

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
WORKSHOP
Tuesday, June 23, 2009
7:00 PM

- *Announce the Board met in executive session re: police
- *Announce the Board will hold a special meeting on Thursday, June 25, 2009 at 9:00 A.M. to discuss 2009 finances.

1. Invoices
2. Minutes – June 16, 2009
3. Hershey Mill Dam
4. Consider workshop for June 30th
5. Waiving late fees and penalties
6. Web site upgrade
7. Action List
8. Any Other Matter
9. Subdivisions/Land Developments /ZHB Applications – no new applications
10. Public Comment
11. Acknowledge

NOTE: Meeting held at the Goshen Fire Hall

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: June 18, 2009

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: NRCS Grant

The information on the Hershey Mill Dam application is attached.

I spoke to Andrew Kling (our project manager) at NRCS regarding the grant and I can report the following.

1. Execution of the "Authorization for Release of Records" does not obligate us in any manner. It just allows NRCS to conduct a title search and search federal records to determine if there are any problems with the property. They pay for this.
2. They will review the sediment study we had done last year. If necessary they would conduct another study at their expense.
3. They will conduct a site visit and determine the limits of the project. The project would consist of the removal of the dam, the creation of two stream channels and stabilization of the sediment. They would stabilize the sediments with vegetation. The goal is to restore it to its natural state.
4. We have two options with respect to the engineer. If we have an engineer that we want to use we could do so but they would only pay 50% of the cost. Or they could also issue a RFP, and select the most qualified engineer, in which case they would pay 100% of the cost of the engineering.
5. We are not locked in until we execute the option for the easement agreement. This would be around Labor Day.
6. NRCS would work with DEP and the engineer to develop bid specifications and let the contract. They would pay for this. He noted that DEP has removed +/- 150 dams in PA and that they have the system done.
7. NRCS would let the contract and fund the project.

Smith, Rick

From: Sara Strassman [sstrassman@americanrivers.org]
Sent: Thursday, March 12, 2009 4:45 PM
To: Mark Metzler; rsmith@eastgoshen.org
Subject: Time sensitive: Hershey Mill potential funding
Importance: High

Mark, Rick,

I'm not sure where the decision-making process might be for the future of the Hershey Mill Dam, but the stimulus bill has provided some new funding opportunities that might help reduce costs significantly for the dam removal option. Obviously, there are short turn-around times associated with funding that comes from these sources, but there would also be major cost reductions for the township. A resource that would be worth more investigation on the part of the township is the Emergency Watershed Protection program (EWP) of the Natural Resources Conservation Service (NRCS). This funding is being targeted toward projects that provide floodplain restoration & protection and which would reduce flooding hazards. Obviously, the dam removal will reduce the threat of dam failure to the downstream property owners and the road. Also, the large impoundment area creates a wonderful opportunity for floodplain restoration and reconnection, which is valued highly for this funding source. More information on the program is available at: <http://www.nrcs.usda.gov/programs/ewp/Floodplain/index.html>. The deadline for registration is March 27th, so I would encourage the township to discuss this project with your local NRCS staff as soon as possible.

Please let me know if you get registered for this resource so that I can follow up with the state coordinator. I would be happy to provide a letter of support outlining the benefits of the project if the NRCS office is interested or if the township would like this information to share with the citizens.

Thanks,
Sara

Sara Strassman
Associate Director, River Restoration Program
American Rivers, Pennsylvania Field Office
355 N. 21st Street, Suite 309
Camp Hill, PA 17011

p: 717.763.0741
f: 717.763.0743
www.americanrivers.org

Become a fan of American Rivers on Facebook at www.AmericanRivers.org/Facebook.

WORKSHEET 3/17
10.
5pgs

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171
Fax (610) 425-8950
E-mail rsmith@eastgoshe.org

Date: March 13, 2009
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Hershey Mill Dam

I received an e-mail from Sara Strassman at American Rivers about a federal program that would provide funding for the Hershey Mill Dam (attached).

The Natural Resources Conservation Service (NRCS) has a program under which a property owner grants the NRCS an easement to restore property that has a history of flooding. The property gets paid so much an acre for the easement, and the NRCS comes in and restores the floodplain by planting trees and shrubs.

I asked Barry Frantz at NRCS about the possibility of the Township obtaining funding to remove the dam and replant the floodplain, and he opined that the project would be eligible if there was some history of flooding that was caused by the dam.

Granting an easement would not change use of the property from "passive open space" it would just have an NRCS easement on it.

Applications must be submitted by March 27th and the NRCS intends to decide who is approved by May 4th. Submitting an application does not obligate us to grant the easement.

I would suggest that we submit the application.

OK
Pw. B. S.
3/17/09



Emergency Watershed Protection - Floodplain Easement

Updated 03/03/2009

Background

Section 382 of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, amended the Emergency Watershed Protection Program (EWPP) to provide for the purchase of floodplain easements as an emergency measure. Since 1996, the Natural Resources Conservation Service (NRCS) has purchased floodplain easements on lands that qualify for EWPP assistance. Floodplain easements restore, protect, maintain, and enhance the functions of the floodplain; conserve natural values including fish and wildlife habitat, water quality, flood water retention, ground water recharge, and open space; reduce long-term federal disaster assistance; and safeguard lives and property from floods, drought, and the products of erosion.

Land Eligibility

NRCS may purchase EWPP easements on any floodplain lands that have been impaired within the last 12 months or that have a history of repeated flooding (i.e., flooded at least two times during the past 10 years).

Easement Payments

Under the floodplain easement option, a landowner voluntarily offers to sell to the NRCS a permanent conservation easement that provides the NRCS with the full authority to restore and enhance the floodplain's functions and values. In exchange, a landowner receives the lowest of the three values established for WRP as an easement payment:

- i. a value based on a market analysis,
- ii. a geographic rate established by the NRCS State Conservationist or
- iii. the landowner offer.

Restoration of the Floodplain

The easement provides NRCS with the authority to fully restore and enhance the floodplain's functions and values to natural conditions to the greatest extent practicable. NRCS may pay up to 100 percent of the restoration costs. NRCS actively restores the natural features and characteristics of the floodplain through re-creating the topographic diversity, increasing the duration of inundation and saturation, and providing for the re-establishment of native vegetation.

Landowner Use

Landowners retain several rights to the property, including:

- quiet enjoyment
- the right to control public access and
- the right to undeveloped recreational use such as hunting and fishing.

At any time, a landowner may obtain authorization from NRCS to engage in other activities, provided that NRCS determines it will further the protection and enhancement of the easement's floodplain functions and values. These compatible uses may include managed timber harvest, periodic haying, or grazing. NRCS determines the amount, method, timing, intensity, and duration of any compatible use that might be authorized. While a landowner can realize economic returns from an activity allowed for on the easement area, a landowner is not assured of any specific level or frequency of such use, and the authorization does not vest any right of any kind to the landowner.

Program Signup Information

These documents are available in [Adobe Acrobat](#) format.

Form AD-1253 - Application for Long-Term Contracted Assistance ([PDF](#), 90KB)

Form AD-1159 - Notification of Intent to Continue (PDF, 90KB)

Form AD-1161 - Application for Payment (PDF, 90KB)

Form NRCS-CPA38 - Request for a Certified Wetland Determination (PDF, 90KB)

For other Forms, please contact your local USDA Service Center.

Additional Information

Excerpt from Section 216, P.L. 81-516 - further clarification of the EWP Program.

Final Rule, 7 CFR Part 624 (April 2005)

Program Contact

Tony Puga, National EWP Floodplain Easement Program Manager,
202-720-1067

A. APPLICATION FOR LONG-TERM CONTRACTED
ASSISTANCE THROUGH
THE _____ PROGRAMB. To be completed by NRCS; check
appropriate box:

- ☐
- This transaction is for CCC
-
- ☐
- This transaction is for NRCS

C. State: _____

D. County: _____

1. Applicant Name and Address: _____

2. Applicant Name and Address: _____

1 a. Phone: _____

2 a. Phone: _____

I (We) hereby apply for participation in this program and submit the following information in support of the application. I (We) hereby attest that the name(s) listed in Items 1 and 2, have complete control of the property described in Item 3 below.

3. Description and location of farm, ranch, or other unit: _____

4. The land is owned by the applicant(s): ☐ Yes ☐ No If the answer to Item 4 is NO, provide an explanation below: _____

5. Description of area(s) needing treatment. Type and severity of problem(s), and treatment needed to correct the problem(s): _____

6. I (We) understand this application does not obligate the applicant(s) or _____ to enter into a contract.

6 a. Signature(s): _____

6 a. Date: _____

6 b. Signature(s): _____

6 b. Date: _____

7. The land has been evaluated and determined to be eligible for the program for which applied ownership criteria is met by the following methods:

Personal Knowledge: _____

Knowledge of: ☐ 7 a. Conservation District Board Members ☐ 7 b. FSA Records ☐ 7 c. Deed ☐ 7 d. Other, explain: _____

8. If application is for WRP, check appropriate box.

☐ 8 a. 10 Year Restoration Agreement ☐ 8 b. 30 Year Easement ☐ 8 c. Permanent Easement

9. If application is for GRP, check appropriate box.

☐ 9 a. 10 Year Contract ☐ 9 b. 15 Year Contract ☐ 9 c. 20 Year Contract ☐ 9 d. 30 Year Contract☐ 9 e. 30 Year Easement ☐ 9 f. Permanent Easement

The signature by the NRCS representative signifies a CCC-NRCS transaction as indicated above.

10. Authorizing Official for: _____

10 a. Signature: _____

10 a. Date: _____

OMB DISCLOSURE STATEMENT

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. This valid OMB control number for this information collection is 0578-0013. The time required to complete this information collection is estimated to average 0.75 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection information.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 522a). Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other State or Federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

NONDISCRIMINATION STATEMENT

U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (202) 720-5964.



Additional EWP Information (Floodplain)

Updated 03/04/2009

The following is an excerpt from Section 216, P.L. 81-516 (as amended) which pertains to NRCS EWP Program:

"The Secretary of Agriculture is authorized to undertake emergency measures, including the purchase of floodplain easements, for runoff retardation and soil erosion prevention, in cooperation with landowners and land users, as the Secretary deems necessary to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of that watershed."

610-692-7171

www.eastgoshen.org

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

8/8/17
FILE

March 25, 2009

Mr. Samuel High, District Conservationist
NRCS Service Center
610 Westtown Road
West Chester, PA 19380

Dear Sam:

Enclosed is an application for Long Term Contracted Assistance through the Emergency Watershed Protection – Floodplain Easement Program. I spoke to Barry Frantz (717) 237-2216 of the NRCS Harrisburg office and he said that the deadline for submitting an application was March 27th, that Township was eligible to apply and that I should submit the application to the District Office.

Please give me a call at 610-692-7171 or e-mail me at rsmith@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Louis F. Smith, Jr.
Township Manager

Enclosures

F:\Data\Shared Data\Public Works Dept\Parks\HME Dam\NRCS\Letter 032509.doc

9817

A. APPLICATION FOR LONG-TERM CONTRACTED ASSISTANCE THROUGH THE EWPP PROGRAM

- B. To be completed by NRCS; check appropriate box:
- ☐ This transaction is for CCC
- ☐ This transaction is for NRCS

C. State: Pennsylvania

D. County: Chester

1. Applicant Name and Address:

Louis F. Smith, Jr. Township Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

2. Applicant Name and Address:

1 a. Phone: (610) 692-7171

2 a. Phone:

I (We) hereby apply for participation in this program and submit the following information in support of the application. I (We) hereby attest that the name(s) listed in Items 1 and 2, have complete control of the property described in Item 3 below.

3. Description and location of farm, ranch, or other unit:

Hershey's Mill Dam - northeast corner of Green Hill Road and Hershey Mill Road, Chester County Pennsylvania

4. The land is owned by the applicant(s): ☒ Yes ☐ No If the answer to Item 4 is NO, provide an explanation below:

5. Description of area(s) needing treatment. Type and severity of problem(s), and treatment needed to correct the problem(s):

See attached

6. I (We) understand this application does not obligate the applicant(s) or _____ to enter into a contract.

6 a. Signature(s): [Signature]

6 a. Date: 3/25/09

6 b. Signature(s): _____

6 b. Date: _____

7. The land has been evaluated and determined to be eligible for the program for which applied ownership criteria is met by the following methods:

Personal Knowledge:

Knowledge of: ☐ 7 a. Conservation District Board Members ☐ 7 b. FSA Records ☒ 7 c. Deed ☐ 7 d. Other, explain: _____

8. If application is for WRP, check appropriate box.

☐ 8 a. 10 Year Restoration Agreement ☐ 8 b. 30 Year Easement ☒ 8 c. Permanent Easement

9. If application is for GRP, check appropriate box.

☐ 9 a. 10 Year Contract ☐ 9 b. 15 Year Contract ☐ 9 c. 20 Year Contract ☐ 9 d. 30 Year Contract
☐ 9 e. 30 Year Easement ☒ 9 f. Permanent Easement

The signature by the NRCS representative signifies a CCC-NRCS transaction as indicated above.

10. Authorizing Official for: _____

10 a. Signature: _____

10 a. Date: _____

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Hershey Mill Dam
East Goshen Township, Chester County
March 25, 2009

5. Description of areas needing treatment.

The Hershey Mill Dam is located on the Ridley Creek which is classified as a high quality trout stocking fishery stream. The dam is situated on a parcel of Township open space at the northeast corner of Green Hill Road and Hershey Mill Road in East Goshen Township, Chester County.

The dam is regulated by the PA Department of Environmental Protection and the Township has been advised that the dam will not safely pass the 100 year storm event (8.5"). In fact it appears that a two year storm (3.4") will exceed the capacity of the existing spillway and cause the dam to be overtopped. This occurred on September 16, 1999 when 4.20" of rain fell (as measured at the rain gauge located at the Township Building 1.5 miles from the dam) and again on September 17, 1999 when 5.10" of rain fell. While the dam was overtopped on both of these days fortunately, it did not fail.

Breaching the dam would eliminate the hazard that currently exists to the properties downstream.

The impoundment encompasses approximately two acres. Breaching the dam and replanting would allow for the restoration of this area to its original condition of a forested wetland.



11/01/17

TO SAM HIGH
FROM RICK SMITH

601 Westtown Road, Suite 381
West Chester, PA 19380
Phone: 610-696-8768 x3
Fax: 610-696-5094

USDA-NRCS**Fax****FILE**

To: <u>RICK SMITH</u>	From: <u>SAM HIGH</u>
Fax:	Date:
Phone:	Pages: <u>2</u>
Re:	CC:
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	
Comments:	

RICK,

This is a preliminary Restoration Plan with cost estimate that Pete Vanderstappen, our engineer, put together. Please sign this for the township at "Landowner Signature" and fax it back to me. We need it for the application package.

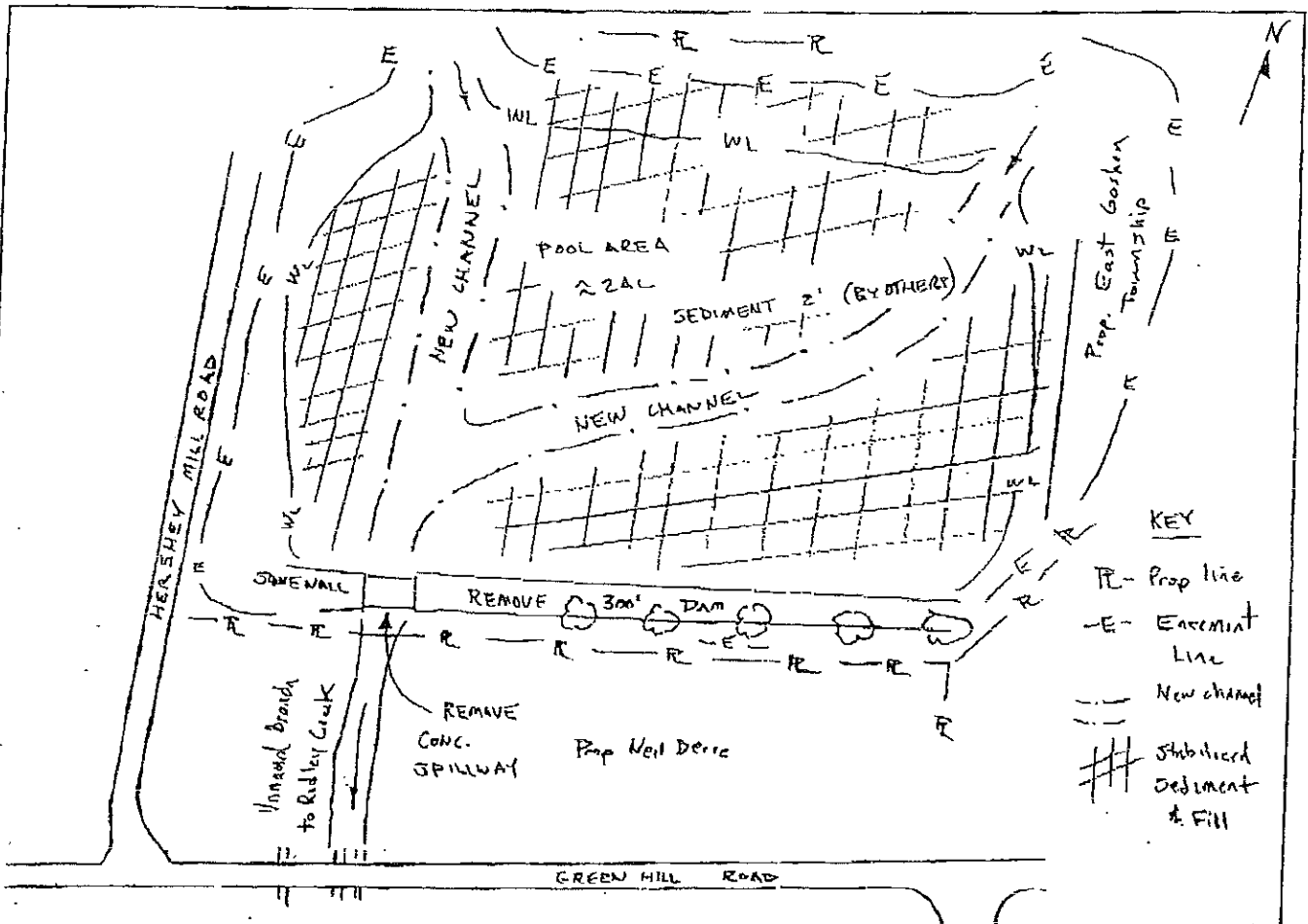
Thanks,

Sam High

120717

Preliminary Restoration Plan for Hershers Mill Dam Restoration
Chester County, PA

East Goshen Township



KEY

- R- Prop line
- E- Easement Line
- New channel
- ## Stabilized Sediment & Fill

Note: Spillway capacity just under 2yr storm
 100yr storm overtops dam by 1.25' } Yorkes Associates
 3-22-08

Planned BMP's	Description of work	Quantities	Est Cost (Optional)
Obstruction Removal	Existing Walls & Spillway		
Obstruction Removal	Remove 300' Long Dam & Associated Trenches		
Critical Area Stabilization	Regrade Sediment & stabilize		\$200,000 - 250,000
Channel Stabilization	Estabil (2) channels		(Incl. Engr Costs)

x / [Signature]
 Landowner Signature

4/2/09
 Date



Hershers Mill Dam
Chester COUNTY, PENNSYLVANIA
 Preliminary Restoration Plan

DESIGNED PJV
 DRAWN PJV
 CHECKED
 APPROVED
 TITLE
 DATE 3/08

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 09-103

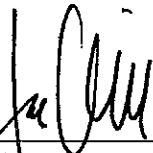
A RESOLUTION AUTHORIZING THE TOWNSHIP
MANAGER TO EXECUTE DOCUMENTS RELATED
TO THE APPLICATION FOR LONG TERM
CONTRACTED ASSISTANCE THROUGH THE
EMERGENCY WATERSHED PROTECTION-
FLOODPLAIN EASEMENT PROGRAM.

WHEREAS, that the East Goshen Township Board of Supervisors has submitted an application for Long Term Contracted Assistance through the Emergency Watershed Protection – Floodplain Easement Program.

BE IT RESOLVED the Supervisors of the Township of East Goshen hereby designates Louis F. Smith, Jr., Township Manager as the official to execute all documents related to the above referenced application.

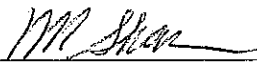
RESOLVED AND ADOPTED, this 14th day of April, 2009.


ATTEST:

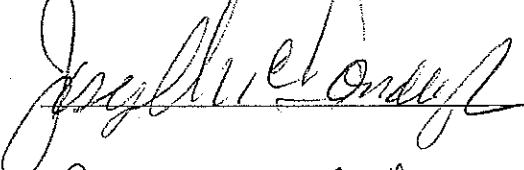


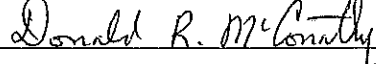
Secretary


EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS













NEWS RELEASE

United States Department of Agriculture • Office of Communications • 1400 Independence Avenue, SW
Washington, DC 20250-1500 • Voice: (202) 720-4623 • Email: oc.news@usda.gov • Web: <http://www.usda.gov>

Release No. 0191.09

Contact:
Chris Mather (202) 257-8446
Office of Communications (202) 720-4623

Vilsack Announces Floodplain Easement Selections Through Recovery Act Funding *Builds on USDA Efforts to Create Jobs, Help Rural Communities and Conserve Natural Resources*

TERRE HAUTE, Ind., June 2, 2009 – Agriculture Secretary Tom Vilsack today selected 289 applications for the first national sign-up for floodplain easements under the American Recovery and Reinvestment Act (ARRA) of 2009. The easements will cover more than 36,000 acres of land in 36 states.

"The floodplain easements made possible through the Recovery Act generated tremendous interest and response from across the country, which underscores the need to restore flood-prone areas to their natural state," said Vilsack. "We are working to create jobs and ensure the most effective use of the funds by enrolling land with the greatest benefit to protect against future floods, improve water quality, enhance wildlife habitat and reduce the need for future disaster assistance."

"For example, a 490-acre project area involving three easements along the Wabash River in Indiana will convert cropland damaged by flooding and erosion to permanent native vegetation," Vilsack said. "In addition to reducing flood damage to the floodplain, these restoration activities will protect the habitats of two state-listed threatened and endangered species, increase available carbon sequestration, restore riparian habitats and reduce commodity payments on 260 acres of cropland."

USDA received \$145 million in the ARRA to acquire floodplain easements and restore the land to its natural state while helping maintain jobs in rural America.

The Emergency Watershed Protection (EWP) Program's floodplain easement component allows USDA's Natural Resources Conservation Service (NRCS) to acquire permanent easements on private land, or certain land owned by units of state and local governments, that have been damaged by flooding at least once in the last 12 months or twice in the past 10 years. Once the easements have been established, NRCS will fund conservation work necessary to restore the land to its natural state.

Restoring floodplains to a natural state ensures they function properly – conserving and improving fish and wildlife habitat, water quality, flood water retention, ground water recharge, and open space; reducing long-term federal disaster assistance; and safeguarding lives and property from floods, drought, and erosion. Landowners retain several rights to the property, including quiet enjoyment, control of public access, and undeveloped recreational use

such as hunting and fishing.

During this ARRA floodplain easement sign-up, USDA received more than 4,200 applications, totaling over \$1.4 billion and representing 479,000 acres of flood-prone land in 47 states and territories.

All applications were submitted voluntarily and were rigorously screened to ensure they met specific criteria before selection, such as the impact and connectivity of streams and floodplains, their proximity to wetlands and wildlife habitat, and the likelihood of generating jobs through restoration activities. These activities include, but are not limited to, removal of structures that impede or alter water flow; re-establishing natural vegetation; and restoring fish migration routes.

Floodplain Easement Applications - 5/19/09

State	Number of Applications	Acres	Funding
Alabama	3	1,152	\$2,971,627
Alaska	13	379	\$3,120,424
Arkansas	8	1,501	\$2,237,586
California	6	970	\$7,970,784
Colorado	3	629	\$614,234
Connecticut	1	65	\$888,270
Georgia	5	563	\$3,647,268
Illinois	10	1,403	\$5,946,931
Indiana	13	3,016	\$8,150,472
Iowa	42	4,240	\$24,135,568
Kansas	3	853	\$2,294,232
Kentucky	6	810	\$3,585,541
Louisiana	2	1,052	\$1,798,528
Maine	3	73	\$469,665
Maryland	1	166	\$667,849
Michigan	1	108	\$515,574
Minnesota	14	1,388	\$2,421,541
Mississippi	6	1,390	\$2,596,164
Missouri	10	1,507	\$4,817,131
Nebraska	1	139	\$361,260
New Hampshire	2	32	\$569,403
New Jersey	1	167	\$841,164
New York	14	409	\$2,007,966
North Carolina	3	62	\$741,000
North Dakota	27	4,504	\$11,802,508
Ohio	23	1,074	\$4,533,426
Oklahoma	4	1,766	\$2,810,520
Oregon	3	677	\$3,035,826
Pennsylvania	5	34	\$1,340,340
Rhode Island	4	137	\$2,347,200
South Carolina	1	435	\$559,500
South Dakota	3	768	\$1,904,514
Tennessee	3	498	\$1,751,895
Washington	4	284	\$1,687,815
West Virginia	18	17	\$1,389,700
Wisconsin	23	4,040	\$19,718,769
Total	289	36,308	\$136,252,195

Funding provided through the American Recovery and Reinvestment Act of 2009 is part of the Obama Administration's plans to modernize the nation's infrastructure, jumpstart the economy, and create jobs. For more information, visit www.recovery.gov.

To learn more about your eligibility for USDA projects underway through the Recovery Act, go to www.usda.gov.

16267

United States Department of Agriculture



Natural Resources
Conservation Service

One Credit Union Place, Suite 340
Harrisburg, PA 17110-2993
717-237-2200; fax: 717-237-2239

2009 JUN 15 PM 12 16

June 10, 2009

East Goshen Township
Green Hill & Hershey Mill Road
West Chester, PA 19382

RE: EWP Floodplain Easement Program, Application #752D370900Q96, Chester County

To Whom It May Concern:

Congratulations. Your application for the Floodplain Easement program has been tentatively selected for funding.

In our conversation today you have indicated you want to continue with the project.

Because the funding source is federal stimulus money, we have a need to move quickly along the following timeline.

- NRCS will order and pay for a title search in June 2009
- NRCS will order and pay for a hazardous material study in June 2009
- NRCS will determine that all eligibility criteria are met in June 2009
- NRCS (Planning/Hydraulic Engineer Geoff Cerrelli from our office 717-237-2214) will schedule an on-site meeting with you and/or your representative (s) for early July to determine the scope of the project
- NRCS will work with you to select an engineer to complete the design (including a cost estimate for construction) in July 2009
- The engineer will begin completing the permit process with DEP in July 2009
- Option agreement to purchase the easement must be finalized with you by September 4, 2009. If this is not completed on time, funding for the project may be cancelled
- The engineer will complete the design by October 15, 2009
- The permits will be obtained by February 1, 2010
- Offer to purchase the easement and closing with the landowner will be prior to February 3, 2010. Purchase (closing) of the easement must be completed by February 2010. Easement must be in place before restoration work can begin. If easement is not acquired by this time, funding for the project may be cancelled
- Selection of a contractor for construction will be about June 1, 2010
- Final construction will be completed by October 1, 2010

NRCS will need to work with other agencies and entities to complete the steps above. Signing the attached release form will allow NRCS to share information with those necessary to complete the project efficiently. Please sign, date, and return in the enclosed envelope.

We look forward to working with you to bring this project to completion. If you have questions, please contact Soil Conservationist Andy Kling at 717-237-2259 or Andrew.Kling@pa.usda.gov.

A handwritten signature in black ink that reads "Craig R. Derickson". The signature is written in a cursive, flowing style.

CRAIG R. DERICKSON
State Conservationist

cc: Sam High, District Conservationist, NRCS, West Chester Field Office, Chester County

Enclosure: Authorization for Release of Records Form

17817

Authorization for Release of Records

To: United States Department of Agriculture
Natural Resources Conservation Service

I hereby authorize the release of my individual records that are in the custody of the United States Department of Agriculture, Natural Resources Conservation Service.

I authorize release of records to all entities necessary to expedite the EWP Floodplain Easement Program.

Beginning date: June 8, 2009 for release of record.

Ending date: December 31, 2010 for release of record.

I understand and acknowledge that NRCS cannot be responsible for ensuring the confidentiality of released records.

Name (Please Print): _____

Signature: _____

Date Signed: _____

WORKSHOP
5.
1 pg

MEMO

To: Board of Supervisors
From: Deb Beury
Re: Recommendation on waiving late fees
Date: June 18, 2009

Quite often, the finance department receives phone calls from residents who are upset that they have received a late notice with a penalty and they did not receive the original bill in the mail. This holds true for both utility billing and real estate taxes.

Our position in the past has been to state what the Board's policy is on this subject for utility billing in the code book section 188-11 (D) which reads as follows:

Failure to receive bills will not be considered an excuse for nonpayment nor permit an extension of the period during which bills are payable at face.

In the three years I have been fielding these phone calls, I do think there is a problem with the postal service, at times, since many of these residents who contact us have impeccable payment histories with the Township. Most often, residents are greatly offended with the present policy particularly if they have paid their bills on time for many years. I think the Township's image with the residents would benefit from this new policy.

For Utility Billing

I recommend waiving the 10% penalty for non-delivery of original invoice from the post office once every 24 months provided the resident has paid on time within the past 24 months. A follow up letter would be sent confirming the waiver and the Township's policy of one waiver every 24 months. The letter would include a schedule of when the bills go out and due dates as well as helpful suggestions such as offering electronic payments and pointing out the night drop box availability for payments.

For Real Estate Taxes

I recommend waiving the 10% penalty for non-delivery of original invoice from the post office once every three years provided the resident has paid on time for the past three years. The same follow up letter would be sent to the resident confirming the waiver and the Township's policy of one waiver every three years. Included in the letter would be the annual timeline for when the taxes are mailed as well as the discount, face and penalty time periods for the resident's benefit.

Joe Gill has suggested the waiver of penalties would be at my discretion only.

I received one of these calls two weeks ago regarding non receipt of the original tax bill. The resident followed up with me yesterday and I assured him I would contact him when I learn of your decision to this recommendation.

WORKSHOP
6.
1pg

**EAST GOSHEN TOWNSHIP
MEMORANDUM**

TO: BOARD OF SUPERVISORS
FROM: JOE GILL, ASSISTANT MANAGER
SUBJECT: WEB SITE UPGRADE
DATE: 6/17/09
CC: RICK SMITH, MANAGER

Supervisor Don McConathy and me have met with Triton Web Studios to discuss their proposal for the Township web site. We determined that the project would best proceed in phases.

The first phase is the investigation phase: Triton will determine Township needs and then propose new Content Management Software (CMS), a few different potential page designs, and an operating framework.

The second phase will be Triton's new site development to be done while our current site is still fully operational.

The third phase will be training staff and the switch over to the new site.

I suggest the Board grant approval to begin the first phase.

BOS Pending Actions List

Action Due Date	Original Target Date	Type	Item	Owner	▲	Status / Comments	List Date	Complete Date
26-May-09	27-Jan-09	GEN	Review plantings around Comcast Generators	BoS		Letter sent to Comcast asking for additional plantings. Awaiting planting plan. Paint color selected.	24-Jul-07	5/26
26-May-09	27-Jan-09	GEN	Traffic Study Boot Road (With WG)	Rick Smith		Signals along Boot Rd to be retimed. Move ahead to restripe road. Need final cost estimate from WG. Developer may add right turn lane from Greenhill Rd. HOP to PADOT submitted. Rec'd PaDOT comments. Engineers preparing revisions.	21-Jan-08	
26-May-09	21-Apr-09	GEN	Review Comp Plan Action List (Ch 10)	BoS		Ensure current actions are being addressed. Review at Planning Conference.	20-May-08	
26-May-09	27-Jan-09	GEN	WEGO - Long Range Costs	BoS		Provide 5-10 year projections for police costs to Townships	9-Aug-08	
27-May-09	1-Jan-09	GEN	Strategy for Police Arbitration	BoS		Marty/Carol work with Kapoor on strategy study. Priority list sent for update of presentation.	20-Jan-09	
28-May-09	10-Feb-09	GEN	Millcreek access road	Frank Vattilano		Provide recommendation on paving access path. Provide field use data. Received Parks recommendation. Synthes will grant access license.	19-Aug-08	26-May-09
2-Jun-09	13-Jan-09	GEN	Line Road Trail	Rick Smith		Grant received for \$58,600 in Dec 08. Pulte commitment confirmed. Paved path to utility boxes plus path to new bridge. Ltr from Applebrook Homes on steps. Verify funding commitment from Golf Course. Contract rec'd. Waiting on request to change scope.	2007	
2-Jun-09	17-Feb-09	ORD	Ordinance change for charging interest on all outstanding balances	Solicitor		Jeff to draft change. Hearing 6/2 09 7/21	2007	
2-Jun-09	13-Jan-09	ORD	Automatic Protection Devices (Fire Dept)	BoS		Sent to County for review. Review final draft in Workshop.	4-May-04	6/1
2-Jun-09	1-May-09	GEN	Geese Management Program	BoS		2007 program success based on anecdotal info	23-Jan-07	
2-Jun-09	17-Mar-09	GEN	Replace plantings along East Boot Road	BoS		Replace plantings removed by Mark M in 2007. Conservancy Board to develop plan and budget. Funds in 2009 budget.	3-Jul-07	
2-Jun-09	17-Feb-09	GEN	Park Bridge Permit	Rick Smith		Awaiting response from ACOE	24-Jul-07	
2-Jun-09	2-Jun-09	GEN	Add Resolutions to Ordinance	Solicitor		Review Resolutions to see if they can be added to Ordinances	10-Feb-09	
9-Jun-09	17-Feb-09	ORD	Review/clean up Wireless Ordinance	Solicitor		Bring ordinance up to standards and close some loopholes. Remove annual reporting & fee. Wireless carrier name change. Review satellite dishes conditions	2007	
9-Jun-09	27-Jan-09	GEN	Dedication of King George Court Road	BoS		Board met with Pat McKenna 2/10/09. Case settled. Title to Road has lien.	9-Sep-08	6/16
9-Jun-09	21-Apr-09	GEN	Algae/Scum treatment in ponds	Rick Smith		P&R/Conservancy Boards make recommendation on how to control algae in our ponds. Barley bales installed. Awaiting PECO for pump electric.	21-Oct-08	
9-Jun-09	17-Feb-09	VAR	Malvern Institute Expansion	BoS		Convert barn into office space and meeting room. SE due to flood plain. Will also require multiple variances.	30-Oct-08	
9-Jun-09	9-Jun-09	GEN	Telecom Registration and Reporting	Staff		Status of Registry and Fee collections	24-Feb-09	
9-Jun-09	9-Jun-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
10-Jun-09	17-Feb-09	ORD	Update Park Ordinance for DMP	Solicitor		Jeff prepare changes to Park Ordinance per earlier discussion.	20-Jan-09	
16-Jun-09	17-Feb-09	GEN	Hershey's Mill Dam	BoS		Working with DEP. Eng estimate to determine costs to upgrade or breach. Contract with Rettew to recommend dam remediation work on 5/23. URS 2nd quote. Soil analysis done.	22-May-07	
16-Jun-09	17-Mar-09	GEN	LED traffic signal replacement report from Mark	Staff		Grant applied for 10/23/08	5-Jun-07	
26-Jun-09	???	ORD	Trash Ordinance rewrite	Rick Smith				

ACTION LIST
2 pp

BOS Pending Actions List

Action Due Date	Original Target Date	Type	Item	Owner	▲	Status / Comments	List Date	Complete Date
30-Jun-09	31-Mar-09	GEN	Evaluate converting pension plan to 401K type plan	Joe Gill		Investigate other options.	2-Jan-07	
30-Jun-09	21-Apr-09	GEN	Public Works Service - plowing/mowing	BoS		Cost and quality of services in-house vs out-house. Review at Planning Conference	16-Sep-08	
30-Jun-09	21-Apr-09	GEN	Maintenance Plan for Tennis Courts	BoS		Plan for maintenance of tennis courts including major work planned and when. Include any revenue from other users. Who uses? Review at Planning Conference	21-Oct-08	
7-Jul-09	27-Jan-09	GEN	Metered Billing	BoS		Tom/Don/staff working to implement metered billing by Jan 1, 2010.	22-Feb-08	
14-Jul-09	28-Feb-09	SD/ID	Sullivan's Grove (S/D)	BoS		they submitted revised plans	16-Feb-06	
14-Jul-09	21-Apr-09	STP	Quarterly report on I&I work done on system	Rick Smith		Pennoni to prepare quarterly report on I&I work done.	9-Dec-08	
14-Jul-09	14-Jul-09	GEN	Quarterly Review of Right to Know Requests	Rick Smith		Copy of prior quarter's Right to Know requests	10-Feb-09	
14-Jul-09	14-Jul-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
21-Jul-09	???	ORD	Noise Ord for Emergency Generators	Staff		Update noise ordinance to today's conditions and include emergency generators	12-Aug-08	
4-Aug-09	17-Mar-09	GEN	Review/update records retention Resolution	Staff		Review existing guidance on records retention, including e-mail to ensure it complies with PA Museum Commission guidance.	20-Jan-09	
4-Aug-09	17-Apr-09	GEN	AR Collections Resolution	Staff		Status of Resolution.	5-Mar-09	
11-Aug-09	11-Aug-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
1-Sep-09	15-Sep-09	GEN	Appoint Representative to CC EIT Committee	BoS		Appoint a Rep and Alternate by 9/15/09	10-Feb-09	
8-Sep-09	???	ORD	Parking for Multi-Use Space in IP/BP District	BoS		PC to review and recommend changes	2-Aug-06	
8-Sep-09	???	ORD	Planting around new generator installations	BoS		PC to review and recommend changes	22-Jan-08	
8-Sep-09	???	GEN	Policy on recycling light bulbs	Rick Smith		Policy on recycling all kinds of light bulbs for the Township	8-Jan-09	
8-Sep-09	8-Sep-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
15-Sep-09	15-Sep-09	GEN	Status of Email Distribution of Packets	Staff		How is it working and what are the savings.	24-Feb-09	
5-Oct-09	???	GEN	Signal at Line Rd and Paoli Pike	Rick Smith		Install signal only; obtain funding from Willistown for signal and previous engineering work. Townhouse developer fund full signal cost. EG will install signal if Willistown will commit to reimburse. Developer has not received HOP. No action by Willistown - do we wish to proceed?	2006	
13-Oct-09	13-Oct-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
10-Nov-09	10-Nov-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
8-Dec-09	8-Dec-09	STP	Ridley Creek Expansion Monthly Update	Staff		Provide monthly status report.	5-Mar-09	
TBD	???	ORD	Signage for C/U - only one 32 sqft sign	Rick Smith		Ordinance now allows one 32 sqft sign per use; should be per property.	29-Apr-08	
TBD	???	GEN	Review Township Energy Use	Staff		Perform energy audit using gov't web sites and/or LDDAP help	10-Feb-09	
Types:								
		GEN	General					
		STP	Sewage Treatment Plant					
		SD/ID	Sub-division and Land Development					
		COND	Conditional Use					
		VAR	Variances					
		ORD	Ordinances					

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BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

FYI

June 15, 2009

Dear Property Owner:

The purpose of this letter is to inform you that T-Mobile Northeast LLC has submitted a Zoning Variance application requesting relief from several sections of the Zoning Ordinance. T-Mobile proposes to install a telecommunications facility on top of a utility pole within the road right of way on the west side of North Chester Rd. just north of the Boot Rd. and North Chester Road intersection. The proposed utility pole location is adjacent to the New Kent Apartments property, 1218 Rexton Rd., West Chester, PA 19380, TPN: 53-4-76.

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of Zoning Variance applications.

The meeting dates and times when this application will be discussed are outlined below.

July 1, 2009 - Planning Commission meeting (workshop at 7 pm, formal meeting @ 7:30 pm)

July 7, 2009 - Board of Supervisors meeting (workshop at 7 pm, formal meeting @ 8:00 pm)

July 23, 2009 - Zoning Hearing Board (**Zoning Hearing**, Begins at 7:30 PM)

All meetings are held at the Township Administration Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions

FYI

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

June 11, 2009

Mr. Phillip Mollichella
Ms. Dawn Gill
1604 Margo Ln.
West Chester, PA 19380

Re: T.P.N. 53-6C-16
NOISE ORDINANCE VIOLATION NOTICE

Dear Mr. Mollichella and Ms. Dawn Gill:

It has been brought to the Township's attention that vehicle repairs, testing and operation of vehicle engines on your property are creating noise disturbances in the neighborhood.

The Township Noise Ordinance, §156-5.A.(7), prohibits the testing, repairing or modifying vehicles in a manner which causes a noise disturbance across a property boundary. The neighbors have been informed to call the police with complaints in the future.

Thank you in advance for your cooperation on this matter. Enclosed is a copy of the relevant section of the Township Code for your information and use. Should you have any questions, please contact me.

Sincerely,



Mark A. Gordon
Township Zoning Officer

CC: Board of Supervisors
Rick Smith, Township Manager
Chief Dumond, Westtown-East Goshen Police Department (Via Email)

Enclosure

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

FYI

June 19, 2009

Dear Property Owner:

The purpose of this letter is to inform you that East Goshen Township has been notified that the Christ Memorial Church at 89 Line Road in Willistown Township has applied for relief from the Zoning Ordinance. The Willistown Township Zoning Hearing Board will hear the application on June 24, 2009.

Pursuant to East Goshen Township policy, property owners and residents within 1000 feet of the subject property are informed of these applications. I have copied the notice on the back of this letter for your information and use. For more information contact Willistown Township at 610-647-5300.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All East Goshen Township Authorities, Boards and Commissions
Hugh J. Murray, Sr., Township Manager, Willistown Township