

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS WORKSHOP  
1580 PAOLI PIKE  
August 11, 2009 – 7:00pm  
Final Approved Minutes**

**Present:** Chairman Marty Shane, Vice-Chairman Carmen Battavio, Don McConathy, Joe McDonough and Thom Clapper. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, Mark Miller (Director of Public Works), Kathryn Yahraes (Historical Commission), Jim McRee (Deer Committee), Jane Fava (Conservancy Board), and Bob Huebner (Park & Rec).

**WORKSHOP**

**Call to Order & Pledge of Allegiance**

Chairman Marty Shane called the meeting to order at 7:01pm 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.

**Invasive Plant Species in Township Open Space**

The Board discussed an email received from a resident on the problem of invasive and noxious weeds in the Township open space. Don said he would like the Conservancy Board to act as an advisory body to Park & Rec on how to manage this problem. Jane Fava noted that PECO is giving away grant money for such projects in amounts up to \$10K to help pay for up to 50% of the cost. She said a one-time herbicide spraying program is not the answer. Instead, the Township needs to develop a five-year management plan, and after the five years an ongoing maintenance plan should be put into place. Jane said it would be impossible to treat every area at one time, and suggested the Board start with the Applebrook side of the Township Park which seems to be especially full of invasive species.

Carmen said this might be an appropriate item to bring up at the next COG meeting. Jane said it would be ideal if local townships could pool their resources to hire a Land Manager, someone trained and experienced in these issues.

Marty said the Conservancy Board should work with Park & Rec and make a recommendation to the Board on how to address the issue. The recommendation should be received by mid-October at the latest. Included in the recommendation should be a cost estimate. The initial scope of the project will be limited to the Applebrook side of the Township park.

Don suggested the Board put money into the budget for next year for this project, which may or may not be used.

Carmen confirmed with Mark Miller that Public Works employees are not licensed Herbicide Applicators; the most they can do is spray Round-Up. Therefore for this project the Township will need to bring in licensed professionals.

On another matter, Jane reported that the YMCA trees allocated to the Conservancy Board have all been planted and numbered.

**Bills**

The Treasurer’s Report and Expenditure Register Report were reviewed.

**Treasurer’s Report & Expenditure Register Report**

The Treasurer’s Report for August 6, 2009:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>
<b>GENERAL FUND</b>		
Real Estate Tax	\$ 1,987.21	
Earned Income Tax	\$ 26,346.83	Accounts Payable \$ 18,134.27
LST	\$ 9,000.00	Electronic Payments \$ 0.00
Transfer Tax	\$ 0.00	Debt Service \$ 0.00
Codes, Park & Rec	<u>\$ 43,058.55</u>	Payroll <u>\$ 46,000.00</u>
<b>Total Receipts</b>	<b>\$ 80,392.59</b>	<b>Total Expenditures \$ 64,134.27</b>
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 258.94
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 126,464.39	\$ 19,839.24
Refuse	\$ 53,827.31	\$ 9,595.19
Capital Projects	\$ 0.00	\$ 0.00

Joe moved to accept the Treasurer’s Report of August 6 and the Expenditure Register Report as recommended by the Treasurer in her August 6, 2009 memo to the Board, to accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the motion. There was no public comment and no discussion. The Board voted and the motion passed unanimously.

**Review of Minutes**

The draft minutes of July 28 and August 4 were reviewed and corrected. Joe moved to approve the minutes as corrected. Don seconded the motion. There was no public comment and no discussion. The Board voted unanimously to approve the motion.

**Ordinance Amendment Prohibiting Overnight Parking of Commercial Vehicles**

The Board reviewed this draft ordinance amending Chapter 225 of the Township Code. There were no changes or comments. The Board will vote on this at the next public meeting.

**King George Court**

The Board reviewed the list of revised paving costs for King George Court as prepared by Mark Miller. The total cost will be \$21,657.00. The paving will be done in September.

### **Tennis Courts**

The Board reviewed an August 6 memo from Mark Miller detailing the condition of the Township's tennis courts. All of the Supervisors are okay with spending \$7,000.00 to replace three sections of 30-year-old fencing around the front courts per Mark Miller's recommendation. This \$7,000 includes \$3,302.00 for materials and \$3,698.00 for in-house labor. The funds will come from the Capital Reserve Fund.

Joe moved to authorize Mark Miller to have the fencing replaced at a total cost of \$7,000.00. Don seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

### **Voting During Workshop Meetings**

Don reminded the Board that in the past the Supervisors had an informal policy of not voting on issues during Workshop meetings, and asked that the Board be consistent. However, the other Board members indicated they had no objection to voting on matters during Workshops as necessary.

### **Ridley Creek Sewage Treatment Plant**

Mark Miller gave a brief update on the status of construction at the new plant as outlined in his August 6, 2009 memo to the Board. The project is approximately 38% complete. The goal is to have the project completed by the end of next summer (2010). Carmen said he recently went to the plant for a tour and suggested the rest of the Board do so also.

### **Prescription Safety Glasses**

The Board reviewed Joe Gill's August 6 memo on this topic. Joe recommends the Board adopt a policy for reimbursement of prescription safety glasses in keeping with that of OSHA's partial reimbursement for its employees and that the policy include Procurement Procedures similar to those outlined on page 4/4 of the OSHA directive.

Carmen moved to adopt a reimbursement policy for safety glasses in keeping with that of OSHA for its own employees. The policy will permit a reimbursement to employees for prescription safety glasses in an amount not to exceed \$65, where available field office equipment cannot be used. This policy will be added as a supplement to the existing East Goshen employee policy manual. Thom seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

### **Township Website Update**

Joe Gill will get mockups of the new website from Triton later this week. Marty said his next Township newsletter column will ask residents to provide suggestions for the website.

Don said he wants an agreement to be executed with Triton before the project proceeds any further. The agreement should protect the Township's intellectual property and should outline Triton's responsibilities for the website.

### **Garage Doors**

Per Mark Miller, insurance claims for damaged garage doors have been filed as appropriate. There is a \$1,000.00 deductible per door. Going forward, garage doors will be put as a line item in the Capital Reserve Fund. Joe Gill will work with Mark Miller to establish a schedule for future door replacement.

### **Park Benches**

Mark Miller told the Board it will cost approximately \$250 for lumber to repair the park benches, and the Supervisors were fine with that.

### **Applebrook Path**

The Board discussed a request from DCNR for the Township to return the grant money for the Applebrook Path project since the Township does not plan to complete it as outlined in the grant application.

Carmen moved to return the grant money to the DCNR. Thom seconded the motion. There was no public comment. The Board voted unanimously to approve the motion.

Marty suggested the Township reapply for a grant in the future with a new scope of work.

### **Traditions Independent Living Facility in West Goshen**

Carmen said the Culbertson Circle Homeowners' Association is planning to meet with the Fire Company on August 12 at the fire house in West Goshen to discuss their joint concerns about the Traditions project. They have invited East Goshen to send representatives to the meeting, as well as residents from Hershey's Mill. No attorneys have been invited, and neither has the developer. Carmen said he plans to attend, and Marty said he would also go. Joe would like East Goshen to let the Board of West Goshen know they plan to attend as a matter of courtesy. Marty told Joe he would call West Goshen and let them know.

### **Hershey's Mill Dam**

Marty announced that two new alternatives have been proposed for the dam. One involves building a second dam behind the first one. Per Neil DeRiemer, building a second dam will cost much less than \$800K. The other idea is one that he (Marty) had, to lower the height of the waterfall and the berm by 6 feet. Doing so will enable DEP to reclassify the dam from C-2 to C-3 status. Marty said Rick has applied for a permit to open the valve and drop the pond level by 6 feet to see how much wetland area is created. Thom asked why the proposal is to drop the waterfall height by 6 feet, and not 5 feet or another number. Marty said he picked 6 feet at random, but it turns out that is the "magic number" that would allow DEP to reclassify the dam while accomplishing the Township's wish of maintaining the appearance of the waterfall.

Marty said the residents met on Thursday night to discuss the dam. The residents prefer the option of installing a second dam behind the first one as their first choice. Their second choice is to create the extended concrete spillways. Their third choice is to go with Marty's idea. Kathryn Yahraes said the residents are concerned that the NRCS won't put plantings on all the wetland area that will be created when the pond is lowered. Both Don and resident Linda Gordon expressed concern that it will be pricey to do the wetlands restoration work that will be necessary

with Marty's proposal. Linda Gordon recommended the Township get a cost estimate from a qualified, experienced firm before proceeding.

Marty said that his proposal is the least expensive option on the table. He was told by Patricia McSparran of DEP that the Township could accept the grant money for breaching and then change its mind down the road if alternative funding is found to restore the dam. Of course, the Township would have to pay back any monies incurred by DEP up to that point. Marty said that Andy Dinniman is working hard to secure funding from Harrisburg, and the DEP is doing everything they said they would.

Yerkes is currently working on evaluating the options and working up the numbers.

Assuming the permit is granted in a timely fashion, the valve will be opened this Friday or on Monday.

### **T-Mobile Variance Request for Utility Pole**

Don summarized the application of T-Mobile as it was presented to the Planning Commission on August 5. Don said there are other poles T-Mobile should have looked at before selecting the one near New Kent. He is concerned the pole they want to use will not provide enough coverage to make it worthwhile, which would lead them to come back for additional poles in the future. Don would like more time to discuss this issue with the applicant.

The Board discussed the basis for the applicant's alleged hardship. Carmen said it is not the Township's responsibility to make sure each cell carrier has full coverage in the Township.

Carmen would like to see renderings showing the 65-foot pole and the 50-foot pole looking north on N. Chester Road, and wants them before the meeting next week.

*Public Comment: Howard Jones, 1048 Kennett Way* – Said T-Mobile has been told by the FCC to expand their coverage and therefore they do have a hardship. The Planning Commission's reason for recommending denial of their application was because T-Mobile did not examine all possible poles, and because they believe they will be back asking for more poles in the future.

Kathryn Yahraes of the Historical Commission told the Board that she has asked Gary Althouse to mark the boundaries of historic Goshenville because the Historical Commission is concerned about more poles being put into the historic district. Marty told her that having a historic district does not automatically exempt an applicant from putting a pole there.

Thom said he want the Board to support T-Mobile's application, as the Board has an obligation to the residents, and this proposed pole will not look any worse than other poles currently located on N. Chester Road.

Don said he would like T-Mobile to bring their radiofrequency maps showing coverage at 50 feet and at 65 feet. Carmen wants to see their future coverage plans too.

Kathryn Yahraes said she thinks it likely that this applicant will come back for more poles in the future.

The Board did not come to a consensus on what recommendation to make to the Zoning Hearing Board on this application.

### **Police Schedule**

The Board discussed who should represent East Goshen on this project and decided that Joe McDonough would be the most suitable person for the job.

### **Charter School Campus**

Marty announced that the IBM building is apparently being sold for use as office space, which means the Charter School will have to find another location for their campus. This news came from the realtor who listed the IBM building. The Board discussed whether they would be willing to change the zoning ordinance for the business park to allow the campus to be located there. Carmen said he is opposed to a zoning change due to the traffic a school would generate and the risk of setting a precedent that would allow other non-profits into the park. Thom said he sees "no positives" in changing the zoning. The consensus of the Board was that changing the zoning in the business park is not a risk they are willing to consider at this time. They agreed that the business park is not an appropriate location for a school. Rick will respond back to the realtor.

Don noted that it's possible the Township could lose the support of the school for internet services. The services the school provides are worth an estimated \$8-10K per year. However, getting another provider to step in and provide these services could cost more. Marty said he will contact Jim Hanak to inquire about the school's plans to provide internet services to the Township.

### **Fire Company**

Carmen said he wants the Township to begin working on an agreement with the Fire Company for use of the new fuel pumps.

### **Public Comment**

Kathryn Yahraes announced that the PHMC is closing the Brandywine Battlefield Historic Site effective August 14 due to state budget cuts.

### **Adjournment**

There being no further business, the meeting was adjourned at 10:00pm.

Respectfully submitted,

Anne Meddings  
Recording Secretary