

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS WORKSHOP  
1580 PAOLI PIKE  
August 12, 2008 – 7:00pm**

**Present:** Chairman Marty Shane, Vice-Chairman Carmen Battavio, Joe McDonough, Don McConathy and Thom Clapper. Also present were Township Manager Rick Smith, Linda Gordon (Historical Commission), and Jim McRee (Planning Commission & DMC).

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:00pm and led everyone in the Pledge of Allegiance to the flag.

**CTDI Generator**

Bob Poole and Conrad Olie from CTDI were present to discuss their need for a new emergency generator due to frequent power outages. CTDI experienced another lengthy power outage on August 9. As a result of this latest outage they are operating at half capacity, are losing \$12K in revenue each day, and have to replace \$60K worth of batteries that were fried. They would like to purchase a new generator to help keep them running during future outages, but the size and type of generator they need would run at 55 dB at the property line, which is 5 dB over the ordinance limit. The type of generator CTDI wants to purchase is similar to one used at QVC, and would have the same type of noise attenuation enclosure. To arrive at their noise level estimates of the proposed generator, Mr. Poole and his engineer took measurements from the QVC generator while it was running. Rick Smith was sent a copy of the engineer's report. As a point of comparison, the small emergency generator that CTDI currently use runs at 75-76 dB at the property line, and 95 dB at one meter.

CTDI requires a building permit to install the new generator, yet the Township cannot issue them a permit if the generator is going to violate the noise ordinance. The Board discussed this issue, and Rick noted that of all the surrounding municipalities, only Upper Uwchlan has addressed the issue of emergency generators in their noise ordinance. Marty said the East Goshen noise ordinance is outdated, and he would guess that most businesses in the Township are probably out of compliance. Marty suggested that one way to handle this issue would be to revise the ordinance to include a provision to allow higher noise levels from emergency generators. Joe said he was opposed to any exemptions whatsoever and asked why CTDI could not seek a zoning variance instead. Don suggested the Township send a letter to PECO letting them know the hardships the frequent outages are causing to East Goshen's businesses.

Marty said if the ordinance is revised, it can include language to require all new generators to have the maximum noise attenuation equipment installed – whatever the current technology is.

Carmen asked Mr. Poole if putting in additional berming and landscaping would help reduce the noise level. Mr. Poole said his engineer told him it could be reduced by 3 to 5 dB that way, but was not willing to guarantee that in writing.

Carmen said the Township should do its best to help out East Goshen businesses, but the companies need to take responsibility for using any and all means necessary to reduce their noise levels as much as possible. He said if a company is willing to do that, the Township should be willing to bend a little bit where warranted.

After further discussion, the Board agreed to have Rick grant CTDI a building permit stating that the emergency generator cannot be run between the hours of 10pm and 7am. Mr. Poole and Mr. Olie agreed to abide by those conditions. Once the new generator is installed, actual noise level readings will be taken and CTDI should take any necessary remedial action to meet the noise ordinance requirements. In the meantime, Rick will prepare a recommendation to the Board on suggested changes to the noise ordinance. Marty said that since Rick had already sent CTDI a letter outlining the requirements of the current noise ordinance, and CTDI agreed to those conditions, a building permit could be issued tomorrow.

**Bills**

Current invoices were reviewed.

**Treasurer's Report**

The Treasurer's Report for August 12, 2008:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>	
<b>GENERAL FUND</b>			
Real Estate Tax	\$ 0.00		
Earned Income Tax	\$ 111,323.89		
LST	\$ 4003.42	Accounts Payable	\$ 32,634.62
Transfer Tax	\$ 0.00	Debt Service	\$ 0.00
Codes, Park & Rec, Etc.	\$ 53,400.98	Payroll	\$ 43,000.00
<b>Total Receipts</b>	<b>\$ 168,728.29</b>	<b>Total Expenditures</b>	<b>\$ 75,634.62</b>
Zoning Hearing Fund	\$ 0.00		\$ 0.00
State Fund	\$ 0.00		\$ 0.00
Capital Reserve	\$ 0.00		\$ 11,337.84
Transportation Fund	\$ 0.00		\$ 0.00
Sewer Operating	\$ 9,842.31		\$ 3,239.02
Refuse	\$ 28,188.76		\$ 7,106.97
Capital Projects	\$ 0.00		\$ 0.00

Joe moved to accept the Treasurer's Report as submitted, and the receipts, and to approve the expenditures just reviewed. Don seconded the motion. There was no discussion and no public comment. The Board voted 4:0 to pass the motion (Carmen was out of the room).

**Letter to Residents about Deer Management Program (DMP)**

The Board discussed the letter that will be sent to residents concerning the DMP. They agreed to send it to residents living within 1,000 ft. of the affected open spaces. Rick will draft the letter for Jeff Sommer's review, and then the Board's review. The letter will be mailed by the end of August. The Board wants the following points covered in the letter:

- An overview of the program
- Key safety features
- Whom to notify in case of emergencies or problems
- Hunting will be done at no cost to the Township
- Information about the background checks done on the hunters
- How to get a copy of the complete program, with maps
- Details on how the open space/property boundaries will be marked

The Board discussed the issue of background checks again and the consensus was not to pursue this issue further, beyond what the hunting clubs are doing.

Carmen asked what the Township is doing to cut down on poachers. Jim McRee said the hunters are going to report any poachers they see, and will assist law enforcement in locating the poachers they report.

### **Police Station HVAC System**

Thom reported the HVAC system at the police station has required constant repairs, and is still in need of servicing. He thinks Westtown should be financially responsible for this problem, not the Police Commission. Thom said the Police Commission has been given a contract to sign that would authorize someone to come in and examine the system to determine the root cause of the problem. Thom wanted to know the Board's thoughts before he signed the paperwork.

The consensus of the Board was that the contract should be signed with the condition that if it is determined there was a problem with the system before the building was occupied, Westtown should be responsible. If it is determined the problem started after the building was occupied, the cost should be split 50/50 between Westtown and East Goshen.

### **Grants**

Carmen wanted the Board to consider having a staff member take some basic grant-writing courses to learn the process and to have access to all the information out there on grants available to the Township. This person would also need to stay on top of pending grant legislation. The other Supervisors were in agreement with this suggestion, and will leave it to Rick to decide which staff person would be suited for this new responsibility.

### **Hershey's Mill Dam**

Rick reported that the Township will be eligible for \$100K for breaching the Hershey's Mill dam. The money will come 50/50 from DEP and the American Rivers organization. Rick will try to get Rettew Associates to meet with the Board during the September 23 workshop to discuss the breaching issue.

### **Trash Can Ordinance**

Rick reported that Kristin Camp has drafted a penalty section that will be enforced on a rolling year basis, as follows:

1<sup>st</sup> offense = Warning letter

2<sup>nd</sup> offense = \$25 fine

3<sup>rd</sup> offense = \$50 fine

4<sup>th</sup> offense = Minimum penalty of \$100, maximum penalty of \$1000, at the discretion of Judge Darlington.

The Board members were all fine with this.

### **Alarm Ordinance As It Relates to Wellington Issue**

Carmen would like Jeff Sommer to provide information to the Board on the Good Samaritan Act.

*Public Comment: Margaret Dunn, E. Strasburg Road* – Said Wellington is using the Fire Company to assist its residents off the floor when they fall instead of hiring more staff.

*Public Comment: John Schorn, Larch Lane* – Asked if the Board could create an ordinance to deal with this issue. Marty said no, because the Board has no legislative authority.

Marty suggested the Township meet with Wellington to see if they are amenable to making a contribution to the Township to help defray the cost of constantly sending the Fire Company out on these pickup calls. Marty requested Carmen get Bill Keslick's input on this matter and to report back by September 9.

No action was taken on the alarm ordinance.

### **Bids for RCSTP**

The Municipal Authority (MA) will provide the Board with a recommendation for awarding the bid, and the Board will discuss the bid with the MA before anything gets signed. Rick will try to schedule a special meeting with the MA for September 15. The Supervisors agreed that the Board will not get involved in the engineering details of the bid, but will leave this work to the MA.

### **PSATS Resolutions**

The Board reviewed the 2008 PSATS resolutions and were fine with all of them.

### **Public Comment**

Marty announced that due to the late hour, public comment would be deferred to the next meeting.

### **Action Items**

The Board reviewed and updated the latest Action List.

Marty said Park & Rec must make a recommendation to the Board by September 9 on the length of the Applewood Trail.

Marty said the Park & Rec and the Conservancy Board must complete the YMCA tree allocation and species list by September 9. The YMCA needs to know how many trees to purchase and what species to buy in order to get them planted this autumn.

The Board will plan to adopt the resolution making the DMC an ABC at the September 16 meeting.

Marty, Don and Rick will schedule a meeting to discuss the metered billing issue.

Marty requested that Rick and Mark Miller provide their report on the LED traffic light issue by August 19.

**Liaison Reports**

Carmen provided a written report on the August 11 Municipal Authority meeting report to the Board.

Thom provided a written report on the August 7 Park & Rec meeting to the Board.

**Adjournment**

There being no further business, the meeting adjourned at 10:35pm.

Respectfully submitted,

Anne Meddings  
Recording Secretary