

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
October 21, 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, Kathryn Yahraes (Historical Commission), Jim McRee (Planning Commission & DMC), Jane Fava (Conservancy Board), Phyllis Marron (Park & Rec), and Township Solicitor Jeff Sommer.

**WORKSHOP**

**Minutes**

The draft minutes of September 30 and October 7 were reviewed and corrected.

**Bills**

Current invoices were reviewed.

**Agenda Review**

The agenda for the formal meeting was reviewed.

**Police Matters**

The Board discussed the proportional allocation of police services among the three Townships. Marty wants this issue to be addressed in the next contract.

**Deer Management Plan Update**

Jim McRee gave a brief update on the deer hunt. He then reported that the DMC is looking into a deer deterrent called Wildlife Crossing Guard, distributed by Jafa Technologies. This product could help to cut down on deer/vehicle collisions within the Township.

**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.

**Moment of Silence**

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

**Announcements**

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

Marty said the Pumpkin Fest on October 18 was a big success, and drew a crowd of approximately 1,000 people. Frank Vattilano and the Park & Rec crew did a great job planning this event. Marty also thanked Kathryn Yahraes and the Historical Commission for doing such an outstanding job planning the dedication service for the new Veterans Memorial Pavilion in the Township Park. The service was held on October 18 after the Pumpkin Fest. Marty noted that the YMCA donated the pavilion, and Senator Andy Dinniman helped East Goshen get a grant for the accompanying restrooms. Kathryn thanked Marty and said she was pleased that the politicians in attendance kept their comments brief and apolitical. She said the Historical Commission will be posting photos of the service onto the Township website soon.

### **Approval of Minutes**

Don moved to approve the minutes of September 30 and October 7 as corrected in Workshop. Thom seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the minutes as corrected.

### **Chairman's Report**

Marty announced that the Board met in Executive Session on October 14 to discuss pending litigation.

## **PUBLIC HEARING**

### **CTDI, 1305 Goshen Parkway, Conditional Use Amendment**

The Board held a public hearing to consider a request from CTDI to amend their conditional use approval dated May 8, 1990.

Don moved that the Board of Supervisors approve the conditional use application for CTDI to amend the May 8, 1990 conditional use approval for their property at 1305 Goshen Parkway, TPN 53-3-1.13 to reflect the following:

1. The building will be used for the repair and distribution of telephone/electronic equipment.
2. The office use shall be increased to 13,100 sq. ft.
3. The remainder of the building shall be used as warehouse which includes the tech area and cafeteria.
4. The use shall be in accordance with the testimony and exhibits presented at the public meeting at which this application was discussed.

Joe seconded the motion. CTDI's attorney John Good said the conditions were acceptable, and agreed to waive the time requirements for sending out the decision. The Board voted unanimously to approve the motion.

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

## Treasurer's Report

The Treasurer's Report for October 21, 2008:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>
<b>GENERAL FUND</b>		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 6,920.93	
LST	\$ 0.00	Accounts Payable \$ 17,834.80
Transfer Tax	\$ 41,267.37	Debt Service \$ 0.00
Codes, Park & Rec, Etc.	\$ 210,919.36	Payroll \$ 40,000.00
<b>Total Receipts</b>	<b>\$ 259,107.66</b>	<b>Total Expenditures \$ 57,834.80</b>
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 42,606.84
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 67,267.24	\$ 28,722.49
Refuse	\$ 48,661.61	\$ 73,400.10
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. Carmen seconded the motion. There was no discussion.

*Public Comment: Bill Egan, Mill Creek Drive* – Had a question about the \$40K shown for payroll for the week. Marty said that a flat amount of \$40K is transferred into the payroll account each week, even though the actual amount of payroll may not be exactly that amount. Enough money must be transferred to cover all the payroll checks. Marty said that he would bring this up at the next Finance Committee meeting and would have a better answer for Mr. Egan at the next meeting.

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

## Police Report

Chief John Dumond reported there were 678 calls for service in East Goshen in September. Three vehicles were stolen in September, one of them a motorcycle. There were two burglaries in the Waterview Apartments. The perpetrator, a Waterview resident, was arrested.

Don told the Chief he is concerned at the disproportionate share of PPUs for Westtown shown on the September report. Marty wondered if it might be a typo. Chief Dumond said he would look into it.

Jim McRee asked if there were any calls to the police on deer management issues. Chief Dumond said only one – on October 8 a hunter with Chester County Trackers called to report a suspicious vehicle in Grand Oak. However, the vehicle was gone by the time the police arrived. Jim reported that one of the approved hunters was hunting in Supplee Valley and saw a possible poacher who was driving a red pickup truck. The driver circled the area about 10 times before driving off. A dead buck was later found in the area.

Resident Ron Zeleski asked the Chief what the “animal complaints” were that were listed in the monthly report. The Chief said he would look into it and get back to Ron on that.

### **Voting Precinct 6**

Marty said he received a request from the Judge of Elections for assistance with traffic control at Voting Precinct 6 on the morning of Election Day. There is concern that there will be serious health and safety issues at that location during the morning rush due to the limited parking available. The polling place is the church at Greenhill Road and Route 352. Marty said residents may end up parking on Route 352 and walking to the church. He suggested that the police working the area that day monitor the traffic. Don suggested moving the polling place. Marty said there is no other possible location in that precinct besides the church. Chief Dumond said he could pull someone already scheduled for traffic duty that day to cover the area. He said he could discuss this offline with Thom. Chief Dumond said he could also put a special duty officer there.

Marty moved to provide a special police detail to cover Voting Precinct 6 from 7:00am to 9:30am on Election Day, November 4, 2008 for a time period not to exceed 2.5 hours. Joe seconded the motion.

*Public Comment: Bill Egan, Mill Creek Drive* – Asked if the police would also be needed from 4:30pm to 7:00pm. Marty said no, the peak time at that location is first thing in the morning.

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

### **Donation for Bishop Shanahan Prom Party**

Marty announced that this matter will be tabled while the Board gets additional information.

### **Commerce Bank Escrow Account, Final Release**

Joe moved to release the remaining balance in the Commerce Bank escrow account (\$372,145.72) and close out the account. Carmen seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

### **Rose Hill Escrow Account, Final Release**

Carmen moved to release the remaining balance in the Rose Hill escrow account (approximately \$1,500) and close out the account. Thom seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

### **Deer Management Plan Update**

Jim McRee showed a PowerPoint presentation on the status of the deer hunt. Thus far, 23 deer have been harvested. Joe asked if the hunters are accountable for all their arrows, and Jim said yes. Don asked Jim how long he thinks the open space boundary markings will last. Jim said the markings consist of water-based paint and ribbons, and they will have to be checked before each hunting season. Don stated the Township should let the group hunting Bow Tree know when Ashbridge is going to be hunted, since the deer may travel into East Goshen.

Joe told Jim the report is excellent, but next time all he needs is a one-page summary. Marty said the Jim is trying to track all the detail he can so that at the end of the season the program can be fully evaluated. However, he said that he would also be fine with a one-page summary next time. Marty said the summary should contain the following:

- Number of deer harvested
- Locations they were taken from
- Number of hours it took to harvest them
- Number of hours per day that were hunted

Joe told Jim he is doing an excellent job and said he has proven to him that he is in complete charge of the program, knows what he is doing, and is on top of every detail.

Carmen said a one-page summary is fine with him, and Don agreed. Thom said one page is fine but he would like it to include any incidents.

*Public Comment: Joe Benano, 1808 Herron Lane* – Said Jim’s report is beautiful, but asked where all the information came from. Jim said the information was provided by the hunters. Mr. Benano asked if there was any independent verification of the data. Jim said the information all comes from the hunters, although the Public Works Department does some spot checks. Mr. Benano said he doesn’t believe the hunters only lost 2 arrows so far; they have to be underreporting that number. Mr. Benano suggested the arrows be marked. Jim said the arrows are all marked. Mr. Benano said the open space is being used like a private preserve and the 500 hours spent hunting to get a few deer is not worth the residents having to give up their access to the open space. Mr. Benano said he saw a buck in his back yard that had an arrow in his shoulder (wounded), but that buck didn’t make it into Jim’s report. Mr. Benano said this effort to thin the deer herd has turned into a hunters’ rights issue.

Marty said if Mr. Benano or any other resident can provide a constructive suggestion on a better way to handle the deer hunt, the Board would love to hear it. Marty said before the hunt started, the hunters themselves told the Township it takes approximately 45 hours of hunting to get one deer. Based on the information from the actual hunt, that estimate closely matches the numbers. Carmen said that in the future, the hunters may only have to be out hunting during times of day that prove to be the most fruitful.

Don asked if Jim’s future one-page summaries should be posted to the web. The consensus was that they should be posted.

*Public Comment: Ron Zeleski, 218 N. Lochwood Lane* [speaking through an interpreter] – Said Jim’s report is very good, and asked how the hunters are scheduled. Jim said the hunters may only hunt between dawn and dusk, but each group does their own scheduling. The schedule is posted to the web page. Mr. Zeleski asked what happens to the hunters if they break the rules. Jim said any such incidents will be handled on a case-by-case basis. Mr. Zeleski said if hunters break the rules they should be kicked out of the program. He then mentioned seeing some men out at night in the woods that appeared to be hunters, although it was dark and he could not see

any weapons. Jim said they may have been hunters who were tracking a deer. Although hunters cannot actively hunt past dusk, they are allowed to track deer after dusk. Mr. Zeleski said he has seen the same group of men out several times now. They drive a white pickup truck. Don said if Mr. Zeleski can get the license plate next time and give the information to the Township or to the police, they will be able to tell him if the vehicle belongs to one of the approved hunters. Jim asked Mr. Zeleski to call the police if he sees anything suspicious again. Don then gave Mr. Zeleski a hard copy of the weekly schedule, and told him the information is posted weekly to the web page.

### **Correspondence and Reports of Interest**

Marty acknowledged receipt of the following:

- Notification letter from Comcast regarding price increases.
- Letter from the Paoli Battlefield Preservation Fund thanking the East Goshen volunteers who participated in the October 11 candlelight event.
- Fire Marshal's report for August/September 2008.
- Goshen Fire Company report for September 2008.

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

Marty noted the list of upcoming meetings as listed in the agenda. Don said the November 3 DMC meeting will be rescheduled due to the election. Jim McRee said he would work offline with Rick to reschedule.

### **Adjournment**

There being no further business, the meeting adjourned at 9:58pm.

## **WORKSHOP (Resumed)**

### **HVAC Bids**

The consensus of the Board was to go with Rick's recommendation to cancel the bids received and get new bids after evaluation of the system by a qualified, disinterested party.

### **Financing for RCSTP Upgrade**

Marty said that due to the amount of money that must be borrowed, sewer rates will increase by approximately 60%. Marty said he would start drafting the letter that will have to go out to residents in December.

### **TMACC Directory Advertising**

The Board agreed not to spend money on advertising in the 2009 TMACC Directory.

### **Drug Testing for Non-CDL Employees**

The Board reviewed Rick's October 17 memo on this topic. Thom is opposed to spending any money on drug tests, but the other Supervisors are in favor of being proactive. Don asked if the policy will apply to summer workers and Rick said no, only full-time employees. Joe said he is opposed to the testing if someone has to go during non-working hours and will receive overtime pay. Marty, Carmen, Joe and Don are okay with the testing as long as it is conducted during normal business hours. Rick will check if the CDL employees receive overtime pay for drug

testing during off hours. The Supervisors made some minor editorial changes to the drug testing policy statement.

### **Cost-Cutting Measures**

Marty announced that Township employees have been asked to provide a list of expenses they can cut.

### **Fireworks for July 4**

Joe said he is in favor of having the fireworks in 2009 unless he sees budget numbers showing the Township cannot afford it. Thom said he is in favor of having the fireworks only if there is sufficient fundraising to cover the cost. Don said he would like to see the budget numbers before making a decision. Carmen said he is not in favor of having the fireworks in 2009 due to the economic situation in the Township. Marty did not say where he stands on this issue. Kathryn Yahraes of the Historical Commission asked if it might be possible to join with a neighboring Township to split the cost of the fireworks. Carmen said East Goshen already tried that, but no one was interested.

### **Park & Rec Program Profitability Report for 2008-2009**

The Board briefly reviewed this report from Frank Vattalino and noted that neither the Egg Hunt nor the Pumpkin Fest were on the list. Rick will have Frank update the report with this information.

### **Wireless Ordinance Amendment**

The Board agreed to table this matter for now, although Marty and Don are fine with it as it is currently written. Rick will have Jeff Sommer check whether all entities are on the assessment roles and the tax rolls. The ordinance will be sent to the Planning Commission for review and a recommendation back to the Board.

### **Algae Control**

The Board reviewed Mark Miller's October 17 memo on this topic. Don said this matter should be returned to the Conservancy Board and Park & Rec, so they can make a recommendation to the Board by February. Thom agreed. Marty said that is fine, as long as the recommendation does not go beyond the issue of algae. Carmen would like the barley solution to be tried once more, and recommended putting money for barley plants into the budget for 2009.

The \$7,375 for Bow Tree and \$10,688 for Marydel mentioned in Mark's memo will be put into the Capital Reserve budget for 2009 and 2011, respectively.

### **Walking Path Along Line Road**

This matter will be tabled until the November 12 meeting.

### **Condition of Sewer Pipes**

Don asked if Public Works plans to look at other sewer pipes in the Township to make sure they are not in the condition of the pipes on Glen Brook Lane. Rick said that is not necessary at this time, because the Glen Brook issue was limited to the pipes associated with the Ashbridge Pump Station.

**Charter Chase – Sewer Issue**

Marty said he was contacted by a resident from Charter Chase whose property will not percolate. The resident is also unable to get a sand mound system installed, so he is completely out of options and asked Marty what to do. Marty advised the resident to talk to his neighbors and see if he can get a petition going to connect them to the public sewer system.

**Adjournment**

There being no further business, the workshop adjourned at 10:45pm.

**EXECUTIVE SESSION**

The Board met in Executive Session from 10:45pm to 11:15pm to discuss a personnel matter.

Respectfully submitted,

Anne Meddings  
Recording Secretary