these fees will be reimbursed which will offset the difference between the revenues and expenditures. Mr. Layman stated the road resurfacing project was over budget but we are still down in expenditures due to the mild winter. Mr. Foster stated it appears the Township will be within budget at the end of the year.

IV. Public Comment-Non Agenda Items.

Steven Maguire stated that he was the attorney for Steven and Stephanie Smith. 2 E. Street Road in Thornbury Chester County. He stated that they have received land development approval from Thornbury to expand their dental office. He also stated that they have received 2 edu's from the West Goshen Municipal Authority to connect to public sewer through Westtown's lines. Mr. Maguire said that the Smith's had contacted the owners of Thornbury Commons which is connected to public sewer, through Westtown, and attempted to purchase capacity from them but they refused. In order to connect to public sewer it will be necessary to have a grinder pump. Mr. Maguire said it is his understanding that Westtown might object to the grinder pump even though it would be in Thornbury Township. Mr. Layman questioned Mr. Maguire's statement that

he purchased 2edu's from West Goshen as Westtown has the allocation from West Goshen and the edu's would be purchased from Westtown. Mr. Layman also stated that the Smiths would need to have a tri-party agreement. Mr. Maguire responded that it had not been indicated to him that they had to purchase the capacity from Westtown but if this is an issue they have not paid for the edu's. Mr. Foster said it is an issue as it is Westtown's allocation and Westtown's lines and they should be working with Westtown. Mr. McGuire said they would be agreeable to this and also to the tri-party agreement. He also stated that Thornbury is willing to take responsibility for the grinder pump. Mr. Adams advised the Board that he felt the grinder pump was a fair request as the pump will be in Thornbury and is different than a Township resident's request for a grinder pump. Mr. Layman asked if the applicant would be willing to draft the agreement to include responsibility for reimbursement of consultant fees. Mr. Maguire stated that they are willing to reimburse the Township for part of the fees but felt that URS was over zealous in their review as this was part of the land development process in Thornbury. Mr. Layman stated that he would like to hear from URS on this as they might not feel that they were overzealous. He also stated that Westtown is not privy to the land development process in Thornbury. Mr. Adams said that URS is thorough and careful in their reviews. Mr. Foster stated that this issue needs to be resolved in order to move forward. Mr. Maguire said he will discuss the fees and the issue of the edu's with Mr. Layman to have this resolved. .

Gary Bevilacqua, 109 Macroom Avenue, said he has been attending the Planning Commission meetings pertaining to revisions to the Township's Lighting Ordinance. As the Planning Commission completed their review at their June 4th meeting and passed it to the Board of Supervisors with their recommendations he asked when this would be on the Board's meeting agenda. Mr. Foster stated that before they move forward with the Lighting Ordinance they have issues with the WCASD that need to be resolved and which are a priority with the Board. Mr. Bevilacqua asked if the School District is aware of these issues. Mr. Foster responded that he believes that they are extremely aware of the issues which are dedication of the Bayard Rustin pump station, sewer line, and Shiloh Road problems. He also stated that one is not contingent on the other. Mr. Bevilacqua stated that personally he does not feel that the Lighting Ordinance should be tied to the School District and that the Ordinance should be presented in a public forum for review. Mr. Barber stated that the Township has been addressing these issues for over two years with the School District and they are more important than the issue of field lighting at this time. Mr. Barber, speaking as resident, asked if the cost of lighting the fields was discussed at the Planning Commission meetings. He also has concerns about night games and the issue of traffic on Little Shiloh Road. Mr. Bevilacqua responded that the lighting cost would be about \$200,000. Mr. Barber said this is one of the concerns of residents expressed in emails he has received. Mr. Bevilacqua said he would be contacting the School District as a resident about the Board's issues that need to be resolved.

Old Business:

There was no old business at this time.

VI. New Business:

A. Approve GIS Consortium Agreement.

Mr. Barber made a motion, seconded by Mr. Foster, to approve the 2008-2009 GIS Consortium Agreement with Chester County in the amount of \$3600.00. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the GIS Consortium Agreement.

VII. Public Comment (All Topics).

Chief Dumond announced that the Citizens Police Academy would start on September 8th. Applications are available at the Police and Township's offices. They are also on the police website. www.westtownpolice.org. Mr. Foster stated that he is a graduate of the program and found it very informative.

VIII. Payment of Bills.

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

IX. Adjournment.

On the motion of Mr. Barber, seconded by Mr. Foster the meeting was adjourned at 7:55Pm.

At this time Mr. Adams, Township Solicitor, opened the hearing for consideration of adoption of the proposed Zoning Ordinance Overlay District. (Transcripts available at the Township office upon completion).

Respectfully Submitted,

Robert Layman,
Township Manager