

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
July 1, 2008 – 7:00pm**

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

**WORKSHOP**

**Voter Registration at July 4 Festivities**

The Board discussed the request of Jay Pressman, Esq. to run a nonpartisan voter registration table at the July 4 festivities in the park. Mr. Pressman, a Democrat, would be assisted by the Mike Steinberger, a Republican. Both gentlemen were present.

In response to concerns from the Supervisors, Mr. Pressman pledged that no political handouts would be distributed, and that no political banners, signs, buttons or party-affiliation T-shirts would be displayed. Thom and Don said they would prefer if such a table were run by the League of Women Voters. Marty told Mr. Pressman that if the ground rules were violated, such a table will not be permitted at future events. Thom was completely opposed to the idea, but Don said he would be willing to go along if the other Supervisors were comfortable with it. He suggested that Mr. Pressman and Mr. Steinberger coordinate with Frank Vattilano regarding where to set up their table, etc. The men indicated they planned to do that.

**Bills**

Current invoices were reviewed.

**Resident Ellen Sinclair – Comments on Deer Management Program**

Marty asked Ms. Sinclair, who was on the agenda to speak regarding the Deer Management Program, what was her goal for the evening. Ms. Sinclair said she planned to ask specific questions about the program. Marty asked her to limit her questions and remarks to 10 minutes.

**Agenda Review**

The Board reviewed the agenda for the formal meeting.

**Auditors' Report**

The Supervisors agreed that Deb Beury made good recommendations in response to the concerns of the auditors, and they agreed that no further action was required on their part at this time.

**Tax Liens**

The Supervisors asked Kristin Camp for a recommendation on how to handle the tax lien situation. Kristin recommended the Township file for District Court Judgments instead of taking the Sheriff's Sale route. She said going to Sheriff's Sale is a cumbersome, lengthy, and

expensive process. Kristin recommended waiting until the delinquent accounts reach a certain amount (she suggested \$1,500) before taking them to District Court for a judgment.

In response to a question from the BoardDon, she confirmed that this process cannot be linked with delinquent taxes, which are handled by the Tax Claim Bureau. The two issues must be dealt with separately.

The Board directed Rick to work with Deb Beury to draft a policy on handling the tax liens.

## **FORMAL MEETING**

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

Marty called the meeting to order at 8:06pm and led everyone in the Pledge of Allegiance to the flag.

### **Recording of Meeting**

No resident indicated they planned to record the meeting.

### **Moment of Silence**

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

### **Approval of Minutes**

Joe moved to approve the minutes of March 11 as corrected in workshop. Don seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously, with Marty abstaining (he was absent from that meeting).

MartyThom moved to approve the minutes of June 10 and June 17 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 June 17 to discuss a personnel matter. He also announced receipt of the 2007 audit report from Maillie, Falconiero & Co.

## **PUBLIC HEARING**

### **Amendment to Township Zoning Ordinance**

The Board held a public hearing to consider adoption of an amended Section 240-6 of the Zoning Ordinance titled "Definitions," an amended Section 240-32 titled "Accessory Uses," and an amended Section 240-58 titled "Variances."

Thom moved to adopt the amendments. Joe seconded the motion. The Board voted unanimously to pass the motion.

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

**FORMAL MEETING (Resumed)**

**Consideration of Donation to Malvern Fire Company**

Marty announced that this issue will be tabled pending further information.

**Contract Award for Cleaning & Televising of Sanitary Sewer Pipe**

Marty announced that 10 bids were received for the contract to clean and televise approximately 17,500 feet of sanitary sewer pipe. The bids received were as follows:

<b>Company</b>	<b>Address</b>	<b>Bid Amount</b>
Pipe Data View	9 Railroad Avenue Christiana, DE 17509	\$14,325.00
Pipe Services Corp.	665 Tower Lane West Chester, PA 19380	\$22,337.50
New England Pipe Cleaning	99 Callender Road Watertown, CT 06795	\$25,175.00
Sewer Specialty Services	2462 New Road Leicester, NY 14481	\$25,187.50
Musser Sewer & Septic LLC	9757 Musser Lane Petersburg, PA 16669	\$35,187.50
TRB Specialty Rehab	777 Annapolis Road Gambrills, MD 21054	\$36,387.50
Tristate Grouting, Inc.	P.O. Box 99 Bear, DE 19701	\$48,812.50
Video Pipe Services	1566 Harding Highway Newfield, NJ 08344	\$54,750.00
American Sewer Service, Inc.	734-B Ashland Avenue Folcroft, PA 19032	\$59,100.00
Allstate Power Vac, Inc.	928 E. Hazelwood Avenue Rahway, NJ 07065	\$113,750.00

Joe moved to award the bid to Pipe Data View in the amount of \$14,325.00. Don seconded the motion. There was no discussion and no public comment. The Board voted and the motion passed unanimously.

**Revisions to PA DCNR Grant Application**

Joe moved to adopt the revisions to the grant application for the Applebrook Path as recommended by Fran Rubert, Jr. of the PA DCNR. Thom seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

**Treasurer's Report**

The Treasurer's Report for July 1, 2008:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 26,002.53	
LST	\$ 2,000.00	Accounts Payable \$ 39,806.64
Transfer Tax	\$ 0.00	Debt Service \$ 27,808.29
Codes, Park & Rec, Etc.	\$ 0.00	Payroll \$ 40,000.00
<b>Total Receipts</b>	<b>\$ 28,002.53</b>	<b>Total Expenditures \$ 107,614.93</b>
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 0.00
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 2,040.41	\$ 138,565.27
Refuse	\$ 2,060.10	\$ 28,181.66
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.

**Resident Ellen Sinclair – Comments on Deer Management Program**

Ellen Sinclair of 217 Lochwood Lane asked the Board the following questions about the Deer Management Program. The questions were answered by Chairman Marty Shane except where noted.

Q. What kind of land will be used for the program?

A. Township Open Space.

Q. How did you determine which properties would be hunted?

A. The decision was based on recommendations from the DMC.

Q. How will the hunters be policed?

A. They will be self-policing, and they will also be monitored by the DMC, Township personnel, and the police.

Q. What background checks will the Township perform on the hunters?

A. Jim McRee answered that the DMC has checked with the PA Game Commission to see if the individual hunters have been cited with any violations, and also checked references provided by each hunting group. Ms. Sinclair asked if the DMC had heard back from the PA Game Commission, and Jim said not yet.

Q. How many deer do you expect to kill per year?

A. 35 to 40.

Q. How are you measuring the safety zones?

A. Jim McRee answered that boundary lines will be measured using lasers.

Q. How close will hunting take place to residential areas?

A. Hunting will be done at least 150 feet away from occupied residences.

*[Note: See July 15 minutes for a correction to this statement.]*

Q. Does that include sheds?

A. That includes occupied residences only.

*[Note: See July 15 minutes for a correction to this statement.]*

Q. How far can an arrow travel?

A. Marty said he did not recall offhand, but remembered that question was covered in a prior meeting and can be found in the minutes.

Q. What proof or professional scientific research do you have to prove that hunting works?

A. Marty provided Ms. Sinclair with a copy of a document on the efficacy of hunting in controlling deer herds.

Q. Why didn't the Township consider using birth control instead of hunting?

A. Because there is no federally-approved method of birth control yet.

Q. How will residents be notified of hunting times?

A. We plan to send out a letter at the beginning of the hunting season, and we plan to post hunting schedules on the web to the extent possible.

Q. How will open space boundaries be marked, and by whom?

A. Jim McRee answered that non-oil-based white paint would be used to mark trees inside the open space boundary lines. The hunters will mark the trees and Township staff will check the markings for accuracy.

Marty told Ms. Sinclair that the deer management program is in place, and the Township plans to move forward with it. He advised that at this point the Board would only accept comments in regard to safety recommendations on the approved program. He said the Board did not wish to spend time going over questions that have already been answered numerous times in previous meetings. Ms. Sinclair advised that she would be back and next time she would have an attorney with her.

Ms. Sinclair said that some of the residents provided information about a PZP pilot program to the Township which would cost the Township nothing, but it was totally disregarded. Jim McRee said he spoke with a Dr. Cohen who advised such a pilot birth control program would probably not work in an areas such as East Goshen, where the deer are not concentrated in one area but are spread out all over the Township. Jim said the DMC spent six months researching the possibility of using birth control, but learned it was only approved for use in a rigidly controlled study where the deer must be enclosed and closely monitored by a veterinarian. In addition, it is not permitted to have a birth-control study going on in areas where a deer hunt is

also taking place. The DMC deemed it most prudent, practical, and cost-effective at this time to concentrate on a deer hunt. Marty advised that the Township is very willing to consider other options, such as birth control, down the line as technology advances.

Marty asked Ms. Sinclair what specific recommendations she had for improving safety for the hunting program already in place. Ms. Sinclair said she didn't believe the Township's program had any safety measures at all. She said allowing hunting 50 yards from residences is way too close. She said bowhunting is the least effective method for killing deer. She asked if the hunters would be wearing orange. Rick Smith said the hunters would wear whatever the Game Commission recommends.

Ms. Sinclair said that in her research she found a website that advertised for hunters to join the deer hunt at East Goshen, [www.skinnymoos.com](http://www.skinnymoos.com). She found this objectionable.

The Q&A session then continued:

Q. What is the minimum required age for the hunters?

A. Jim McRee answered 18 years.

*[Note: See July 15 minutes for a correction to this statement.]*

Q. Are the hunters certified in proficiency?

A. Jim McRee said the hunters must complete a PA Game Commission course and that each hunting group conducts marksmanship tests for its members.

Q. Are you using professional hunters?

A. The Board asked Ms. Sinclair to clarify what she meant by this, but she could not elaborate.

Q. Why haven't you posted anywhere the environmental things residents can do to help manage the deer, such as installing deer-resistant plantings, etc.?

A. Marty answered that such matters fall under the education component of the DMC program.

Q. Will cross-bows be allowed?

A. Jim McRee said yes.

Q. Will hunters have liability insurance?

A. Jim McRee said the hunting groups have insurance of \$1M per incident, and \$2M aggregate.

Q. Can the residents have a list of the names and addresses of all the hunters?

A. Don McConathy said the names could be provided, but not the addresses as that is personal information.

Q. Why wasn't Hershey's Mill included in the hunting program?

A. Because it's private property, and the Township does not control it. Joe noted that Hershey's Mill has opted to install 4-post feeders to help combat Lyme Disease.

**Resident Anne Quinn – Comments on Deer Management Program**

Anne Quinn of 215 N. Lochwood Lane then addressed the Board. She asked if the arrows will be marked. Jim McRee said they will be marked for the hunting groups, not the individual hunters. The marks will probably be slashes or other marks, but not names.

Ms. Quinn remarked that a 50-yard safety zone is inadequate. Marty noted that the hunters will be aiming away from the residential property, not into it. Ms. Quinn said 50 yards is still inadequate and asked if the Board would consider extending it to 150 yards, or measuring the 50 yards from the property lines, as have other municipalities in Pennsylvania. Don asked Ms. Quinn to provide a list of those municipalities. Ms. Quinn said she would email it to him, but noted she shouldn't have to do the DMC's work – they should be aware of this information. Furthermore, the information is freely available online to the public.

Ms. Quinn said that Chester County has hunters sign in and sign out when hunting, and also requires them to surrender their driver's license while hunting. She asked if East Goshen was doing anything similar to monitor the hunters. Jim McRee said the Township will have the hunting groups provide their schedule by Fridays for the following week.

Ms. Sinclair said website notification of hunting schedules is inadequate. What about residents without computer access?

Marty said any suggestions Ms. Quinn would like to make in regard to safety would be welcome. Ms. Quinn remarked that she provided suggestions to the Board two years ago, and also recently, and that she was told the program is safe as-is.

Ms. Quinn asked what lessons the Township learned from the pilot hunting program. Marty said the Township realized that a Deer Management Committee needed to be established. He noted the Board was very pleased with the work the DMC has done, and the Township is moving forward with their recommendations.

Ms. Quinn asked how is 50 yards safe? Jim McRee said that distance is safe because the hunters will be immobilized in a deer stand and will be aiming downward. The maximum distance they plan to shoot is 30 yards, per the hunting groups.

Marty noted that the DMC planned to have their next meeting on July 21, but if they can get a representative from the Game Commission to come on July 14, the meeting would be moved to that date. He advised Ms. Sinclair and Ms. Quinn they were welcome to attend and ask questions at that time. Both ladies indicated they would not have any questions for someone from the Game Commission because that person would obviously be pro-hunting.. Marty said the Township was checking to see if the Game Commission representative would also be available to attend the Board meeting on July 15.

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

Marty acknowledged receipt of the following:

- Letter from Comcast regarding PCN's move from Channel 64 to Channel 186.
- Letter of resignation from Kevin Cummings of the Municipal Authority, due to a job relocation.

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

Marty noted the upcoming meetings as listed in the agenda. The Deer Management Committee would be meeting either July 14 or July 21.

### **Public Comment**

*Sue Bernhard, 220 N. Lochwood Lane* – Said two years ago the residents in her neighborhood were able to stop the hunt in their area by expressing their opposition to the Board. She wanted to know what had changed. Marty said the DMC and the professional hunters had walked the area and determined it was safe to hunt on their open space. Marty noted it's obvious their area has a deer problem, because the 4-post feeder in Lochwood is the one that gets the most activity.

Marty noted that if a safety issue should arise that cannot be resolved to the satisfaction of the Board, the deer hunting program would be stopped.

Jim McRee noted that over the next few months the hunters will be walking their assigned hunting areas and selecting the trees where they wish to place their treestands. The locations of the stands will be marked on a map for interested residents to see.

Ms. Bernhard asked why the hunters can't bait the deer. Jim McRee said the DMC is awaiting a response from the Game Commission on that.

*Carol Navarro, 201 N. Chester Road* – Reported that there has been poaching in her neighborhood. A deer died near her property, and she wants to find out the exact cause of death, but no one seems to be willing or able to help her. She thinks it's bizarre to donate deer meat to charity, as deer are carriers of Lyme Disease. About 10 years ago Pennsylvania's deer population was so low that deer were imported. Marty said that was in the upper part of the state, not in our area. Ms. Navarro asked why the residents have to be antagonized with this program on open space that they own. The residents don't want their open space used for sport hunting. Don told Ms. Navarro he tried, as a private landowner, to have his property hunted but it didn't work out. He said this year he is trying to organize a hunt of his property, his neighbor's property, and the Willistown Conservancy. [Note: See July 15 minutes for a correction to this last sentence.]

Marty advised Ms. Navarro that East Goshen's program is already in place, and the Board understands she is opposed to it. He noted that only a very tiny portion of the residents have contacted the Township to express an opinion about the program one way or another.

*Marcia Gordon, 3008 Valley Drive* – Asked if the hunters kill 35-40 deer right away, would the hunting continue throughout the entire season? Jim McRee told her the hunting would continue, and Marty concurred.



*Ellen Sinclair, 217 Lochwood Lane* – Asked the Board how many letters they had received opposing the hunt. There was some disagreement between how many the Board received and how many Ms. Sinclair said they should have. Ms. Sinclair wants the Board to keep careful track of the letters received.

*John Schorn, Larch Lane* – Asked the status of the bridge on Reservoir Road. Marty said the bridge is being fixed, and should re-open in September. Mr. Schorn asked if other bridges in the Township were inspected and if so, did they pass. Rick said the other bridges were inspected and they all passed.

Mr. Schorn then noted that the ballfield at Mill Creek should be cleaned up and paved as– it does not look nice. Rick noted that is where millings are stockpiled, and said the Township does not own the road and therefore cannot pave it.. Joe said he would take a ride over and check it out.

**Adjournment**

There being no further business, the formal meeting adjourned at 9:40pm.

**EXECUTIVE SESSION**

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

Respectfully submitted,



Anne Meddings  
Recording Secretary