

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
June 3, 2008 – 7:00pm**

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

**WORKSHOP**

**Minutes**

The draft minutes of May 19 and 20 were reviewed and corrected.

**Bills**

Current invoice were reviewed.

**Agenda Review**

The Board reviewed the agenda for the formal meeting.

**DMC Hunting Group Recommendations**

The Supervisors reviewed Jim McRee's June 2 memo recommending several hunting groups to manage East Goshen's deer population for the upcoming deer season. Marty thanked Jim and the DMC for working so hard and doing such an outstanding job putting together a program.

Jim McRee announced that Hershey's Mill plans to purchase and maintain three 4-post feeders.

**Community On-Lot Disposal Systems (COLDS)**

Rick spoke with Ed McFalls and Joe Kahn of Hershey's Mill yesterday. He passed their comments about this issue on to Jeff Sommer, who in turn sent them to DEP.

**District Court Update**

Rick will prepare a financial report for next week.

The Supervisors reviewed Rick's June 3 memo about construction progress. Joe asked about lot paving. Rick said the paving will be done at the end of June.

The Supervisors then reviewed Rick's May 30 memo regarding the proposed sign. Joe said the proposed sign is too large. He would like the line "County of Chester" to be taken out. The other Supervisors agreed with him. Rick will check with the County to make sure that is okay. Joe said it would be okay with him if the lettering for "District Court" was made a little larger to compensate for taking out the first line. The Supervisors all agreed that the court numbers "15-2-05" should be left on the sign, except for Thom, who thinks they are unnecessary.

**Lighting in the Elevator**

The Supervisors reviewed Rick's May 29 memo regarding lighting in the elevator. The Supervisors agreed that if the lighting level is a code violation, it should be fixed. Rick will check into this.

### **Refuse Complaints**

The Board reviewed Rick's May 29 memo on this topic. Marty noted that the contract with McCusker & Ogbourne does provide the Township with a way out for the hauler's nonperformance, although it would involve a lot of work to get there. Marty said that going forward, the Township will cite the hauler when violations are observed.

Marty reminded Jane Fava that one of the Conservancy Board's goals for 2008 is to address the recycling issue. Jane said Conservancy Board member Sandra Snyder plans to take this project on after school is over later this month. Marty said he could provide Jane with the name of a contact in Bowtree – a resident who is very educated on recycling and very passionate about it. Joe told Jane the Board wants the input from the Conservancy Board on how to encourage and increase recycling in the Township as a way to help the environment and also to reduce waste hauling costs. Jane said that by doing away with the recycling dumpsters at the Township complex the Board is sending a mixed message to the community.

## **FORMAL MEETING**

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

Marty called the meeting to order at 8:04pm and led everyone in the Pledge of Allegiance to the flag.

### **Recording of Meeting**

No resident indicated they planned to record the meeting.

### **Approval of Minutes**

Thom moved to approve the minutes of May 19 and May 20 as corrected in workshop. Joe seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

### **Moment of Silence**

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

### **Chairman's Report**

Marty announced that the Board met in Executive Session on May 27 to discuss a personnel matter and legal matter.

## **PUBLIC HEARING**

### **Ordinance for Community On-Lot Disposal Systems (COLDS)**

The Board held a public hearing to consider adoption of an ordinance titled “Sewers” - specifically, the section titled “On-Lot/COLDS System Maintenance.”

Carmen moved to adopt the ordinance. Joe seconded the motion. The motion passed unanimously.

A court reporter was present and will provide a complete transcript of the proceedings.

**FORMAL MEETING (Resumed)**

**Treasurer's Report**

The Treasurer's Report for June 3, 2008:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>
<b>GENERAL FUND</b>		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 140,673.70	
LST	\$ 37,282.72	Accounts Payable \$ 24,373.83
Transfer Tax	\$ 0.00	Debt Service \$ 0.00
Codes, Park & Rec, Etc.	\$ 23,748.62	Payroll \$ 40,000.00
<b>Total Receipts</b>	<b>\$ 201,705.04</b>	<b>Total Expenditures \$ 64,373.83</b>
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 4,422.37
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 3,436.43	\$ 7,036.83
Refuse	\$ 3,330.64	\$ 7,210.22
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. Thom seconded the motion. There was no discussion and no public comment. The Board voted and the motion passed unanimously.

**Harold Rennard**

Mr. Rennard, owner of 408-410 N. Chester Road, wished to address the Board about the storm sewer situation at Anne Drive. Mr. Rennard said he spent a lot of money on a surveyor for his property. He said he hoped the Township is ready to receive the water being held on the Holland and Gerstemeier’s properties. He said excess water is definitely a problem on Route 352 as a result of the Anne Drive storm sewer, and he sees a potential for it to form a lot of ice in the winter. Mr. Rennard says the Township owes Mr. Holland and Mrs. Gerstemeier an explanation for why the water has to stay on their properties for days at a time.

Carmen said that while there is a drainage issue in the vicinity, he does not believe there has ever been a flooding or freezing problem on Route 352 as a result. Carmen told Mr. Rennard that his approved plan does not put any additional water on the neighbors’ properties, so he is in the clear. Marty told Mr. Rennard that as far as the Township is concerned, he has an approved land

development plan and an approved stormwater plan, so he is okay to do what he wants with his property. Marty explained that the Township contacted PennDOT about the situation, and they said they don't have funds to fix the problem, and neither does the Township.

Carmen said the Township was initially given quotes of \$50K, \$70K and \$100K to fix the problem, and at that time he was in favor of doing something. However, the latest estimates from Pennoni are over \$250K, which is prohibitive. Carmen said if someone can get another estimate the Township can live with, using Township specs and the prevailing wage rate, he would be willing to put the project out to bid. Mr. Rennard said he thinks it is the Township's obligation to put the project out to bid, and not the responsibility of residents to go out and get estimates.

Marty said that in the Township's experience, engineering estimates are almost always on the low side, meaning the project would probably end up costing more than \$250K. He said the Township did not want to spend even more money putting this out to bid when it was clear the cost of any bids received would be too prohibitive to act upon. The Township chose not to spend money seeking bids on the unlikely chance an affordable bid would come in. Marty said that regardless, since this involves a PennDOT road, it is really out of East Goshen's jurisdiction.

*Public Comment: Jon Holland , 1540 Anne Drive* – Said he has taken many photos showing lots of water on the road and given them to Rick Smith. Some of the photos show at least 3 inches of water going across Route 352 to Bowtree. He asked the Board what is a life worth to them, because at some point someone is going to hit this water, have an accident and die.

Marty said the Board is not insensitive to the problem, but it's PennDOT's road, it's their pipe, and it's their responsibility. He said the Board would like to help but is not in a position to do so. He suggested that residents may want to contact PennDOT or local politicians directly. Marty also said he has driven around the Township with Mark Miller during heavy storms and seen flooding problems in many areas, not just Anne Drive. The Township simply cannot afford to fix every area.

*Public Comment: John Schorn, 1401 Larch Lane* – Said he thinks it is ridiculous the Township got all the engineering work done and did not put the project out to bid. Marty said the Township had some testing done but does not have any engineered drawings or anything like that to use as bid specs. Getting that kind of information put together would cost even more money which the Board has chosen not to spend. Mr. Schorn said every engineering bid he ever got in his career has been too high. Marty said in the Township's experience the bids are always low. Mr. Schorn said the Township has a \$700K windfall sitting in the General Fund that could be used for this project. Marty said the Supervisors made a decision on this issue in April, and no one on the Board is disposed to revisit the issue. Mr. Schorn asked if anyone contacted Andy Dinniman or Barbara McIlvaine-Smith to see if they could help. Carmen said yes they were contacted but they could not help. Mr. Schorn asked if they couldn't help the Township, then why would the Township suggest the residents ask them for help. Marty said because sometimes individual taxpayers can have more of an impact on a politician than a municipality. Mr. Schorn said the Supervisors' predecessors should never have allowed the Mr. Holland's or Mrs.

Gerstemeier's homes to be built in a floodplain. Marty said the regulations were different back then, not as stringent as they are now. Marty told Mr. Schorn this matter is closed.

*Public Comment: Jon Holland , 1540 Anne Drive – Said may God forgive the Board if someone dies at that intersection.*

Harold Rennard said after all his service to the Township (volunteering with the Fire Company) he doesn't think it's fair to not do this. Marty told him the Township would help if it could.

**Resolution 08-49, Policy on Mail and Subpoenas**

Carmen moved to adopt Resolution 08-49, which sets forth the Township's policy with regard to mail and subpoenas. Thom seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the motion.

**Resolution 08-50, Policy on Grant Applications**

Carmen moved to adopt Resolution 08-50 governing grant applications by Township Authorities, Boards and Commissions. Thom seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the motion.

**DMC Hunting Group Recommendations**

Thom moved to accept the June 2, 2008 recommendation from the DMC for the open space parcels to be managed by various deer management groups as follows:

<b><u>Open Space Parcel</u></b> .....	<b><u>Deer Management Group</u></b>
Bow Tree & Clocktower .....	Deer Management Professionals of Southeastern PA
Grand Oak .....	Chester County Trackers
Mill Creek .....	Chester County Trackers
Supplee Valley East .....	Main Line Whitetail Managers
Supplee Valley West.....	Main Line Whitetail Managers
Wentworth.....	Tri-County Deer Management Association

Carmen seconded the motion. Marty thanked Jim McRee and the DMC members for the tremendous job they did putting the program together. He also thanked the deer management groups that assisted the DMC in putting together a program for East Goshen. He especially thanked Deer Management Professionals of Southeastern PA for volunteering to remove trash from the Bow Tree, Grand Oak and Mill Creek open spaces in April.

There was no discussion and no public comment. The Board voted unanimously to pass the motion.

**CTDI, 1305 Goshen Parkway – Escrow Release**

Joe moved to execute the final plans and escrow agreements for the CTDI expansion at 1305 Goshen Parkway with the condition that the plans not be released for recording until any outstanding engineering charges have been paid. Thom seconded the motion. There was no discussion and no public comment. The Board voted unanimously to pass the motion.

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

Marty acknowledged receipt of the following:

- Letter to residents regarding the Comcast Cable Communications Conditional Use application requesting to install nine (9) satellite dishes at their facility at 1354 Boot Road.
- Contingency Parking Plan for the YMCA.

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

Marty noted the upcoming meetings as listed in the agenda. In addition, the DMC will meet on June 16.

### **Adjournment**

There being no further business, the formal meeting adjourned at 8:52pm.

### **WORKSHOP (Resumed)**

#### **YMCA Contingency Parking Plan**

Rick will incorporate the YMCA's plan into a draft motion for the Board's review.

#### **ABC Packets**

Marty advised Rick that the Office Manager should be the one responsible for ensuring that all the items on the various agendas are included in the packets.

#### **Adjournment**

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

Respectfully submitted,

Anne Meddings  
Recording Secretary