

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS WORKSHOP  
1580 PAOLI PIKE  
October 9, 2007 – 6:30pm**

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

**Park & Rec Issues**

The Board discussed the following Park & Rec Board issues with Ann Marie Fletcher-Moore:

***Applebrook Golf Outings*** – Joe said Hank Belber would like East Goshen to switch its Golf Outing from the 3<sup>rd</sup> Tuesday of September to the 1<sup>st</sup> Tuesday of September to accommodate maintenance work on the course. Mr. Belber told Joe he is willing to freeze rates for up to five years if this date change can be negotiated. Joe said he asked Frank Vattalino to provide recommendations regarding the date change, which led to Frank's October 8 memo to the Board. Marty said switching to the first week in September is not acceptable due to the conflict with the Labor Day holiday and the need to have registrations back from residents in August, when many will be away on vacation.

After a lengthy discussion, the Board agreed to discuss a date change with Mr. Belber provided that he holds firm on the price, reverts from the boxed lunches back to a grilled lunch on the patio, and allows each golfer to bring up to 3 outside guests as long as there is room to accommodate them. The first preference would be to change the date to the last week in September. However, they would be willing to accept the 2<sup>nd</sup> week in September as long as Mr. Belber meets the other requests regarding price, food, and outside guests. Ann Marie said the Park & Rec Board prefers the Township not offer to reduce the number of golf outings in the future (e.g. eliminate the October or May outings).

Joe and Don will meet with Mr. Belber to discuss this matter.

***July 4 Fireworks*** – Joe asked if the Board is going to receive a 2008 Park & Rec budget soon to help them make a decision about having fireworks again. Ann Marie said yes. Thom reminded the Board that they already told Frank to go ahead with arrangements for fireworks for 2008. Ann Marie said it's important for the Board to let Park & Rec know ASAP if they ever decide not to continue with the fireworks, as Frank must make a commitment by August the year before. Ann Marie said that for 2008, the rain date will move to a Sunday. Marty advised her to have Frank discuss that with Applebrook, since the fireworks are launched from Applebrook property and they may have an issue with a Sunday.

***Public Comment: John Schorn, 1401 Larch Lane*** – Asked how much the fireworks cost the Township. The Board members could not agree on what the cost was.

**Tennis Courts** – Ann Marie says the Township makes \$7-\$8 profit on each tennis court key sold to residents. This money is put into a fund for court maintenance. Carmen asked Ann Marie to find out if East Goshen’s key costs are competitive with what nearby townships charge their residents. Marty said the cost to keep up the tennis courts should be completely paid for by the few people that use them, and that may mean raising the cost for the keys. Rick said if that logic is to be followed, we’ll have to figure out a way to charge all the residents and groups for the park features & services that they use, which is not the Township’s philosophy.

*Public Comment: John Schorn, 1401 Larch Lane* – Said the Township shouldn’t charge the tennis players for the upkeep of the courts, just for the cost of the keys. He asked what qualifies a person to get a court key. Rick said anyone can get a key, but non-residents are charged more.

Jim McRee of the Planning Commission asked if the Township considered using “regular” locks and keys for the courts. Ann Marie said yes, but they all eventually rust. The special locks and keys Mark Miller got for the courts work out very well and do not rust.

**Dog Park** – Ann Marie said the Park & Rec Board researched this issue and is unanimously opposed to providing a dog park in the Township. The Board determined that they are also opposed.

**Walkway in the Park** – The Board agreed that the walkway through the woods to the new restrooms should be paved.

*Public Comment: John Schorn, 1401 Larch Lane* – Asked if the Township has made stormwater considerations for the impervious coverage this will add. Rick said he will discuss this with Mark Miller.

**Pumpkin Festival** – Don said the Township should get a sponsor for this event.

#### **Award Bid for Refuse & Recycling**

Don moved to award a three-year contract for the collection of refuse and recycling to McCusker & Ogborne in the amount of \$2,564,405.00 - exclusive of the tipping fee, which the Township will continue to pay - and that all other bids received on July 3, 2007 be rejected. Carmen seconded the motion.

*Public Comment: Kenneth Anderson of BFI (Allied Waste)* - Asked the Board to table the decision and reconsider Allied’s request to invalidate the bid of McCusker & Ogborne. Don told Mr. Anderson that the Township Solicitor reviewed their request and determined that McCusker & Ogborne’s bid documents were properly executed. Based on the solicitor’s opinion, there is no reason to delay the award.

*Public Comment: John Schorn, 1401 Larch Lane* – Agreed with Mr. Anderson that the decision should be tabled if it’s true the McCusker & Ogborne documents were not signed properly. Joe reiterated Don’s comments and added that Allied has every right to challenge the decision if they see fit. Mr. Schorn asked if he could view the bid documents. Don invited him to have a look at his copy if he wished.

*Public Comment: Stefin Sobel of McCusker & Ogborne* – Said he prepared the bid documents and had them reviewed by McCusker & Ogborne’s attorney, who said they were okay.

Marty said he is troubled by the fact that Allied Waste did not receive a copy of Jeff Sommer’s letter concerning this situation, while McCusker & Ogborne did. Rick will call Jeff in the morning and see if a copy can be sent to Allied Waste.

*Public Comment: Tim Joyce, Allied Waste* – Said the Board should table the award of the bid until Allied has had an opportunity to review Mr. Sommer’s letter. Don advised him the letter is not considered a public document until the Board determines it to be so.

There was no further discussion or public comment. The Board voted unanimously to award the bid to McCusker & Ogborne.

### **Training & Education Reimbursement Policy**

The Board discussed the latest draft of this policy and agreed to modify it to allow Public Works employees to obtain tuition reimbursement as well as office workers. In §14-4, Marty is opposed to specifying Penn State as the benchmark for per-credit costs. Marty would like to soften the wording at the beginning of paragraph 2 of §14-4. He would like it reworded to simply state that “All other expenses are the responsibility of the employee.” Don would like to add “in accordance with the table below” to the end of the second sentence in the third paragraph of §14-4.

*Public Comment: John Schorn, 1401 Larch Lane* – Does not believe taxpayers should pay for the education of Township employees, but if the policy is implemented it should include Public Works employees. Don told him the Supervisors already agreed to that.

Jim McRee of the Planning Commission said education reimbursement is a common benefit offered by most employers and the Board is spending way too much time on this matter.

### **Salary Ranges**

The Board reviewed the draft resolution establishing the policy for the determination of Township salary ranges, and agreed to adopt it as-is at the formal meeting on October 16.

### **Bills**

Current invoices were reviewed. Joe advised Rick to tell employees that any expenses they wish to submit for reimbursement must be submitted within 30 days after the expense is incurred.

Thom and Joe would like to see data on the Visiting Nurses Association (VNA), to see what services the Township receives in return for our donations. The Board agreed to hold payment to the VNA until this data has been compiled and reviewed.

The Board decided that going forward; Carmen should review all HVAC-related estimates and bids.

Marty moved to approve for payment all the bills reviewed during the workshop with the exception of the VNA bill, will be held until the Board receives additional information. Thom seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

### **Super Wawa in Westtown**

Joe and Carmen will plan to attend the Westtown Supervisors' meeting on October 15, where this issue is on the agenda.

### **Zoning Ordinance Amendment - Sheds**

The Board discussed this issue at great length. With the exception of Joe, the Board finally agreed to the following new policy:

Properties less than one acre

- May have 1 shed up to 120 sq.ft.
- Shed must be 1-story, max height 12 ft.
- Shed may be placed in the setback

Properties one acre or more

- May have up to 2 sheds of up to 120 sq.ft each, OR 1 shed up to 240 sq.ft.
- Shed(s) must be 1-story, max height 12 ft.
- Shed(s) may be placed in the setback.

Joe does not want any sheds allowed in the setbacks.

Jim McRee of the Planning Commission said that it was his personal opinion that if a homeowner has the support of their neighbors who would be directly impacted; they should not have to go through the variance process.

*Public Comment: Bob Phiel* – Said an 8x10 shed is not a reasonable size. The Township should respect a property owner's right to put a shed of any size they please on their property. The Township should not have told the Saints Peter and Paul Church on E. Boot Road that they could not put in a second shed, if nothing in the current ordinance expressly prohibits it.

Jim McRee of the Planning Commission reiterated his request that the Township involve the neighbors in the decision-making process.

*Public Comment: John Schorn, 1401 Larch Lane* – Agreed with Mr. Phiel that sheds larger than 8x10 should be permitted, and commented that involving neighbors in the decision-making process only invites trouble.

Linda Gordon of the Historical Commission said she doesn't believe the Township can write an ordinance saying that neighbors must be involved in the decision-making process.

### **Liaison Reports**

**Park & Rec** - Thom distributed a written liaison report for the October 4 Park & Rec meeting. They would like the Township to begin to keep a list of complaints received about the Conservancy Board's experiment on the Reservoir Road open space, as the Park & Rec Board plans to review the experiment in the spring.

**Planning Commission** – Marty advised that the Planning Commission is unanimously opposed to changing the ordinance to accommodating swimming pools in the Harlan development (Sorrell Hill), and that apparently the issue had already been discussed at a previous Planning Commission meeting, although Mr. Harlan indicated otherwise at the October 2 Supervisors meeting.

**Municipal Authority** – Rick said the MA is planning to proceed with the Jet Set technology for the sewage treatment plant. The bid request will go out in April and bids will be opened in June.

### **Leaf Bags**

Residents were never properly informed that the first brown-bag leaf pickup is not scheduled until the end of October. Rick said that Public Works employees have been responding to residents' calls by going out to individual homes and picking up their bagged leaves, and storing them at the Township complex. Joe said he does not want Public Works doing this any more. Residents should be told to keep their leaves until the hauler picks them up at the end of the month. For residents who call about the leaf pickup date, Don advised Rick to have staff apologize and tell them the Township was remiss in not communicating adequately with the residents on this matter.

*Public Comment: Bob Phiel* – Recommended the Township put an ad in the Daily Local pointing residents to the Township website for updates on leaf pickup dates.

### **Bids for Rossmore Curb Replacement**

Rick is still waiting to hear back from Jeff Sommer whether the Township can take legal action against the contractor or concrete supplier.

*Public Comment: John Schorn, 1401 Larch Lane* – Said if the contractor registration system was in place at the time the original curb was installed, the Township should be able to track down the site contractor and find out whom they subcontracted the curb work to, and find out where the faulty concrete came from. Carmen told Mr. Schorn the Board must still wait for a recommendation from Jeff Sommer.

*Public Comment: Bob Phiel* – Said every concrete truck can have a separate batch of concrete.

### **Subdivisions/Land Development/ZHB Applications**

Rick advised that the Township has received a variance request for the Byers property at 1607 Margo Lane (at Davis Circle). The resident wishes to put on an addition to the home without disturbing a large, rare species of hemlock.

The Township received a request from Verizon to add boxes to the cell tower in Rocky Hill.

George Dulgarian has borrowed funds and will begin building homes on his property at Paoli Pike & Boot Road.

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

*Public Comment: John Schorn, 1401 Larch Lane* – Said he would like the Conservancy Board’s experiment on Reservoir Road to be mowed. The vegetation growth prevents him from using the creek to fish, and presents a safety issue as deer hide in the vegetation and then run across the road. The bridge on Reservoir Road is in disrepair, and needs attention. Rick said the Township is aware of the bridge problems and it’s on the list of things to do.

*Public Comment: Bob Phiel* – Asked if the bridge has been inspected and rated. Rick said it has been inspected but will have to check about the rating.

**Adjournment**

There being no further business, the workshop adjourned at 10:25pm.

**EXECUTIVE SESSION**

The Board met in Executive Session until 10:45pm to discuss a personnel matter.

Respectfully submitted,

Anne Meddings  
Recording Secretary

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