

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
November 23, 2010 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper, and Supervisors Carmen Battavio, Marty Shane and Don McConathy. Also present were Township Manager Rick Smith, Phyllis Marron (Park & Rec), Jim McRee (Planning Commission and Deer Committee) and Kathryn Yahraes (Historical Commission).

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:07pm. He asked the audience members in uniform to lead everyone in the Pledge of Allegiance.

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 one indicated that they planned to record the meeting.

Public Comment on Non-Agenda Items

None.

Operation & Maintenance Bid Award for Sewer Treatment Plants

Rick reported that bids for the operation and maintenance of the Ridley and Lochwood sewer treatment plants were opened on November 16. Of the 14 bid packages that were sent out, only two were received back as follows.

Miller Environmental, Inc.	\$337,735.89
Aqua Resources, Inc.	\$345,564.50

Rick said he checked the references for the low bidder (Miller) and they were all positive. He recommended the bid be awarded to Miller.

Don said he wanted to make sure that Miller Environmental will be able to run the new equipment at the Ridley plant.

Public Comment: Jim Hopkins of Miller Environmental – Said his staff will be able to get up to speed quickly and will work to make the transition seamless. He said his firm has operated equipment similar to East Goshen's at other plants. Carmen asked Mr. Hopkins if his staff will be able to catch any small problems with the new equipment before they become big problems, and Mr. Hopkins said yes.

Don asked if the Township will save money on the sewer plant operation contract should the Lochwood plant be closed, and Rick said yes.

Marty moved to accept the bid from Miller Environmental, Inc. in the amount of \$337,735.89 for a three-year contract to operate and maintain the Ridley and Lochwood sewer treat plants. Don seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Variance Request – John Cavalli, 1352 Mark Drive

Mr. Cavalli was present. He is seeking dimensional variance relief in order to construct a detached garage on his property.

Rick noted that the basis for Mr. Cavalli's hardship is the topography of the property. If the variance request is granted, a seepage bed will be installed in Mr. Cavalli's back yard which will be fed by drainpipes.

Don asked what will happen to the existing garage, and Mr. Cavalli said it is full of household items and he plans to keep it. Thom asked why the new garage will not be attached to the house, and Mr. Cavalli said for curb appeal. Thom said that based on the one of the photographs provided by the applicant it appeared to him that the garage will be built on level ground.

Carmen said the Township is going to be getting more of these types of applications in the future as residents choose to stay in East Goshen and improve their existing homes instead of moving. The Township will need to work with the residents and be willing to bend a little.

Carmen said that this property is sloped in the rear yard such that a conforming structure could cause more impact to the environment and property than the proposed solution. The unique physical conditions of the property limit the ability to strictly comply with the ordinance. The applicant did not create this condition nor will granting relief affect the character of the neighborhood. Carmen moved to recommend that the Board of Supervisors support Mr. Cavalli's variance request to build a two-car garage with a side yard setback of no less than 10 feet which represents 10 feet of relief with the following condition:

1. The applicant shall follow all applicable Federal, State and Local laws and secure all proper permits prior to construction of the improvements depicted on the plans.

Marty seconded the motion.

Public Comment: Grant Everhart, 1349 Mark Drive – Said he is a neighbor of Mr. Cavalli's and has no objection to the garage.

Don noted that two other neighbors of Mr. Cavalli (Dan Little and Samuel Hillanbrand) have informed the Township by email that they have no opposition to the proposed garage.

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

Police Report

Police Chief John Dumond reported there were 670 calls for service from East Goshen in October. Arrests have been made in connection with a series of vehicle break-ins. The police are currently investigating two “smash & grab” robberies at local gas stations.

Goshen Fire Company Finance/Budget Discussion

John Fulginiti, President of the Goshen Fire Company, was present along with Fire Company members Bob Fleming and Grant Everhart.

Mr. Fulginiti said the Fire Company had a difficult budget year. Their costs continue to rise and call volumes continue to increase. He said the call breakdown is as follows:

From East Goshen.....55%
From West Goshen ...28%
From Westtown.....10%
From Willistown5%

While East Goshen accounts for 55% of the calls, the tax dollars received from East Goshen cover only 23% of the Fire Company’s operational expenses.

Marty asked Mr. Fulginiti to provide additional information to East Goshen that will assist the Supervisors in their future budget planning. Mr. Fulginiti said he would be happy to provide any information that East Goshen needs.

There was then a discussion about the Fire Company’s apparatus replacement fund and the process by which they decide when to replace equipment. The possibility of consolidating with other fire companies was also discussed.

Mr. Fulginiti noted that the Fire Company is having difficulty doing some of their budget planning due to the recent healthcare bill which has lead to a great deal of uncertainty in the market. He also noted that the population of East Goshen is rapidly aging, which will contribute to even higher call volumes in the future.

The Fire Company members assured the Board that they are doing everything they can in regard to fundraisers. The Fire Company has a wide variety of fundraising efforts throughout the year. Mr. Fulginiti noted, however, that it is difficult to get volunteers on a consistent ongoing basis for labor-intensive volunteer fundraising work.

Mr. Everhart said at this point their main concern is to contain costs. He also said the Fire Company tries to utilize volunteers for EMS calls as much as possible to save money.

Marty asked if the Goshen Fire Company operates under binding arbitration, and Mr. Fulginiti said no.

Carmen asked if they are actively pursuing grants. Mr. Fulginiti said they research and pursue grants constantly, but grants are beginning to dry up due to the economy.

Carmen asked the Fire Company to provide East Goshen with some historical data on the number of EMS calls, and Marty asked them to provide information on their future sources of income. Mr. Fulginiti said he would get this information for them.

Don asked how much in donations the annual letter drive generates from East Goshen residents, and Mr. Fulginiti said he would try get that information for the Board.

Carmen informed them that he is the East Goshen liaison to the Fire Company, and they should contact him directly with information and concerns, He will make sure to pass it along to the rest of the Board.

Senya noted that per East Goshen Township Code, the Board needs to receive from the Fire Company an annual report outlining how they have used taxpayer funds. Mr. Fulginiti said he would be happy to provide that information to East Goshen.

Senya said representatives from the Fire Company and East Goshen should meet at least once a year. The Fire Company representatives said they would be happy to do that.

Senya asked what the annual budget of the Fire Company is and Mr. Fulginiti said \$1.9 million.

Senya then asked if the Fire Company is open to new revenue-generating ideas, perhaps even doing something instead of the annual fair, and the Fire Company representatives said they are open to ideas and suggestions, and they welcome any referrals from East Goshen in that regard.

Thom suggested the Fire Company put an ad for volunteers in the next East Goshen newsletter. Senya suggested the ad also be placed on the Township website. Rick said he could put a link to the Fire Company website under the “Volunteer” section of the East Goshen website. Don suggested the Fire Company advertise their fundraising events on the East Goshen website.

Public Comment: Jim McRee, Oneida Lane – Suggested the Fire Company conduct fundraising activities at Township events, such as having a booth at the Pumpkin Festival, etc.

Rick said that in the past the Fire Company had an open house for the townships they serve. Township officials could come in and see the equipment and discuss operations. This usually occurred in September before Townships began their annual budget talks. He suggested the Fire Company consider resuming that practice, as he found it to be beneficial to everyone. The Fire Company said they were open to this. Rick said he would make this an action item.

There was no further discussion. The Board thanked the Fire Company representatives for coming in.

Resolution 10-43 Governing E-mail Communications

The Board discussed and edited this resolution. Item # 7 was deleted.

Don moved to adopt Resolution 10-43, a Resolution Governing E-mail Communications By and Among Supervisors, Staff and Other Township Authorities, Boards and Commissions and Advisory Groups as edited by the Supervisors. Carmen seconded the motion.

Public Comment: Kathryn Yahraes, Vista Drive – Asked if the Board could supply the ABCs with a plain-English version of the resolution, some examples of how it will work, and training. Don said that training will really not be necessary but said he can put together a summary sheet for the ABCs.

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

Resolution 10-56 Regarding Professional Services for Pension Plan

Rick summarized this resolution for the Board.

Marty moved to adopt Resolution 10-56, Procedures for Compliance with the Professional Services Contract Provisions of Act 44 of 2009 relating to the Pension Plan. Thom seconded the motion.

Don had concerns with some of the wording in the resolution. The Board discussed the wording and resolved Don's concerns.

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

Friends of East Goshen

Marty moved to appoint the following individuals to the Friends of East Goshen: Karen Martynick, Joe Zug, Bob Esty and Lisa O'Neill. Don seconded the motion.

Senya said that now that these individuals have been appointed to the Friends of East Goshen, the Township will have nothing more to do with the governing of this group; it will operate completely independent of the Township.

Thom said he knows another individual in Hershey's Mill who may be interested in joining the Friends. He will follow up with the individual.

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

Rick will put together a packet of materials for the four individuals and will help them get started with establishing a meeting schedule.

Meeting on November 30

After some discussion the Supervisors agreed to meet on Tuesday, November 30 at 7:00pm to discuss the budget. Thom said he will be unable to attend.

Escrow Release – Pulte Carriage Homes at Applebrook

Carmen moved to approve an escrow release in the amount of \$192,895.00 per the November 19 recommendation of Public Works Director Mark Miller. The funds will be used for sanitary sewer tie-ins, concrete curbing, a pedestrian bridge, and landscaping. Marty seconded the motion.

Public Comment: Kathryn Yahraes, Vista Drive – Asked that the silt fencing be removed as soon as possible after the work is complete. Rick told her the silt fencing will have to remain in place until the ground is stabilized, which probably will not be until spring.

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

Parking Ordinance Amendment for BP and I Districts

The Board reviewed and edited the draft parking ordinance amendment developed by the Planning Commission. They agreed to send a the final document to the County after the revisions have been incorporated.

Any Other Matter

Insurance Bidding Process – Marty moved to authorize the Township Manager to send a “broker of record” letter to the Selective Insurance Company in New Jersey. Don seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Township Website – Don reported that the new website will go live December 1. Rick said he will put an announcement in the Township newsletter. Don said the new website will have a brief biography of each Supervisors as well as a group photograph.

ABC Appointments – Marty moved to have a roll call vote for new ABC appointments. Thom seconded the motion. The Board voted on the following individuals:

George Martynick (Planning Commission) – 5:0 unanimous
Charles Proctor III (Zoning Hearing Board) – 5:0 unanimous
Joe McCawley (Municipal Authority) - 5:0 unanimous
Phyllis Marron (Park & Rec) - 5:0 unanimous
Bryan DelMonte (Conservancy Board) - 5:0 unanimous
Sue Ciorletti (Historical Commission) - 5:0 unanimous
John Chatley (Vacancy Board) - 5:0 unanimous
Adam Knox (Conservancy Board) - 5:0 unanimous
Kevin Cummings (Municipal Authority) – 4:1 (Senya was opposed)

Senya said he could not vote to appoint Kevin Cummings as he was not personally familiar with Mr. Cummings. There was no further discussion or public comment.

Newsletter Bids – Rick said he will have information on the newsletter bids for the next meeting.

Park & Rec Fees

Don suggested the Board discuss the proposed 2011 Park & Rec fees at the December 7 meeting. The Board asked Phyllis Marron to pass along to the Park & Rec Board that one of their members will need to be present at the meeting prepared to discuss the fees.

Review of Minutes

The Board reviewed and corrected the draft minutes of November 16. Don 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.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for November 18, 2010.

The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of November 18 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the motion.

Senya announced that the preliminary 2011 Operating Fund budget will be available for review at the Township building beginning November 24, 2010.

Action List

Performance Evaluation Forms – The Board reviewed and edited the revised performance evaluation forms.

Emergency Operations Plan – The Board reviewed and edited this document.

Capital Reserve Fund Analysis – There were no comments on this report.

Monthly Financial Reports – There were no comments on these reports.

Friends of East Goshen Township 501(c)(3) – Was discussed earlier in the meeting.

Correspondence & Reports of Interest

Senya acknowledged receipt of the following:

- Goshen Fire Company Report.
- Fire Police Year-to-Date Statistics Report.
- Fire Marshal's Report for October 2010.
- Monthly Permit Log for October 2010.
- Statement of Valuations from the Chester County Assessment Office dated November 12.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda. Kathryn Yahraes noted that the Historical Commission's December meeting has been rescheduled to December 13 at 5:30pm.

Public Comment Period

None.

Adjournment

There being no further business, the meeting was adjourned at 10:07pm.

EXECUTIVE SESSION

The Board met in Executive Session until 10:13pm to discuss a personnel matter.

Anne Meddings

Recording Secretary

Attachment - Treasurer's Report