

WESTTOWN TOWNSHIP

1039 Wilmington Pike
West Chester, PA 19382
610-692-1930
Email: administration@westtown.org

Post Office Box 79
Westtown, PA 19395
FAX 610-692-9651
www.westtownpa.org

AGENDA

Westtown Township Board of Supervisors Regular Meeting

Monday, February 1, 2021 – 7:30 PM

(Virtual via Zoom)

Westtown Township Municipal Building
1039 Wilmington Pike, Westtown

- I. **Call to Order & Pledge of Allegiance**
- II. **Approval of Board of Supervisors Meeting Minutes – January 19, 2021**
- III. **Summary of Board of Supervisors Workshop – February 1, 2021**
- IV. **Departmental Reports**
 - A. Public Works Director – Mark Gross
 - B. Planning Commission – Elaine Adler
 - C. Township Solicitor – Pat McKenna
- V. **Public Comment (Non-Agenda Items)**
- VI. **Old Business**
 - A. Ordinance 2021-1 Dog Ordinance – Adoption
- VII. **New Business**
 - A. Consider Westtown-Thornbury Elementary School Land Development Plan
 - B. Ordinance 2021-2 Creation of Environmental Advisory Council – Advertisement
 - C. Ordinance 2021-3 Noise Ordinance – Advertisement
 - D. Ordinance 2021-4 Amendments to Zoning Ordinance Regarding Noise Standards – Act 247 Review
 - E. Consider Adoption of Resolution 2021-05 - Historical Resource Inventory Update
 - F. Consider Resolution 2021-06 - Tax Collector Compensation
 - G. Appointment of Margaret Dobbs as Director of Planning and Zoning, Assistant Township Manager, Zoning Officer, and Code Enforcement Official
 - H. Appointment of Mila Robinson as Assistant Zoning Officer
- VIII. **Announcements**
 - A. Toll Brothers/Crebilly Farm II, Board of Supervisors Conditional Use Meeting (virtual meetings via Zoom platform)
 - Hearing #9 – Tuesday, February 23 at 7:00PM
 - Hearing #10 – Tuesday, March 23 at 7:00PM
 - B. Yard Waste Collection, Saturday, February 13
 - C. Office Closure, Presidents Day, Monday, February 15
- 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
(Virtual meeting via Zoom)

Westtown Township Municipal Building, 1039 Wilmington Pike, Westtown
Tuesday, January 19, 2021 at 7:30 PM

Present virtually were: Chair Carol De Wolf, Vice Chair Scott Yaw, Police Commissioner Dick Pomerantz, Township Manager Jon Altshul, Police Chief Brenda Bernot, Planning Commissioner Steve Rodia, and Executive Secretary Pam Coleman. Approximately 20 guests participated in this virtual meeting.

I. Pledge of Allegiance & Call to Order

This meeting was held remotely due to the Coronavirus pandemic. Ms. De Wolf called the meeting to order at 7:30 PM and led the Pledge of Allegiance.

II. Approval of Minutes (January 4, 2021)

Mr. Yaw made a motion to approve the January 4, 2021 Board of Supervisors reorganization meeting minutes. Mr. Pomerantz seconded the motion. There was no public comment, and the motion was approved 3-0.

Mr. Yaw made a motion to approve the January 4, 2021 Board of Supervisors regular meeting minutes. Mr. Pomerantz seconded the motion. There was no public comment, and the motion was approved 3-0.

III. Board of Supervisors Executive Session and Summary of Workshop, January 4, 2021

Ms. De Wolf reported that the Board met in Executive Session on January 13, 2021 at 5pm to discuss a legal and a personnel matter and at 6pm on the same day to discuss a police contractual matter. Ms. De Wolf also reported that the Board discussed the following items in the Workshop prior to tonight's meeting: the Oakbourne Master Plan; the draft Environmental Advisory Council ordinance and a presentation by Township residents; proposed amendments to the Historic Resource Inventory; proposed amendments to the Flex Development provisions of the Zoning Ordinance; a proposed noise ordinance; a new proposed stormwater engineering fee; and proposed improvements to the Orvis Way/Jughandle intersection.

IV. Departmental Reports

Westtown-East Goshen Police Department – Chief Brenda Bernot

Chief Bernot reported that while there was a 31.8% decrease in calls for service between December 2019 and December 2020, the calls that were received last month tended to be more serious, including six incidents in which officers were required to use force of some kind. In particular, she reported on a traffic fatality at the intersection of Route 3 and Manley Road and two dangerous incidents involving juveniles.

Planning Commission – Steve Rodia

Mr. Rodia reported on recent actions of the Planning Commission including reviews of land development applications for the Westtown-Thornbury Elementary School, Sawmill Court, and the Stokes Tract Sewage Facilities Planning Module.

Township Manager – Jon Altshul

Mr. Altshul reported on a sewer clog and overflow on the 300 block of Pond's Edge Road and impending plans to slipline that section of pipe. He also noted that he hoped to have a proposal on improvements to West Pleasant Grove Road for the next meeting, and possibly a policy to ensure consistency when residents request to tie into the Township's sewer system.

V. Public Comment (Non-Agenda Items)

Gretta Flynn (1000 Windy Knoll Road) raised concerns about the potential development of the Cope Tract, as well as the renditions of the playground in the Oakbourne Park Master Plan. She stated that she has concerns about traffic and environmental impacts from potential Park improvements. She also expressed generalized concerns about the Township's communications about the Master Plan. Ms. De Wolf indicated that the Board does not plan to remove the Cope Tract from the Master Plan, but also has no intention to move any projects on that parcel forward. Mr. Pomerantz encouraged Ms. Flynn to express her concerns to the consultant via the Township Manager.

Linda McKissick (1017 S. Concord Road) reiterated her concern from several meetings ago that there is a hunting stand in a tree in the Copes Tract. She also expressed her opposition to any development of the Cope Tract. Mr. Altshul stated that he would be in touch with Ms. McKissick about the hunting matter in the morning.

Ted Moon (1031 Carolyn Drive) expressed his opposition to development of the Cope Tract and his support for the preservation of open space.

Matt Griffiths (1058 Windy Knoll Road) expressed his opposition to development of the Cope Tract and raised concerns about increased traffic in that area. He asked what would happen if Oakbourne Park were not improved, to which Ms. De Wolf observed that the athletic facilities are currently in poor condition.

Bill Chesko (1025 S Concord Road) expressed concerns about stormwater coming from Oakbourne Park across South Concord Road. He noted that Mr. McCardell wants to continue to farm the Cope Tract. Mr. Chesko is also concerned about long-term maintenance costs associated with any improvements to the park.

Jason Chambers (633 James Drive) expressed opposition to the development of the Cope Tract and stated that he would pay for trash cans along the existing walking path.

Tom Foster (734 Westbourne Road) expressed concerns about the powers of the proposed Environmental Advisory Council, particularly with respect to entering private property and eminent domain. Mr. Yaw clarified that the Council would be purely advisory in nature and that more detail about the powers of the Council would be spelled out in by-laws that the Township Manager will draft.

Joe Giunta (634 James Drive) expressed his opposition to development of the Cope Tract, as the preservation of the environment and open spaces is a clear theme in the Township's recently adopted Comprehensive Plan.

Bob Bellucci (1090 Barnview Lane) expressed his opposition to development of the Cope Tract.

Jack Embick (189 Pheasant Run Road) recommended that the Master Plan be amended to recommend that the Cope Tract be maintained as it currently is.

VI. Old Business

A. Advertise Ordinance 2021-1 Regarding Dogs

Mr. Yaw made a motion to authorize advertisement of Ordinance 2021-1 regarding dogs. Mr. Pomerantz seconded. There was no public comment. The motion passed 3-0.

VII. New Business

A. Appoint Citizen at Large to Westtown-East Goshen Police Commission

Mr. Yaw made a motion to appoint Thornbury Township Supervisor Jim Benoit as the Citizen-at-Large Representative on the Police Commission. Mr. Pomerantz seconded. There were no public comments. The motion passed 3-0.

B. Consider Grant Writing Proposal from Toole Recreation Planning

Mr. Yaw made a motion to approve Toole Recreation Planning's grant writing proposal in the amount of \$10,000. Mr. Pomerantz seconded. There were no public comments. The motion passed 3-0.

C. Consider O&M Agreement and Resolution 2021-3 Authorizing Amendment to the Act 537 Plan for a Stream Discharge Sanitary Sewer System at 801 E. Street Road

Mr. Yaw made a motion to authorize the Chair to execute an operations and maintenance agreement with the owner of 801 E. Street Road for a stream discharge sanitary sewer system and to approve Resolution 2021-3 revising the Township's Act 537 Sewage Facilities Plan. Mr. Pomerantz seconded. There were no public comments. The motion passed 3-0.

D. Consider Resolution 2021-4 Approving Sewage Facilities Planning Module for Stokes Tract

Ms. De Wolf announced that this item would be tabled for the time being.

E. Consider Traffic Signal Agreement with Thornbury Twp (Delco)

Mr. Yaw made a motion to authorize the Chair to execute the traffic signal agreement with Thornbury Township, Delaware County. Mr. Pomerantz seconded. There were no public comments. The motion passed 3-0.

VIII. Announcements

Ms. De Wolf made the following announcements:

A. Toll Brothers/Crebilly Farm II, Board of Supervisors Conditional Use Meeting (virtual meetings via Zoom platform)

- Hearing #8 – Tuesday, January 26, 2021 at 7:00PM
- Hearing #9 – Tuesday, February 23, 2021 at 7:00PM
- Hearing #10 – Tuesday, March 23, 2021 at 7:00PM

B. West Chester Area Council of Government, Thursday, January 21, 5:00PM (virtual meeting)

IX. Public Comment (All Topics)

Jack Embick (189 Pheasant Run Road) asked Chief Bernot about any local investigations related to the January 6 incident at the Capitol Building in Washington DC. Chief Bernot indicated that there were no local investigations, but that the County Department of Emergency Services has prepared an emergency response plan for these types of matters, if necessary.

X. Payment of Bills

Mr. Yaw made a motion to approve the General Fund bills in the amount of \$386,587.52, the Enterprise Fund bills in the amount of \$5,584.06, and Capital Projects Fund bills in the amount of \$575,931.13, for a grand total of \$968,102.71. Mr. Pomerantz seconded. There was no public comment. The motion passed 3-0.

XI. Adjournment

Ms. DeWolf adjourned the meeting at 8:38 pm.

Respectfully submitted,
Jon Altshul

**WESTTOWN TOWNSHIP
PUBLIC WORKS DEPARTMENT
MONTHLY REPORT FOR DEC 2020/JAN 2021**

ROADS

- ◆ Completed a 300-foot-long stormwater pipe replacement and inlet top on Wickerton Drive.
- ◆ Had a COVID quarantine for a close contact of a few road employees.
- ◆ Rebuilt a failed stormwater inlet on Gages Lane.
- ◆ Repaired and cleared two culverts along Cheyney Drive.
- ◆ Handled two ice/snowstorms.
- ◆ Posted truck restriction on W. Pleasant Grove Road per a WEGO request.
- ◆ Tended to the deteriorating condition of W. Pleasant Grove Road due to the increased traffic.
- ◆ Continued salting Johnny's Way/352 intersection 2x/day due to surfacing groundwater.
- ◆ Filled potholes throughout the township, as necessary.
- ◆ Straightened and replaced faded and damaged street signs.

BUILDINGS, PARKS, AND OPEN SPACE

- ◆ Replaced a defective time clock for area lights at the Admin Building and repaired three bollard lights.
- ◆ Checked operation and fluid levels on all standby generators.

OAKBOURNE PARK AND MANSION HOUSE

1. Flushed and neutralized the boiler heating system.
2. Cleaned the Mansion gutters, repaired a downspout, and trimmed area trees using a rented aerial lift.
3. Temporarily barricaded a broken stormwater inlet, damaged by the cell tower company. Repairs pending.
4. Repaired a roof leak on the main Mansion roof.
5. BSA Pack 69 and Troop 222 did a voluntary clean up of the park grounds.
6. Repaired an area light at the Gatehouse.
7. Emergency response by a tree contractor to remove a broken tree top adjacent to the parking lot. Large Maple was subsequently removed.
8. Performed daily well-being checks of the Mansion water and heating systems.

PARKS AND OPEN SPACE

1. Removed two large Ash trees utilizing a crane on open space along Westwood Drive.
2. Inspected all playground structures for safety hazards.
3. Inspected stormwater retention basins for proper operation.

WASTEWATER

- ◆ After-hours response to clear a sewer main blockage on Ponds Edge Road.
- ◆ Vac clean the grit chambers and main pump station at WCC.
- ◆ Vac cleaned Rustin Pump Station.
- ◆ Installed lift cranes on the pump station deck.
- ◆ Replaced door hinges on the lab room door at WCC.
- ◆ Replaced the control PLC board on the grinder at PG Pump Station.
- ◆ Repaired the electrical control of the #1 clarifier scum baffle.
- ◆ Working with engineers to connect a new home to sanitary sewer on Oakbourne Road.

EQUIPMENT MAINTENANCE AND REPAIR

- ◆ 67-22 – Repaired the air brake relief valve.
- ◆ 67-20 – Replaced four failed hydraulic hoses.
- ◆ 67-10 – Required significant repair of the EGR and fuel system.
- ◆ 67-16 – Replaced the DEF heater unit. State inspected also.
- ◆ 67-17 – Replaced the fuel sender.

FUTURE PROJECTS

- ◆ Replace the computer control system and control valving for the disk filter at WCC.
- ◆ Prepare road selections for the 2021 road maintenance program.

MARK GROSS
DIRECTOR OF PUBLIC WORKS

WESTTOWN TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
VIRTUAL MEETING (via Zoom Platform)
Wednesday, January 20, 2021 – 7:30PM

Present

Commissioners – Russ Hatton (RH), Jack Embick (JE), Steve Rodia (SR), Tom Sennett (TS), Jim Lees (JL), and Elaine Adler (EA) were present; Kevin Flynn (KF) was absent. Also, present were Township Manager Jon Altshul, Township Planner and Interim Zoning Officer Mila Robinson, and Township Planning Consultant John Snook.

Call to Order and Pledge of Allegiance

Mr. Hatton called the meeting to order at 7:31 PM.

Adoption of Agenda (JE/SR) 6-0

New business will be discussed before old business.

Approval of Minutes (TS/JE) 6-0

The 01/06/21 meeting minutes were approved with the following correction:

- Change of “offsite” to “onsite” on page 4, paragraph 3, second sentence.

Announcements

- Mila Robinson announced the next Toll Bros./Crebilly CU Hearing on Jan. 26, 2021.

Public Comment – Non Agenda Items

None

New Business

1. Malvern School Sign Variance Application

Deborah Shulski, attorney representing the applicant, Malvern School, summarized the variance application request for the placement of the sign. She noted that the sign itself otherwise met all area and bulk requirements, including sign area, height, illumination, etc. Mrs. Shulski explained that the proposed sign was outside of the legal right-of-away, but inside the public right-of-away under the Signs code, where it was defined as being 60 feet from the centerline of Route 202. She believed that there was an inconsistency with a definition of the public right-of-away. Mrs. Shulski mentioned that the sign location was the subject of an easement agreement with the Township, which made her think that the Township was on board with it. She also pointed out that the sign really needed to go where it was being proposed due to typography constraints on the property, where it drops from beneath the streetscape. She noted that for the proposed sign to comply with those regulations, it would have to be located in the parking lot.

Mr. Embick asked Mrs. Shulski to show on the site plan provided by the applicant and dated September 23, 2020, where the sign had to be located to be in compliance with the zoning requirements. Mrs. Shulski confirmed that the proposed sign was approximately 48-50 feet from the centerline of Route 202 instead of 60 feet as required. Mr. Embick asked to confirm that if the sign was to move 10 feet to the east, it would be either on the slope or in the cutout at the parking lot. Mrs. Shulski confirmed that was the case.

Mr. Rodia asked whether moving the proposed sign closer into the right of way would create any public safety issues. Mr. Snook believed that because it met clear sight triangle

requirements, it would not be a traffic hazard.

Mr. Sennett made a point that if the sign was to be moved to the east, the applicant would not have to ask for a variance for a sign location, but only for height. Mr. Snook agreed that if the applicant moved it further towards the parking lot, the sign would have to exceed the height limit to be visible from the roadway. Mr. Sennett asked the applicant to explain the reason that the Malvern School preferred the proposed location, requiring a location variance over a location with a height variance. Mrs. Shulski believed that it was less obtrusive the way it was proposed, because of its small size, which would not create any adverse impact to traffic or impair visibility. Mr. Sennett felt that the same was true for an alternative location with simply a taller sign.

Mr. Snook suggested that the applicant could change it to a double variant request, a variance for height and a variance for placement. He felt strongly that it was an aesthetic and visibility issue that the PC had to make a decision on.

Mr. Cook, Director of Facilities of Malvern School, reiterated that he preferred the school's standard simplified small sign. He noted that they had been working with the sign company to try to be in compliance to get 60 feet away from the centerline of Route 202, but it was costly to construct a 30-foot sign, and he felt it would not be aesthetically pleasing.

Mr. Embick expressed his opinion that what the applicant presented did not justify a variance based on the five elements in the Municipalities Planning Code and in Pennsylvania case law. Mrs. Shulski believed that the request met the standard five-part test, because there were unique conditions of the property that had an ultimate impact on where the sign could be placed. She reiterated that other alternatives would also require a variance.

Mr. Embick asked whether the guardrail was in the public right-of-way as defined by the Zoning Ordinance. Mrs. Robinson referred to the sanitary sewer easement agreement that stated "Owner desires to install a guiderail and a sign within the limits of the existing easement." Mrs. Shulski confirmed that the guiderail was out of the legal right-of-way. Mr. Snook noted that the ordinance was silent on setbacks for guiderails. Mr. Embick reminded the PC of previous discussions, and generally were not in favor of putting structures in the public right-of-way unless there was a unique circumstance that dictated that.

Mr. Hatton noted that he would like to know where existing signs along Route 202 were, relative to the location of the proposed sign. He suggested that the applicant would provide a rendering to display the location of the sign, topography, and the sign itself.

Motion to make a recommendation that the Zoning Hearing Board consider the following items with regard to the request for a variance for the Malvern School sign: they will review the plan containing more details where the setbacks and right-of-ways are in reference to the sign, any expense required to move the sign in the future be borne by the school or the current owner at that time, and consider the location in light of other signs along Route 202. (RH/SR) 4-2

Old Business

1. Ordinance Amendments Priority List

Mrs. Robinson and Mr. Snook summarized that the list was edited to reflect the most recent discussions. Mrs. Robinson noted that some of the proposed changes did not require much discussion, since they were small corrections to applicable references or misspellings. Mr. Snook suggested that those could be packaged together into one resolution by the next PC meeting, upon a review by the Township Solicitor, Pat McKenna, and be moved to the BOS for approval. Mr. Hatton requested those items to be identified in the PC meeting minutes. The

items to be packages together are listed as 2017-08, 2018-08, 2017-09.1, 2017-09.3, and 2017-09.4. Mr. Hatton also reiterated that when new items come up, they should be assigned origination numbers for consistency. Mr. Snook noted that the item listed as 2017-09.7 regarding the removal of the lighting requirements should be further discussed at the next PC meeting. The PC agreed for Mrs. Robinson and Mr. Snook to complete that package, send it for a legal review, and to the BOS. Mr. Snook the PC that they would see it again after the BOS authorizes Act 247 review.

Mr. Snook presented the PC with several suggestions in relevance to storage regulations amendments. Mr. Embick raised a question about the definitions of residential and non-residential storage. The PC had a brief discussion about self-storage, propane tanks, firewood, heavy equipment, and requested some examples of regulations from other municipalities.

Mr. Embick suggested to include references to all applicable environmental laws that may pertain to storage regulations. Mr. Snook asked Mr. Embick to send him a list of those to incorporate. PC tasked Mr. Snook to integrate their suggestions into the draft to present at the next meeting.

Public Comment

None

Reports

Mr. Rodia provided the report of Board of Supervisors Meeting 01/04/21.

Adjournment (JE/TS) 6-0

The meeting was adjourned at 9:36PM.

Respectfully submitted,
Mila Robinson,
Planner II/Interim Zoning Officer

ORDINANCE NO. 1 OF 2021

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF WESTTOWN, SPECIFICALLY, CHAPTER 49, ANIMALS, ESTABLISHING ARTICLE I, DOGS, §49-100, REGARDING THE PURPOSE OF THE ARTICLE; §49-101, REGARDING THE ADDITION OF DEFINITIONS; §49-102, REGARDING RESTRICTIONS OF DOGS; §49-103, REGARDING RUNNING OF DOGS AT LARGE; §49-104, REGARDING THE PROHIBITION OF CONTINUOUS BARKING OF DOGS; §49-105, REGARDING THE ISSUANCE OF WARNINGS; AND §49-106, REGARDING VIOLATIONS AND ENFORCEMENT.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that Part II, General Legislation, Chapter 49, Animals, of the Code of the Township of Westtown shall be amended to establish Article I, Dogs, as follows:

SECTION 1. Part II, General Legislation, Chapter 49, Animals, Article I, Dogs, of the Code is hereby established to include the following sections:

Article I. Dogs.

§ 49-100 Purpose.

The intent of this Article is to establish reasonable regulations governing the keeping of dogs in order to protect human and dog health and reduce the safety and nuisance hazards of straying dogs or incessant noise of dogs. Nothing in this Article shall be construed or enforced in such a way as to conflict with Pennsylvania's Right to Farm Act (RTFA), 3 P.S. § 951 et seq., the Agricultural Area Security Law (AASL), 3 P. S. § 901 et seq., the Agriculture Communities and Rural Environment (ACRE) Law, 3 P.S. § 311 et seq., or other state law or statute which prohibits inconsistent regulation by a local municipality.

§ 49-101 Definitions.

OWNER

Includes every person having a right of proprietorship or ownership in a dog and every person who keeps or harbors such dog or has it in his care and any person who permits a dog to remain on or about any premises occupied by him.

RUNNING OF DOGS AT LARGE

Shall mean any dog not under immediate control, not on a leash or lead, not at heel, not beside a competent person, not in a vehicle driven or parked, or not confined within the property limits of his owner, except as provided below.

A dog shall not be considered to be "running at large" in the following circumstances:

Dogs Used for Hunting or Tracking. Dogs used for hunting or tracking shall not be deemed to be running at large provided any such dog is wearing a collar with a tag showing the name and telephone number of the owner of the dog and the hunting or tracking is being conducted with the permission of the landowner.

Field trials or training. During field trials or formal obedience, agility, or similar training periods when the dog is accompanied by its owner or custodian.

Fenced dog park or exercise area. When the dog is in a securely fenced, specifically designated dog park or dog exercise area established by a governmental entity, a homeowner's association, or a community organization, where the fencing is designed to prevent a dog from escaping.

Service dog; when leashing is not required. When the dog is a service animal whose handler, because of a disability, is unable to use a harness, leash, or other tether, or the use of such a device would interfere with the service dog's safe and effective performance of work or tasks, provided that the service dog is otherwise under the handler's control through voice control, signals, or other effective means.

Public service training. During search and rescue and similar public service training when the dog is accompanied by its owner or custodian, or by a qualified handler, provided the owner, custodian, or handler has the express permission of the owner or occupant of the property on which the dogs are being trained.

Farm dogs. When the dog is a working farm dog that is either guarding or herding cows, fowl, goats, sheep, swine, or other domestic animals normally raised on a farm.

§ 49-102 Restrictions of Dogs.

- A. The owners of every dog within the Township of Westtown shall at all times take reasonable care and precaution to prevent the dog from leaving the real property limits of its owner, possessor, or custodian, and ensure that:
 - 1. It is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition; and that such enclosure is securely locked at any time the animal is left unattended; or
 - 2. It is securely and humanely restrained by an invisible containment system. If using an invisible containment system, a sign must be posted on the property indicating that the system is in place; or
 - 3. It is on a leash or lead and under the control of a competent person; or it is off leash or lead and obedient to and under voice command of a competent person who is in the immediate proximity of the dog any time it is not otherwise restrained.
- B. No person shall permit a dog which is under his or her custody or control, either by leash or lead, restraint, verbal command or otherwise, to deposit feces upon any other person's private property or on any public property, including but not limited to sidewalks, pathways, streets, parking lots, parks, waters or other public property of any kind. All persons exercising custody or control of dogs shall be required to immediately cleanup and remove any feces resulting from the dog's presence on any such public or private property, for proper disposal as solid waste.

§ 49-103 Running of Dogs at Large.

It shall be unlawful for the owner or keeper of any dog to permit such dog to run at large in Westtown Township. Any such dog found to be running at large, whether licensed or unlicensed, shall be subject to seizure, detention and disposition by the Westtown-East Goshen Regional Police Department or agency employed by the Township to carry out such seizure, detention or disposition in accordance with the provisions of the Pennsylvania Dog Law, as amended from time to time.

§ 49-104 Continuous Barking of Dogs Prohibited.

No person shall own, possess, harbor or control any dog which howls or barks continuously or incessantly for a period of 10 minutes or makes such noise intermittently for 1/2 hour or more to the disturbance of any person at any time of the day or night, regardless of whether the dog is situated in or upon private property; provided, however, that at the time the dog is making such noise, no

person is trespassing or threatening to trespass upon private property in or upon which the dog is situated or for any other cause which teased or provoked the dog.

§ 49-105 Issuance of Warnings.

Prior to the issuance of a citation for a violation of § **49-104**, a warning shall be issued to the owner of the dog. Upon notification that a person is violating § **49-104**, the Regional Police, Code Enforcement Officer or Zoning Officer may issue a warning to the owner of the dog. The warning shall be hand-delivered or sent by certified mail, return receipt requested, and shall include a copy of § **49-104** and a notice that a fine will be imposed for the second and all subsequent violations in accordance with § **49-106C**.

§ 49-106 Violation and Enforcement Provision.

- A. Any person who violates or permits the violation of any provision of this Article, except § **49-104**, shall, upon being found liable therefor in a criminal enforcement proceeding commenced by the Township before a Magisterial District Justice, pay a fine for each such violation in an amount not less than \$50 and not more than \$200, plus all court costs, including reasonable attorney fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the Magisterial District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of criminal procedure.
- B. Any person who is found liable for any second or subsequent offense for a violation of any provision of this Article, except § **49-104**, shall, upon being found liable therefor in a criminal enforcement proceeding commenced by the Township before a Magisterial District Justice, pay a fine for each such violation in an amount not less than \$200 and not more than \$600, plus all court costs, including reasonable attorney fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the Magisterial District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of criminal procedure.
- C. Violation of § **49-104**.
 - 1. Any person who violates or permits the violation of § **49-104** of this Article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a Magisterial District Justice, pay a fine in the following amounts, plus all court costs, including reasonable attorneys' fees, incurred by the Township:

- (a) First violation in any calendar year: fine of \$25.
 - (b) Second violation in any calendar year: fine of \$50.
 - (c) Third and subsequent violations in any calendar year: fine of no less than \$100 and no more than \$600.
- 2. Each violation on any single day shall be considered a separate violation from any violation involving the same owner on any other day, including consecutive days.
 - 3. No judgment shall be imposed until the date of the determination of a violation by the Magisterial District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

SECTION 2. If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with any provisions of this ordinance are hereby repealed insofar as the same affects this ordinance.

SECTION 4. This amendment shall take effect and be in full force and effect five (5) days from and after the date of its final passage and adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township this ____ day of _____, 2021.

**WESTTOWN TOWNSHIP
BOARD OF SUPERVISORS**

Carol R. DeWolf, Chair

Scott E. Yaw, Esq., Vice-Chair

Richard Pomerantz, Police Commissioner

Attest:

Jon Altshul, Township Secretary

ORDINANCE NO. 2021-02

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE TOWNSHIP OF WESTTOWN, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF WESTTOWN, SPECIFICALLY, PART I, ADMINISTRATION LEGISLATION, ESTABLISHING NEW CHAPTER 8, ENVIRONMENTAL ADVISORY COUNCIL, §8-1, CREATION; §8-2, MEMBERSHIP; §8-3, APPOINTMENT, LENGTH OF TERM; §8-4, COMPENSATION; §8-5, SCOPE; §8-6, FUNCTIONS; §8-7, RECORDS TO BE KEPT, ANNUAL REPORT; AND §8-8, SOURCES OF FUNDING.

WHEREAS, The Board of Supervisors of Westtown Township, Chester County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of Township to be advised as to: environmental issues within the Township; the protection and preservation of natural resources within the Township; possible uses of open land in the Township; and creating inventories of natural areas with unique feature within the Township; and

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103 No. 69, as amended by the Act of Nov. 9, 1995, P.L. 350, No. 60, found at 53 P.S. §66506, entitled "General powers," authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care, and control of the Township and the maintenance of peace, good government, health, and welfare of the Township; and

WHEREAS, Section 2321 *et. seq.*, of the General Local Government Code authorizes the governing body of any Township to establish, by ordinance, an Environmental Advisory Council to advise other local government agencies, including, but not limited to, the planning commission, park and recreation boards, and elected officials, on matters dealing with protection, conservation, management, promotion, and use of natural resources including air, land, and water resources, located within its territorial limits.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that Part I, Administrative Legislation, of the Code of Westtown Township, as amended, shall be amended to establish new Chapter 8, Environmental Advisory Council, to read as follows:

SECTION 1. Part I, Administrative Legislation, of the Code of Westtown Township shall be amended to add new Chapter 8, Environmental Advisory Council, to read as follows:

§ 8-1. Creation.

An advisory council to be known as the "Westtown Township Environmental Advisory Council" is hereby created and shall continue to function until this Ordinance is revoked.

§ 8-2. Membership.

The Environmental Advisory Council shall be composed of seven residents of this Township.

§ 8-3. Appointment; length of term.

Council members shall be appointed in accordance with the following procedures:

- A. All council members shall be appointed by the Township Board of Supervisors.
- B. Council members' terms of office shall expire on the first Monday in January following the last year of their term of office. Members shall be eligible for reappointment at the end of their respective terms.
- C. Duly appointed Council members shall serve a term of three years, except that initial appointments shall be so staggered that the terms of approximately one-third of the membership shall expire each year, pursuant to a Resolution which will (i) establish the initial number of Council members, (ii) appoint the initial members and (iii) designate the various terms for each initial member.
- D. Whenever possible, one member shall also be a member of the Township Planning Commission.
- E. The Board of Supervisors shall designate the chairman of the council.

§ 8-4. Compensation.

Council members shall receive no compensation for their services, but may be reimbursed for authorized expenses actually and necessarily incurred by them in the performance of their duties.

§ 8-5. Scope.

The Environmental Advisory Council is to be advisory to the Board of Supervisors and shall coordinate its activities with the Township Manager or his/her designee.

§ 8-6. Functions.

The Environmental Advisory Council shall have the following powers:

- A. Identify environmental problems, issues, or matters of concern.

- B. Recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within the area of the Township.
- C. Make recommendations as to the possible use of open land areas of the Township.
- D. Promote a community environmental program.
- E. Keep an index of all open areas, publicly or privately owned, including, but not limited to, flood prone areas, wetlands, swamps, and other unique natural areas, including but not limited to areas of steep slope and wooded areas.
- F. Advise the appropriate agencies of the Township in the acquisition of property, both real and personal.
- G. To undertake such environmental tasks as requested by the Township Board of Supervisors.

§ 8-7. Records to be kept; annual report.

The Environmental Advisory Council shall keep records of its meetings and activities and shall prepare an annual report of its activities.

§ 8-8. Sources of funding.

The Township Board of Supervisors may, from time to time, appropriate funds for the expenses incurred by the Council.

SECTION 2. If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this ordinance.

SECTION 4. This Ordinance shall take effect and be in full force and effect five (5) days from and after the date of its final passage and adoption.

ENACTED AND ORDAINED this ____ day of _____, 2021.

**WESTTOWN TOWNSHIP
BOARD OF SUPERVISORS**

Carol De Wolf, Chair

Attest:

Scott Yaw, Vice Chair

Jon Altshul, Township Manager

Richard Pomerantz, Police Commissioner

DRAFT

ORDINANCE __ of 2021
WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

**AN ORDINANCE OF THE TOWNSHIP OF WESTTOWN,
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE
CODE OF THE TOWNSHIP OF WESTTOWN, CHAPTER
110, NUISANCES, ESTABLISHING ARTICLE I, NOISE
DISTURBANCE.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that Part II, General Legislation, Chapter 110, Nuisances, of the Code of the Township of Westtown, as amended, shall be amended as follows:

SECTION 1. Part II, General Legislation, Chapter 110, Nuisances, Article I, Noise Disturbance, of the Code is hereby established to read as follows:

Article I. Noise Disturbance.

§ 110-1. Purpose and scope.

The purpose and scope of this article is to ensure that public health, safety and welfare shall not be abridged by the making or creating of public nuisances from disturbing or excessive noises in Westtown Township and to protect the physical, mental and social well-being of the residents of Westtown Township by prohibiting such noise and/or sound.

§ 110-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated unless a different meaning clearly appears from the context:

TOWNSHIP – The Township of Westtown.

NOISE – Any sound emitted by a person, an appliance, equipment, an instrument or other device.

PERSON – Any individual, association, trust, partnership or corporation, including any members, directors, officers, employees, partners or principals thereof. Whenever used in any clause prescribing and imposing a penalty, "person" includes the members, trustees, partners, directors, officers, managers and supervisors, or any of them, of partnerships, associations, corporations or other forms of entity.

UNREASONABLE NOISE – Noise that is above and beyond the ordinary noises associated with the appropriate and customary uses of the particular forum in which the sound is made, taking into account the time of day, day of week, location, and/or other relevant factors, and such noise is of such a volume, frequency, pattern, or duration, that it prevents, disrupts, injures, or endangers the health, safety, welfare, comfort or repose of reasonable persons of ordinary sensitivities within Westtown Township.

§ 110-3. Prohibited acts.

- A. General prohibition. It shall be unlawful for any person to make or cause to be made unreasonable noise, or to allow any unreasonable noise to be caused or made on any real or personal property occupied or controlled by that person within the limits of Westtown Township, except as otherwise permitted in this chapter.

- B. Specific prohibitions. The following are specifically prohibited, except as otherwise permitted in this chapter:
 - 1. No person shall operate, play or permit the operation or playing of any radio, television, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in such a manner as to create unreasonable noise.

 - 2. No person shall operate or permit the operation of any tools or equipment used on construction operations, drilling or demolition or other work or in the sweeping of parking lots between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day on weekdays and Saturdays or at any time on Sundays or legal holidays such that the sound therefrom creates unreasonable noise.

 - 3. No person shall operate or permit the operation of any powered saw, drill, sander, grinder, lawn or garden tool, snow blower or similar device used outdoors between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day so as to create unreasonable noise.

 - 4. No person shall deliver, load, open, close or otherwise handle boxes, crates, containers, building materials, garbage cans or other objects between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day in such a manner as to create unreasonable noise. This subsection shall not apply to emergency municipal or public utility services in or about the public right-of-way.

5. No person shall offer for sale or sell by shouting or outcry or by any other amplified or unamplified sound, except between the hours of 7:00 a.m. of one day and 7:00 p.m. of the same day.
6. No person shall remove or render inoperative, other than for purposes of maintenance, repair, replacement or other work, any muffler or sound-dissipative device or element of design or noise label of any product; or use a product which has had a muffler or sound-dissipative device or element of design or noise label removed or rendered inoperative with knowledge or reason to know that such action has occurred; or intentionally move or render inaccurate or inoperative any sound-monitoring instrument or other device positioned by or for the Township or other governmental entity, provided that such device or the immediate area is clearly labeled or posted to warn of the potential illegality.
7. No person shall repair, rebuild or test or otherwise work on any motorcycle or other motor vehicle, motorboat or aircraft in such a manner as to create unreasonable noise.
8. No person shall create such other noise as might pose a danger to the public health, safety or welfare of the Township or otherwise constitute a nuisance in fact.
9. No person shall make, continue or cause to be made or continued any noise which creates or causes unreasonable noise.
10. No person shall operate a motorcycle, truck, automobile or other motor vehicle in such a manner as to cause unreasonable noise.

§ 110-4. Exemptions and permits.

- A. The following noises are exempted from the provisions above:
 1. Blasting, only if performed in accordance with a permit issued by the Township. Such blasting may occur only between 8:00 a.m. and 4:30 p.m., Monday through Friday, unless specifically authorized otherwise by the permit.

2. Band concerts, carnivals or other performances or similar activities publicly or privately sponsored and presented in any public or private space outdoors, provided that such activities do not occur between 11:00 p.m. on one day and 10:00 a.m. on the following day. Such activities may require a permit pursuant to criteria set forth in §110-4.B.2.
 3. Noises caused by the performance of emergency work or by the ordinary and accepted use of emergency apparatus and equipment.
 4. Noises resulting from the provision, repair and maintenance of municipal/governmental facilities, services or public utilities.
 5. Noises created by organized, school-related programs, activities, athletic and entertainment events or other public programs, activities or events, other than motor vehicle racing events.
 6. Noises made by warning devices operating continuously for three minutes or less, except that, in the event of an actual emergency, the limitation shall not apply.
 7. Noises made by bells, chimes, or carillons used for religious purposes or in conjunction with national celebrations or public holidays; existing bells, chimes and carillons and clock-strike mechanisms that are currently in use for any purpose and were in use at the time of the original passage of this chapter.
- B. The following noises, events, and/or gatherings held outdoors within the limits of the Township shall require a permit issued by the Township. The Township reserves the right to require reasonable time, place, and manner restrictions as part of the issuance of the permit for the following noises and/or events based on the nature of the location in which the noise and/or event will be taking place:
1. Blasting, as permitted in §110-4.A.1.
 2. Band concerts, carnivals or other performances or similar activities publicly or privately sponsored and presented in any public or private space outdoors in which 100 people or more are reasonably expected to attend by the organizers.
 3. Public demonstrations, political protests, or other similar events in which 250 people or more are reasonably expected to attend by the organizers.

§ 110-5. Violations and penalties.

Any person who violates or permits the violation of any provision of this article shall, upon conviction thereof in a summary proceeding under the Pennsylvania Rules of Criminal Procedure before the Magisterial District Justice, be guilty of a summary offense and sentenced to pay a fine of not less than \$300 for the first offense, and not less than \$750 for any subsequent offenses in a one-hundred-twenty-day period. The defendant shall also be liable for all court costs, including reasonable counsel fees, incurred by the Township in the enforcement proceeding. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a period of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which shall be punishable by a separate fine imposed by the Magisterial District Justice in the amounts specified above, plus the costs of prosecution, including reasonable counsel fees. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days.

SECTION 2. If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with any provisions of this ordinance are hereby repealed insofar as the same affects this ordinance.

SECTION 4. This amendment shall take effect and be in full force and effect five (5) days from and after the date of its final passage and adoption.

[Signatures on next page]

ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township this ____ day of _____, 2021.

**WESTTOWN TOWNSHIP
BOARD OF SUPERVISORS**

Attest:

Carol R. DeWolf, Chair

Jon Altshul, Township Secretary

Scott E. Yaw, Esq., Vice-Chair

Richard Pomerantz, Police Commissioner

ORDINANCE 2021 - 04

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING CHAPTER 170, ZONING, OF
THE CODE OF WESTTOWN TOWNSHIP REGARDING
NOISE STANDARDS.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that certain provisions of Chapter 170, Zoning, of the Code of Westtown Township, as amended, be amended as follows:

SECTION 1. Chapter 170, Zoning, Article XV, General Regulations, §170-1515, Noise standards, shall be amended to read as follows:

- A. Except as noted in Subsection B below, the following shall apply to specified uses and properties within the Township, between the hours of 10:00 p.m. and 7:00 a.m., plus all day Sunday and legal holidays.
- (1) There shall be no nonresidential off-street loading operation.
 - (2) There shall be no operation of a vehicle in excess of 8,600 pounds on the property, nor idling of any motor of such vehicle.
 - (3) There shall be no outside operation for nonresidential purposes of any powered equipment, mobile refrigeration unit, powered hand tool, forklift, tractor, or other similar vehicle except for lawn maintenance, snow removal, or emergency services or repairs.
 - (4) Other than police, fire, public service, or ambulance operators, no person shall sound any horn, bell, gong, siren, or whistle or make other unnecessarily loud noises except when reasonably required to prevent accidents.
 - (5) There shall be no outdoor loudspeakers or similar amplification which may be heard beyond the property line.
- B. The restrictions established in Subsection A above, shall not be applied to agricultural operations on properties within the Township. Agriculture shall be as defined and regulated by this chapter.

C. For any proposed or existing use of land in which potential or actual noise impacts need amelioration, the means to ameliorate such impacts shall be proposed by the applicant and reviewed by the Township on a case-by-case basis. The use of berms, existing and installed vegetation, fencing or similar enclosure, etc., shall be considered by the Township and, where deemed suitable, may permit modification or waiver of restrictions in Subsection A above.

D. Noise impacts upon dwellings.

(1) Between the hours of 10:00 p.m. and 7:00 a.m., there shall be no exterior construction of buildings, driveways or parking lots or use of related construction vehicles or any commercial or industrial operations or any truck loading or unloading activities that create a noise level exceeding 55 A-weighted decibels at the exterior walls of any dwelling.

(2) Between the hours of 7:00 a.m. and 10:00 p.m., no commercial or industrial operation or truck loading or unloading activities shall create a noise level exceeding 63 A-weighted decibels at the exterior walls of any dwelling.

(3) This §170-1515.D shall not regulate emergency repairs.

SECTION 2. If any sentence, clause or section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or validity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 4. This Ordinance will be effective five (5) days after enactment.

[Signature page for Ordinance follows]

ENACTED AND ORDAINED this _____ day of _____, 2021.

ATTEST:

WESTTOWN TOWNSHIP

Secretary

Carol R. De Wolf, Chair

Scott E. Yaw Esq., Vice Chair

Richard Pomerantz, Police Commissioner

WESTTOWN TOWNSHIP

RESOLUTION 2021-05

**A RESOLUTION BY THE WESTTOWN TOWNSHIP
BOARD OF SUPERVISORS TO ADOPT THE REVISED
HISTORIC RESOURCES MAP OF WESTTOWN
TOWNSHIP**

WHEREAS, Article I, §105 of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) states that the purpose and scope of the Act is to promote the preservation of the Commonwealth's historic resources; and

WHEREAS, Article III, §301 of the Pennsylvania Municipalities Planning Code authorizes municipalities to prepare and adopt municipal comprehensive plans that shall include a plan for the protection of historic resources; and

WHEREAS, Article VI, §603 of the Pennsylvania Municipalities Planning Code authorizes municipalities to enact zoning ordinances that contain provisions to promote and preserve areas of historic significance; and

WHEREAS, the Westtown Township Board of Supervisors enacted and ordained Ordinance No. 2013-1, which created the Westtown Township Historical Commission for the purpose of gathering documentary evidence, illustrations, photographs, and other appropriate materials to establish historic sites worthy of listing in a Historic Resources Map; and

WHEREAS, the Westtown Township Board of Supervisors enacted and ordained Ordinance No. 2016-2, which created the Historic Resources Map of Westtown Township; and

WHEREAS, the Historical Commission held a public meeting with advanced written notice regarding proposals for additions to and removals from the Historic Resources Map of Westtown Township and changes in classification of specific resources on December 17, 2020,

consistent with §170-2400.G (Historic Resources Map) of the Zoning Ordinance of Westtown Township; and

WHEREAS, at a public meeting of the Historical Commission, the Historical Commission considered public comment and documentary evidence regarding the proposals; and

WHEREAS, the Historical Commission presented the Board of Supervisors with a written report, dated January 14, 2021, stating its recommendations and grounds for the proposed revisions, updates, and corrections; and

WHEREAS, the Board of Supervisors held a public meeting with advanced written notice to consider the aforementioned recommendations of the Historical Commission on February 1, 2021, consistent with §170-2400.G (Historic Resources Map) of the Zoning Ordinance of Westtown Township; and

WHEREAS, the Westtown Township Board of Supervisors desires to make revisions to the Historic Resources Map of Westtown Township as reflected in the revised Historic Resources Map, dated February 1, 2021, which is attached hereto as Exhibit “A.”

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the Westtown Township Board of Supervisors, Chester County, Pennsylvania, as follows:

SECTION 1. The Westtown Township Board of Supervisors passes this Resolution to adopt the amended Historic Resources Map of Westtown Township, in accordance with Articles I, III, and VI of the Pennsylvania Municipalities Planning Code and §170-2400.G of the Zoning Ordinance of Westtown Township.

SECTION 2. The Resolution adopts the revised Historic Resources Map of Westtown Township. A true and correct copy of the revised Historic Resources Map of Westtown Township, February 1, 2021, is attached hereto as Exhibit “A” and incorporated herein by

reference as though set forth fully herein, including all charts, tables, diagrams, appendices and textual matter contained therein.

SECTION 3. Nothing in this Resolution shall be construed to affect any suit or proceeding pending in any court, or any rights or liability incurred, or any permit issued or approval granted, or any cause or causes of action existing prior to the adoption of this Resolution.

SECTION 4. This Resolution shall become effective and be in force immediately.

ADOPTED as a Resolution on February 1, 2021.

**WESTTOWN TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

Carol R. DeWolf, Chair

Secretary

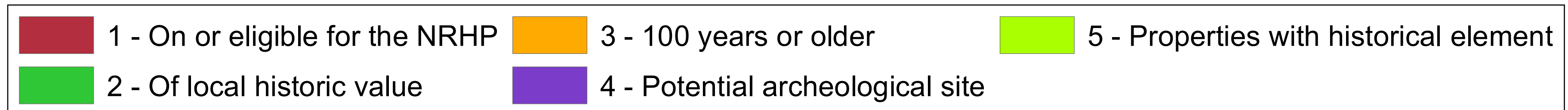
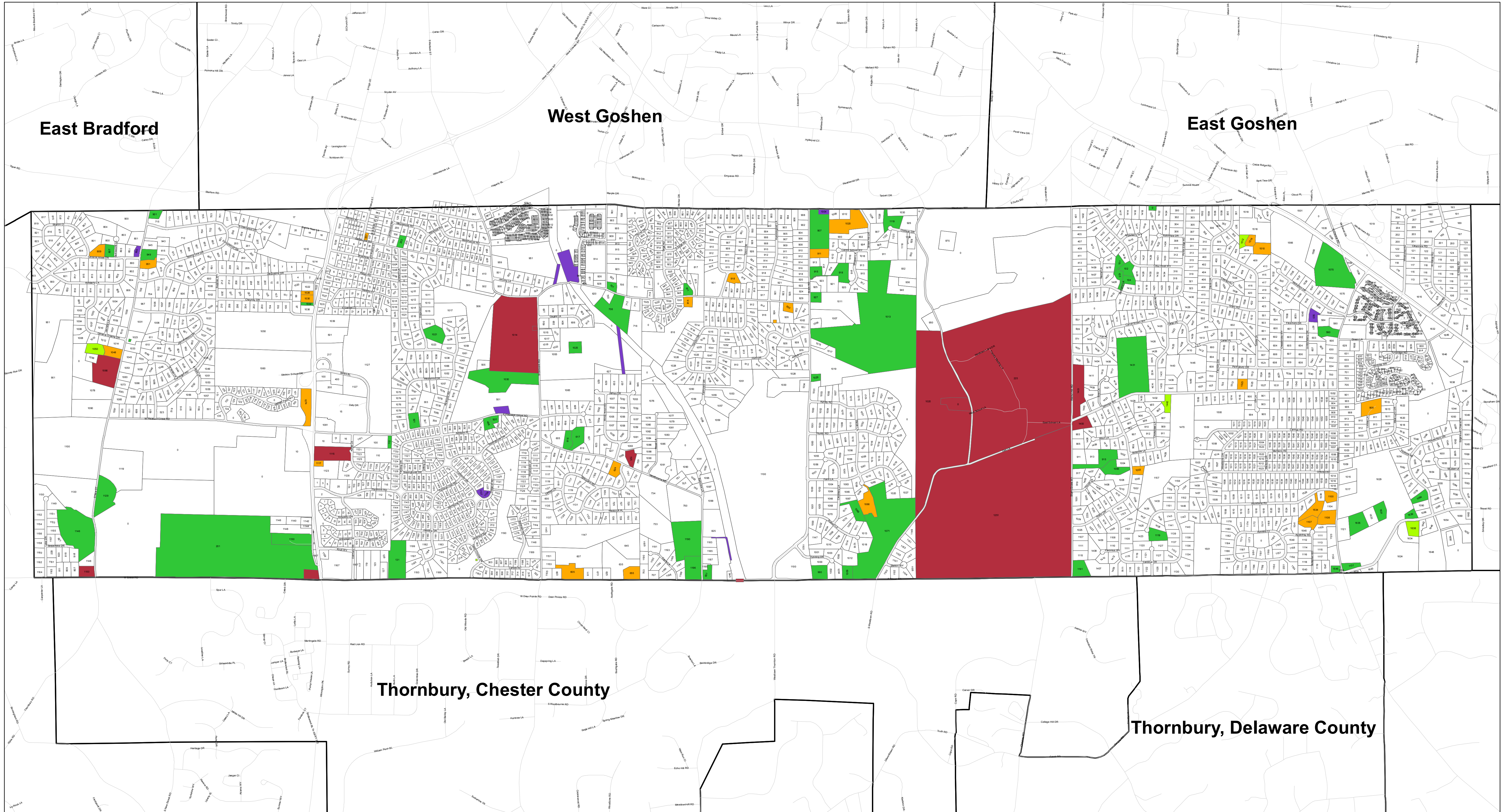
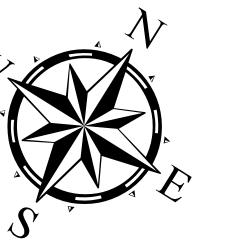
Scott E. Yaw, Esq., Vice Chair

Commissioner

Richard (Dick) Pomerantz, Police



Westtown Township - Historic Resources Map



Created: March 7, 2016
 Updated: February 1, 2021

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PA**

RESOLUTION NO 2021-06

RESOLUTION OF THE BOARD OF SUPERVISORS OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, SETTING THE COMPENSATION OF THE WESTTOWN TOWNSHIP TAX COLLECTOR FOR THE TERM OF ELECTIVE OFFICE COMMENCING IN 2022 FOR THE COLLECTION AND FOR THE DEPOSIT OF REAL ESTATE TAXES LEVIED BY THE BOARD OF SUPERVISORS OF WESTTOWN TOWNSHIP.

IT IS HEREBY RESOLVED by the Board of Supervisors of Westtown Township that the compensation for the Westtown Township Tax Collector for the term of elective office commencing in 2022 for the collection and deposit of real estate taxes levied in Westtown Township shall be as follows:

- 1) The Tax Collector's compensation for the collection of real estate taxes shall be in the sum of one dollar (\$1.00) per annum.
- 2) The Township shall pay all costs required for the collection of the real estate tax including, but not limited to, the printing of bills, postage, and all materials, equipment, and labor required for the collection of the real estate tax.
- 3) All taxes shall be deposited in the designated Westtown Township bank account.

RESOLVED AND ADOPTED this _____ day of _____, 2021.

Westtown Township
Board of Supervisors

Carol De Wolf, Chair

Scott Yaw, Vice Chair

ATTEST:

Township Secretary

Richard Pomerantz, Police Commissioner

Check Register

Westtown Township

29-Jan-21

From: 20-Jan-21

To: 01-Feb-21

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 1 GENERAL FUND					
15965	1/20/2021	222	Brandywine Valley SPCA	\$1,057.92	O
15966	1/20/2021	222	Brandywine Valley SPCA	\$1,738.91	O
15967	1/20/2021	7178	Buckley Brion	\$2,068.50	O
15968	1/20/2021	39	Grainger	\$113.40	O
15969	1/20/2021	7196	GreatAmerica Financial Svcs	\$46.00	O
15970	1/20/2021	624	Hanson Aggregates, Inc.	\$26.58	O
15971	1/20/2021	15	Office Basics, Inc.	\$471.03	O
15972	1/20/2021	220	PSATS	\$2,930.00	O
15973	1/20/2021	5692	PT Equipment LLC	\$1,349.00	O
15974	1/20/2021	155	Rubinsteins	\$17.96	O
15975	1/20/2021	980	USPS- Postmaster	\$1,556.37	O
15976	1/25/2021	1044	ASSOCIATED TRUCK PART	\$15.95	O
15977	1/25/2021	1201	Charles A. Higgins & Sons, Inc	\$195.00	O
15978	1/25/2021	7191	Code Inspections Inc	\$2,393.64	O
15979	1/25/2021	7185	Eastern Salt Company Inc	\$11,855.07	O
15980	1/25/2021	405581	Foley, Incorporated	\$154.16	O
15981	1/25/2021	48	H. A. Weigand Inc	\$222.00	O
15982	1/25/2021	878	Intercon Truck Equipment	\$2,610.84	O
15983	1/25/2021	173	KNOX EQUIPMENT RENTAL	\$202.95	O
15984	1/25/2021	1000074	NAPA AUTO PARTS	\$336.08	O
15985	1/25/2021	1123	New Enterprise Stone & Lime	\$278.00	O
15986	1/25/2021	860	TrueNet, Inc	\$138.85	O
15987	1/25/2021	7	Westtown-East Goshen PD	\$303,703.04	O
15988	1/28/2021	7267	Brandywine Red Clay Alliance	\$205.00	O
15989	1/28/2021	1201	Charles A. Higgins & Sons, Inc	\$4,231.68	O
15990	1/28/2021	543	Chester County Treasurer	\$198.50	O
15991	1/28/2021	7196	GreatAmerica Financial Svcs	\$171.00	O
15992	1/28/2021	173	KNOX EQUIPMENT RENTAL	\$270.14	O
15993	1/28/2021	1000085	Scott R Laudenslager	\$60.58	O
Bank Total:				\$338,618.15	
Bank Account: 8 Enterprise Fund					
1107	1/25/2021	6468	Carroll Engineering Corp	\$12,153.50	O
1108	1/25/2021	1074	LENNI ELECTRIC CORPORA	\$428.25	O
1109	1/25/2021	314	Proforma Print Marketing	\$1,179.24	O
1110	1/25/2021	967	USABlueBook	\$161.70	O
Bank Total:				\$13,922.69	
Total Of Checks:				\$352,540.84	