

WESTTOWN TOWNSHIP

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AGENDA

Westtown Township Board of Supervisors Regular Meeting Monday, February 4, 2019 - 7:30 PM

Westtown Township Municipal Building
1039 Wilmington Pike, Westtown

- I. Call to Order
- II. Approval of Meeting Minutes – January 22, 2019
- III. Summary of Board of Supervisors Workshop – February 4, 2019
- IV. Departmental Reports
 - A. Public Works – Mark Gross
 - B. Historical Commission – Pam Boulos
 - C. Planning Commission – Dick Pomerantz
 - D. Township Solicitor’s Report – Pat McKenna
 - E. Manager’s Report – Rob Pingar
- V. Public Comment (Non-Agenda Items)
- VI. Old Business
- VII. New Business
- VIII. Announcements
 1. Zoning Hearing Board Alternate vacancy
 2. Parks & Recreation Commission vacancy
 3. 2019 Westtown Comprehensive Plan - comment period through February 21, 2019
- IX. Public Comment (All Topics)
- X. Payment of Bills
- XI. Adjournment

How to Engage in the Public Comment Sections of a Township Meeting

Public Comment is heard at three (3) different points during the meeting:

1. BEFORE OLD BUSINESS - The public is permitted to make public comment on any matter not on the agenda. This comment period is subject to the time constraint in (d) below
2. PRIOR TO any action on a motion on an Agenda item. Public Comment at this stage is limited to the item under discussion (e.g. it is not appropriate to initiate a discussion on police services if the body is acting upon a sewer issue).
3. AFTER NEW BUSINESS. - Public Comment is open to any legitimate item of business which can be considered by that Township Board/Commission (e.g. Planning Commission can discuss issues having to do with plan reviews, but cannot discuss why the Township does not plow your street sooner. Supervisors can discuss nearly every issue).

How to make a comment to any Township Board/Commission:

- a. The Chair will announce that the Board/Commission will now hear public comment, either on a specific issue or generally.
- b. You must then obtain recognition from the Chair prior to speaking.
- c. Once you have the floor, state your name and address for the record.
- d. You may then make your comment or ask your question. You will have three (3) minutes to make your statement, unless the Chair has announced otherwise, so please come prepared!

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown

Tuesday, January 22, 2019 at 7:30 PM

Present were: Chair Scott Yaw, Vice Chair Michael Di Domenico, Police Commissioner Carol De Wolf, Township Manager Rob Pingar, WEGO Police Chief Brenda Bernot, Planning Commissioner Russ Hatton, and Parks & Recreation Commissioner Susan Alloway. There were 6 guests.

I. Pledge of Allegiance & Call to Order

Mr. Yaw called the meeting to order at 7:35 PM, and led the Pledge of Allegiance. He asked if anyone was recording the meeting. Eva Foster indicated that she was recording.

II. Approval of Minutes (January 7, 2019)

Mr. Yaw made three corrections to the organizational meeting regarding who made the motions for items IX, X, and XI. Mr. Di Domenico then motioned to approve the January 7, 2019 Board of Supervisors Organizational meeting minutes with corrections. Ms. De Wolf seconded the motion. There were no questions or comments, and the minutes were unanimously approved with changes.

Mr. Di Domenico made a motion to approve the January 7, 2019 Board of Supervisors meeting minutes. Ms. De Wolf seconded the motion. There were no questions or comments, and the minutes were unanimously approved.

III. Workshop Meeting Summary (January 22, 2019)

Mr. Yaw stated that the Board discussed two ordinance amendments: one regarding setbacks for accessory structures, and the other addressing the conversion of an Accessory Dwelling Unit (ADU) to a Rental Dwelling Unit (RDU). The Board also discussed scheduling meetings with the various township commissions to discuss their 2019 goals. Lastly, the Board revisited brake retarder signs on Route 202.

There were no questions or comments.

IV. Departmental Reports

A. Westtown East Goshen Regional Police (WEGO) – Chief Brenda Bernot

Chief Bernot reported that the department has been incredibly busy the past month with three arrests for major crimes (theft, armed robbery, and large scale shoplifting). She reminded residents to check the police website to stay abreast of criminal activity in the area. Chief Bernot stated there are a number of active traffic complaints being monitored in Westtown Township.

The Chief stated that WEGO created a Challenge Coin to honor individuals they hold in high esteem. She presented a Challenge Coin to the Board to show appreciation for the time they devote to the department. Mr. Yaw accepted the coin and thanked Chief Bernot.

Kathy Di Domenico, 1530 Woodland Road, expressed concern about moisture and icing at the end of Woodland Road near Rt. 352. She asked the police to monitor the safety of the school bus stop at that location. Mr. Di Domenico elaborated on the situation, explaining that an underground spring has saturated the area. Public Works has trenched along the road and is salting the area regularly, but water is still seeping onto the road.

There were no other comments or questions.

B. Parks & Recreation Commission (P&R) – Susan Alloway

Susan Alloway reported that P&R met on January 8 to elect their officers and plan their events for 2019. Ms. Alloway stated that P&R hopes to hold as many events as last year, and perhaps add a few. They also discussed hosting more events for adults. Their first 2019 event is an Egg Hike, slated for Saturday, April 13. They plan to have 3-4 movie nights again this summer. The movie geared for adults was not as well attended as the family features, so they discussed possibly hosting a concert. The Children's Series was also very popular last summer, and the commission plans to continue it this year. P&R will also co-host Westtown Day with the Historical Commission, and hold their annual Winter Festival. She noted that Eileen Bengston has stepped down, so there is a vacancy on the commission.

Mr. Di Domenico thanked Mrs. Bengston for her time on the commission.

There were no other comments or questions.

C. Planning Commission (PC) – Russ Hatton

Mr. Hatton stated that at their January 9 meeting, the PC slated officers for 2019 and discussed ordinance updates they would like to accomplish this year. At their meeting tomorrow, they hope to finalize the Sign Ordinance amendment and work on Bi-directional Amplifier Ordinance. Mr. Hatton stated that the Malvern School application was removed from the agenda tomorrow.

Ms. De Wolf asked why the Malvern School project was removed. Mr. Pingar stated that the engineer's review letter noted a number of issues. The applicant was asked to address those issues and resubmit their application. Mr. Hatton stated that the Planning Commission's normal practice is not to have the applicant come before them until they have a clean review letter.

There were no other comments or questions.

D. Manager's Report – Rob Pingar

Mr. Pingar stated that he and Mila Robinson attended the Historical Commission meeting on January 17, and are working to submit the Historical Resource List and Map amendments for Act 247 review. He reported that Cedarville Engineering has completed the Township's revised Pollutant Reduction Plan (PRP) and will be presenting it at the February 4th Board of Supervisors meeting. He said that he expects the ordinance amendments for accessory structures will be ready for advertisement at the Feb 4th Board meeting, and the township solicitor would also like to discuss the liquor license transfer ordinance at that meeting. Mr. Pingar stated he has been working with SEPTA to get the necessary right of way to move forward on the Oakbourne Bridge replacement project. He added that traffic signal project at Rts. 3 & 352 is in the design phase. Finally, Mr. Pingar reported he recently attended a presentation by PECO, at which they provided an update on their investment in equipment to reduce the frequency of power outages.

Russ Hatton, Planning Commissioner, commented that the ordinance amendments pertaining to accessory structures were the direct result of meetings the PC had with the Zoning Hearing Board regarding the number of variances they were receiving. The Board stated they were aware of the impetus for the ordinance amendments.

V. Public Comment (Non Agenda Items)

Nancy Harkins, 1521 Woodland Road, learned this afternoon that the Chester County Dept. of Emergency Services (DES) announced that Sunoco will be emptying the pipeline in order for the safety investigation to continue. Ms. Harkins also reported that the Federal Energy Regulatory Commission (FERC) has issued a preliminary environmental assessment on the Adelpia pipeline project, and determined no environmental consequences. She stated that Clean Air is working on a response to FERC requesting further environmental assessment. She said she would submit sample wording to the Board, and asked that they consider submitting comments to FERC as well.

Mr. Pingar commented that the Adelpia pipeline has run through the township for years. Adelpia has done integrity work and now plans to repurpose an existing pipeline to transport natural gas. He stated that no improvements or excavation is planned in Westtown Township. Ms. Harkins stated that a blow down station is planned near Rt. 1 and a compressor station in Marcus Hook, and emissions from those stations will affect air quality in the region. She added that changing product flow and direction are two risk factors noted by PHSMA (Pipeline & Hazardous Materials Safety Administration).

Mr. Yaw asked Ms. Harkins to share the sample wording for comments to FERC. Mr. Di Domenico reported that he and Ms. Harkins attended a meeting today at Thornbury Township, Delaware County. He relayed that the Andover subdivision at Rts. 926 and 352 is considering installing a private above ground monitoring system for the pipeline to alert their residents of any leaks.

Adam Pagano, 1410 Carroll Brown Way, was in attendance to meet a requirement for a scout merit badge. He asked Chief Bernot how young people could help reduce crime in the community. Chief Bernot encouraged Adam to subscribe to Crimewatch and to use social media to share information with his peers.

There were no other comments or questions.

VI. Old Business

There was none.

VII. New Business

A. 2019 WEGO Police Commissioner Appointment – Thornbury Twp. Citizen-at-Large

Mr. Yaw stated that under terms of the December 4, 2018 Westtown East Goshen Police Agreement, both townships are to appoint a citizen-at-large to serve on the Westtown East Goshen Regional Police Commission by February 1st of each year. Under the terms of an agreement between the Commission and Thornbury Township (the contracting municipality), that citizen-at-large may be a representative offered by the Board of Supervisors of Thornbury Township. At their January 7, 2019 re-organization meeting, the Thornbury Township Supervisors appointed Jim Benoit as their Police Commission representative.

Mr. Di Domenico made a motion to approve Thornbury Township Supervisor Jim Benoit as the Thornbury Township Citizen-at-Large member of the Westtown-East Goshen Regional Police Commission for 2019. Ms. De Wolf seconded the motion. There was no public comment, and the motion was unanimously approved.

B. Parks & Recreation Commission Resignation

Parks & Recreation Commissioner Eileen Bengston resigned from the commission on January 9, 2019 for personal reasons. Mr. Di Domenico made a motion to accept the resignation of Eileen Bengston from the Westtown Township Parks & Recreation Commission. Ms. De Wolf seconded the motion. There was no public comment and the motion was unanimously approved.

VIII. Announcements

Mr. Yaw made the following announcements:

- 1. Westtown Zoning Hearing Board Alternate** – The township is accepting applications for appointment to the Zoning Hearing Board (ZHB) as an alternate member in the event a regular member is absent. The ZHB reviews and adjudicates zoning variance and special exception applications at 7:00 PM. Hearings are held at dates convenient to all members.
- 2. Parks & Recreation Commission** – The township is accepting applications for appointment to the Parks & Recreation Commission. The commission plans and runs community events at Oakbourne Park. It meets at 7:00 PM on the second Tuesday of the month at the Oakbourne

Mansion. If you would like to volunteer on Parks & Rec, please send your letter of interest and resume to the Township Manager, Rob Pingar.

IX. Public Comment on All Topics

There was none.

X. Payment of Bills

Mr. Di Domenico motioned to approve General Fund bills in the amount of \$148,934.48 and Wastewater Fund bills of \$14,756.16, and Capital Projects Fund bills in the amount of \$2,883.50, for a total of \$166,574.14. Ms. De Wolf seconded the motion. There was no public comment, and the check registers were unanimously approved.

XI. Adjournment

Mr. Yaw made a motion to adjourn the meeting, seconded by Mr. Di Domenico. The meeting adjourned at 8:10 PM.

Respectfully submitted,

Robert Pingar
Township Manager

DRAFT

**WESTTOWN TOWNSHIP
PUBLIC WORKS DEPARTMENT
MONTHLY REPORT FOR JANUARY 2019**

ROADS

- ◆ Four salting/plowing events completed.
- ◆ Spot salted problem areas for ice as needed
- ◆ After hours response for fallen tree across Shiloh Road.
- ◆ Cleared stormwater endwalls of debris to promote drainage along W. Pleasant Grove Road. Also re-graded the receiving swales.
- ◆ Completed employee performance reviews.
- ◆ Regraded the edge of S. New Street, north of Gen. Howe to channelize groundwater flow along the shoulder.
- ◆ A new road employee started and is currently being trained.
- ◆ Conducted interviews for an additional road department employee.
- ◆ Stormwater inlet tops were cleared of debris.
- ◆ Re-aligned the overhead traffic signal head at Rts. 202/926.
- ◆ Employees attended a benefit meeting for an update of financial and coverage changes.
- ◆ Filled potholes throughout the township as necessary.
- ◆ Straightened and replaced faded and damaged street signs.

BUILDINGS, PARKS, AND OPEN SPACE

- ◆ Connected the new high volume water supply to the garage complex.
- ◆ Inspected and serviced all building emergency lights.
- ◆ Created a final punch list of items to be repaired on the new public works building.
- ◆ Installed the truck wash equipment in the wash bay.
- ◆ Cleaned and serviced the administration building kitchen sink ejector pump.
- ◆ Load tested the new standby generator at the public works facility.
- ◆ Checked operation and fluid levels on all standby generators.

OAKBOURNE PARK AND MANSION HOUSE

1. Follow up meeting with architect on exterior mansion repairs and painting bid package.
2. Clean windows and repaint breezeway.
3. Trash, recyclables, and restroom cleaning and maintenance.

PARKS AND OPEN SPACE

1. Installed 9 zoning notices on the perimeter of Westtown School.
2. Inspected all playground structures for safety hazards.
3. Inspected stormwater retention basins for proper operation.

WASTEWATER

- ◆ Investigated odor complaint for grease accumulation along the discharge line of Marketplace Shopping Center. Needs jet cleaning and enforcement of our grease ordinance.
- ◆ Installed Fios service into Cobblefield PS for the telephone service.
- ◆ Repaired the electrical contactor feeding the decant pump at WCC.
- ◆ Cleaned the gutters at WCC.

EQUIPMENT MAINTENANCE AND REPAIR

- ◆ 67-16 – State inspected and an engine warranty was resolved.
- ◆ 67-22 – Repaired the snowplow cutting edge.
- ◆ 67-19 – Replaced the hydraulic salt spreader motor.
- ◆ 67-10 – State inspected and oil changed.
- ◆ 67-16 – Repaired the snowplow frame.
- ◆ 67-15 – Repaired the snowplow and replaced the salt spreader auger motor.
- ◆ 67-12 – Replaced the snowplow hydraulic lift motor under warranty.
- ◆ Repaired the fuel line of the backhoe.

FUTURE PROJECTS

- ◆ Ongoing construction management of the new Public Works garage.
- ◆ Complete stormwater pipe and inlet replacement on Springview Court.

MARK GROSS
DIRECTOR OF PUBLIC WORKS

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
Wednesday January 23, 2019 – 7:30PM

Present

Commissioners – Planning Commission (PC) member Kevin Flynn was not present, all others were present (6-1). Also present was Township Planning Director Will Ethridge.

Call to Order and Pledge of Allegiance

Mr. Pomerantz called the meeting to order at 7:30 PM, Elaine Adler led those present in the Pledge of Allegiance.

Adoption of Agenda (EA/RH) 6-0

No changes

Approval of Minutes

Mr. Pomerantz requested to have PC members' comments captured verbatim for the agenda item "Thoughts about the PC in 2019" added as an addendum at the end of the minutes.

Planning Commission Meeting minutes for 1/9/2019 – **(RH/SR) 6-0**

Announcements

- Mr. Rodia wanted to confirm the Feb 19 Board meeting is on a Tuesday. PC members confirmed it is on a Tuesday because Monday is a Presidents Day.
- Mr. Pomerantz asked Mr. Ethridge to inform the PC of the hearing dates for the Westtown School CU. Mr. Ethridge identified 2/13, 2/26 as the first two dates.

Public Comment – Non Agenda Items

None

Old Business

1. Mr. Ethridge summarized the history of the Sign Code update and asked the PC to vote to adopt it and forward it to the Board for consideration. Mr. Ethridge noted that the Township was exempt from the regulations in the sign code update. Elaine Adler requested that the language be clear when it states "residential" in the Code update where it either means "residential use" or "residential zoning". Ms. Adler also noted that electrical standards should be its own paragraph, and there seemed to be a formatting error. Mr. Hatton made some recommendations to ensure the formatting was consistent throughout the document. Elaine Adler reiterated her previous point about the language clarification regarding "residential use" versus "residential zoning" because it had ramifications throughout the Code. Mr. Pomerantz made a suggestion for Mr. Ethridge to coordinate communication between Elaine Adler, Jack Embick, and the Township Solicitor, Tony Verwey, so that the concerns discussed at the meeting can be better articulated to Mr. Verwey. Mr. Pomerantz reiterated that any ordinance update

discussions should include the Township Solicitor from now on.

Ms. Kyle from Lamar Advertising Company made a point of thanking the PC for not voting to adopt the Sign Code update because she felt the language contained therein was exclusionary towards its treatment of billboards, and would be vulnerable to a court challenge. She asked the PC to consider changing the language to make allowances for billboards in more places in Westtown. Mr. Ethridge noted that the applicant could always file for a variance to the regulations if needed. Ms. Kyle emphasized her opinion that the Township in adopting this proposal was creating an undue hardship upon property owners, preventing them from putting up billboards. Ms. Kyle would like to see allowances made to permit billboards along Route 3.

Mr. Pomerantz recommended for the Township Solicitor to weigh in if the proposed update was exclusionary towards its treatment of billboards.

Ms. Kyle cited the study completed by Dr. Lou Lewin in which he made different recommendations on brightness than what is proposed in the Sign Code Update. Mr. Pomerantz asked Ms. Kyle to leave the mentioned study for the PC members to get familiar with. Ms. Kyle also had issues with the maximum amount of space allowed between a two-sided billboard. She noted that catwalks were necessary for maintenance and that 24" minimum was needed between sides of a sign. Mr. Pomerantz recommended for Ms. Kyle to meet with the Township Manager and the Township Solicitors, Mr. Verwey and/or Mr. McKenna, to discuss mentioned concerns.

Mr. Pomerantz asked other PC members if they were in favor of delaying the vote on the Sign Code update. Members agreed unanimously.

Mr. Pomerantz reiterated the desire of the PC to have the Township Solicitor attend meetings when ordinances were discussed and/or to be voted on.

New Business

1. Mr. Ethridge presented PC members with the printed packet of all zoning and subdivision updates and changes that had been logged by the PC since before he began working for the Township. Mr. Hatton requested the document be sorted by date and have font consistency. Mr. Ethridge proposed to review the list in relevance to any state or federal laws that were changed that might require amendment. Mr. Pomerantz asked Mr. Ethridge for a list of easy fixes for the next PC meeting. The PC asked Mr. Ethridge to work with Kevin Matson on either an ordinance or new language that would provide a pathway for modifying an existing driveway. PC members decided to send a letter to the Board outlining the request to have a substantive meeting with BOS Chairman, Township Manager, and Mr. Ethridge before March 26, 2019.
2. PC members discussed prioritizing zoning, subdivision, and stormwater management ordinance issues. Mr. Embick made a point that anything required by the MPC should be done within required time limits. He emphasized that it was a priority to continue reviewing various ordinances. Mr. Embick also posed a question to the PC members regarding public comment period in relevance to the draft Comprehensive Plan. Mr. Lees expressed his frustration with the lack of communication and transparency from the Board. Mr. Hatton expressed his frustration with the circuitous nature of PC discussions and the lack of progress in adopting improvements and updates to the various ordinances and regulations.

Public Comment

- PC would like to work with Mr. Ethridge to get articles published in the Gazette.
- PC and Mr. Ethridge discussed the feasibility of a proposal from Westminster Presbyterian Church to construct a multi-family dwelling for low-income individuals on a

portion of their property along 202 South.

Reports

- Mr. Hatton summarized the Board of Supervisors meeting of Jan 22.
- During the discussion of the report, members asked Mr. Ethridge for the following:
 - A copy of the Board's letter of support for Nancy Harkin's appearance before the WCACOG and asked to be notified that next time the Board takes such action.

Adjournment (RH/JL) 6-0

Meeting was adjourned at 9:35 pm.

Next PC Meeting – February 6, 2019, 7:30 pm – Township Building

PC Representative at next Board of Supervisors Meeting: February 4, 2019 – Dick Pomerantz

Respectfully submitted,

William Ethridge, Planning Commission Secretary

DRAFT

Check Register**Westtown Township**

01-Feb-19

From: 23-Jan-19 To: 04-Feb-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 1 GENERAL FUND					
14746	1/24/2019	543	Chester County Treasurer	\$197.35	O
14747	1/24/2019	5547	CJs Tire & Automotive Svcs	\$377.86	O
14748	1/24/2019	31	Gawthrop Greenwood, Attorn	\$8,411.41	O
14749	1/24/2019	127	In-Fleet Truck Service	\$305.03	O
14750	1/24/2019	1061	McCormick Taylor	\$7,716.66	O
14751	1/24/2019	7295	Mila Robinson	\$50.12	O
14752	1/24/2019	405698	Nicole A. Carroll	\$500.00	O
14753	1/24/2019	634	Phila Media Net Newspapers L	\$296.40	O
14754	1/24/2019	905	PRPS	\$120.00	O
14755	1/24/2019	6074	Robert Pingar	\$66.49	O
14756	1/24/2019	5668	Scott PlumridgeConstruction C	\$300.00	O
14757	1/24/2019	143	TMACC	\$600.00	O
14758	1/24/2019	5379	TPS Graphics	\$2,650.00	O
14759	1/28/2019	405704	Vasilios Moscharis	\$266.15	O
14760	1/29/2019	5	Brandywine Conservancy - EM	\$5,938.33	O
14761	1/29/2019	6171	C.V.D.A	\$3,936.00	O
14762	1/29/2019	543	Chester County Treasurer	\$1,008.79	O
14763	1/29/2019	543	Chester County Treasurer	\$869.68	O
14764	1/29/2019	7223	Commonwealth of Pennsylvani	\$500.00	O
14765	1/29/2019	7223	Commonwealth of Pennsylvani	\$500.00	O
14766	1/29/2019	7185	Eastern Salt Company Inc	\$15,725.55	O
14767	1/29/2019	878	Intercon Truck Equipment	\$1,057.39	O
14768	1/29/2019	1061	McCormick Taylor	\$5,705.00	O
14769	1/29/2019	1123	New Enterprise Stone & Lime	\$299.72	O
14770	1/29/2019	153	Rothwell Document Solutions	\$125.00	O
14771	1/29/2019	5738	StrategicLink Consulting, LLC	\$1,531.25	O
Bank Total:				\$59,054.18	
Bank Account: 8 WASTEWATER FUND					
3298	1/29/2019	405677	Aqua PA General Accounting	\$75.00	O
3299	1/29/2019	6468	Carroll Engineering Corp	\$10,635.57	O
Bank Total:				\$10,710.57	
Bank Account: 18 CAPITAL PROJECTS FUND					
1152	1/29/2019	6468	Carroll Engineering Corp	\$3,628.50	O
Bank Total:				\$3,628.50	
Total Of Checks:				\$73,393.25	