

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
February 5, 2008 – 7:00pm**

Present: Chairman Marty Shane, Vice-Chairman Carmen Battavio, Don McConathy, Joe McDonough and Thom Clapper. Also present were Township Manager Rick Smith, Jim McRee (Planning Commission & DMC), Kathryn Yahraes (Historical Commission), Phyllis Marron (Park & Rec), and Jane Fava (Conservancy Board).

WORKSHOP

Minutes

The draft minutes of January 12, 14, 15 and 22 were reviewed and corrected.

Bills

Current invoices were reviewed.

Agenda Review

The agenda for the formal meeting was reviewed.

Resolution 08-42 Establishing the Order of Business for Meetings, Rules for Placement on a Meeting Agenda and Rules for Public Comment at all East Goshen Meetings

The Board discussed this resolution and made some minor changes.

Joint Project with West Goshen for Boot Road

Per Marty, Dr. White said West Goshen would be interested in working with East Goshen and PennDOT on this project. Rick will set up a meeting for further discussion between the two townships. Marty, Don and Rick will plan to attend.

Workshops on 5th Tuesdays

Marty wants to save money by advertising 5th Tuesday meetings one time and canceling them if not necessary. Don and Carmen agreed. Joe would prefer not to meet on 5th Tuesdays. The consensus was to advertise the meetings and cancel if not necessary.

Liaison Reports

None.

Subdivisions/Land Developments/ZHB Applications

None.

Deer Management Program

Marty recapped the outcome from the discussion on January 22:

The Board would like to implement the DMC's educational proposals to inform residents about Lyme disease, how to protect their properties, and how to prevent auto accidents. The Board would also like the DMC to establish an educational program for large property owners. In

addition, the Board agreed the DMC should purchase 10 bait stations for use on Township open space and 1 case of tick tubes for resale to residents.

It was agreed to put Mark Miller (Public Works) in charge of managing and reporting on the bait stations. Joe said he would like the bait stations to be shown as a line item in the budget. Joe would also like Jim McRee to create a written procedure for the use of tick tubes.

Jim McRee suggested the Township establish an email address for deer issues, deer@eastgoshen.org. The DMC will monitor the emails and respond appropriately.

The Board discussed whether the DMC should be established as a formal ABC. Rick will look into the procedure for creating a new ABC in a Second-Class Township.

The Board agreed that the Township will only resell tick tubes to residents. If a resident expresses interest in purchasing their own bait station, the DMC will refer them directly to the manufacturer. The Township will not get involved or try to piggyback them on the Township's rate.

FORMAL MEETING

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 8:02pm and led everyone in the Pledge of Allegiance to the flag.

Public Comment on Non-Agenda Items

Marty asked if anyone in the audience had a comment to make on a non-agenda item. There were no comments.

Approval of Minutes

Marty moved to approve the minutes of January 12, 14, 15 and 22 as corrected in workshop. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Chairman's Report

Marty announced that the Board met in Executive Session with the Westtown Supervisors on January 30 to hold a strategy session related to the collective bargaining agreement with the police department. The Board also met in Executive Session with the Township Solicitor on January 24 to discuss a legal matter.

Treasurer's Report

The Treasurer's Report for February 5, 2008:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 79,875.56	
EMS TAX	\$ 0.00	Accounts Payable \$ 375,931.82
Transfer Tax	\$ 0.00	Debt Service \$ 28,470.34
Codes, Park & Rec, Etc.	\$ 14,776.64	Payroll \$ 80,000.00
Total Receipts	\$ 94,652.20	Total Expenditures \$ 484,402.16
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 11,256.04
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 395,614.87	\$ 152,299.27
Refuse	\$ 227,786.93	\$ 78,571.21
Capital Projects	\$ 0.00	\$ 0.00

Joe moved to accept the Treasurer's Report as submitted, and the receipts, and to approve the expenditures reviewed in the workshop. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Resolution to Name Building Code Official & Appointment of Gary Althouse as Assistant Zoning Officer

Marty moved to adopt a resolution naming Gary Althouse as the Building Code Official, and to appoint Gary Althouse as Assistant Zoning Officer. Joe seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Resolution to Name Alternate Check Signer

Marty moved to adopt a resolution naming Deb Beury as an alternate check signer. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Escrow Release #4, Lot 12 Goshen Parkway, Lexington

Marty moved to approve Escrow Release #4 for Lexington at Lot 12, Goshen Parkway in the amount of \$98,918.60 per the January 24, 2008 recommendation of Public Works Director Mark Miller. \$111,918.60 was requested, but only \$98,918.60 will be released. The release will be used for soil stabilization, a silt fence, and contingency funds. The balance after this release will be \$101,064.66. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Escrow Release #2, Sorrell Hill

Marty moved to approve Escrow Release #2 for Sorrell Hill in the amount of \$45,875.00 per the February 1, 2008 recommendation of Public Works Director Mark Miller. The release will be used for the installation of a sanitary sewer and the installation of a temporary stream crossing.

The balance after the release will be \$716,772.72 which includes \$72,798.88 as contingency. Carmen seconded the motion.

Public Comment: Jim McRee said the release should also cover erosion controls, and noted that there has been a lot of dirt tracked onto Line Road from trucks coming & going from this work site. Rick will look into this.

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

Lot Line Change - Pulte Homes of PA, L.P.

Bob Plucienik of Chester Valley Engineers was present for Pulte.

Marty moved to approve the lot line change for Pulte Homes of PA and Brandywine Operating Partnership as depicted in the plans dated December 20, 2007, subject to approval of the non-building waiver from the Pennsylvania DEP with the following condition:

The pavilion, excluding the pad, which currently straddles the property line, shall be removed within four months from the date of the Township and DEP approvals, and prior to issuance of building permits from the Township for units 33 and 34 of The Preserve at Applebrook development.

Carmen seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

Resolution 08-42 Establishing the Order of Business for Meetings, Rules for Placement on a Meeting Agenda and Rules for Public Comment at all East Goshen Meetings

Marty moved to adopted Resolution 08-42 as amended in workshop. Joe seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

Authorization to Purchase Deer Bait Stations and 1 Case of Tick Tubes

Don moved to approve the DMC's recommendation to purchase 10 deer bait stations for use on Township open space and 1 case of tick tubes for resale to interested residents. The total purchase price for these items shall not exceed \$25,000. Public Works Director Mark Miller will oversee the day-to-day management of the bait stations. Carmen seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

Deer Management Committee Educational Program

The Board instructed the DMC to commence their recommended educational program to inform residents about Lyme disease, how to protect their properties, and how to prevent auto accidents. The Board would also like the DMC to establish an educational program for large property owners to keep them informed about opportunities to have deer hunts on their properties.

Correspondence & Reports of Interest

Marty announced receipt of the following:

- Memo from Public works Director Mark Miller regarding negotiated savings on the purchase of a hydraulic lift for the Township.
- A letter from Edward B. Walsh & Associates advising that Communication Test Design Inc. has applied for a General NPDES permit for stormwater discharge.
- A complimentary email from resident Suzanne Cruik about the Township park.

Mars Drinks North America, 1301 Wilson Drive – Permit to Exceed Noise Limit

The Board discussed two letters sent by Zoning Officer Mark Gordon on this topic – one to Mars Drinks and one to residents of West Goshen Township. Both letters were dated January 25. Marty said that West Goshen should be communicating with their own residents. The other Supervisors thought it appropriate for East Goshen to send the letter in this case since the violation is occurring in East Goshen.

Carmen wanted to know why Mars isn't being cited for violating the noise ordinance. Rick said the Township was trying to work with Mars while they make improvements to their facility which will remedy the situation. Carmen wondered what is the point of having a noise ordinance if East Goshen is going to grant permits for businesses to exceed it. Marty agreed and said the building permit will have to be withdrawn, and Mars must submit a noise mitigation plan that specifies a completion date for the improvements to their facility. In addition, the building permit should expire when the improvements are completed. The other Supervisors agreed. Rick will send a new letter to Mars, and a revised letter to West Goshen residents.

Meetings & Dates of Importance

Marty noted the upcoming meetings as listed in the agenda.

Adjournment

There being no further business, the formal meeting adjourned at 8:38pm.

WORKSHOP (Resumed)

Ranking of ABC Priorities for 2008

The Board ranked the list of ABC priorities for 2008, and added a few new items to the list.

Deer Management Program

Don summarized his January 31 memo to the Board on the topic of deer hunting on Township open space.

Marty said the hunting program should be framed out before the Township proceeds, and the Board will need to get resident input. Joe disagreed and said that had already been tried and there would be no value in going over old ground. Jim McRee suggested the Township use emails sent to deer@eastgoshen.org to gauge public sentiment on the topic.

The Board then discussed the dates when hunting should be conducted.

Carmen and Joe reiterated that they are in favor of an opt-out program. Don and Thom would still prefer a full hunt.

Carmen said he spoke with County Commissioner Carol Aichele. He volunteered to provide the Board of Health with information on the deer situation in East Goshen so the County can get involved, and hopefully they will address the issue on a regional basis. Carmen said if the Board wants him to pursue this with the County, he will do so. Marty complimented Carmen on his initiative.

Marty reminded the other Supervisors that he will be out for surgery during the next public meeting when the vote will be taken on a deer hunt, so it is up to them to come to a consensus. When pressed for his opinion on the matter, Marty stated that he is in favor of the Board implementing a full hunting program to reduce the deer herd in the Township, or dropping the whole thing, with no in-between. He said that having a limited hunt that will yield at best 40 deer (assuming none of the four neighborhoods opt out), is not worth all the angst and public backlash and the expense of hiring a Township "deer czar." In addition, it would not be wise for the Board to use up valuable political capital on this issue when the painful sewer rate issue is looming on the horizon. Marty said that with those considerations, if he were going to be present for the vote he would vote for no deer hunt, because a limited program is just not worthwhile.

Carmen noted that a limited program is at least a start, and resident buy-in may grow in time. Don said that the deer problem is only going to get worse, and it would behoove the Board to take action now. Thom wondered how the DMC would feel knowing all their hard work was in vain if the program was dropped. He noted that there would be no need to formalize the DMC as an ABC as discussed earlier in the evening.

Marty said the other four Board members needed to reach a consensus tonight, as an article about the deer program was pending for the newsletter. Carmen said he had already changed positions -- from being against a deer hunt last year to espousing a limited hunt this year -- and he could not change again. Joe said he had already changed his position too and was not going to budge again. Likewise, Thom and Don were firm in their positions.

Having reached no consensus, the Board will plan to vote on the question of a deer hunt at the next public meeting. The educational programs will proceed, and Carmen will continue to communicate with Commissioner Aichele.

Adjournment

There being no further business, the workshop adjourned at 10:08pm.

Respectfully submitted,

Anne Meddings
Recording Secretary