

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
April 15, 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), Jack Yahraes (Municipal Authority), and Township Solicitor Jeff Sommer. Jane Fava (Conservancy Board) was present for a portion of the meeting.

WORKSHOP

Minutes

The draft minutes of April 1, April 8 and April 10 were reviewed and corrected.

Agenda Review

The Board reviewed the agenda for the formal meeting.

CTDI, 1305 Goshen Parkway - Land Development Plan

The Board reviewed the draft motion for this plan.

New Cingular Wireless, 1602 E. Strasburg Road – Conditional Use Application

Don circulated photographs of the site he had taken earlier in the day which show the applicant has already installed new equipment without a permit. The Board discussed the points they planned to bring up during the public hearing.

Replacement Trees from the YMCA

Marty would like to put a few of the 13-15 unaccounted-for replacement trees near the Public Works building. Joe would like the trees planted before the new sign is installed, to make sure it won't be blocked. Marty asked Jane Fava for an update on the Conservancy Board's plans to create a woodland area with some of the replacement trees. Jane said they are considering using the site at the corner of Line Road & Paoli Pike, but they must discuss it with Park & Rec first. Since 110 trees won't fill in that area, they might consider asking the YMCA to contribute smaller trees but more of them. Jane said she thinks 40 trees will be more than enough to fill the blank space in front of the YMCA site on Airport Road. Rick noted they have already been planted. Jane noted the YMCA considers Serviceberry as a tree although she feels it is a shrub. Rick said that Serviceberry is listed on the approved YMCA plan as a replacement "tree."

The Board members were all okay with the tentative plan to put the woodland in at Line Road & Paoli Pike. Carmen said his only concern is that it not interfere with the new bridge or path that will be installed. Don would like the Conservancy Board to meet with a forestry expert to discuss spacing of the trees, the species mix, etc. Marty requested that Jane come back before the Board when the Conservancy Board's plans are firm.

Bills

Current invoices were reviewed.

Hershey's Mill Dam

Jane Fava said that she could not stay much longer, and asked if she could make a comment about the dam situation before leaving. She said she considered it very important that the Board hire a firm with significant dam experience to handle this project, instead of using the Township Engineer which has very little dam experience. She listed the names of several firms she is familiar with. The Board thanked her for her input.

FORMAL MEETING

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 8:08pm and led everyone in the Pledge of Allegiance to the flag.

Recording of Meeting

None of the residents present indicated that they planned to record the meeting.

Welcoming of Guests

Marty welcomed Charlie Barber (Westtown Police Commissioner & Twp. Supervisor). He also welcomed Bob Miller (Police Commissioner from Thornbury), Ed Travis (Thornbury Twp. Supervisor and Chairman of the Board and former Police Commissioner), and Cary Vargo (Thornbury Township Manager).

Kathy Glass

Marty announced that Kathy Glass, who served as Director of Finance and Administration/ Treasurer, passed away on April 12 after a battle with cancer. He noted that she was an employee for four years and was an asset to the Township. She will be sorely missed by all who knew and worked with her. Marty asked for a moment of silence in her memory.

Moment of Silence

Carmen called for a moment of silence in honor of the men and women serving our country in the armed forces, and their families.

Public Comment on Non-Agenda Items

Marty noted that public comment on non-agenda items would be taken at the end of the meeting.

WEGO PROMOTION CEREMONY

Thom introduced Police Chief John Dumond, who would be officiating at the promotion of two WEGO officers. Chief Dumond welcomed Officers Taylor and Gilbert from the West Goshen Police Department, plus the WEGO officers and staff members who were present. He thanked Judge Chet Darlington for coming out to officiate.

Chief Dumond presented Officer Guy Rosato, who was being promoted from Corporal to Sergeant. The Chief welcomed the members of the Rosato family who were present. Judge

Darlington led Officer Rosato in taking the oath of office for his new position. Marty congratulated Sergeant Rosato on behalf of the Board.

Chief Dumond then presented Officer Dave Leahy, who was being promoted from Patrolman to Corporal. The Chief welcomed the members of the Leahy family who were present. Judge Darlington led Officer Leahy in taking the oath of office for his new position. Marty congratulated Corporal Leahy on behalf of the Board.

After the ceremony there was a brief reception for the officers.

PUBLIC HEARING

New Cingular Wireless, 1602 E. Strasburg Road – Conditional Use Application

A public hearing was conducted to consider approval of the conditional use application of New Cingular Wireless to modify equipment boxes at their facility at 1602 E. Strasburg Road. Due to an open issue, Jeff Sommer recommended the hearing be continued until May 6 at 8:00pm. Cingular's attorney Nick Cuce was agreeable to the continuation and the selected date. A court reporter was present and will provide a complete transcript.

FORMAL MEETING (Resumed)

Approval of Minutes

Thom moved to approve the minutes of April 1, April 8 and April 10 as corrected in workshop. Joe seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

Chairman's Report

- Marty announced that the Board met in Executive Session on April 1 to discuss a personnel matter. The Board met in Executive Session on April 8 to discuss contract strategy for the new collective bargaining agreement with the police. They also met in Executive Session with the Supervisors from Westtown Township on April 10 to conduct strategy sessions related to the collective bargaining agreement with the police.
- Marty announced that Saturday, April 19 will be the Earth Day Chester Creek Cleanup Day. In East Goshen the Conservancy Board will be planting trees along the Chester Creek on Reservoir Road. Volunteers are welcome to come out and help.
- Don announced that as a result of improvements PECO will be making to their Substation at North Chester Road and East Strasburg Road, Township traffic will be affected as follows:

Phase 1: On Friday, April 25 at 7:00pm PECO is going to close the intersection of North Chester Road and East Strasburg Road to install a conduit under North Chester Road. Both roads will be closed to thru traffic and they will post detours for both roads. PECO's contractor will work around the clock over the weekend to install the conduit and they will open up North Chester Road to traffic on

Monday, April 28 at 5:00am. They will also open up East Strasburg Road between North Chester Road and Dutton Mill Road to traffic at this time. However, East Strasburg Road will remain closed to thru traffic between North Chester Road and Misak Drive.

Phase 2: On Monday, April 28 work will begin to install a conduit on East Strasburg Road from the intersection to a point approximately 300 feet west of the intersection. A detour will be posted for this section of East Strasburg Road. Work will take place from 7:00am to 7:00pm and they expect to complete this phase in one week. At the conclusion of this phase both North Chester and Strasburg Roads will be open to thru traffic.

Phase 3: On Monday, May 5 the contractor will begin installing conduit on East Strasburg Road between the entrance to the Substation and North Chester Road. East Strasburg Road will be open to traffic during this phase. The contractor will only work from 9:00am to 3:00pm and this work should take 4-5 days.

If Phase 2 is completed ahead of schedule East Strasburg Road will be opened and the contractor will commence Phase 3 immediately.

This information will be posted to the Township website.

- Marty announced that Keep East Goshen Beautiful Day was held on April 12. Marty thanked Jack Yahraes for doing a terrific job leading the effort again this year. Jack reported that over 80 volunteers signed in. In addition, a group of 42 Cub Scouts could not make it on April 12 but plan to have their own cleanup day later this month. Jack said the volunteers filled a 30-yard dumpster to overflowing, and collected 10 bags of recyclables. Jack thanked the Township staff, especially Mark Miller and the Public Works crew, for making the day such a success. He also thanked Officer Wetten for his assistance ensuring the safety of the volunteers. The Deer Management Professionals of Southeastern Pennsylvania (DMPSP) came out as a group to support East Goshen. Jim McRee noted that none of the DMPSP members is a resident. Marty suggested the Township send a thank-you letter to the DMPSP. Jack noted that a number of ABCs had perfect attendance again this year.

Police Report

Chief John Dumond thanked the Board and the Township for hosting the earlier promotion ceremony. He reported that the police responded to 766 calls for service from East Goshen in March. There will be a DUI stakeout at Route 3 and Ellis Lane the evening of April 18.

Public Comment: Jim McRee suggested putting the monthly police report on the Township website. The Board noted that there is already a link to the WEGO site from the Township site, so if the police wish to post the report on their site they can do so.

Treasurer's Report

The Treasurer's Report for April 15, 2008:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 586,736.85	
Earned Income Tax	\$ 178,266.00	
LST	\$ 1,741.02	Accounts Payable \$ 117,995.00
Transfer Tax	\$ 0.00	Debt Service \$ 0.00
Codes, Park & Rec, Etc.	\$ 74,122.40	Payroll \$ 40,000.00
Total Receipts	\$ 822,866.27	Total Expenditures \$ 157,995.00
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 106,331.51
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 51,821.73	\$ 113,957.46
Refuse	\$ 57,643.69	\$ 78,840.75
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 Workshop. Don seconded the motion. There was no discussion and no public comment. The Board voted and the motion passed unanimously.

CTDI, 1305 Goshen Parkway - Land Development Plan

Craig Hough was present for the applicant. Mr. Hough told the Board that CTDI is expecting to receive a letter of adequacy from Chester County in the very near future.

Bill Egan, 1422 Mill Creek Drive – Noted that the February 1, 2008 Yerkes letter indicates a net 5,900 sq. ft. increase in impervious coverage at the site, but his understanding is that there was to be no increase in impervious coverage. Mr. Hough explained that CTDI made a calculation error in regard to the island area. He said they made up for it by adding a notch to a corner of the building and reducing the size of the truck turnaround area. Rick noted that the Zoning Hearing Board determined that the addition of the *building* will not result in an increase of impervious coverage; it's the additional *parking area* (to be used for a truck turnaround) that's causing the increase. Mr. Egan noted the removal of some trees and shrubs that have not been replaced on the plan. Mr. Hough said that CTDI has been working with the Conservancy Board and has agreed to do everything they asked be done in regard to the landscaping, including increasing the height of the white pines and red cedars. He noted that some of the landscaping decisions won't be made until after the building is up. He said that CTDI will comply with whatever the Conservancy Board decides after consulting with the affected residents.

Joe asked Mr. Hough what it cost CTDI to put the notch in the building. Mr. Hough indicated the cost was roughly \$80/sq.ft. x 3,000 sq.ft. for a total of about \$240,000, and a loss of 200 sq.ft. Joe asked why Mr. Hough didn't seek relief from the Zoning Hearing Board. Mr. Hough said that CTDI discovered the miscalculation after they had already appeared before the Zoning Hearing Board, and they choose not to go back to them.

Don moved to approve the land development plan for CTDI dated November 2, 2007 last revised January 31, 2008 (Landscape Plan revised January 17, 2008) with the following conditions:

1. CTDI shall escrow for the plant materials depicted on the landscape plan, with the exception that the Eastern White Pines and Eastern Red Cedars shall be increased in size from 8 feet to 10 feet.
2. The Conservancy Board shall determine the locations for these plant materials with input from the affected residents and CTDI.
3. This determination shall be made after the shell of the building has been constructed, but in no event later than March 1, 2009.
4. The plant materials may be placed on CTDI, Township, or an affected resident's property (with their permission) as determined by the Conservancy Board.
5. The affected resident properties for consideration shall be determined by agreement of the Conservancy Board and CTDI. If necessary, the Board of Supervisors will be the final arbiter.
6. All of the plant materials shall be installed not later than April 30, 2009. The issuance of the Certificate of Occupancy for the building is independent of the installation of the plant materials.
7. CTDI shall prune the new white pines and the existing white pines that are located at the northern corner of the new addition, as needed in the future, in order to encourage them to maintain their lower limbs for screening.
8. Construction activities shall not commence until the NPDES permit is issued.
9. The final plans will be signed and released for recordation once the escrow is posted.
10. CTDI shall satisfy comment #2 in the Yerkes letter dated February 1, 2008.
11. All engineering review fees shall be paid in full prior to the plans being released for recording.
12. CTDI shall submit a conditional use application to modify the May 8, 1990 Conditional Use to reflect the fact that the building will be utilized for the repair of telephone equipment and that the office use is in excess of 10,000 sq.ft.
13. An occupancy permit will not be issued for the addition until the conditional use application referenced in condition #12 has been approved by the Board of Supervisors.

Carmen seconded the motion. Mr. Hough indicated he is in agreement with the conditions.

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

Bid Award for 2008 Sludge Hauling

The bids received for sludge hauling from the Ridley Creek Sewer Plant were as follows:

Franc Environmental - Horsham, PA.....	\$6,339.00.....	\$0.06339 per gallon
Aqua Wastewater Management – Souderton, PA.....	\$7,650.00.....	\$0.0765 per gallon
Wm. P. McGovern, Inc. – Kennett Square, PA	\$11,750.00.....	\$0.1175 per gallon
Schimley's Excavating – Nales, OH.....	\$24,000.00.....	\$0.24 per gallon

Carmen moved to award the 2008 sludge hauling bid to Franc Environmental of Horsham, PA in the amount of \$6,339.00 (\$0.06339/gallon). Thom seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

Bid Award for Rehabilitation of Sewer Manholes

Marty announced that this item will be tabled until the May 6 meeting.

Resolution 08-48 Authorizing Submission of a Grant Application for the Applebrook Path

Thom moved to adopt Resolution 08-48 authorizing submission of a grant application to the DCNR for the Applebrook Path. Carmen seconded the motion. Marty announced that the Township has determined that stone screenings with sandstone screenings will not be a suitable material for the trail; therefore the trail will be paved with macadam. There was no further comment or discussion from the Board and no public comment. The Board voted and the motion passed unanimously.

Lot Line Change Plan for Pulte Homes of PA, L.P. & Brandywine Operating Partnership

Joe moved to execute the final plans for the Pulte Homes of PA, L.P. and Brandywine Operating Partnership lot line change as depicted in the plans dated December 20, 2007. Carmen seconded the motion. There was no discussion and no public comment. The Board voted and the motion passed unanimously.

Appointment of Township Treasurer

Marty moved to appoint Deb Beury as Township Treasurer. Carmen seconded the motion. There was no discussion and no public comment. The Board voted and the motion passed unanimously.

Correspondence & Reports of Interest

Marty acknowledged receipt of the following:

- Fire Marshal's Report for March 2008
- Report for March 2008 from Public Works Director Mark Miller
- Letter from Chester Ridley Crum Watershed Association for the Township's monetary contribution to the 11th Annual CRC Streams Cleanup to be held May 3, 2008.
- Email from resident Edward A. Jaeger, Jr. regarding removal of the recycling center. Marty announced that the Township is working on getting RECYCLE stickers for residents to put onto their own receptacles since a number of residents have indicated the Township-provided recycling bins are not large enough for their needs. Thom suggested putting an article in the next newsletter explaining the Board's decision to close the recycling center.

Meetings & Dates of Importance

Don noted the following changes to the list of upcoming meetings listed in the agenda:

- The DMC will meet on April 21.
- The BOS meeting on April 29 will be a Workshop.
- There will be no BOS Workshop on May 13, as the Board will be in Hershey at the State Convention.
- The DMC will meet on May 19 (the question mark should have been removed).

Public Comment

Marty noted that this public comment period is a carryover from the April 1 meeting.

Kathryn Yahraes (Historical Commission) – Announced that Historical Commission member Ben Rohrback has been selected as the Brandywine Battlefield's Volunteer of the Year. Ben will be honored at a ceremony to be held May 10. Kathryn will provide the Board with more details when she has them. Marty requested that Kathryn put an article about Ben and his many volunteer activities in the upcoming newsletter.

Bill Egan, 1422 Mill Creek Drive – Noted that the newspaper listed grant funds obtained by Andy Dinniman for local fire companies, but there was no money listed for the Goshen Fire Company and wondered why. Carmen said the Goshen Fire Company didn't have enough time to apply for that particular round of grants. However, in the past they have received \$360,000 in grant funding and they currently have two grants pending. Marty assured Mr. Egan that the Goshen Fire Company is pretty aggressive in seeking grants where they can.

Adjournment

There being no further business, the formal meeting adjourned at 10:10pm.

WORKSHOP (Resumed)

April 29 Meeting

Marty announced that at the April 29 meeting, the Board will have a public workshop from 7:00-8:00pm, but the rest of the evening will be an Executive Session.

Advertising in Township Newsletter

Thom will look into the possibility of accepting advertisements for the Township newsletter to help defray expenses. He will draft a recommendation that Jeff Sommer can review.

DocStar Upgrade

The Board agreed to authorize an upgrade to the DocStar scanning system at a cost of \$19,557 per Rick's memo of April 7, 2008. This money has already been budgeted.

Anne Drive Storm Sewer

The Board agreed not to pursue this issue at this time, as it would cost an estimated \$250K to fix the problem and it involves a state road (Route 352). Rick will send a letter to the affected residents informing them of the Board's decision.

Hershey's Mill Dam

A poll of the Board revealed three Supervisors that are against breaching the dam – Marty, Carmen, and Joe. Don would like to get another professional opinion about the dam as Jane Fava recommended. The Board agreed to get one more professional opinion for now, and see what the consultant comes back with. Rick will look into using one of the firms recommended by Jane.

Liaison Reports

Carmen provided a written summary of the April 14 Municipal Authority meeting to the Board via email on April 15.

Adjournment

There being no further business, the meeting was adjourned at 10:30pm.

Respectfully submitted,

Anne Meddings
Recording Secretary