

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
October 20, 2008 7:30Pm

In attendance were Supervisors Chair Thomas A. Foster, Vice Chair Carol R. De Wolf, and Charles P. Barber Police Commissioner; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond; Township Solicitor Robert F. Adams and Township Planning Commission Member Jim Lees. There were eleven guests in attendance.

I. Call to Order.

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

II. Approval of Minutes (October 6, 2008 Regular Meeting).

Mr. Foster asked for a motion to approve the minutes and stated that he had not been in attendance at the October 6th meeting.

Ms. De Wolf made a motion, seconded by Mr. Barber to approve the minutes of the October 6, 2008 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors approved the minutes as presented.

III. Departmental Reports.

A. Westtown-East Goshen Police Chief John M. Dumond.

Chief Dumond reviewed the September Police Report. He stated that the Department responded to 542 calls in Westtown for the month of September. Chief Dumond mentioned that the Department is continuing to investigate a daytime burglary on Wood Lane.

Phil Sears, 1116 Butternut Road, asked if the activity of the Police Department has increased or decreased from a year ago. Chief Dumond responded that the activity has stayed about the same as last year.

B. Township Solicitor – Robert F. Adams.

1. Accept Easements Tract 2000-14 Mears Simple Subdivision.

Mr. Adams stated that repair work had to be completed on a manhole before the Township would accept dedication of the sewer easements. As the work has been completed to the Township's satisfaction the easements could be accepted this evening. Mr. Layman said that there is still an outstanding bill for consultant fees that the Township would like paid before accepting dedication but that the Board could accept the easements conditioned on payment of the outstanding account. Mr. Adams felt it might be harder to collect the payment if the dedication was accepted and felt that the easements should not be accepted until the Township is satisfied that everything has been completed.

Mr. Foster tabled this item until all bills have been satisfied.

C. Planning Commission – Jim Lees.

Mr. Lees stated that the October 8th Planning Commission meeting had been canceled due to the lack of a quorum. At this week's meeting the Commission will review, and make a recommendation to the Zoning Hearing Board, an application to change the zoning on the property located at 1120 S. Chester Road. Mr. Foster advised Mr. Lees that the Board has discussed this application and would be represented at the Hearing which is scheduled on

October 28th, 7:30Pm at the Township Assembly Hall. Mr. Adams said he saw the application for the first time today and advised Mr. Foster if the Board wishes to be a party to the application they should do so through counsel.

Financial Report – Robert Layman.

Mr. Layman presented the financial report. He stated there are no significant changes from his last report. Revenues are up due to tax collections and reimbursement of engineering fees. Trash/recycling revenue is down as there are more delinquencies than normal. The revenue in Waste Water is higher but offset by expenditures. Mr. Layman stated that the expenditures for tipping fees are up and Township insurance costs have increased.

IV. Public Comment-Non Agenda Items.

Martha Coyle, 1113 Butternut Road, said she and some of her neighbors were in attendance because of an official notice they received concerning an application to the Township Zoning Hearing Board. The application is for a change in zoning for the property located at 1120 S. Chester Road in order to build an 8 unit apartment building. They have concerns about an apartment building in a residential neighborhood of single family homes. Mrs. Coyle stated that she and her neighbors will be attending the Planning Commission meeting and the Zoning Hearing to express their concerns. She thanked the Board of Supervisors for their willingness to serve the community. Mr. Foster thanked her and stated that the Board would be represented at these meetings as they also have concerns.

Jeff Winiecki, 207 Swinburne Road, asked about the status of the proposed lighting ordinance. Mr. Foster advised Mr. Winiecki that the Board has been discussing the ordinance and have passed their questions concerning revisions to the Mr. Adams. When the revisions are made to the ordinance the Board will hold a public hearing. Mr. Winiecki asked if the questions to the solicitor were public information. Mr. Foster said they were basically legal concerns between the Board and the Solicitor. Mr. Winiecki asked if he could review the proposed ordinance. Ms. De Wolf advised him to contact Mr. Layman for a copy of the proposed ordinance. .

George Myshko, 1902 Skiles Boulevard, a student at Bayard Rustin, asked if the lighting for the school was still undecided. Mr. Foster said when the ordinance is revised it will be presented at a public meeting. Mr. Myshko asked what is standing in the way of approving the ordinance. Mr. Foster said the Board needs to be in agreement on the ordinance before it is presented to the public.

Old Business:

There was no old business at this time.

VI. New Business:

A. Accept Resignation Emilie Barber Oakbourne Mansion Commission.

Mr. Foster said the Board regrettably accepts Mrs. Barber's resignation. He stated Mrs. Barber feels, as she is doing extensive traveling for several months, she cannot meet her commitment to the Commission.

Ms. De Wolf, made a motion, seconded by Mr. Barber, to accept Mrs. Barber's resignation from the Oakbourne Mansion Commission and with their thanks for her service on the Commission. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously accepted Mrs. Barber's resignation.

B. Authorize Advertising of Ordinance 2008-3 Amending Ordinance 2007-6 (Sidewalks).

Mr. Foster stated Ordinance 2007-6 originally related to the removal of snow from sidewalks after a storm. The ordinance is being revised to address the repairs of sidewalks and curbs.

Ms. De Wolf seconded by Mr. Barber, authorized the advertising of Ordinance 2008-3. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

C. Accept Withdrawal of The Conditional Use Application for Tract 2008-3 Westminster Presbyterian Church.

Mr. Foster said a Conditional Use Hearing on the Church's application to install a tent in their courtyard to be used for church activities until a new facility could be built was held on September 15, 2008. Westminster has found that the cost to install the required sprinkler system for the tent is extremely expensive and is withdrawing its application.

Ms. De Wolf, seconded by Mr. Barber, accepts the withdrawal of the Conditional Use Application for tract 2008-3 Westminster Presbyterian Church. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

VII. Public Comment (All Topics).

Mr. Myshko asked what is standing in the way of having a hearing for the lights. Ms. De Wolf stated that there are several concerns being addressed such as the number of events that can have lights, the noise level of these events, and parking problems. Mr. Myshko asked if this was being discussed with the WCASD. Ms. De Wolf advised Mr. Myshko that this is not being discussed with the District. The District may request to review the ordinance and can attend the hearing. Mr. Adams advised Mr. Myshko that he needs to understand the procedure. He stated that this is a legislative enactment and does not require the agreement of the WCASD or anyone else. He explained that this is a zoning ordinance amendment and the ordinance will be advertised and a public hearing held before adoption by the Board. Ultimately the decision is the Board of Supervisors' and is not a matter of coming to an agreement with the WCASD. Ms. De Wolf thanked Mr. Myshko for attending the meeting as it is good to see students interested in their community.

Mrs. Coyle asked that her neighbors in attendance identify themselves for the record. The following were in attendance: Dick Coyle, 1113 Butternut Road; Phil Sears, 1116 Butternut Road; Carolyn Stokes, 1130 S. Chester Road; Jack Whoriskey, 1117 Butternut Road; Howard Hindsale, 1115 Butternut Road; and LaRosa Davis-Baptist 1543 E. Street Road.

Ms. De Wolf asked about a letter the Board had received concerning speeding on Johnny's Way. Chief Dumond said the Traffic Unit has been patrolling the road. Mr. Barber advised Ms. De Wolf that this was addressed at the last Police Commission meeting.

VIII. Payment of Bills.

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

IX. Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Barber the meeting was adjourned at 8:00Pm.

Respectfully Submitted,

Robert Layman,
Township Manager