

AGENDA
EAST GOSHEN TOWNSHIP
VACANCY BOARD
TUESDAY, February 1, 2011
6:45 PM

1. Consider Interview for Vacant Auditor Position
2. Consider Appointment for Vacant Auditor Position
3. Public Comment
4. Adjournment

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
TUESDAY, February 1, 2011
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence – Supervisor Carmen Battavio
4. Ask if Anyone is Recording the Meeting
5. Public Comment – Hearing of Residents (Optional)
6. Chairman's Report - None.
7. Public Hearings - None
8. Police Chief's Report - None
9. Old Business
10. New Business
 - a. Review Resolution Regarding Sewer & Refuse Account Collections
 - b. Consider Resolution for submission to Chester County Association of Township Officials
 - c. Consider Geese round up for 2011
 - d. Consider TowerOne Partners proposal to develop, construct, own and manage a proposed monopole at the East Goshen Township Municipal Complex.
6. Any Other Matter
7. Approval of Minutes
 - a. January 18, 2011
8. Treasurer's Report

a. Report

9. Review Action List – Executive Session - Pending Legal Matter

10. Correspondence, Reports of Interest

11. Meetings & Dates of Importance

February 1, 2011	Board of Supervisors	7:00 pm
February 2, 2011	Planning Commission	7:00 pm
February 3, 2011	Park & Recreation	6:00 pm
February 3, 2011	Park & Recreation	7:00 pm
February 8, 2011	Board of Supervisors	7:00 pm
February 9, 2011	Conservancy Board	7:00 pm
February 10, 2011	Historical Commission	7:00 pm
February 10, 2011	Zoning Hearing Board	7:30 pm
	Del Vacchio Holdings	
February 14, 2011	Municipal Authority	7:00 pm
February 15, 2011	Board of Supervisors	Meeting Canceled
February 21, 2011	President's Day – Office Closed	
February 22, 2011	Board of Supervisors	7:00 pm
February 28, 2011	Deer Committee	7:00 pm
14.	Public Comment – Hearing of Residents	
15.	Adjournment	

The Chairperson, in his or her sole discretion, shall have the authority to rearrange the agenda in order to accommodate the needs of other board members, the public or an applicant.

REMINDER – Newsletter Article Submission Due Date:

Article Due Date
February 9, 2011

Delivery Date
April 1, 2011

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 09-54

**A RESOLUTION REGARDING SEWER & REFUSE
ACCOUNT COLLECTIONS**

BE IT RESOLVED THAT the East Goshen Township Board of Supervisors hereby establishes the following collection procedures for delinquent sewer and refuse accounts.

1. According to the East Goshen Township Code (specifically Chapter 188 titled "Sewers" and Chapter 194 titled "Solid Waste") all bills are due within 45 days of the date of the bill. If the quarterly bill is not paid by the 45th day after the date of the bill, the Township will send the property owner a late notice and impose a penalty of 10% of the amount owed.

2. If the quarterly bill is not paid by the 60th day after the date of the bill, the Township will impose an additional penalty of $\frac{3}{4}$ of 1% of the amount owed per month.

3. If the property owner fails to pay the quarterly bill for two consecutive quarters, the Township will send the property owner a letter that outlines the collection process, when payment is expected and the options available to the property owner. The property owner has 30 days to make full payment or establish a payment agreement from the date of the letter.

4. If the property owner fails to pay the balance due or enter into a payment agreement with the Township, within 30 days of step 3 above, the account will be turned over to the Township Solicitor who will send the property owner a letter by regular and certified mail return receipt advising them that the account is past due and that they have 30 days from the date that they received the letter to bring the account current or a lien will be filed against the property for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs.

5. If the property owner refuses to accept the certified mail, the Solicitor will send the property owner a letter by regular mail advising them that the account is past due and that they have 10 days from the date of the letter to bring the account current or a lien will be filed on the property for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs.

6. If payment is not received within 30 days of the property owner's receipt of the letter sent pursuant to step 4 above, or within 10 days of the property owner's receipt of the letter sent pursuant to step 5 above, the Solicitor will file a lien for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs. The lien will continue to accrue interest on any past due amount and any additional past due amounts will be added to the lien.

Any accounts that currently have liens on them, and have made no attempt at payment will be re-liened on an annual basis from the date of the last lien.

7. When a delinquent account exceeds \$3,000.00, the Board of Supervisors may authorize an employee in the Finance department Township Solicitor to file a civil complaint with the District Court seeking a judgment against the property owners for the amount that is currently past due including any interest, penalties, attorneys fees, administrative fees and filing fees incurred in the collection of the account. If a judgment is obtained against the property owners, the Township may seek to collect said judgment first by filing a Writ of Execution with the District Court which would in turn be by executing against the personal property of the defendant/property owners. The Township may transfer the District Court judgement to the Court of Common Pleas of Chester County so that the judgement can then be enforced against the defendant's real property.

If the Township is able to collect the judgment, the Township will satisfy the lien.

RESOLVED AND ADOPTED, this ____ day of _____, 2009.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

E. Martin Shane, Chairman

Carmen R. Battavio, Vice-Chairman

Donald R. McConathy, Member

Joseph M. McDonough, Member

Thom Clapper, Ph.D., Member

**Buckley, Brion, McGuire,
Morris & Sommer LLP**
ATTORNEYS AT LAW

118 W. Market Street, Suite 300
West Chester, PA 19382-2928
www.buckleyllp.com

610-436-4400
610-436-8305 FAX

MEMORANDUM

To:	Rick Smith, Manager
From:	Kristin S. Camp, Esquire
Date	November 29, 2010
Subject:	Collection of Delinquent Sewer and Trash Fees

You asked me to provide an outline of the various remedies the Township has if a property owner in East Goshen Township fails to pay their sewer and/or trash fees. Some of the available remedies are listed in the applicable Chapter of the East Goshen Code (the "Code"). Chapter 188 of the Code, titled "Sewers", specifies in Section 188-11 that if the sewer bill is not paid within 30 days of the due date, a penalty of 10% shall be added to the total amount of the bill. If the sewer fees plus penalty is not paid within 60 days of the due date, an additional penalty equal to .75% per month, or a fraction thereof, shall be added to the unpaid balance until paid.

Chapter 194 of the Code, titled "Solid Waste", contains similar provisions for the imposition of interest and penalties when a trash account is delinquent. Section 194-11 states that if the refuse fee is not paid within 45 days of the due date, a penalty of 10% shall be added to the total amount of the bill. If the refuse fee plus penalty is not paid within 60 days of the due date, an additional penalty equal to .75% per month or a fraction thereof, shall be added to the unpaid balance until paid.

Section 188-11 and Section 194-11 both specify that if the bills remain delinquent for six months, the unpaid accounts shall be referred to the Township Solicitor who shall proceed to collect the delinquent accounts, either by action at law or by filing a lien in the Prothonotary's Office of the Court of Common Pleas of Chester County. Both Chapter 188 and Chapter 194 also authorize the collection of attorney's fees that are incurred by the Township to collect the delinquent sewer or trash fee.

The Township has the option of filing a civil complaint against the owner(s) of the property for delinquent sewer and trash fees. If the amount of the delinquent bill is less than \$8,000.00, the civil complaint would be filed with the District Justice. The District Justice uses form complaints which an employee of the Township can complete without our assistance. A Township employee may also attend the District Justice hearing without legal representation as the matters are fairly straight forward. In most instances, the defendant does not notify the court that he or she intends to defend the complaint and a default judgment is entered against the defendant. If the Township obtains a default judgment or a judgment against the defendant after a hearing in the District Court, that judgment can be enforced by filing a Writ of Execution with the District Court. The Constable would then levy items of personal property owned by the defendant and maintained at his or her residence. Although the Township does not wish to obtain the personal property of the defendant through a sheriff's sale, often times the defendant finds a way to make payment arrangements in order to avoid losing his/her personal property. In addition, the Township may transfer the District Court judgment to the Court of Common Pleas of Chester County so that the judgment can then be enforced against the defendant's real property.

In addition to filing a civil complaint against the delinquent property owner, the Township may also file a municipal lien against the property pursuant to the Pennsylvania Municipal Claims and Tax Liens Act, 53 P.S. § 7101. This law states that there is a lien against the property as of the date that the service is provided. However, in order to have additional public notice of the fact that delinquent sewer or trash fees are owed, the Township routinely files municipal liens in the Prothonotary's Office of the Court of Common Pleas of Chester County. Filing the lien in the Prothonotary preserves the Township's debt and also serves as further public notice that the lien exists. Prior to filing liens, we send a 30 day letter advising that if the delinquent account is not paid within 30 days, the Township will file a lien and the property owner will incur additional fees for administrative costs and attorney's fees. Often this 30 day letter will result in payment or payment arrangements being made.

If after filing a District Justice action and filing a lien the account is still not satisfied, the Township has the option of filing a Writ of Execution to foreclose the defendant's property to satisfy the municipal lien. In order to foreclose upon the property, the Township would adhere to the Rules of Civil Procedure which govern the enforcement of judgments in mortgage foreclosure. The Township would have to file a Writ of Execution, serve the Writ via the sheriff, advertise the sale, perform a title search and advise all creditors and lien holders of the sale. The Township would have to attend the sheriff's sale and establish the upset sale price. The upset sale price would have to be high enough to pay off all delinquent taxes and municipal liens. If nobody bids at the sheriff's sale, then the Township would become the owner of the property and the property would be taken subject to the liens and all taxes which have priority over the municipal lien. If the Township takes back the property in order to satisfy its lien, it would then have to market and sell the property to realize any proceeds.

The estimated cost of proceeding with the foreclosure action which would include filing fees, search costs, advertising costs and legal fees is in the range of \$1000-\$1500, which would be recovered if the property is sold. The time frame for completing a foreclosure action is three to six months, although that time may be extended if the defendant objects to the action.

I am happy to talk to you and the Board in more detail about the legal remedies that the Township has to collect delinquent sewer and trash fees.

KSC/amf

F:\Data\Shared Data\Finance Dept\Utility\DELINQUENT\Smith - Memo re Sewer_Trash Collection Options101123.doc

**Chester County Association
of Township Officials**

P.O. Box 371 West Grove, PA 19390
(717) 633-9755 FAX:(717) 633-9463

President:
Andy Paravis
North Coventry Township
Executive Committee:
Christine McNeil
East Vincent Township

1st Vice President:
E. Martin Shane
East Goshen Township

Mark J. Blair
West Bradford Township

2nd Vice President:
Dr. Robert White
West Goshen Township

Virginia McMichael
E. Whiteland Township

Treasurer
Betsy E. Huber
Upper Oxford Twp.

Victor Mantegan
Penn Township

Secretary
Patricia A. Morrison
Trish Fagan, Asst.

Richard E. Hicks.
East Marborough Twp.

Past President.
Joseph E. Toner III
Uwchlan Township

RECEIVED
BY _____
DATE _____

January 17, 2011

Dear Managers and Supervisors:

The Legislative Committee of the Chester County Association of Township Officials once again has been asked to review the Resolutions submitted for consideration at the Spring County Association Convention to be held this year on March 10th. In order to complete this task we will need your support and cooperation.

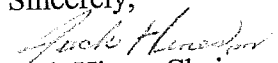
We must receive all Resolutions by February 11th, if the Committee is to act upon them and provide you copies for your consideration prior to the Convention.

As has been done in the past to facilitate the Resolution process, we have included the form provided by PSATS for your use. **Do not hesitate to contact me at (610) 269-4174 or email manager@westbradford.org. should you have any questions or need help with your Resolution. This is your opportunity to express concerns your board has to other supervisors in the County that affect a broad number of residents in the state.**

As you may or may not be aware, Resolutions that are adopted by the County Association are then sent to the State Association for consideration at their annual PSATS Convention. In addition those resolutions we adopt we send on to Montgomery and Buck's County Associations for consideration at their conventions. If adopted at the PSATS Convention, they then become policy for our Staff of the State Association to work with our Legislators to accomplish what we have indicated is important.

This process is a very effective way to make your voice heard to your legislators.

Sincerely,


Jack Hines, Chairman
Resolutions Committee

***Chester County Association
of Township Officials***

***P.O. Box 371 West Grove, PA 19390
(717) 633-9755 FAX:(717) 633-9463***

President:

***Andy Paravis
North Coventry Township***

Executive Committee:

***Christine McNeil
East Vincent Township***

1st Vice President:

***E. Martin Shane
East Goshen Township***

***Mark J. Blair
West Bradford Township***

2nd Vice President:

***Dr. Robert White
West Goshen Township***

***Virginia McMichael
E. Whiteland Township***

Treasurer

***Betsy E. Huber
Upper Oxford Twp.***

***Victor Mantegan
Penn Township***

Secretary

***Patricia A. Morrison
Trish Fagan, Asst.***

***Richard E. Hicks.
East Marborough Twp.***

Past President.

***Joseph E. Toner III
Uwchlan Township***

NOMINATIONS

COUNTY VOTING DELEGATES TO THE ANNUAL

PSATS STATE CONVENTION

April 17th-20th

REQUIREMENTS:

- 1. Must already be a delegate to the convention.**
- 2. Must not already be the voting delegate for your township.**
- 3. Must be a township supervisor, township manager, and township treasurer or township secretary.**

NAME

TOWNSHIP

POSITION WITH TOWNSHIP

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

RETURN BY MARCH 4, 2011 to CCATO at P.O. Box 371 West Grove, PA 19390 or Fax back to 717-633-9463.

***Chester County Association
of Township Officials***

***P.O. Box 371 West Grove, PA 19390
(717) 633-9755 FAX:(717) 633-9463***

Resolved, that PSATS...

(Please type or print your resolution below. Use the back of this form or attach an extra sheet if you need more space. Attach any supporting documentation.)

Explanation of Need for Resolution:

Rick Smith

From: Rick Smith [rsmith@eastgoshen.org]
Sent: Thursday, January 20, 2011 2:49 PM
To: 'Gino.J.Dangelo@aphis.usda.gov'
Subject: RE: East Goshen Township Resident Canada Geese

Thanks

I will let the Board know and get back to you.

Rick Smith, Township Manager
East Goshen Township
610-692-7171

From: Gino.J.Dangelo@aphis.usda.gov [mailto:Gino.J.Dangelo@aphis.usda.gov]
Sent: Thursday, January 20, 2011 1:33 PM
To: rsmith@eastgoshen.org
Subject: RE: East Goshen Township Resident Canada Geese

Mr. Smith,

If you are looking for about the same level of service, I believe last year's estimate will stand. Even if we take more geese, depending on how many are present, we should be able to do the work for well less than \$6,000. Please let me know if you need any more information.

Gino D'Angelo
Wildlife Biologist
USDA APHIS Wildlife Services
510 Creek Rd.
New Britain, PA 18901
Phone: 267-864-6768
Email: Gino.J.Dangelo@aphis.usda.gov

"Rick Smith"
<rsmith@eastgoshen.org>

01/20/2011 08:48

To <Gino.J.Dangelo@aphis.usda.gov>

cc

bcc

Please respond to

Subject RE: East Goshen Township Resident Canada Geese

Gino

The Board of Supervisors needs to decide whether or not it wants to conduct a round-up in 2011. Do you anticipate an increase in the cost for 2011?

thanks

Rick Smith, Township Manager

East Goshen Township

610-692-7171

From: Gino.J.Dangelo@aphis.usda.gov [mailto:Gino.J.Dangelo@aphis.usda.gov]

Sent: Thursday, January 06, 2011 4:32 PM

To: rsmith@eastgoshen.org

Subject: Re: East Goshen Township Resident Canada Geese

Mr. Smith,

It would not be legal for the Township employees to conduct a goose roundup. In fact, USDA Wildlife Services is the only entity permitted to conduct roundups in the State by the Pennsylvania Game Commission. With all due respect to the officials, I believe our roundup was highly efficient and economical. While it may seem easy for Township employees to conduct the roundup, roundups appear simple because of the experience of our personnel and our specialized equipment.

On another note, I was reviewing our computerized system of agreements, and noted that the property forms I sent you to be signed before the roundups were not entered into our system. I checked with our Wildlife Technician, Zach Bair, whom I had asked you have your employees give the completed forms to during the roundup. Zach did not receive the forms. Would you please make copies of the forms (USDA Wildlife Services forms 12A and 12C) and mail them to me at: 507 Juniper St., Quakertown, PA 18951. There should be a signed form for each property on which a roundup was conducted and the surrounding private properties.

Thank you and please let me know if I can provide further clarification.

Gino D'Angelo
Wildlife Biologist
USDA APHIS Wildlife Services
510 Creek Rd.
New Britain, PA 18901
Phone: 267-864-6768
Email: Gino.J.Dangelo@aphis.usda.gov

[IMAGE]

[IMAGE]

[IMAGE]

<Gino.J.Dangelo@aphis.usda.gov>

"Rick Smith"

To

<rsmith@eastgoshen.org>

[IMAGE]

[IMAGE]

cc



10 S. Clinton Street, Suite 207 ↓ Doylestown, PA 18901 ↓ TowerOnePartners.com

Senya D. Isayeff, Chairman
East Goshen Township
1580 Paoli Pike
West Chester, Pa 19380

January 21, 2011

Dear Chairman Isayeff:

I wanted to wish you a happy New Year and take an opportunity to introduce my company, TowerOne Partners, LLC. Headquartered in Doylestown, Bucks County, TowerOne is a cellular tower development company that works exclusively with municipal governments to develop towers on municipally owned property. We are currently working with nearly two dozen municipalities throughout the Delaware Valley and Lehigh Valley regions.

As the need for new cellular towers continues to grow at an incredible rate, TowerOne offers our municipal partners a unique opportunity to proactively control the placement of towers, and at the same time, generate significant revenue from towers developed on municipally owned or controlled property. The towers we constructed in 2010 alone are currently generating in excess of \$170,000 in yearly revenue for our municipal partners.

Our business model is very simple. TowerOne works closely with our municipal partners to identify Township, Borough or City property that is appropriate for the development of a cell tower and we then market those agreed upon properties to the wireless carriers. Once we secure an anchor tenant for the location, TowerOne bears all costs for the development and long-term management of the site and shares 40% of all tenant revenue with the municipality. Additionally, TowerOne assumes all costs associated with insurance for the facility and any increased taxes assessed against the property.

I have attached a financial pro-forma for a typical tower project and have also included a list of the municipal partners with whom we have developed towers over the past year. We anticipate tremendous opportunities for wireless expansion in 2011 and we are excited to be working with partners like North Coventry Township, which like your municipality, is also located in Chester County. I would welcome and appreciate the opportunity to speak with you about our business model in more detail. Please feel free to contact me directly at (215) 600-2863 or by email at npullen@toweronepartners.com. Thank you so much for your time and I look forward to speaking with you.

Sincerely,

Nicholas S. Pullen
Principal, TowerOne Partners, LLC.



115 West Court Street, 2nd Floor, Doylestown, Pa 18901

VIA ELECTRONIC MAIL

March 2, 2010

Mark A. Gordon
Director of Code Enforcement/Zoning Officer
1580 Paoli Pike
West Chester, Pa 19380-6199

Dear Mark:

Enclosed please find the proposal of TowerOne Partners ("TowerOne") to develop, construct, own and manage a proposed monopole at the East Goshen Township Municipal Complex. As we discussed, TowerOne is a cellular tower development company, based in Doylestown, Pennsylvania, that works exclusively with municipal governments to site towers on appropriate parcels of municipal property. We count as clients over a dozen municipalities, including Middletown Township, Bucks County, Upper Pottsgrove, Montgomery County, the City of Bethlehem, Northampton County, and the City of York, York County. We have over 10 projects under construction and/or development that are and/or will produce in excess of \$250,000 annually to our clients. I have also enclosed a reference sheet for you.

Our business model is predicated on the fact that TowerOne believes that its municipal clients should be fully invested throughout the entire co-location process of a cellular tower. That is why we offer all of our clients 40% revenue sharing for every tenant that co-locates on a cellular tower. With 7 wireless carriers in the Philadelphia market, and the coming expansion of 4G, cellular towers are leasing up very quickly. We believe that it is imperative that our municipal clients enjoy the economic benefits of every tenant that co-locates on a cellular tower. The traditional model relies on a fixed ground rent with a modest 10-20% co-location fee. In those instances, municipal governments only win on the first tenant but will lose over the life of the lease, especially as carriers are expanding their networks. In this case, there are

five carriers who have expressed interest in this location and missing out on the revenue from any carrier is unacceptable for any municipality.

In this vein, I have enclosed a pro forma that details what we expect the tower to generate on behalf of the Township. Our pro forma assumes that we will be able to obtain \$2,000 a month in rent from every carrier, which is consistent in the market, and which we have received on other towers we have built. In addition, our standard template assumes a three percent (3%) annual escalator for every lease. Under our business model, East Goshen would generate the following revenues on a five tenant pole: annual: **\$48,000**; the first five years: **\$260,000**; and the life of the lease (with one additional tenant): **\$2.5 million**. Under the traditional ground rent model, East Goshen will lose \$15,000 annually.

TowerOne will pay for all costs of construction, labor, steel, engineering and any legal fees associated with the tower. In addition, TowerOne will handle all maintenance and will pay any taxes associated with the tower. TowerOne will also actively market this site to other carriers to make sure that it is leased up quickly and efficiently. We have a vested interest in making sure that future tenants will co-locate on this tower, so we will actively market this tower to the carriers. Finally, TowerOne has experience working with municipal governments. In fact, we are the only tower development company that works exclusively with municipal governments. We have never worked on development on a private piece of property, and we never will. As a result of our experience, we will collaborate to make sure the construction does not impede with core governmental functions.

TowerOne is committed to assisting East Goshen Township make a responsible decision on the process moving forward. In that regard, we have also enclosed two sets of photo simulations that we have already completed that show the proposed tower at the heights of 120 and 150 feet respectively. TowerOne will continue to work with East Goshen Township to answer any other questions it may have.

TowerOne is extremely gratified to have the opportunity to submit this proposal to East Goshen Township. We are excited to work together. If you have any questions, please do not hesitate to call me at (267)-252-8237 or via email at npullen@toweronepartners.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nick Pullen', followed by a horizontal line extending to the right.

Nicholas S. Pullen, Esquire

230 Overlook Road
Morgantown, PA 19543
Phone: 610.360.0609



August 4, 2010
Larry Romanowski
TowerOne Partners
Principal
10 South Clinton Street | Suite 207
Doylestown, PA 18901
Phone: (215) 600-0735
Fax: (215) 475-3956
www.toweronepartners.com

**Subject: Radio Frequency Design Evaluation to predict wireless carrier need:
"East Goshen Municipal Complex"
1580 Paoli Pike
West Chester, PA 19380
Latitude: N 39.992003°
Longitude: W -75.546688°**

Mr. Romanowski,

I have received and executed your request that I perform an independent evaluation and design review for the East Goshen Municipal Complex telecommunications facility proposed at the above referenced coordinates. The intention of this study is to provide an objective, professional opinion regarding the proposed facility from a Radio Frequency design perspective. Specifically, how the site compliments existing networks and what coverage objectives it would satisfy.

Summary of Findings

In my professional opinion, the proposed facility is extremely well suited to provide service to the portions of East Goshen Township and the surrounding municipalities that currently suffer from a lack of reliable wireless coverage. There are two carriers who already have wireless communications facilities in the nearby area: Metro PCS and T-Mobile. However, there is a high likelihood that most of the wireless carriers (Verizon Wireless, AT&T, Spring-Nextel, T-Mobile, Cricket, and Clearwire) would colocate on such a structure.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Rubin".

Mark Rubin
President
RF Services, Inc.

Existing Wireless Communication Facilities

Currently, Metro PCS has several DAS (Distributed Antenna System) sites immediately surrounding the East Goshen Municipal Complex area. Additionally, T-Mobile has a site west of the complex on top of a silo. These sites are detailed below:

Name	Structure Type	Ant. Ht.	Street Address
DAS #1	Telephone Pole	40'	1419 Paoli Pike West Chester, PA
DAS #2	Telephone Pole	40'	921 N. Chester Rd. West Chester, PA
DAS #3	Telephone Pole	40'	200 Line Rd. Malvern, PA
TMobile	Silo	50'	1341 Paoli Pike West Chester, PA

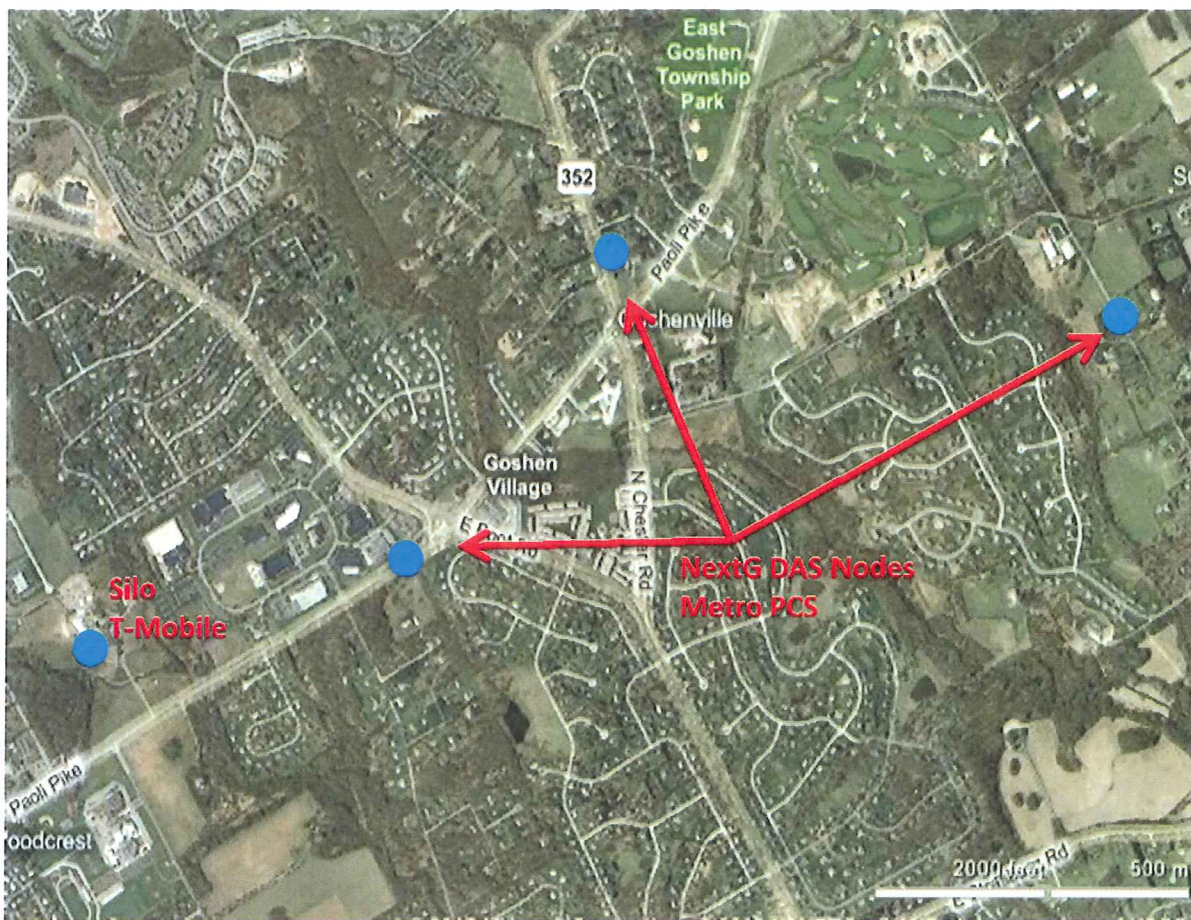


Figure 1 – Existing Wireless Communication Facilities

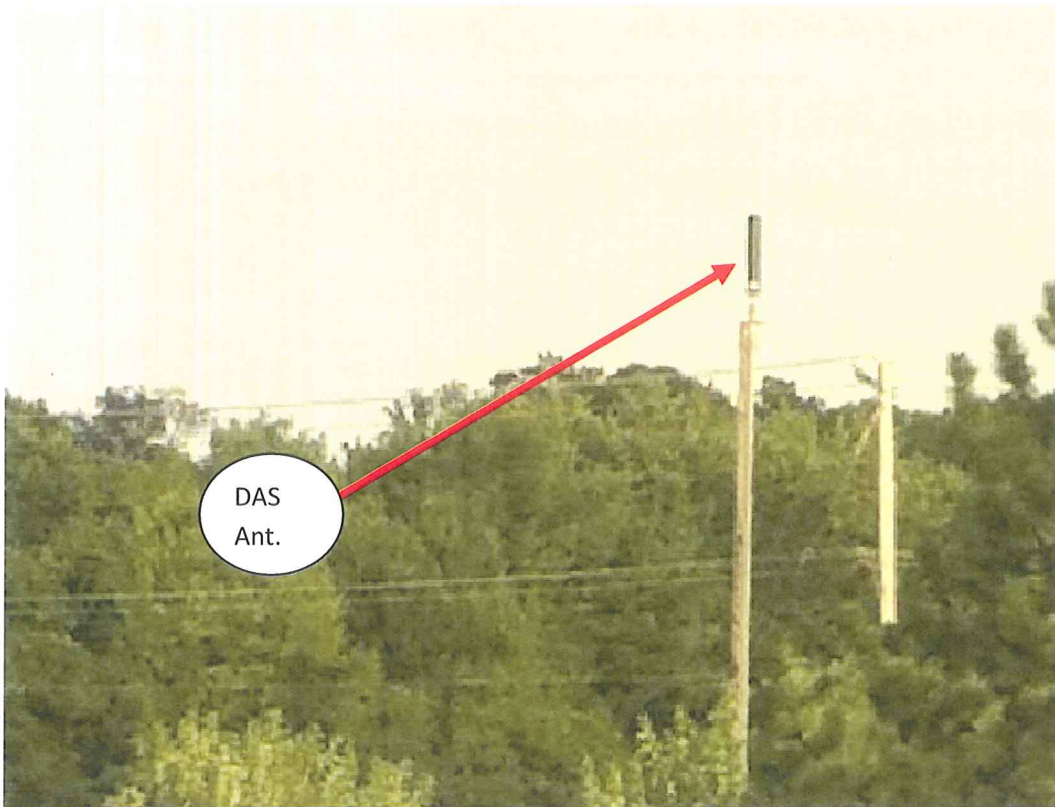


Figure 2 – Existing Metro PCS DAS Antenna

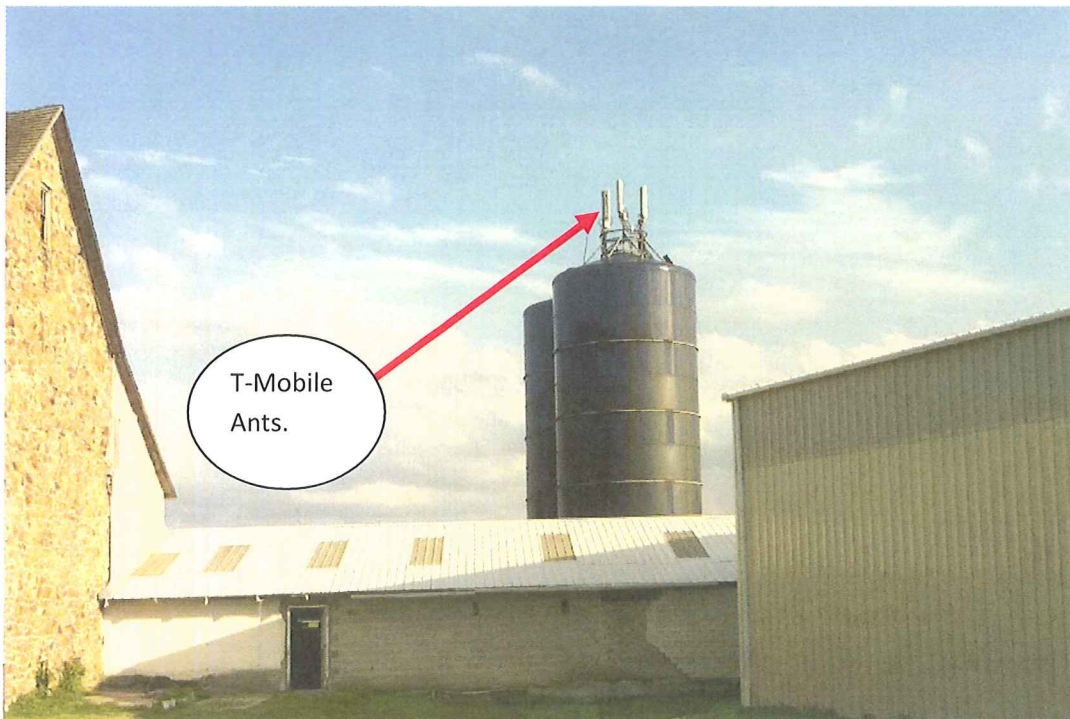


Figure 3 – Existing T-Mobile site on silo

Proposed East Goshen Municipal Complex Structure

Figure 4 below illustrates the location of the proposed structure at the municipal location. The new coverage from the proposed facility would address the vast majority of the unreliable coverage areas for many wireless carriers. In consideration of the many likely colocators, I recommend a minimum structure height of 150'. Consideration should be given to making the tower extendable to 180' to enable the facility to accommodate the specific RF needs of certain carriers. Such a structure would likely accommodate all of the wireless carriers that would seek to colocate on the proposed structure while still being able to achieve a high percentage of their coverage goals. This height recommendation would allow for the wireless providers to all coexist on a single structure while maintaining the recommended 10' of vertical separation between antenna arrays.



Figure 4 – Proposed Municipal Complex Structure Location

Coverage Objectives

To provide reliable service along Paoli Pike from Line Rd. to Airport, along East Boot Road from Clover Ln. to N. Chester Road, and along Rt. 352 from Highland Ave. to Bancroft Drive. Furthermore, to provide reliable in-building coverage to the many shopping centers, corporate offices, and residential homes along the Paoli Pike/Boot Rd./Rt. 352 corridor.

Alternatives Considered

There are no viable tall structures within a reasonable radius of the site suitable for colocation.

Reliable Coverage

The term “reliable” coverage is used to describe areas where a wireless subscriber has the ability to place, receive, and maintain a phone call. Additionally, the concept of reliable coverage extends beyond just voice communication; access to the data network with a high probability of success and adequate speed is now a pre-requisite to reliable coverage. Wireless devices are widely used for data services including those that impact public safety. Reliable coverage provided from a facility is affected by many factors including surrounding topography, clutter types, foliage, and subscriber loading. Because the network must maintain reliability under all conditions, these factors are taken into consideration when designing a new facility.

Mark Allen Rubin

Radio Frequency Engineer

EXPERIENCE

RF Services, Inc.

Morgantown, Pennsylvania

Position: President

(June 2000 - Present)

Design digital wireless networks for wireless providers in both the Cellular (800 MHz) and PCS (1900 MHz) frequencies throughout New Jersey, Pennsylvania, Delaware, and Maryland.

Verizon Wireless, formerly Bell Atlantic Mobile

Plymouth Meeting, Pennsylvania

Position: Radio Frequency Design and Performance Engineer

(March 1996 – June 2000)

Responsible for the performance and design of Verizon Wireless' Analog (AMPS) and Digital (CDMA/CDPD) wireless network in both the Cellular (800 MHz) and PCS (1900 MHz) frequencies throughout New Jersey, Pennsylvania, Delaware, and Maryland.

EDUCATION

Drexel University, Philadelphia, Pennsylvania

Bachelor of Science, Electrical and Computer Engineering

TECHNICAL EDUCATION

Lucent Design and Performance Engineering for LTE

Lucent Design and Performance Engineering for UMTS

Nokia Design and Performance Engineering for GSM

Lucent Design and Performance Engineering for AMPS Cellular Systems1

Lucent Design and Performance Engineering for AMPS Cellular Systems2

Lucent Design and Performance Engineering for CDMA Cellular Systems

Lucent System Capacity Monitoring and Engineering

LCC CELLCAD Simulation and Optimization

Motorola NETPLAN CDMA Simulation and Optimization

Motorola NETPLAN Fundamentals Plus CDMA

Agilent WIZARD TDMA Simulation and Optimization

Brock Riffel

Radio Frequency Engineer

EXPERIENCE:

RF Services – King Of Prussia, PA

Position: Senior Engineer – Radio Frequency Design

September 2000 – Present

Currently on full-time assignment for AT&T Mobility– Philadelphia, PA
Responsible for the design and build-out of Cingular/AT&T's digital (GSM & UMTS) networks in Delaware, Maryland, New Jersey, and Pennsylvania. Have testified in over 200 municipal hearings throughout the tri-state area.

Clearwire - Plymouth Meeting, PA.

Position: Senior Engineer – Radio Frequency Design

January 2007 – July 2009

Designed and launched an industry leading 4G WIMAX network in multiple markets across the United States. Included engineering the Radio Access Network based on the analysis of traffic and capacity requirements, product marketing assumptions, noise mitigation / modulation scheme shaping, and a complete knowledge of the RF and data backhaul networks involved.

AT&T Corporate HQ - Bedminster, NJ.

Position: Level I Engineering Manager – Cable Telephony

July 1999 – September 2000

Designed and deployed an IP Telephony system that overlaid AT&T's existing RF and optical network. Tasks included engineering based on the analysis of product marketing assumptions, traffic and capacity requirements, bandwidth budgeting, QoS and delay management, and a vast knowledge of the RF and Fiber Optic networks involved.

Verizon Wireless - Plymouth Meeting, PA.

April 1996- May 1999

Position: Engineer - RF

Responsible for the cellular design of the Philadelphia Region Network to ensure reliable portable coverage. Including, but not limited to: new search area selection, frequency planning and optimization, radio propagation evaluation through the use of CellCAD, and field-testing.

Position: Engineer - System Performance

Responsible for monitoring and engineering existing and newly constructed communication facilities. Including but not limited to: implementation and optimization of communication facilities, analysis of statistical reports, call detail records, and drive test data.

EDUCATION: Drexel University, Philadelphia, PA

Bachelor of Science, Electrical Engineering – Telecommunications, Signals and Systems

East Goshen Township Pro Forma

This pro forma assumes that TowerOne is constructing a monopole at the Township complex that will have capacity for six tenants.

It is our understanding that there are currently 5 carriers interested in locating on this tower immediately.

The columns are the carriers, projected rent, and the 40% revenue to the Township.

We will be able to obtain above market rent. East Goshen will bear no costs for steel, construction, maintenance, taxes, engineering, legal or any costs.

Full Year Revenue with 5 carriers

Carrier	Monthly Rent	40% Revenue Share
1	\$ 2,000.00	\$ 800.00
2	\$ 2,000.00	\$ 800.00
3	\$ 2,000.00	\$ 800.00
4	\$ 2,000.00	\$ 800.00
5	\$ 2,000.00	\$ 800.00
Total Monthly Rent		\$ 4,000.00
Total Annual Rent		\$ 48,000.00

Full Year Revenue with 6 carriers

Carrier	Monthly Rent	40% Revenue Share
1	\$ 2,000.00	\$ 800.00
2	\$ 2,000.00	\$ 800.00
3	\$ 2,000.00	\$ 800.00
4	\$ 2,000.00	\$ 800.00
5	\$ 2,000.00	\$ 800.00
6	\$ 2,000.00	\$ 800.00
Total Monthly Rent		\$ 4,800.00
Total Annual Rent		\$ 57,600.00



10 S. Clinton Street, Suite 207 | Doylestown, PA 19340 | TowerOnePartners.com

Total Annual Revenue Projections over life of the lease (29 years)

Year	Annual Revenue with 3% escalator
2011	\$ 48,000.00
2012	\$ 57,600.00
2013	\$ 59,328.00
2014	\$ 61,107.84
2015	\$ 62,941.08
2016	\$ 64,829.31
2017	\$ 66,774.19
2018	\$ 68,777.41
2019	\$ 70,840.73
2020	\$ 72,965.96
2021	\$ 75,154.94
2022	\$ 77,409.58
2023	\$ 79,731.87
2024	\$ 82,123.83
2025	\$ 84,587.54
2026	\$ 87,125.17
2027	\$ 89,738.92
2028	\$ 92,431.09
2029	\$ 95,204.02
2030	\$ 98,060.14
2031	\$ 101,001.95
2032	\$ 104,032.01
2033	\$ 107,152.97
2034	\$ 110,367.56
2035	\$ 113,678.58
2036	\$ 117,088.94
2037	\$ 120,601.61
2038	\$ 124,219.66
2039	\$ 127,946.25
Total	\$ 2,520,821.14



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**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
January 18, 2011 – 7:00pm
Draft Minutes**

Present: Chairman Senya D. Isayeff and Supervisors Thom Clapper, Carmen Battavio, and Marty Shane. Vice-Chairman Don McConathy was absent. Also present were Township Manager Rick Smith, Bryan DelMonte (Conservancy Board), and Jack Hauler (new Township representative to the Malvern Library). Township Solicitor Kristin Camp was present for the public hearing.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm. He asked Police Chief John Dumond to lead everyone in the Pledge of Allegiance. Senya welcomed visitor Derek Davis, assistant to State Rep. Dan Truitt.

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.

Police Report

Chief John Dumond reported there were 642 calls for service from East Goshen in December. One suspect involved in two "smash & grab" robberies at local gas stations is in custody and the police have warrants for two other individuals. A female involved in a domestic shooting incident at Windermere Apartments is also in custody. Police are investigating an incident involving a female walking at the Township Park. She was grabbed from behind by a male assailant but managed to escape unharmed.

Resident Canada Geese

Rick reported that per the USDA, Township staff is not be permitted to do a roundup of geese. The USDA is the only entity permitted to conduct roundups in Pennsylvania. Carmen recommended the Township continue to look for other solutions and in the meantime put money to fund another USDA roundup back in the budget for 2011. The Board interrupted discussion on this matter to hold the AT&T Public Hearing.

Public Hearing: AT&T Mobility – Conditional Use Application

The Board continued a public hearing to consider a Conditional Use application of AT&T Mobility to upgrade their wireless communication facility located at 1606 East Strasburg Road.

1 This was a continuation of a hearing that began on November 16, 2010. The applicant was
2 represented by attorney Mark D. Hipp.

3
4 Marty moved to grant conditional use approval pursuant to Section 240-31.C(3)(h)[2][e] of the
5 East Goshen Township Zoning Ordinance of 1997 to allow the Applicant to remove the existing
6 three (3) antennas on an existing PECO utility pole on the Property and replace them with six (6)
7 antennas in accordance with the revised zoning drawings prepared by Bechtel Corporation dated
8 September 27, 2010, last revised, December 15, 2010. The conditional use approval was granted
9 subject to the following conditions:

- 10
11 1. Applicant shall follow all applicable federal, state and local laws and secure all proper
12 permits prior to construction of the improvements depicted on the zoning plans.
- 13 2. Applicant shall install the six (6) antennas in a manner consistent with "Option 1
14 Cluster Mounted Design" which was depicted on the photo simulation submitted to
15 the Township and introduced into the record as part of Exhibit "B-11".
- 16 3. The maximum height of the antennas shall be 77.79 feet.
- 17 4. Applicant shall place the new coaxial cables that are installed in a U-Guard that shall
18 be placed in the rear of the pole.
- 19 5. Applicant shall properly secure the new cables and cover plates.
- 20 6. Applicant shall comply with all evidence and testimony presented at the conditional
21 use hearing.

22
23 Carmen seconded the motion. Mr. Hipp had no objections to the conditions. There was no
24 public comment. The Board voted unanimously to approve the motion.

25
26 A court reporter was present and will provide a complete transcript of the proceedings.

27 28 ABC Packets

29 Rick reported that four members of Park & Rec prefer to receive hard copies of the packets, and
30 Jim McRee would like the Deer Committee to receive hard copies of their agenda and minutes.
31 No comments were received from the Municipal Authority, Conservancy Board or Historical
32 Commission.

33
34 The Board received an email from Don McConathy saying that Supervisors should continue to
35 receive hard copies of the ABC packets for their liaison board/commission. He also suggested
36 the Board discuss the possibility of providing a toner cartridge and/or paper once per year to
37 those ABC members who prefer to print hard copies of their packets.

38
39 The Board discussed how to handle distribution of the packets. Carmen suggested sending
40 packets via email to everyone willing to go that route, and having hard copies at the Township
41 Building for everyone else, which could be picked up before their meeting.

42
43 *Public Comment: Bryan DelMonte* - Said he polled the Conservancy Board and sent a response
44 to Mark Gordon, so he is not sure what happened to it. Two members of the Conservancy Board
45 wish to continue to receive hard copies of their packets at home.

1 *Public Comment: Erich Meyer, Monte Vista Drive* – Suggested the Township email packets to
2 the ABCs and have hard copies available at the Township building for those members wanting
3 one.
4

5 Carmen moved to have packets sent via email to all ABCs, with hard copies available for pickup
6 at the Township Building for those wanting one. The Board will continue to receive hard copies
7 delivered to their residences. Thom seconded the motion. There was no further discussion and
8 no additional public comment. The Board voted unanimously to approve the motion.
9

10 **Resident Canada Geese (Continued)**

11 The Board continued their discussion on this topic. Derek Davis of Dan Truitt's office reported
12 that he has researched this issue for the Township. He confirmed that geese are a protected game
13 bird, and the issue is complicated because some of the state laws conflict with federal laws.
14 Senya asked Mr. Davis if the health and welfare risk to the community trumps their status as a
15 protected bird, and Mr. Davis said he would look into it some more. Senya thanked him for his
16 assistance.
17

18 **Resolution 2011-61 - Amending Township Non-Uniformed Employees' Money Purchase**
19 **Pension Plan**

20 Rick recommended the Board adopt this resolution. He said staff met with the employees and
21 they seemed okay with the change.
22

23 Marty moved to adopt Resolution 2011-61 Amending the East Goshen Township Non-
24 Uniformed Employees' Money Purchase Pension Plan, and Thom seconded the motion. There
25 was no discussion or public comment. The Board voted unanimously to approve the motion.
26

27 **Award of Township Newsletter Bid**

28 Rick reported that Proper Printer, who was awarded the newsletter bid on December 14, 2010,
29 subsequently informed him on January 5 that they made an error in their bid calculation. The
30 Township Solicitor confirmed it would be imprudent to allow Proper Printer to revise their bid.
31 Rick suggested the Board award the newsletter bid to the next lowest bidder, Courier Printing
32 Corp.
33

34 Marty moved to acknowledge the January 5, 2011 letter from Proper Printer indicating that they
35 made an error in the preparation of their bid and to instead award the newsletter bid to Courier
36 Printing Corp. in the amount of \$12,572.00 for a Style 2 (two-color) newsletter. Carmen
37 seconded the motion. There was no discussion or public comment. The Board voted
38 unanimously to approve the motion.
39

40 **Any Other Matter**

41 Thom asked if a decision had been made on what to do with the Fire Marshal's SUV. Rick said
42 he plans to advertise it for sale.
43
44
45
46

1 **Review of Minutes**

2 The Board reviewed and corrected the draft minutes of January 3. Carmen moved to approve the
3 minutes as corrected. Marty seconded the motion. There was no discussion or public comment.
4 The Board voted 3:0 to approve the motion (Thom was out of the room and did not vote).

5
6 The Board reviewed and corrected the draft minutes of January 8. Marty moved to approve the
7 minutes as corrected. Carmen seconded the motion. There was no discussion or public
8 comment. The Board voted unanimously to approve the motion
9

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

11 *See attached Treasurer's Report for January 14, 2011.*
12

13 The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the
14 Treasurer's Report of January 14 and the Expenditure Register Report as recommended by the
15 Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Marty
16 seconded the motion. There was no discussion.
17

18 *Public Comment: Bryan DelMonte* – Asked if the Board could provide a summary sheet each
19 week to show the status of the Township's expenditures and revenues in relation to the budget,
20 as the sheet showing only a summary of receipts and bills is not very helpful to residents. Marty
21 said the Board receives a variance report every month that is in the packet, which shows the
22 actual amounts vs. budgeted amounts. Bryan said he would look for that in future. He then said
23 it would be helpful to see a graphic representation of this information in the summary. Senya
24 said that was an excellent idea and told him the Township is working on it.
25

26 The Board voted unanimously to approve the motion.
27

28 **Action List**

29 Review Comprehensive Plan Action List (Chapter 10) – Staff is in process of comparing ABC
30 goals to the Comp Plan Action List. The Board had no comments.
31

32 Soccer Fields at Line Road – The Board directed the staff to install the post & rail fence at the
33 first opportunity after the spring thaw. The Board agreed to close out this item and remove it
34 from the Action List.
35

36 TAG Action List – Senya will schedule a meeting with Rick and the department heads to discuss
37 staff empowerment.
38

39 Historic Books – Per Kathryn Yahraes, the books have been paid for themselves. The Board
40 agreed to close out this item and remove it from the Action List.
41

42 **Correspondence & Reports of Interest**

43 Senya acknowledged receipt of the following:

- 44 • Monthly Permit Log.
- 45 • Goshen Fire Company 2010 Annual Fire Report.
- 46 • Fire Marshal Report.

- 1 • Letter from Comcast dated December 28, 2010 regarding price changes.
2

3 Marty reminded the Board that a meeting should be scheduled to discuss Fire Company issues.
4 Also, the Fire Company still needs to tell the Board how much money East Goshen residents
5 have contributed in response to their fundraising letter. Carmen said he would remind them.
6

7 **Meetings & Dates of Importance**

8 Senya noted the upcoming meetings as listed in the agenda. The February 15 Board meeting will
9 be cancelled.
10

11 **Public Comment Period**

12 *Erich Meyer, Monte Vista Drive* – Asked how residents can receive information that the Board
13 discusses that is not included in the packet online, such as the backup materials for the AT&T
14 public hearing. Senya told him that often the Board brings information to meetings that has been
15 left over from previous packets. Carmen provided Mr. Meyer with a copy of his AT&T
16 information.
17

18 **Adjournment**

19 There being no further business, the meeting was adjourned at 8:56pm.
20
21

22 Anne Meddings

23 Recording Secretary

24 *Attachment - Treasurer's Report*

2011
January 14, 2010

**TREASURER'S REPORT
2010 RECEIPTS AND BILLS**

GENERAL FUND

Real Estate Tax (as of 12/31/10)	\$4,433.96
Earned Income Tax (as of 12/31/10)	\$47,985.71
Local Service Tax (as of 12/31/10)	\$7,640.28
Transfer Tax (January)	\$37,293.83
General Fund Interest Earned (December)	\$1,388.72
Total Other Revenue (as of 12/31/10)	\$328,823.26
Total Other Revenue (January)	\$55,261.37
Total Receipts:	<u>\$482,827.13</u>

Accounts Payable	\$613,059.69
Electronic Pmts:	
Health Insurance	\$0.00
Credit Card	\$637.98
Postage	\$0.00
Debt Service	\$0.00
Payroll	\$95,000.00 (2 Weeks)
Total Expenditures:	<u>\$708,697.67</u>

STATE FUND

Interest Earned (December)	<u>\$206.68</u>
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Expenditures:	<u>\$0.00</u>
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CAPITAL RESERVE

Interest Earned (December)	<u>\$1,070.05</u>
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Expenditures:	<u>\$0.00</u>
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TRANSPORTATION FUND

Interest Earned (December)	<u>\$331.44</u>
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Expenditures:	<u>\$0.00</u>
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SEWER OPERATING

Receipts (December)	\$5,047.09
Receipts (January)	\$21,951.88
Interest Earned	\$19.82
Total Sewer:	<u>\$27,018.79</u>

Accounts Payable	\$64,383.03
Debt Service	\$0.00
Transfer to M.A. (December)	\$35,860.00
Total Expenditures:	<u>\$100,243.03</u>

REFUSE

Receipts (December)	\$2,524.27
Receipts (January)	\$7,225.12
Interest Earned	\$21.05
Total Refuse:	<u>\$9,770.44</u>

Expenditures	<u>\$80,218.89</u>
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