

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 Paoli Pike, West Chester, PA 19380  
May 11, 2010 – 6:30pm  
Final Approved Minutes**

**Present:** Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper and Don McConathy. Supervisor Carmen Battavio arrived at 7:45pm. Supervisor Marty Shane was absent. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, and Phyllis Marron (Park & Rec).

**EXECUTIVE SESSION**

The Board met in Executive Session from 6:30pm to 7:35pm to interview candidates for the Township Advisory Group (TAG).

**WORKSHOP**

**Review of Minutes**

The Board reviewed and corrected the draft minutes of May 4.

**EXECUTIVE SESSION**

The Board returned to Executive Session from 7:45pm to 8:30pm to discuss a personnel matter.

**FORMAL MEETING**

**Call to Order & Pledge of Allegiance**

Senya called the formal portion of the meeting to order at 8:35pm. He asked Chuck Olivo to lead 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.

**Approval of Minutes**

Don moved to approve the minutes of May 4, 2010 as corrected in Workshop. Carmen seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

**National Bank of Malvern, 1305 Paoli Pike, Application for Land Development**

Bob Adams, Esq. and Chuck Olivo, P.E. were present for Malvern Bank.

Don asked if they had obtained a HOP (Highway Occupancy Permit) yet. Mr. Olivo said they applied for one and received back comments, so they will be resubmitting the application. Don

said he would like to include the HOP permit in Condition #1 of the Planning Commission recommendation letter dated May 6. Mr. Adams and Mr. Olivo indicated that was fine with them.

Thom asked the Board about Condition #6 of the Planning Commission recommendation letter, whereby a plaque will be placed at the site honoring Ginnie Newlin. Thom asked if it will set a precedent for plaques, and open the door to complaints about some locations having plaques and not others. Senya said this is a special circumstance, and the Township has had offers to fund the plaque so it will not be a Township expense. He assured Thom that plaques will not proliferate throughout the Township.

Don moved to approve the land development application submitted by The National Bank of Malvern for their property located at 1305 Paoli Pike, TPN 53-3-1.9A. The land development plans depict the construction of a bank branch and associated parking along with additional parking for the abutting YMCA. The land development plans are dated November 2009 and were last revised April 19, 2010. Approval shall be conditioned upon satisfactorily addressing the conditions outlined in the Planning Commission recommendation letter dated May 6, 2010, with the following additional condition:

1. The applicant will submit a cost estimation breakdown for review and approval by the Township for the improvements to be constructed, and post those amounts in an escrow account acceptable to the Township.

In addition, Condition #1 in the Planning Commission letter of May 6, 2010 will be revised to read as follows:

1. The applicant will follow all applicable federal, State and Local laws and secure all proper permits prior to construction of the improvements depicted on the plans, including the NPDES Permit and the Chester County Conservation District Approval, **and the HOP.**

Thom seconded the motion. Mr. Adams said he accepted the conditions.

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

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

*See attached Treasurer's Report for May 6, 2010.*

The Board reviewed the Treasurer's Report and current invoices. They agreed not to pay invoice #516261958001 for a printer for the sewer plant in the amount of \$274.99. This expense will be moved to the Municipal Authority account instead.

Thom moved to accept the Treasurer's Report of May 6 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices

just reviewed, with the exception of Invoice #516261958001. Don seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

#### **Weight Restriction for Bridge on East Boot Road**

Rick summarized his memo of May 6 on this subject. Carmen said the Township will need to notify Emergency Services, including the County. After some discussion, the Board decided to go ahead and vote on the draft resolution even though the signs will not be immediately available for posting. Don made several corrections to the draft resolution.

Don moved to adopt the draft resolution, as corrected, authorizing the imposition of a weight limit, the installation of the appropriate signs for the bridge on East Boot Road, and preparation of the required ordinance. Carmen seconded the motion and noted that the fire companies and Chester County Emergency Services would be notified of this new weight restriction by the Township staff on May 12, 2010. Don accepted the addition to the motion.

There was no public comment. The Board voted unanimously to approve the motion. In addition to notifying emergency services, Rick will also notify BFI and have a notice posted to the Township website.

#### **Request for Refund of Earned Income Tax to Resident**

The Board discussed a May 6 memo from Deb Beury asking the Board to consider refunding EIT funds to a resident who overpaid for the years 2000 through 2002. The Board agreed that Berkheimer should have caught the error. Rick was asked to contact Berkheimer to see if something can be worked out.

#### **Agreement with Aqua PA**

The Board reviewed the revised agreement. Don moved to authorize the Chairman to execute the agreement with Aqua PA whereby Aqua PA will provide water consumption records to the Township. Carmen seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

#### **Correspondence & Reports of Interest**

Senya acknowledged receipt of the following:

- Email from residents Bob & Kelley Fish complimenting Mark Miller for his work on the Ridley Creek Sewage Treatment Plant.
- Reports from the Fire Marshal and the Goshen Fire Company for April 2010.

#### **Meetings & Dates of Importance**

Senya noted the meetings as listed in the agenda.

#### **Mullen, 1661 East Strasburg Road - Land Development**

Senya noted that the Board approved this application on March 2, and the Mullens have since obtained the required permits.

Don recommended the Board sign the final plans for the Mullen land development application. Carmen seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

#### **Any Other Matter - Hershey Mill Dam**

Thom recommended that if the Save the Dam group accepts the proposal from Advanced GeoServices, that they be responsible for raising the money to pay for the work. Then once a design for the dam restoration is selected, the group can raise money to cover that phase of the project.

Don said the Township is responsible for the dam, and the Save the Dam group wants to have just one fundraising effort for the full amount. Don then asked if the Board wants to put breaching back on the table as an option.

Carmen said he would like the Save the Dam group to start something in the way of fundraising. Don said they are still waiting for the 501(c)(3) to be set up. Senya suggested the Save the Dam group set up their own 501(c)(3) thru the Chester County Community Foundation. Don said he would be opposed to that.

Thom said he is concerned the Township will get stuck paying the bill for the work on the dam. The Supervisors discussed what would be the least expensive way to deal with the dam. The Board then discussed whether to consider breaching again. Senya and Thom said they would be in favor of putting it back on the table. Carmen said he would not be in favor of revisiting that option.

Don said he would discuss the fundraising issue with the Save the Dam group at their next meeting on May 17.

*Public Comment: Phyllis Marron, N. Chester Road* – Had a question about what would be done with the silt in the event of a breach.

*Public Comment: Howard Jones, Kennett Way* – Said it might be useful for the Save the Dam group to give a presentation to the Board on just how they plan to raise the money. Senya said he's not sure that's the issue, as the Township will be responsible for paying for it anyway. The issue at hand is what solution the Township is willing to pay for. Mr. Jones asked if the Board's decision on a solution will be impacted by what the Save the Dam group says it can raise in the way of funding. Senya and Don said no, because the dam belongs to the Township.

#### **Chairman's Report**

Senya reported that the Board met in Executive Session earlier this evening to interview TAG candidates. He noted that 7 of the 12 applicants were selected to serve on the TAG, as follows (in alphabetical order):

Daniel Callahan, Hunter Circle  
Joseph D'Antonio, Millrace Lane  
Eric Flicker, Chandler Drive

Linda Gordon, Line Road  
Noel Hedgecock, Franklin Court  
Art Polishuk, Grand Oak Lane  
Martin Steinetz, N. Lochwood Lane

Rick Smith will notify the appointees as soon as possible, provide them with start-up materials and schedule their first meeting.

Don moved to appoint Noel Hedgecock as temporary coordinator of the group with responsibility to conduct election of the officers. Carmen seconded the motion. There was no discussion or public comment. The Board voted 3:1 to approve the motion (Senya was opposed).

**Public Comment**

None.

**Adjournment**

There being no further business, the meeting was adjourned at 9:52pm.

**WORKSHOP (Resumed)**

**Dinner at Applebrook**

The Board selected the menu for their dinner with Joe McDonough at the Applebrook Club on May 20.

**Refuse Bids**

The Board discussed the bidding options. Rick will revise the bid specs.

**Action Items**

This item was tabled due to the late hour.

**Adjournment**

The meeting was adjourned at 10:10pm.

Anne Meddings  
Recording Secretary  
*Attachment: Treasurer's Report*

May 6, 2010

TREASURER'S REPORT  
2010 RECEIPTS AND BILLS

GENERAL FUND

Real Estate Tax	\$5,858.65
Earned Income Tax	\$223,484.78
Local Service Tax	\$8,262.20
Transfer Tax	\$0.00
General Fund Interest Earned	\$1,386.12
Total Other Revenue	\$29,448.18
Total Receipts:	\$268,439.93

Interest Earned \$212.57

Interest Earned \$634.51

Interest Earned \$328.02

Receipts	\$106,469.16
Interest Earned	29.75
Total Sewer:	\$106,498.91

REFUSE

Receipts	\$41,595.94
Interest Earned	\$28.52
Total Refuse:	\$41,624.46

Accounts Payable	\$277,180.77
Electronic Pmts:	
Health Insurance	\$0.00
Credit Card	\$0.00
Postage	\$1,000.00
Debt Service	\$0.00
Payroll	\$42,000.00
Total Expenditures:	\$320,180.77

Expenditures: \$0.00

Expenditures: \$0.00

Expenditures: \$0.00

Accounts Payable	\$7,820.94
Debt Service	\$0.00
Total Expenditures:	\$7,820.94

Expenditures \$7,785.35