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**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
February 17, 2009 – 7:00pm**

Present: Chairman Marty Shane, Don McConathy, Joe McDonough and Carmen Battavio. Thom Clapper was absent. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, Phyllis Marron (Park & Recreation), Kathryn Yahraes (Historical Commission), George Martynick (Planning Commission), Jim McRee (Deer Management Committee), Bill Eagan (resident), and Skip Brion, Township Solicitor.

WORKSHOP 7:00 p.m.

Expenditures

The Board reviewed and discussed the expenditures. During discussion it was discovered that 2 lights at the handicapped spots at either end of the parking lot out front need to be fixed.

Minutes

The Board reviewed the minutes of the February 10, 2009 workshop.

Amendments

Contractors – Carmen believes it is a bad idea to put the certification of contractors, in particular home improvement contractors, under the State instead of the Township. The Township will lose fees and will end up taking care of any problems. Although other Board members agree, this has been passed by the State so there is nothing that can be done.

Resolution

Carmen questioned the maximum of \$400 for mowing the medial strips on West Chester Pike. Rick answered that the Township has always done this and it only takes about 20 minutes during non-rush hours. The alternative is to let PennDot do it and they would only mow 4 times a year.

CCATO

The Spring 2009 Convention will be held March 12, 2009. Carmen, Joe and Don will attend.

Interest Ordinance

Don pointed out that Section XI, 240-53, second line mentions a collection procedure. After discussion it was decided that "...and a collection procedure..." needs to be inserted wherever "... a schedule of fees..." is in this ordinance.

Letter from Resident/Attorney Mark Connor will be discussed with the Township Solicitor.

Conditional Use Transfer Amendment

Zoning – Skip Brion read the suggestion to the Township in the County Planning Commission letter. He feels the conditional use runs with the land and it can't be denied if there was no notification of change of ownership. Marty explained that the Township would want to check to see if any change/expansion is planned by the new owner that would impact the Township. Skip suggested using a form for them to notify the Township.

1 **PUBLIC MEETING 8:00 p.m.**

2
3 **Call to Order & Pledge of Allegiance**

4 Chairman Marty Shane called the meeting to order at 8:00 pm and led those present in the Pledge
5 of Allegiance to the Flag. Carmen asked for a moment of silence for our Armed Forces.

6
7 **Public Comments**

8 None

9
10 **Approval of Minutes**

11 Don moved to accept the minutes of February 10, 2009 as corrected. Joe seconded the motion.
12 Bill Eagan questioned the cost of the District Court as mentioned on page 4 of the minutes. He
13 understood the budget was \$300,000 and that it came in at \$1.5 million. Marty verified that the
14 budget was \$300,000, raised to \$500,000 and final cost was \$950,000. There was no further
15 comment or discussion. The motion passed. Carmen abstained.

16
17 **Public Hearings**

18 The Board conducted a public hearing to adopt the following:

19 A. Amendment to Chapter 124 of the East Goshen Township Code titled
20 "Contractors". Transcript will be provided by stenographer.

21 B. Amendment to Chapter 188 of the East Goshen Township Code titled "Sewers".
22 Transcript will be provided by stenographer.

23 C. Amendment to Chapter 240 of the East Goshen Township Code titled "Zoning",
24 Wireless Communications Facilities and Conditional Use Transfer. Transcript will be provided
25 by stenographer.

26
27 **Treasurer's Report**

28 The Treasurer's Report for February 5, 2009:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 147,767.45	
Earned Income Tax	\$ 57,189.05	Accounts Payable \$ 85,040.29
LST	\$ 0.00	Electronic Payments \$ 0.00
Transfer Tax	\$ 0.00	Debt Service \$ 0.00
Codes, Park & Rec (2009)	\$ 9,407.45	Payroll \$ 40,000.00
Total Receipts	\$ 214,363.95	Total Expenditures \$ 125,040.29
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 0.00
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 223,207.64	\$ 9,082.55
Refuse	\$ 62,186.20	\$ 70,736.43
Capital Projects	\$ 0.00	\$ 0.00

30

1 Joe moved to accept the Treasurer's Report as submitted, and the receipts, and to approve the
2 expenditures just reviewed, except requisition 2145 for \$200. Don seconded the motion. There
3 was no discussion or public comment. The Board voted unanimously to pass the motion.
4

5 **Police Report**

6 Chief J. Dumond gave an incident report for January. There were lots of car break-ins reported
7 at Penn Oaks Golf Club. They conducted a stakeout and apprehended the suspect who is
8 currently in Chester County Prison. Delaware also wants him.
9

10 A women was hit on Rt. 352. The person who hit her gave a first name and said she would be
11 back, but she did not return. Officers tracked her to a business on McDaniel Dr. and arrested her.
12

13 There was a report of a dead body in a house on North Chester Road. Officers found marijuana
14 growing in the house. Arrests resulted.
15

16 Don asked Chief Dumond for the last 3 years of incidents. It seems to him that they are
17 decreasing. Chief Dumond agreed with the decrease and will provide the report.
18

19 **YMCA Escrow Release #5**

20 On the recommendation of Mark Miller and the Township Engineer, Carmen moved to release
21 \$178,500.00 of the YMCA Escrow, which leaves a balance of \$37,604.77. Don seconded the
22 motion. There was no comment or discussion. The motion passed unanimously.
23

24 **Resolution 09-100**

25 Don moved to approve Resolution 09-100, the mowing of medium on West Chester Pike, that
26 the Township Manager of said Municipality be authorized and directed to sign the attached
27 Agreement on its behalf. Joe seconded the motion. Carmen questioned why this is being done.
28 Rick explained that the Township has been doing this mowing. Bill Eagan asked if there is any
29 requirement for height of the grass. Rick said they cut to maintain as a lawn about 3" high.
30 There was no further comment or discussion. The motion passed unanimously.
31

32 **Correspondence**

33 The Chairman acknowledged receipt of the following:

- 34 A. Official notification from the Chester County Health Department regarding the
35 County's 2nd revision to the Chester County Solid Waste Management Plan.
- 36 B. A letter from the Federal emergency Management Agency advising that the
37 structure at 1405 Grand Oak Lane has been removed from the Special Flood Hazard Area.
- 38 C. The Fire Marshal's and Goshen Fire Company report for January 2009.
- 39 D. Letter from Resident Shupard expressing extreme displeasure with regards to the
40 sewer bill increase.
- 41 E. Letter from Residents McBride regarding 2008 water usage and the sewer rate
42 increase.
- 43 F. Letter from Attorney Mark Connor regarding the sewer billing system based upon
44 water usage. The Township Solicitor said it was not necessary to forward this letter to him.
45

46 **Meetings and Dates of Importance** were acknowledged by the Chairman.

1
2 The Public Meeting was adjourned at 9:00 p.m.

3
4 **Workshop 9:10 p.m. (continued)**

5
6 **YMCA/Malvern Institute**

7 In response to a question from Marty about what the Township can do if the intensity of the use
8 of a property increases, I.E. such as at the YMCA or the Malvern Institute. Skip acknowledged
9 there may be health and safety issues, i.e. people crossing Paoli Pike from East/Fugget parking
10 lots to the YMCA. However, the Township would need to have objective standards in it's zoning
11 Ordinance in order to regulate the intensity of a use.

12
13 **Act 39 Ordinance**

14 Don pointed out the in Section I (g) the word "board" should be capitalized. After discussion, it
15 was agreed that line 2 should read "...or by mail not later than the day following its date of
16 approval." Rick will check with the Township Solicitor if this date also applies to "all other
17 persons".

18
19 **YMCA/Township Recreation Partnership**

20 The Board discussed a letter from the YMCA dated January 26, 2006, which mentions use of
21 each other's facilities. Rick said the Park & Recreation Board didn't want to be specific about
22 this. Frank Vattilano is meeting with the new manager of the YMCA. Joe moved to authorize
23 Don to sign the Facilities Agreement that was signed by the YMCA in 2006. Carmen seconded
24 the motion. There was no comment or discussion. The motion passed unanimously.

25
26 **Mars Noise**

27 Marty asked Rick to have someone take a noise reading to see if the new equipment was in
28 compliance.

29
30 **Line Road & Paoli Pike Traffic Signal**

31 Rick reported that the developer had received the traffic signal permit, which depicted the left
32 turn lanes on Paoli Pike, however he has not submitted the application for the HOP.

33
34 **Applebrook Bridge**

35 Rick reported that we are waiting for ACOE approval of the permit.

36
37 **Tree Removal Cost**

38 This item went over budget in 2008. The 2009 budget is \$45,000. Joe doesn't want this to be
39 open-ended. Rick agreed to monitor this and will come back to the Board if it looks like the
40 budgeted amount will be exceeded.

41
42 **Trash Hauler**

43 The Board acknowledged the memo from Mark Miller that indicates that the hauler is doing a
44 good job.

1 **Any Other Matter**

2 A. Don suggested that a notification should be sent to all of the companies about the
3 registration requirement.

4 B. Don would like a report in 6 months about the agenda packet change to double-
5 sided paper to see if there are any savings.

6
7 **Public Comment**

8 Kathryn Yahraes commented about the proposed tree removal at the dam at Hershey's Mill. She
9 will send a letter to the Board.

10
11 **Executive Session**

12 At 10:00 p.m. the Board went into Executive Session, to discuss the police labor contract and
13 pending litigation.

14
15 **Adjournment**

16 The workshop adjourned at 11:00 p.m.

17
18 Respectfully submitted,

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22 Ruth Kiefer
23 Recording Secretary
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31 MINUTES draft#1.doc
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