

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

**Present:** Chairman Marty Shane, Vice-Chairman Carmen Battavio, Joe McDonough, Don McConathy and Thom Clapper. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, and Phyllis Marron (Park & Rec). Township Solicitor Skip Brion was present for the Public Hearing.

**WORKSHOP**

**Minutes**

The draft minutes of March 24 were reviewed and corrected. Don stated that in hindsight the Board should not have voted on opening two new bank accounts during a workshop, since action items should be saved for the formal public meetings. Marty agreed but said since the motion was already made and approved it cannot be retracted. Instead, he will announce the decision during the Chairman's Report section of the meeting this evening.

**Bills**

The Treasurer's Report and Expenditure Register Report were reviewed. The Board agreed to hold three invoices from approval until more information is provided by staff.

Don would like a definitive answer from the Treasurer whether PLIGIT charges are appearing on the Treasurer's Reports or not. Don asked Rick if the Township staff has any other credit cards besides the PLIGIT cards, and Rick said no. Marty asked Joe Gill to revise the PLIGIT resolution which currently names Rick as the point person, as it should be his (Joe's) responsibility now.

**Draft Motion for PALCS Conditional Use Application**

The Board discussed the draft motion for the PALCS (Pennsylvania Leadership Charter School) conditional use application. Don said that in addition to the conditions in the motion, he would like it put onto the record during the hearing that PALCS plans to pay the Township a fee in lieu of taxes and also plans to provide additional web page support to the Township and a time-tracking mechanism to monitor their hours spent working on the web page.

**Comcast Generators at Wilson Drive & Boot Road**

The Board discussed the April 3 memo from Rick Smith on this topic. All the Supervisors were fine with the Conservancy Board's recommendation to have Comcast paint the generators brown (bronze). In regard to the Township providing excess fill dirt to Comcast to help in the construction of a new berm, Carmen and Don expressed concern about doing this. While it might make sense to do it in this case to save money rather than hauling the dirt to Kennett Square, it might also give the wrong impression to other developers or residents in the Township. Don said if the Township decides to give or sell the dirt to Comcast he wants it done legally. Marty said Comcast could sign a letter agreeing to the arrangement. He also said if Comcast accepts the dirt, the Township could have them haul it themselves or pay the Township to deliver

it. The Board then discussed Carmen's suggestion of offering the excess dirt to anyone in the Township who requests it. Due to time constraints the Board was unable to reach a consensus on this issue. Marty requested that staff provide a recommendation to the Board on this matter.

### **Agenda Review**

The agenda for the formal meeting was reviewed.

### **Resolution 09-28A Establishing Rules for Compliance with the PA Right-To-Know Law**

The Board reviewed this revised resolution. Don had one minor change which the other Supervisors agreed to incorporate.

### **Resolution 09-103 Authorizing The Township Manager to Execute Documents Related to the Application for Long-Term Contracted Assistance Through the Emergency Watershed Protection-Floodplain Easement Program**

The Board reviewed this draft resolution. Don had two minor editorial changes which the other Supervisors agreed to incorporate.

## **FORMAL MEETING**

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

Marty called the meeting to order at 8:02pm and led everyone in the Pledge of Allegiance to the flag.

### **Moment of Silence**

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

### **Chairman's Report**

Marty announced the following:

- The Board met in Executive Session on March 24 to discuss the police labor contract.
- At the March 24 Workshop the Board approved the establishment of two new depositories for Township funds.

### **Approval of Minutes**

Joe moved to approve the minutes of March 24, 2009 as corrected in Workshop. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

## **PUBLIC HEARING**

### **Pennsylvania Leadership Charter School, 1585 Paoli Pike – Conditional Use Application**

The Board opened a public hearing to consider a conditional use application from the Pennsylvania Leadership Charter School (PALCS) to operate a Cyber Charter School campus at 1585 Paoli Pike. Alyson Zarro, Esq. was present for PALCS.

Due to time constraints, the hearing could not be completed, and will be continued until April 14, 2009 at 8:00pm. The record will remain open. 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 March 31, 2009:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>
<b>GENERAL FUND</b>		
Real Estate Tax	\$ 440,063.20	
Earned Income Tax	\$ 89,274.49	Accounts Payable \$ 321,483.20
LST	\$ 19,000.00	Electronic Payments \$ 1,828.95
Transfer Tax	\$ 0.00	Debt Service \$ 0.00
Codes, Park & Rec (2009)	\$ 169,351.92	Payroll \$ 80,000.00
<b>Total Receipts</b>	<b>\$ 717,689.61</b>	<b>Total Expenditures \$ 403,312.15</b>
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 0.00
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 10,135.80	\$ 125,083.53
Refuse	\$ 8,048.02	\$ 26,067.34
Capital Projects	\$ 0.00	\$ 0.00

Joe moved to accept the Treasurer's Report dated March 31, 2009 as recommended by the Treasurer in her April 2, 2009 memo to the Board, and the receipts, and to approve the payment of invoices reviewed in workshop with the exception of # 21919 and # 21920 for NAPA and # 21922 for ESRI. Carmen seconded the motion. There was no discussion. Resident John Schorn asked what ESRI stands for, and Joe Gill said the invoice is for a training course the Township is considering for an employee. There was no further public comment. The Board voted unanimously to pass the motion.

**Comcast Generators at Wilson Drive & Boot Road**

Rich Werner of Comcast was present and gave the Supervisors copies of the site plot plan showing the proposed placement of trees.

*Public Comment: Bill Egan, Mill Creek Drive* – Asked Mr. Werner if it turns out that the generators, once painted brown, do not blend into the surroundings as hoped, would Comcast consider painting one side of the generators in the digital camo pattern discussed previously. Mr. Werner said yes, Comcast would consider it.

*Public Comment: Art Polishuk, Grand Oak Lane* – Said he did not see on the plan how the proposed screening will help to hide the generators from the sight of drivers going down Boot Road. Mr. Werner said the trees will be planted on top of a berm, which should help screen the generators. Mr. Werner then asked the Board if Comcast would need a permit to add the berm. Rick told him the Township can provide Comcast with a grading permit for this purpose.

*Public Comment: Bill Egan, Mill Creek Drive* – Had a question about the effect a new berm would have on reserve parking.

Don told Mr. Werner the plot plan he provided to the Supervisors is incomplete because it doesn't show Boot Road.

Joe McDonough proposed that Comcast build up the existing berm along Wilson Drive. Marty asked the other Supervisors if they were all okay with Comcast connecting the two berms along Wilson Drive. Don said he is not okay with it until he sees a complete plan. Also, he is not sure the trees proposed for the tops of the berm will adequately screen the generators. Rick said the best thing to do is to have Comcast create the berm and then stake out the trees after that.

Rich Werner said he will plan to go ahead and get the generators painted brown. He can also have the berm graded, and the trees staked out. He said he would be happy to come back before the Board if they so wish. Don said he is not sure the berm is the solution to the problem. Marty suggested the Supervisors have a site visit. Rick will schedule a time for next Monday or Tuesday. In the meantime, Comcast can start painting the generators.

### **Adjournment**

Marty announced that due to the late hour, the Board would have to adjourn the meeting and go immediately into Executive Session. The remaining items on the agenda will be held over until the April 14 meeting, and public comment would have to be deferred until then. Resident Art Polishuk asked when during the April 14 meeting the Board would accept public comment, and Marty said it would be taken at the end of the meeting.

The meeting adjourned at 10:20pm.

### **EXECUTIVE SESSION**

The Board met in Executive Session from 10:25pm until 10:50pm to discuss the police labor contract.

Respectfully submitted,

Anne Meddings  
Recording Secretary