

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
GOSHEN FIRE HOUSE
July 7, 2009 – 7:00pm
FINAL APPROVED MINUTES**

Present: Chairman Marty Shane, Vice-Chairman Carmen Battavio, Don McConathy and Thom Clapper. Supervisor Joe McDonough was absent. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, Jim McRee (Deer Committee), and Phyllis Marron (Park & Rec).

EXECUTIVE SESSION

The Board met in Executive Session from 7:00pm to 7:43pm to discuss the police labor contract and the contract with Thornbury Township for police services.

WORKSHOP

Review of Minutes

The draft minutes of June 23 and June 25 were reviewed and corrected.

Bills

The Treasurer's Report and Expenditure Register Report were reviewed. Thom wants Joe Gill to compile a list of bills paid for garage doors, as this is a recurring expense and seems to be high.

FORMAL MEETING

Call to Order & Pledge of Allegiance

Chairman Marty Shane called the meeting to order at 8:06pm 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 the men and women serving their country in the armed forces, and their families.

Announcements

Marty announced that public comment on non-agenda items would be taken at the end of the meeting, and that Supervisor Joe McDonough was away on vacation.

Chairman's Report

Marty announced that the Board met in Executive Session on June 23 to discuss a personnel matter. They also met in Executive Session earlier this evening to discuss the police labor contract and the contract with Thornbury Township for police services.

Minutes

Don moved to approve the minutes of June 23 and June 25 as corrected in Workshop. Thom seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Treasurer's Report & Expenditure Register Report

The Treasurer's Report for July 2, 2009:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 45,258.64	
Earned Income Tax	\$ 50,120.23	Accounts Payable \$ 29,242.30
LST	\$ 6,000.00	Electronic Payments \$ 0.00
Transfer Tax	\$ 0.00	Debt Service \$ 0.00
Codes, Park & Rec	\$ 190,154.33	Payroll \$ 80,000.00
Total Receipts	\$ 291,533.20	Total Expenditures \$ 109,242.30
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 0.00
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 10,835.10	\$ 116,746.10
Refuse	\$ 7,556.66	\$ 6,312.69
Capital Projects	\$ 0.00	\$ 0.00

Don moved to accept the Treasurer's Report of July 2 and Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Thom seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Deer Management Program – Concerns of Resident Ron Zeleski

Ron Zeleski of 218 N. Lochwood Lane (speaking through an interpreter) said that on page 6 of the Deer Management Program, in Paragraphs 3 and 4, it states that there will be "a setback of 150 feet (50 yards) from any occupied dwelling." He asked if feet is the correct unit of measure. Marty said yes. Mr. Zeleski asked if an "occupied dwelling" would include garages and sheds. Marty said yes, and that 150 feet is the safety zone required by the Pennsylvania Game Commission. Mr. Zeleski distributed a document to the Board from the Game Commission stating that the safety zone shall be 150 yards. Marty said the document gave yards in reference to the safety zone for firearms. The Game Commission safety zone requirement for archery is 50 yards (150 feet). The East Goshen program uses only archery, no firearms. Mr. Zeleski said there is a discrepancy between the Game Commission's numbers and those used by East Goshen. Marty explained again that 50 yards = 150 feet, and said the safety zone in the East Goshen program can never be less than 50 feet from the property line. Mr. Zeleski said he thinks 50 yards would be better because the safety zones are not consistent among the properties in his neighborhood. Don gave Mr. Zeleski a map showing the safety zones marked for his neighborhood. Mr. Zeleski thanked him and indicated he had been looking at an older, different map when making his statements. Marty said the safety zone for any particular property will not be less than 50 feet from the property line, and may be up to 150 feet. It varies based on where the building are located on the property.

Mr. Zeleski asked why the program has to involve hunting near his property when the Township has so much other acreage of open space (in areas such as Wentworth, etc.) to hunt. He said the Township is engaging in illegal hunting. Don told Mr. Zeleski it seemed he was referring to total acreage of those neighborhoods and not the amount of land actually available for hunting. Mr. Zeleski asked why the Township is hunting on residential property when all the open space is available. Marty said the Township is not hunting on individual private property. Mr. Zeleski said he is concerned hunting will take place in the safety zones and that firearms will be used. He indicated he is concerned about the safety of the residents. He again stated that the Township is planning to engage in illegal hunting. Don said the yellow lines on the map he gave Mr. Zeleski indicating the safety zones are located only on Township property. Carmen told Mr. Zeleski there will be no firearms used in the Township hunt; only archery. Mr. Zeleski then asked about the sharpshooters that have been mentioned in previous meetings. He distributed to the Supervisors a copy of something he found on *Craigslist* advertising membership in a private deer-hunting club in West Chester for \$1,000. He said he assumed the location to be East Goshen. He asked if any of the Supervisors were familiar with this ad. The Supervisors indicated they had no knowledge of this ad and Don stated the location was not in East Goshen, because East Goshen cannot and does not charge hunters to hunt in the Township. Marty told Mr. Zeleski the location cannot be in East Goshen so the Board would have no control over it. Mr. Zeleski said he thought it was in East Goshen since the address given was West Chester. Don told him the "West Chester" mailing address covers about 8 different townships.

Mr. Zeleski had no further comments and thanked the Board for their time.

Bid Award for Cleaning Services

The bids received for cleaning services of the Township Building, Blacksmith Shop and District Court Building were opened on 6/15/09 and were as follows:

\$1,245.00	Clean Net of Philadelphia (Bala Cynwyd, PA)
\$1,351.28	Jani-King of Philadelphia (Norristown, PA)
\$1,490.00	Shallis Services, Inc. (Frazer, PA)
\$1,596.30	Clean Right Building Service, Inc. (Exton, PA)
\$1,600.00	B&L Commercial Cleaning (West Chester, PA)
\$1,750.00	ECO Cleaning & Maintenance Service (West Chester, PA)
\$4,376.81	Team Clean Inc. (Philadelphia, PA)

Don moved to award the bid for cleaning of the Township Building, Blacksmith Shop and District Court Building to Clean Net of Philadelphia in the amount of \$1,245.00 per month per the June 24, 2009 recommendation of Public Works Director Mark Miller. Carmen seconded the motion.

Public Comment: Linda Gordon, Line Road – Asked if the cleaning service would include the floor of the bathroom in the Blacksmith Shop. Rick said yes.

Public Comment: Dan Truitt, 1430 Grand Oak Lane – Had a question about the cost of the service.

Thom asked if there is any issue in having cleaning service employees working in the District Court Building. Rick said he did not think so, but would check. Don said that should have been included in the bid specs. Marty asked Rick to check with the County to see if there are any other specs that should have been included in the bid documents.

There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Bid Award for Labor & Equipment for Tree Trimming & Removal

The bids received for labor and equipment for tree trimming and tree removal were opened on 6/22/09 and were as follows:

Eden's Tree Service, Malvern PA

Bucket Truck	\$55.00/hr
Brush Chipper	\$35.00/hr
Climber	\$15.00/hr
Dump Truck	\$30.00/hr
Ground Laborers	\$25.00/hr
Stump Grinder	\$35.00/hr
Crew	\$850.00 daily

Jimmy's Tree & Landscape, Philadelphia, PA

Bucket Truck	\$90.00/hr
Brush Chipper	\$55.00/hr
Climber	\$45.00/hr
Dump Truck	\$60.00/hr
Ground Laborers	\$35.00/hr
Stump Grinder	\$55.00/hr
Crew	\$1,100.00 daily

Knight Bros, Inc., Aston, PA

Bucket Truck	\$68.80/hr
Brush Chipper	\$55.00/hr
Climber	\$44.20/hr
Dump Truck	\$54.40/hr
Ground Laborers	\$42.80/hr
Stump Grinder	\$54.40/hr
Crew	\$1,660.00 daily

GreenTree Landscaping, West Chester, PA

Bucket Truck	\$125.00/hr
Brush Chipper	\$75.00/hr
Climber	\$55.00/hr
Dump Truck	\$75.00/hr
Ground Laborers	\$40.00/hr
Stump Grinder	\$4.00 per inch

Crew \$1,800.00 daily

Rick's Tree Service, Glen Mills, PA

Bucket Truck \$150.00/hr
Brush Chipper \$150.00/hr
Climber \$60.00/hr
Dump Truck \$100.00/hr
Ground Laborers \$50.00 per man hour
Stump Grinder \$200.00/hr
Crew \$2,400.00 daily

Don moved to award the bid for labor and equipment for tree trimming and the removal of trees to Eden's Tree Service, Inc. as recommended by Public Works Director Mark Miller in his June 26, 2009 memo to the Board. Carmen seconded the motion.

Carmen asked if Eden's bid of \$15.00 per hour for a climber is correct and not a typographical error as it seems very low. Marty said he believed the number to be correct but said staff should double-check. Thom had a question about whether the ground crew would be included in Eden's "crew" cost of \$850.00. Marty said he wants to know if the Township checks that the size of the crew sent out matches the size of the job. Rick said the alternate to awarding the bid for the year would be to award a bid for every individual tree or job. Thom said he also wants to know if all the equipment is brought to the site for each job, regardless of need. Carmen said he thinks that Mark Miller relays the size of the job and the necessary equipment and personnel to the contractor when he contacts them. Don wants to know how the Township determines whether to use Public Works employees for a tree job or to use a contractor. Carmen said Mark Miller would be able to tell the Board the answer to that question but he believes they generally call the contractor when wires are involved or if the job is more than they are equipped to handle.

Public Comment: John Schorn, 1401 Larch Lane – Asked how much Eden bid for use of a bucket truck, and Carmen told him \$55.00 per hour. Mr. Schorn said that number is not realistic and expressed concerned such a low bidder plans to pad the hours spent or the equipment used on a job.

Jim McRee of the Deer Committee asked if the Township gets a fixed price per tree or per job. Marty said in some cases yes, such as the trees to be removed from the Hershey's Mill dam.

Public Comment: Dan Truitt, 1430 Grand Oak Lane – Said Eden's Tree Service did a nice job on his property 7 or 8 years ago.

Public Comment: Ron Zeleski, 218 N. Lochwood Lane – Said the Township should make sure the contractor has liability insurance. Marty agreed.

There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Zoning Variance Request - John Mummert, 1417 Center Street

Mr. Mummert was present. Carmen moved to recommend the Board support the Zoning Variance application of John Mummert, who is requesting relief of 7 feet from the required 30-ft rear yard setback requirement set forth in §240-10.G. of the Township Zoning Ordinance, with the condition that the size of the proposed addition conforms to the diagram submitted with the application. Thom seconded the motion. Don said he would like it added for the record that the variance request is a result of the narrow depth of the lot, a hardship not created by the applicant, and in the opinion of the Township it will not alter the essential character of the neighborhood. Carmen and Thom accepted this amendment.

Carmen said the Township needs to support the efforts of Milltown residents in making their homes more livable as long as they keep construction to a minimum.

Public Comment: John Schorn, 1401 Larch Lane – Said he was in favor of the Board approving Mr. Mummert’s request.

There was no further public comment. The Board voted unanimously to approve the motion.

Correspondence & Reports of Interest

Marty acknowledged receipt of the following:

- Plan depicting the recreation area for the Pennsylvania Leadership Charter School at 1585 Paoli Pike.
- Township Annual Financial Report for 2008.
- Municipal Authority Financial Report for 2008.

Meetings and Dates of Importance

Marty noted the upcoming meetings as listed in the agenda.

Subdivision of Shirley Fox Property at 1711 E. Boot Road

The Board discussed the June 24 letter from Zoning Officer Mark Gordon on this topic. None of the Supervisors indicated opposition to honoring the 1964 subdivision approval of the property. Carmen said he would not be opposed as long as someone wishing to build on the property would not be grandfathered as far as setbacks, etc.

Public Comment: John Smirga, 917 Jefferson Way – Identified himself as a Professional Engineer and said the current zoning would apply; there would be no grandfathering.

Don moved for the Board to honor the April 7, 1964 Applebrook Farm Auction Plan showing that Ms. Shirley Fox’s property is comprised of two lots. Carmen seconded the motion.

Ms. Fox said she needs permission from the Township to have a tax parcel number issued for the second lot. Rick told her the letter the Township sends to the Chester County Assessment Office will address that request.

There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Public Comment

John Schorn, 1401 Larch Lane – Asked the status of Neil DeRiemer’s proposal for the Hershey’s Mill dam. Rick told him he expects to have the Yerkes review of the proposal by the end of the week, and he has not yet heard anything from DEP. Mr. Schorn then asked the status of the Sunoco wells, as he noticed some activity around them. Rick said Sunoco performed a pump down test, and will be sending a copy of the report to the Township.

John Mummert, 1417 Center Street – Asked the status of the property at 1419 Center Street. Marty said the Board still has to determine if it will be worthwhile to take it to Sheriff’s Sale. Rick said that per the Township Solicitor the Township could recoup their expenses if the minimum price was received at Sheriff’s Sale. Mr. Mummert said a notice was posted on the property earlier this year stating that it was going to be put at Sheriff’s Sale sometime in June. The Board said they did not know anything about that, because the property was never put for Sheriff’s Sale. Mr. Mummert asked what expenses the Township has incurred so far in regard to the property. Rick said \$12-13K for the demolition, \$10K for the sewer, and legal fees on top of that.

Adjournment

There being no further business, the public meeting adjourned at 9:05pm.

WORKSHOP (Resumed)

Agreement with Thornbury Township for Police Services

Don moved to authorize Police Commissioner Thom Clapper to execute the agreement with Thornbury Township for police services. Carmen seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

RCSTP Project - SBR Walls Issue

The Board briefly discussed the SBR wall issue for the RCSTP.

Hershey’s Mill Dam

Marty asked Rick for a status on the dam issue. Rick said the Natural Resources Conservation Service (NRCS) is planning to look at the dam and then develop a plan for it. Apparently they are not planning to hold a meeting with the residents of East Goshen. Don said the NRCS should at least send a representative to present their plan to the public as it should not be the responsibility of the Board to present the NRCS plan to the residents. Don asked Rick to make sure the NRCS provides an outline of the full scope of what they plan to do and is specific about how long they plan to be involved. He does not want them to start something the Township will have to complete. Marty said the Board needs to determine how much the Township is willing to pay if the NRCS fails to cover the entire amount of the project.

Jim McRee asked who owns the land currently under the water at the dam and Rick said it is owned by the Township.

Public Comment: Dan Truitt, 1430 Grand Oak Lane – Expressed concern that breaching the dam and creating wetlands would cause a mosquito problem.

Township Annual Financial Report for 2008

Carmen said he had some concerns about the collateralization of Township funds. He has a call in to John Harding to see if East Goshen would be better off dispersing \$80K among many banks.

Fourth Supplemental Lease Agreement with the Municipal Authority

There were no comments on this document.

Action List

Carmen suggested starting Workshops 15 minutes early once per month to review this document, as it is too difficult to go through it at 10:00pm which is the time the Board usually gets to it. The Board decided to review the Action List during the July 28 meeting. Joe Gill will update the document in anticipation of that meeting.

Comprehensive Plan

Marty noted the Board needs to take action on the Comprehensive Plan. Joe Gill said he sent a request for input out to the Board and was waiting to hear back on how they want the issues prioritized. Marty asked him to send a reminder out and said the Board could review the plan at the next meeting.

Malvern Bank

The Board discussed some issues related to the Malvern Bank application. Don had a question about the extent of the Township's authority in enforcing parking restrictions. Rick will convey the question to the Township Solicitor.

Any Other Matter

Don passed along a suggestion from Sue Carty and other women who work for and volunteer in East Goshen. They would like the Board to consider having a Resident Recognition Day to recognize one resident at a time for an outstanding talent or skill they have. They could showcase, for example, the paintings of a resident. The items could be displayed in the lobby of the Township Building, perhaps on days when the Township Yard Sale is held. The Board members indicated they were fine with the suggestion but the ladies will need to work with Township staff on the details. Marty noted the ladies will need to coordinate the dates of the events so they can be advertised ahead of time in the Township newsletter.

Adjournment

There being no further business, the meeting adjourned at 10:12pm.

Respectfully submitted,

Anne Meddings
Recording Secretary