

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS WORKSHOP  
1580 PAOLI PIKE  
January 12, 2010 – 7:00pm  
Final Approved Minutes**

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

**Call to Order & Pledge of Allegiance**

Don McConathy called the meeting to order at 7:00pm 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.

**Recording of Meeting**

No resident indicated they planned to record the meeting.

**TreeVitalize Grant**

Jane Fava of the Conservancy Board was present to seek authorization to pursue application for a TreeVitalize grant. The Conservancy Board will be assisted in the application process by the CRC. If the Conservancy Board gets the grant, the program will supply container trees that will be used in the riparian zone along Reservoir Road. Cages for the trees will also be provided. Employees from the ING company will plant the trees as part of a volunteer service project. Jane said that Public Works will not need to mulch or water the trees, just provide routine tree maintenance. The grant application is due by January 15.

Marty moved to authorize the Conservancy Board to proceed with applying for a TreeVitalize grant in the amount of \$4,720.00. Carmen seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the motion.

**PECO Green Region Grant**

Jane Fava also wished for the Board's authorization to pursue a PECO Green Region Grant. Green Region Grants are available in amounts up to \$10K, and work as matching grants. If the grant is approved, PECO will match whatever funds the Township puts up, up to \$10K. The grants are administered by the Natural Lands Trust. The Conservancy Board would like to get a grant to use for invasive plant control. They can reapply for the grant every other year.

Jane said that Park & Rec already voted to use \$4K earmarked for invasive plant control from their 2010 budget for this purpose. The Conservancy Board will vote on January 13 to use \$2K from their 2010 budget, also earmarked for invasive plant control, for this purpose. Assuming

the Conservancy Board votes to pass the motion, this will give them a total of \$6K to work with, and they can apply for a matching grant of \$6K, yield \$12K total. Jane said this grant application is also due by January 15.

Marty asked if there will be an ongoing cost to the Township to keep the invasive plant control project going, if the Township gets the grant. The other Supervisors explained that by getting a grant every other year, there should be sufficient funding for the project. In the “off” years where there is no grant, the normal budgeted funds for invasive plant control can be used for routine herbicide spraying – the Conservancy Board and the Park & Rec have money in their budgets for this purpose every year.

Marty moved to authorize the Conservancy Board to proceed with applying for a PECO Green Region grant in the amount of \$6K. Carmen seconded the motion.

Jim McRee from the Deer Committee asked if PECO would allow the grant to be used for tick control, and if so, Jim said he would volunteer \$4K from the Deer Committee’s budget to be added to the grant application, bringing the total to \$10K. Jane said she would check with the grant administrators on whether tick control is covered.

Marty amended his motion to indicate that the Board authorizes the Conservancy Board to apply for a PECO Green Region grant in the amount of \$10K, assuming the grant administrator says the grants can be used for tick control purposes. Carmen seconded the amended motion. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

### **Grant Writing**

Marty requested that Township Staff designate an internal staff member to take on the responsibility of grant writing for the Township.

### **Sunoco Update**

Don said that he, Thom, Rick, and attorney Skip Brion met with DEP on January 12 to discuss the Sunoco situation. Don gave a summary of the findings from the meeting:

- The new wells installed in November are not showing any contamination.
- Sunoco is putting together a site characterization report to present to DEP. Delivery of the report is expected by early February at the latest. DEP must review and approve the report. Within 45 days of DEP’s approval, Sunoco must provide them with a remediation plan.
- In the meantime, Sunoco plans to start remediation work in March to reduce the amount of MTBE in the groundwater at the spill site.

Don noted that the whole process is a DEP responsibility and not that of the Township. However, the Township will be monitoring the situation. He said the Township may eventually have DEP, Sunoco and their contractor come to a meeting with the residents for informational purposes.

Don said that copies of resident John Schorn's water test results were provided to DEP at the meeting. DEP said they will review the reports and will send a response letter to Mr. Schorn (with a copy to the Township), hopefully by the end of January.

Thom said that DEP seemed very cooperative at the meeting, and DEP said that Sunoco and their contractor have also been very cooperative with them.

Marty asked if DEP indicated what they will say in their response letter to John Schorn, and Don said no; they did not indicate.

*Public Comment: John Schorn, Larch Lane* – Asked if DEP is going to have the wells tested for isopropyl alcohol. Don said he did not think that would be done. Mr. Schorn asked if DEP is planning to go after the violator responsible for the contamination. Don said that information will be in the response letter DEP will send to Mr. Schorn. Mr. Schorn asked what Sunoco is going to do for those residents whose wells have MTBE contamination. Rick said they plan to supply bottled water to those residents until DEP tells them to stop. Mr. Schorn said he was recently notified that the wells of two other residents were found to have isopropyl alcohol contamination. He said DEP should be looking for someone with a leaking underground tank as the culprit.

Rick and Thom told Mr. Schorn that EPA (and therefore DEP) has not established a minimum limit (standard) for isopropyl alcohol, meaning there is no numeric "trigger" in place that will force them to take action. Rick said that DEP gave him a document showing that isopropyl alcohol can originate from many sources, such as septic tanks. He offered to give Mr. Schorn a copy. Rick estimated it will take approximately 12 to 18 months for DEP to develop a standard. He added that DEP thinks an unsafe level is in the range 15,000 ppb.

Thom said that DEP is willing to bring in someone from the Pennsylvania Dept of Health to meet with residents and let them know the levels being found in the wells are not a concern. Rick informed the Board that the Chester County Board of Health has requested the Township refer all calls on this situation to Lauren Mapleton of DEP.

Don said that someone has to make a ruling that the residents' well water is safe to drink. If not DEP, then the Board of Health should make the ruling.

Carmen said that a business that used to be in East Goshen could be responsible, if for instance they left a tank underground when they left. Mr. Schorn said he has not ruled out the possibility that the contamination is from Sunoco. Mr. Schorn said the Township has a responsibility to do something about this, despite the fact that Don said it is DEP's responsibility. Mr. Schorn said the Township should be worried about the situation, especially due to the poor financial condition of the Township.

Marty said that somebody, some entity, has to let the residents know their water is safe.

Don suggested the Township send all the well test results to the Chester County Department of Health, with a letter asking them for a response.

Mr. Schorn said if the other residents want to have a special meeting with the Township about this matter, when might that happen. Don said in March or April.

Carmen said the Township needs to stay on top of this situation and act as a facilitator. Marty said he believes the Township needs to look after its residents, and he agreed with Carmen that the Township should act as a facilitator. Marty said he would like to get an opinion from the Township Solicitor before considering testing any wells at the Township's expense.

Mr. Schorn said there is a well on the triangle (Township property) that the Township could have tested. He said it would cost approximately \$250 to have a test done by QC Labs. Carmen asked Rick to call the lab in Lancaster for a price on their test.

Mr. Schorn said if the residents' water is determined not to be potable, then the Township is responsible for providing clean water to the residents.

*Public Comment: Dan Truitt, 1430 Grand Oak Lane – Asked if Sunoco is still using MTBE. Don said they are not.*

#### **Public Comment on Non-Agenda Items**

*John Schorn, Larch Lane – Asked about the Township's plans to install LED lights in traffic signals, in light of the news that the lights can become obscured by snow and ice. Don said the Township is aware of the issue and will take it into consideration when creating the bid specs.*

#### **Tool Purchases**

The Board discussed the need for a TIG welder with Mark Miller. Mark said a TIG welder will be used on a frequent basis, and he believes the purchase justified. The Board also discussed the process for replacing tools for the Public Works Department. Mark said tools are replaced on an as-needed basis, when they break or wear out. Only three employees have keys to the master toolbox, and Mark has had no problem with tools disappearing or "walking."

*Public Comment: John Schorn, Larch Lane – Asked if a budget category is not spent, does it roll over to the following year. Marty said there are no budget rollovers. Mr. Schorn then complimented Mark Miller and the Public Works Department for doing a great job on snow removal again this winter.*

#### **Bills**

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

#### **Treasurer's Report & Expenditure Register Report**

*See attached Treasurer's Report for January 7, 2010.*

Thom moved to accept the Treasurer's Report of January 7 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Marty seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

### **Review of Minutes**

The draft minutes of January 4 were reviewed and corrected. Carmen moved to approve the minutes as corrected. Thom seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion with one abstention. Marty abstained from voting since he was not present at the January 4 meeting.

### **2010 Liaisons**

The liaisons for 2010 are as follows:

#### *Don McConathy*

Planning Commission  
Township Finance Advisory Board  
Hershey's Mill Dam Committee

#### *Thom Clapper*

Park & Rec Board  
WCACOG  
Police Commission Finance Advisory Group  
Police Scheduling Committee (with Charlie Barber)

#### *Marty Shane*

Deer Committee  
Township Finance Advisory Board  
Police Commission Finance Advisory Group  
Hershey's Mill Dam Committee

#### *Carmen Battavio*

Police Commissioner  
Municipal Authority

#### *New Supervisor (to be Appointed)*

Historical Commission  
Conservancy Board

### **Municipal Waste Management Plan, 2009 Revision**

The Board had no comments on this document. It will be ratified at the January 19 meeting.

### **Traditions Development in West Goshen**

Don said that Rick and Mark Gordon met with the Traditions developer, the Greenhill HOA, and attorney Ross Unruh on January 12. The developer seemed receptive to East Goshen's suggestions. The Traditions development is on the agenda for the West Goshen Planning Commission meeting on January 19. Mark Gordon is planning to attend on behalf of East Goshen.

### **Hydrologic Study for Hershey's Mill Dam**

Don reported that Advanced GeoServices will have the hydrologic study done by the end of January.

### **Traffic Signal for Paoli Pike and Line Road**

The Township received a response letter from PennDOT stating that left-hand turn lanes would be required at this intersection if a traffic signal were to be installed. Don said the project will therefore be put on hold once again.

### **Landscaping at Township Building**

Marty will ask Justin Harding for a proposal to compare to the one received from W.D. Wells.

### **Manley Road Speed Limit**

The Board discussed whether the speed limit on Manley Road should be changed from 25mph to 35mph. Thom said the police do not want the limit raised. Marty is concerned that if the limit is raised to 35mph people will drive 50mph, but the other Board members doubted this would be the case due to the nature of the roadway. Don said he would like the speed limit changed to 35mph because the road justifies it; and furthermore he does not like to see the police use Manley Road as a speed trap to raise revenue. Marty requested that Rick find the old file on this topic for the Board to review before making a decision on this matter.

### **Resolutions That Can Be Added To or Adopted as an Ordinance**

Don requested that this item be put on hold pending further review.

### **PSATS Convention in Hershey, April 2010**

The Board discussed who would attend the convention. The entire Board is planning to attend, along with Rick Smith and Joe Gill. The Board agreed that the new Supervisor (yet to be appointed), should also attend. Marty will need to stay three nights. Carmen will stay one night only and will plan to bunk in Marty's room.

### **Trees in Sewer Rights of Way**

The Board reviewed and discussed Rick's December 29 memo on this topic. The Supervisors agreed that the Township can continue to remove trees in sewer rights-of ways as necessary.

### **List of Services to Residents**

Don requested that Joe Gill prepare a list of services (such as removing trees in sewer rights-of-way) that the Township currently provides to residents, along with the cost associated with each service. The Board can then review this list.

*Public Comment: Dan Truitt, Grand Oak Lane* – Recommended the Board compare East Goshen's services to those of another Township such as East Bradford.

### **Omega Costs (King George Court)**

Rick provided a list of the Omega costs, which total \$48,713.49.

### **Employee Training**

The Board reviewed Joe Gill's December 31 memo on this topic. Carmen said he trusts the Township Manager to administer the staff's training needs and said the expense does not seem to be out of line. Marty said the staff should be receiving more training. He requested that Joe Gill develop a training plan and budget for 2011.

### **Draft Letter to Hank Belber Regarding Donation Toward 2010 Fireworks**

The Board reviewed this draft letter, and everyone was fine with it. Don will sign the letter and have it sent out. Marty would like the Township to also solicit a donation from Comcast. He and Don will plan to make a visit to Comcast.

Joe Gill will check with Frank Vattalino to confirm that a 20-minute fireworks show is standard.

### **Energy Conservation**

Rick said he signed up East Goshen to receive an energy audit by the County. The Township building and the Public Works Annex will both be audited sometime this spring.

### **COG**

Carmen suggested that Rick ask COG to have the WCASD as a member of COG again.

### **Pending Actions List**

The Board reviewed and edited the Pending Actions List.

### **Adjournment**

There being no further business, the meeting was adjourned at 9:45pm.

Respectfully submitted,

Anne Meddings  
Recording Secretary

*Attachments: Treasurer's Report*