

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
September 4, 2007 – 6:30pm**

**Present:** Chairman Don McConathy, Vice-Chairman Thom Clapper and Carmen Battavio. Supervisors Marty Shane and Joe McDonough were absent. Also present were Township Manager Rick Smith, Phyllis Marron (Park & Rec), Linda Gordon (Historical Commission), Jim McRee and Al Zuccarello (Planning Commission & DMC).

**WORKSHOP**

**Review of Minutes**

The minutes of August 14 and 21 were reviewed and corrected.

**Bills**

Current invoices were reviewed.

**Agenda Review**

The agenda for the formal meeting was reviewed.

**Oxford Gateway Apartments, Revised Parking Plan**

This matter will be tabled until the applicant submits better plans.

**Request to Remove 3 More Trees at YMCA Site, Airport Road**

Mr. Christopher Clifford of Pancoast & Clifford was present to discuss his August 29 letter requesting permission to remove 3 additional trees from the site. He noted that some of the trees on the property are actually 10-15' off from where the site plan shows them to be.

Carmen wants something in writing from Pancoast & Clifford assuring the Township that the recommendations in paragraph 5 of the September 4 Yerkes letter will be followed. The Yerkes letter states:

*During the inspection I noted several trees to be retained that should receive various horticultural treatments to mitigate against previous scraping operations within the root zone. The contractor has agreed to complete these recommendations which primarily include clean cutting exposed roots and replacing topsoil.*

Don agreed with Carmen and in addition, he would like the written assurance from Pancoast & Clifford to be reviewed by the Conservancy Board, especially by tree expert Scott Sanders.

The Board agreed to make a motion to approve Mr. Clifford's request during the formal meeting, subject to the conditions mentioned above.

### **LED Traffic Signals - Cost Analysis**

The Board reviewed the LED information compiled by Rick Smith. Don noted that the Board got the idea for using LED lights from the PSATS meeting in Hershey.

Thom will ask the COG members if any of them would be interested in joining with East Goshen to apply for a grant for LED traffic signals. Jim McRee suggested the Township look into using LED lights for street lights as well. Don said he would ask Mark Miller to check.

### **CCATO 2008 Executive Board Nominations**

This matter will be tabled until Marty returns, as the Board would like to nominate him for 1<sup>st</sup> Vice President.

### **Proposed Super Wawa in Westtown**

Rick showed the revised plans for the Wawa, which incorporate suggestions made by East Goshen, including 3 lanes on Manley Road and curbing. Carmen said he does not want East Goshen taxpayers to pay for the road widening. Thom agreed and said East Goshen should not pay anything at all toward road improvements related to this project.

Rick will obtain a copy of the Westtown Planning Commission's recommendations to their Board for review by the East Goshen Supervisors. After seeing the recommendations, the Board can decide whether or not to attend the Westtown Board meeting(s) on this issue.

### **Deer Management Committee Update**

The Township has received four proposals thus far in response to the RFP sent to seven local deer management groups. They will be given to the DMC for review.

Al Zuccarello gave an update on the deer baiting stations. The stations and supplies will be more expense than anticipated, and the stations will require a good deal of maintenance and monitoring. Don asked Al to work on an estimate of the cost for 1 station at bulk rate with the various options, and the cost of the corn used for bait.

### **YMCA Pavilion Update**

Rick said the pavilion should be installed by the end of the year.

### **District Court Update**

The Board reviewed the latest plans for this project. The construction phase will go out to bid by the end of September, and the bid will be awarded around mid-November. Rick said he is still waiting to hear from Craig Hough about "green" ideas to implement into the construction.

### **FORMAL MEETING**

### **Call to Order & Pledge of Allegiance**

The Chairman called the meeting to order at 8:00pm and led everyone in the Pledge of Allegiance to the flag.

Don announced that two members of the Board were on vacation.

### Recording of Meeting

Don asked if any resident plans to record the meeting. Mr. Abbas Rahbari of 1613 Manley Road said he reserved the right to record and/or “transmit” the proceedings of the meeting.

### Approval of Minutes

Thom moved to approve the minutes of August 14 and 21 as corrected in the Workshop. Carmen seconded the motion.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Suggested the Board record their meetings on audiotape for the sake of accuracy.

There was no further public comment and no discussion. The Board voted and the motion passed unanimously.

### Chairman’s Report

Don announced the following:

- The Board will hear Comcast’s validity challenge and announce their position on the matter at the September 11 workshop at 6:30pm. Township Solicitor Jeff Sommer plans to be present.
- A Connect CTY representative will make a presentation at the September 18 Board meeting.
- The YMCA will have a groundbreaking ceremony on Airport Road at 3pm on September 10. Several Board members plan to attend.

### Treasurer's Report

The Treasurer's Report for September 4, 2007:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>
<b>GENERAL FUND</b>		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 188,884.65	
EMS TAX	\$ 0.00	Accounts Payable \$ 251,866.50
Transfer Tax	\$ 0.00	Debt Service \$ 29,644.01
Codes, Park & Rec, Etc.	\$ 2,873.41	Payroll \$ 80,000.00
<b>Total Receipts</b>	<b>\$ 191,758.06</b>	<b>Total Expenditures \$ 361,510.51</b>
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 423.28
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 28,713.70	\$ 5,874.81
Refuse	\$ 22,807.45	\$ 17,170.98
Capital Projects	\$ 0.00	\$ 0.00

Carmen moved to accept the Treasurer's Report and to approve the expenditures pending the Board's review. Thom seconded the motion.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Objected to the motion on the basis that the public was not provided a copy of the complete Treasurer’s Report.

The Board voted and the motion passed unanimously.

**Pension Plan Minimum Municipal Obligations for 2008**

The minimum municipal obligations for the Township pension plans for calendar year 2008 are as follows:

Township Non-Uniformed Pension Plan.....	\$111,778.00
Goshen Fire Company Pension Plan.....	\$39,418.00
WEGO Police Department Office Staff.....	\$8,131.00

**Oxford Gateway Apartments, Revised Parking Plan**

Don announced that this matter will be tabled until the September 18 meeting, as the applicant needs to provide some clarification of their request.

**Request to Remove 3 More Trees at YMCA Site, Airport Road**

Thom moved to authorize YMCA contractor Pancoast & Clifford to remove Tree #2450, Tree #2690 and Tree #2717 due to constructability and safety concerns. The trees shall be replaced inch for inch (106 inches), and Pancoast & Clifford shall adhere to the remedial action plan recommended by Township landscape engineer Thomas Kummer in his September 4, 2007 letter to Township Manager Rick Smith. Carmen seconded the motion and noted that the YMCA’s contractor will be providing the Township with written assurance that they plan to follow the remedial action recommendations made by Mr. Kummer.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Expressed concern that there have been so many issues with the YMCA property.

There was no further discussion or public comment. The Board voted and the motion passed unanimously.

**Losasso Subdivision, 938 Cornwallis Drive**

Carmen moved to authorize the Chairman to execute the final subdivision plan for Paul A. and Agnes Losasso dated May 18, 2007 and last revised July 19, 2007, and for the Chairman to execute the Financial Security and Demolition Agreement. Thom seconded the motion.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Asked who paid for the agreement to be drafted. Rick said the applicant will be billed for the cost.

There was no discussion and no further public comment. The motion passed unanimously.

**Synthes Escrow Release #7 and #8**

Thom moved to approve escrow release #7 and #8 for Synthes in the amount of \$20,253.05 per the recommendation of Public Works Director Mark Miller. All punch list items have been satisfactorily addressed. This will close out the Synthes escrow account. Carmen seconded the motion.

*Public Comment: Bill Egan, 1422 Mill Creek Drive* – Said that CTDI is accommodating overflow parking from Synthes, and wondered if that would be a reason to deny the escrow release. Don said no, that any such parking arrangement is a matter between those two parties and has nothing to do with the Township’s release of their escrow funds.

There was no discussion or further public comment. The motion passed unanimously.

### **Ford Fleet Discount**

As a follow-up to a prior public comment, Carmen reported that per his contact at Ford, the state program through which WEGO and East Goshen purchase vehicles provides the Township with the best possible deal.

*Public Comment: John Schorn, 1401 Larch Lane* – Asked about the warranties. Carmen said they are 5 years/60K miles. Mr. Schorn asked if extended warranties are available and Carmen said yes. Mr. Schorn said the police officers should be reminded not to be so hard on their cars. Carmen suggested that if Mr. Schorn notices an officer abusing his vehicle, he should report it.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Stated he has noted “a lot” of automobile abuse by East Goshen police officers, and has filmed it. He said that in his experience, reporting such matters does no good. Mr. Rahbari suggested WEGO consider installing surveillance devices on police cars to track the offending officers. Mr. Rahbari added that he has often noticed East Goshen police officers using their cell phones while driving. Carmen said that unless such comments are reported, he has to consider them as hearsay. He again recommended that such matters be reported through the proper channels.

### **Correspondence & Reports of Interest**

Don acknowledged receipt of a letter advising that the Township has applied for a DEP permit for the existing earthen dam located at the corner of Greenhill Road and Hershey Mills Road.

### **Meetings & Dates of Importance**

Don noted the upcoming meetings as listed in the agenda.

### **Public Hour – Hearing of Residents – Receipt of Petitions**

*Public Comment: Bill Egan, 1422 Mill Creek Drive* – Asked if the Township had an update on the three construction trailers on the Comcast property. Rick said Comcast is installing a data center, and noted they do have a permit.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Repeated his previous comments about alleged code violations within the Township building. Don reminded Mr. Rahbari he was told before to put his concerns about this matter in writing to the Township, as this matter has already been discussed at length in public on several occasions. Mr. Rahbari then asked Rick Smith if he has requested a copy of the detailed lab report on the prior mold problem in the Township building. Rick said he has not. Mr. Rahbari then asked the nature of roof repairs at the Township building that were discussed during the workshop. Rick said a boot was replaced around a vent pipe.

### **Adjournment**

There being no further business or public comment, the formal meeting adjourned at 8:32pm.

### **WORKSHOP (Resumed)**

#### **Boot Road Improvements**

Rick Smith, along with a representative from West Goshen and the traffic consulting firm McCormick Taylor will meet with PennDOT on this matter, although no date has been set. Various options for improvements to Boot Road will be discussed. After the meeting, McCormick Taylor will be able to provide East Goshen and West Goshen with some cost estimates.

#### **Roof Bid for Public Works Building**

Don said he was surprised to see a request for bids posted to the Township website before the project received approval from the Supervisors. Don asked Rick to provide a 1-page summary of the project status.

#### **Ceiling Collapse at Police Building**

Carmen shared that a portion of the ceiling collapsed this week in the squad room of the new police building. Fortunately no one was hurt. Westtown is currently having repairs completed, and the cost will be subrogated among the contractors as appropriate. Carmen commended the Westtown and East Goshen staff for doing a great job handling this emergency matter in such a professional and efficient manner.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Provided a number of recommendations on how this matter should be handled from a legal perspective. Don assured Mr. Rahbari that Westtown's solicitor Bob Adams is a very capable attorney.

#### **Subdivision, Land Development and ZHB Applications**

Rick advised that the Walters Company has applied for zoning variances for their property at 1313 West Chester Pike.

### **Adjournment**

There being no further business, the workshop adjourned at 9:15pm.

### **EXECUTIVE SESSION**

The Supervisors met in Executive Session until 9:32 pm to discuss a personnel matter.

Respectfully submitted,

Anne Meddings  
Recording Secretary