

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
TUESDAY, February 22, 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
7. Public Hearings
 - a. Public Hearing for the Revised Ordinance amending Chapter 188, titled “Sewers” and Chapter 194, titled “Solid Waste” of the East Goshen Township Code.
 - b. Public Hearing for Ordinance authorizing participation in the Municipal Retirement Management Workers’ Compensation Pooled Trust.
8. Police Chief’s Report
 - a. Monthly Activity Report – January 2011
9. Old Business
10. New Business
 - a. Consider Board’s position on Liberty Towers Variance
 - b. Review RFP for a cell tower in the Township park
 - c. Consider Agreement with East Goshen Township
USDA Wildlife Services.
 - d. Confirm cancelling attendance at PSATS Conference.
 - e. Consider March 7 at 9:00 a.m. for Financial Planning Session
 - f. Consider updating and rescinding various Resolutions
 - g. Consider Cost of Services Definitions and Functions

h. Review Ordinance Amending Subdivision and Land Development Code and Chapter 218, Titled “Trees”.

i. Consider recommendation regarding Municipal Map for inclusion in Newsletter

11. Any Other Matter

12. Approval of Minutes

a. February 8, 2011

13. Treasurer’s Report

a. Report – February 18, 2011

14. Review Action List

a. TAG Recommendation Summary

15. Correspondence, Reports of Interest

a. January’s Operations Report – Mark Miller

b. Acknowledge email from Paul Ferry to Mark Miller

regarding appreciation for excellent work done maintaining roads during storms.

c. Acknowledge receipt of East Goshen Municipal Authority NPDES Permit #PA 0050504

16. Meetings & Dates of Importance:

February 22, 2011	Board of Supervisors	7:00 pm
February 28, 2011	Deer Committee	7:00 pm
March 1, 2011	Board of Supervisors	7:00 pm
March 2, 2011	Planning Commission	7:00 pm
March 3, 2011	Park & Recreation Board	7:00 pm
March 3, 2011	Zoning Hearing Board	7:00 pm
	- Liberty Towers	7:30 pm
March 8, 2011	Board of Supervisors	7:00 pm
March 9, 2011	Conservancy Board	7:00 pm
March 10, 2011	Historical Commission	7:00 pm

March 14, 2011 Municipal Authority

7:00 pm

17. Public Comment – Hearing of Residents

18. Adjournment

The Board will meet in Executive Session on a Legal Matter

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 Delivery Date: April 1, 2011

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ - 11

AN ORDINANCE OF EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 188 OF THE CODE OF EAST GOSHEN, TITLED, "SEWERS", SPECIFICALLY SECTION 188-11.A AND B AND AMENDING CHAPTER 194 OF THE CODE OF EAST GOSHEN TITLED, "SOLID WASTE", SPECIFICALLY SECTIONS 194-2 AND 194-11.C.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Code is amended as follows:

SECTION 1. Chapter 188 titled, "Sewers", Section 188-11.A shall be amended to state as follows:

- "A. All sewer bills shall be payable on the due date. When the 45th day from the due date falls on either a weekend or a holiday on which the Township building is closed, payments that are received before the close of business on the next business day immediately following the 45th day shall be deemed to have been paid on time and no penalty shall be applied. If the sewer bill 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 sewer bill plus penalty is not paid within 60 days of the due date, interest at the rate of 3/4 of 1% per month, or fraction thereof, shall be added to the unpaid balance until paid."

SECTION 2. Chapter 188 titled, "Sewers", Section 188-11.B shall be amended to state as follows:

- "B. The process for the collection of delinquent sewer rentals shall be as set forth from time to time by resolution of the Board of Supervisors."

SECTION 3. The definition of "Multifamily Residential Complex" in Chapter 194 titled, "Solid Waste", Section 194-2 shall be amended to state as follows:

"MULTIFAMILY RESIDENTIAL COMPLEX- A townhouse or apartment complex containing four or more units or a Planned Residential Development as those terms are defined in Chapter 240, "Zoning" as amended."

SECTION 4. Chapter 194 titled, "Solid Waste", Section 194-11.C shall be amended to state as follows:

"C. If the refuse fee plus penalty is not paid within 60 days of the due date, interest at the rate of 3/4 of 1% per month, or fraction thereof, shall be added to the unpaid balance until paid."

SECTION 5. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 6. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 7. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

ENACTED AND ORDAINED this _____ day of February, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Jr. Secretary

Senya D. Isayeff, Chairman

Thom Clapper Ph.D, Vice-Chairman

E. Martin Shane, Member

Carmen Battavio, Member

Donald R. McConathy, Member

ORDINANCE NO. _____

An Ordinance Authorizing Participation in the Municipal Risk Management Workers' Compensation Pooled Trust

The East Goshen Township Board of Supervisors ordains as follows:
(name of political subdivision)

SECTION 1. The proper municipal officers are hereby authorized to execute and deliver the following documents:

- A). The Municipal Risk Management Workers' Compensation Pooled Trust Agreement (hereafter the Agreement)
- B). The Participant's Application - which documents are attached hereto and made part hereof and which may be inspected by any interested citizen at the office of the municipal secretary.

SECTION 2. The duration of the term of the Agreement is four years from the date of admission to the Trust as a Participant.

SECTION 3. The purpose and objectives of the Agreement are set forth in Article V of the Agreement.

SECTION 4. The powers and scope of authority delegated are set forth in Article II, Article V, Article VI, Article VIII and Article IX of the Agreement.

SECTION 5. The funds for meeting the obligations of the Political Subdivision under the Agreement shall be appropriated from the general funds of the Political Subdivision.

SECTION 6. The organizational structure necessary to implement the Agreement consists of the Trust, Trustees, Service Agents and Fiscal Agents created by the Agreement.

SECTION 7. Property acquired for purposes of the Trust shall be acquired, managed and disposed of under the terms of the attached Trust Agreement.

SECTION 8. The Trust shall be empowered to enter into contracts for policies of group insurance and employee benefits, including social security for its employees.

Resolved and Adopted at a duly Assembled Public Meeting of the Board of
Supervisors of East Goshen Township
(Political Subdivision)

held this _____ day of _____, _____.

I certify that this is a True and Correct Copy of the MRM Trust's Participation Ordinance as duly adopted on the date above stated.

/s/ Louis F. Smith, Jr., Twp. Secretary
/s/ Secretary

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 2/10/2011
To: Planning Commission
From: Mark Gordon, Township Zoning Officer 
Re: Liberty Towers Zoning Variances

Dear Commissioners,

As you can see the applicant has supplied the Township with an amendment to the number and breadth of the relief being sought in order to construct and operate a Wireless Communication Support Structure at 1594 Paoli Pike.

I have asked the Township Engineer to review and comment on the application and we will have a report from him on 2/14 so I will forward that to you via email at that time.

Liberty Towers has the burden to prove a hardship as stated in the Hertzberg Case. The PA State Supreme Court stated that hardships are established in use variance cases by evidence that supports the following tests:

- (1) The physical features of the property are such that it cannot be used for a permitted purpose.
 - a. **The property at 1594 Paoli Pike has a permitted use.**
- (2) That the property can be conformed for a permitted use only at a prohibited expense.
 - a. **The property at 1594 Paoli Pike has a permitted use; see (1)**
- (3) That the property has no value for any purpose permitted by the zoning ordinance.
 - a. **The property at 1594 Paoli Pike has a permitted use; see (1)**

I don't believe the applicant can prove, with evidence that hardships exist and therefore the applicant is not entitled to these variances.

Draft Motion:

I move that we recommend that the Board of Supervisors oppose these variance requests based on the fact that the applicant has not provided evidence of any hardship(s) to support either the use or the dimensional zoning variance requests, as required by law. Granting these variance requests for a wireless communications tower use in the center of the community, next to two elementary schools and adjacent to the Township historic district, would have a significant negative impact on the quality of life and greatly alter the essential character of the surrounding neighborhoods.

January 28, 2011

VIA EMAIL AND REGULAR MAIL

Mark Gordon
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

**RE: Application to the Zoning Hearing Board of East Goshen Township
Premises: 1594 Paoli Pike, East Goshen Township (PA-504)**

Dear Mr. Gordon:

As you know, we represent Liberty Towers, LLC, with respect to the above-mentioned application. By way of this letter, we hereby amend our application to request the following zoning relief:

1. A variance from section 240-15.B and 240-31.C(3)(h)[2][a][i] to allow construction and operation of the proposed facility in a C-2 zoning district;
2. A variance from section 240-15.G and 240-27.C(2)(b)[1] and 240-23.D(9) of the Ordinance to permit a rear yard setback of less than 50';
3. A variance from section 240-15.G to allow an increase of impervious cover on the project site above the maximum 45%;
4. A variance from section 240-23.A and 240-23.B(1) to permit two (2) principal uses and buildings on the subject property;
5. A variance from section 240-23.C and a variance or waiver from section 240-31.C(3)(h)[2][a][iii] to allow the proposed structure to exceed the height regulations specified in the Ordinance;
6. A variance from section 240-23.D(5)(a) to allow two (2) nonresidential principal buildings on the subject property separated by less than twice the minimum side yard requirement for each building;
7. A variance from section 240-31.C(3)(h)[2][c] to allow more than three(3) equipment cabinets to be installed on the proposed concrete pad;
8. A variance from section 240-31.C(3)(h)[2][f] to allow the base of the tower to be setback less than 40% of the tower height from the adjacent property line(s);
9. A variance and/ or waiver from section 240-31.C(3)(h)[2][o] to utilize existing parking spaces on the project site to service the proposed facility.

Attached please find a revised Memorandum of Law in Support of our Application. Should you have any questions or need additional information, please feel free to contact my office.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Richard J. Lemanowicz". The signature is written in a cursive style with a prominent initial "R".

Richard J. Lemanowicz

LEMANOWICZ, LLP
By: Richard J. Lemanowicz
1012 North Bethlehem Pike, Suite 200B-3
Lower Gwynedd, PA 19002
Telephone No.: (267)419-8498
Facsimile No.: (610)825-2076

Attorney for Applicant:
Liberty Towers, LLC

<p>In Re:</p> <p>1594 Paoli Pike West Chester, PA 19380 Parcel No.: 53-004-0080.0100</p>	<p>EAST GOSHEN TOWNSHIP ZONING HEARING BOARD, CHESTER COUNTY, PENNSYLVANIA</p> <p>January 28, 2011</p>
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MEMORANDUM IN SUPPORT OF ZONING HEARING BOARD APPLICATION

Liberty Towers, LLC, hereinafter the Applicant, hereby submits an Application to construct and operate a wireless communications facility on the real property located at 352 Paoli Pike, West Chester, Pennsylvania.

The subject real property is located within the jurisdictional boundaries of East Goshen Township, Chester County, Pennsylvania. The subject real property is shown as parcel 53-004-0080.0100 on the current tax maps for East Goshen Township. The property is owned by Thorndale Investment Group and is approximately 43,560 square feet in area. The Applicant leased a one-hundred foot (100') by sixty foot (60') area of the subject property from the Owner for construction and operation of the proposed facility. The zoning classification of the property is C-2 Local Convenience Commercial District.

The Applicant's proposed facility includes the following: one (1) antenna support structure; nine (9) T-Mobile communications antennas; twelve (12) AT&T communications antennas; six (6) Metro PCS communications antennas; nine (9) Clearwire communications antennas; nine (9) Sprint communications antennas; one (1) T-Mobile wireless communications facility equipment cabinet; six (6) AT&T wireless communications facility equipment cabinets;

one (1) Clearwire wireless communications facility equipment cabinet; two (2) Metro PCS wireless communications facility equipment cabinets; four (4) concrete equipment pads; one (1) Sprint equipment shelter; coaxial cable; utility meters; and fencing. The proposed antenna support structure will be a galvanized steel monopole and one-hundred and fifty feet (150') tall. T-Mobile's proposed antennas will be attached to the antenna support structure at an elevation of one-hundred and forty-five feet (145') above ground level; AT&T's proposed antennas will be mounted at one-hundred and thirty-five feet (135') above ground level; Metro PCS's proposed antennas will be mounted at one-hundred and twenty-five feet (125') above ground level; Clearwire's proposed antennas will be mounted at one-hundred and fifteen feet (115') above ground level; and Sprint's proposed antennas will be mounted at one-hundred and five feet (105') above ground level. The proposed antennas will not extend above the height of the antenna support structure. Coaxial cable will connect the antennas to the proposed wireless communications facility equipment cabinets. T-Mobile's, AT&T's, Clearwire's and Metro PCS's proposed equipment cabinets will be placed on their proposed concrete equipment pads, respectively. The concrete equipment pads will be ten feet (10') by twenty feet (20') in area. Sprint's proposed equipment will be located inside an equipment shelter. A security fence will enclose the antenna support structure, the equipment cabinets, the equipment pads and the utility meters.

The proposed communications facility will be occupied by T-Mobile, AT&T, Metro PCS, Clearwire and Sprint. Each of these carriers is a federally licensed wireless communications service provider. In the subject area of East Goshen Township, wireless communications services are inadequate. The lack of adequate wireless communications services in this area creates a significant gap in wireless communications services that prevents

wireless communications service users from making mobile telephone connections, receiving mobile telephone connections, and connecting to the national land based telephone network. Constructing and operating the proposed facility on the subject property will resolve the significant gap in wireless communications services in the subject area and allow each of the carrier's to provide adequate personal wireless communications service in the subject area of East Goshen Township.

The subject property is located within a C-2 Zoning District. According to section 240-15.B of the East Goshen Township Zoning Ordinance, hereinafter the Ordinance, wireless communications facilities are not a permitted use on property located within a C-2 Zoning District. In order to construct and operate the proposed wireless communications facility on the subject real property, the Applicant hereby requests the following relief from the East Goshen Township Zoning Hearing Board.

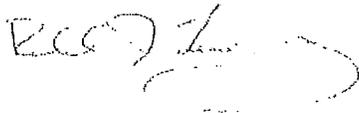
1. A variance from section 240-15.B and 240-31.C(3)(h)[2][a][i] to allow construction and operation of the proposed facility in a C-2 zoning district;
2. A variance from section 240-15.G and 240-27.C(2)(b)[1] and 240-23.D(9) of the Ordinance to permit a rear yard setback of less than 50';
3. A variance from section 240-15.G to allow an increase of impervious cover on the project site above the maximum 45%;
4. A variance from section 240-23.A and 240-23.B(1) to permit two (2) principal uses and buildings on the subject property;
5. A variance from section 240-23.C and a variance or waiver from section 240-31.C(3)(h)[2][a][iii] to allow the proposed structure to exceed the height regulations specified in the Ordinance;

6. A variance from section 240-23.D(5)(a) to allow two (2) nonresidential principal buildings on the subject property separated by less than twice the minimum side yard requirement for each building;
7. A variance from section 240-31.C(3)(h)[2][c] to allow more than three(3) equipment cabinets to be installed on the proposed concrete pad;
8. A variance from section 240-31.C(3)(h)[2][f] to allow the base of the tower to be setback less than 40% of the tower height from the adjacent property line(s);
9. A variance and/ or waiver from section 240-31.C(3)(h)[2][o] to utilize existing parking spaces on the project site to service the proposed facility;

The Applicant hereby requests that the required public hearing on this Application be placed on the next available agenda of the East Goshen Township Zoning Hearing Board.

Respectfully Submitted,

LEMANOWICZ, LLP



By: Richard J. Lemanowicz, Esquire
Attorney for Applicant

Date: January 28, 2011



Yerkes Associates, Inc.

Consulting Engineers / Site Planners / Land Surveyors

February 14, 2011

East Goshen Township
1580 Paoli Pike
West Chester, Pennsylvania 19380

Attn: Mark Gordon, Township Zoning Officer

Re: Liberty Towers, LLC – 1594 Paoli Pike
Review of Zoning Hearing Board Application

Dear Mark:

The following plans prepared by CMX have been received by our office for review:

Title Sheet - sheet T-1, last revised December 11, 2009
Site Plan – sheet Z-1, last revised December 11, 2009
Compound Plan & Elevation – sheet S-1, last revised December 11, 2009

The plan submission also included the following supporting documents:

Zoning Hearing Board Application, dated November 12, 2010, prepared by
Lemanowicz, LLP
Amended Zoning Hearing Board Application, prepared by Lemanowicz, LLP
November 21, 2000 Review Letter from The PA Bureau for Historic
Preservation
December 10, 2009 Review Letter from The PA Bureau for Historic
Preservation

The plan sheets measure 11 inches by 17 inches and are not to scale. The plans identify the property owner as Thorndale Investment Group and the Applicant as Liberty Towers, LLC. The approximately one acre parcel is located on the south side of Paoli Pike at approximately 400 feet west of the Paoli Pike intersection with North Chester Road (S.R. 0352) and is situated within the C-2 Local Convenience District. The parcel contains a one-story, approximately 3,350 square foot, convenience store with 23 parking spaces. The Zoning Hearing Board Application notes that the Applicant has leased a 100 foot by 60 foot area on the subject parcel for the construction and operation of a wireless communications facility. The proposed communications facility consists of a 150 foot high monopole tower, six antenna mounts each spaced 10 feet vertically apart, five concrete equipment pads, an equipment shelter building, and landscape screening on the northeast and southwest sides of the leased area.

The following comments are offered for consideration:

Professional services since 1874

1444 Phoenixville Pike, P.O. Box 1568, West Chester, PA 19380-0078 / Tel: 610-644-4254 / Fax: 610-640-0771

Zoning Ordinance

1. Sections 240-15.B, 15.C, and 31.C.3.h.2.a.i – Within the C-2 zoning district, a wireless communications facility is not identified as a permitted use or conditional use. Section 240-31.C.3.h.2.a.i requires that a wireless communications facility be located on a land site only within the zoning district where permitted as a conditional use and only in such location within that district and at a height necessary to satisfy their function in the Applicant's wireless communications system. The application lists a variance request to allow construction and operation of the proposed facility within the C-2 zoning district.
2. Section 240-15.G – A maximum building coverage of 30 percent and a maximum impervious coverage of 45 percent are permitted within the C-2 Zoning District. The plans should note the existing and proposed building coverage and impervious surface coverage. Stormwater management requirements must be addressed for the proposed additional impervious coverage. The application lists a variance request to allow the parcel's impervious coverage to exceed 45 percent.
3. Sections 240-15.G and 23-D.9 – A minimum rear yard of 50 feet is required. Where a minimum depth of rear yard is specified, no building or structure shall be erected within the specified distance from the rear lot line. The plans indicate that three proposed concrete pads are to be placed within the required rear yard area. The abutting property along the rear yard is the East Goshen Elementary School. Any reduction to the required rear yard area may result in greater visibility of the communications facility from the school as well as increased noise levels at the school property line from receiving and transmitting equipment, cooling equipment, and/or power generating equipment. The application lists a variance request to permit a rear yard setback of less than 50 feet.
4. Section 240-23.A – No more than one principal use shall be permitted on a lot. The application lists a variance request to allow two principal uses (convenience store and wireless communications facility) on the parcel.
5. Sections 240-23.B.1 and 23.D.5.a – If two or more principal buildings are located on a lot, then each principal building shall conform to all requirements of chapter 240 as if each building were on a separate lot. Additionally, where two or more nonresidential principal buildings are proposed to be built on a lot in single ownership, each such building shall be separated from another such building by at least twice the minimum side yard requirement. The application lists a variance request to allow two principal buildings on the parcel.
6. Sections 240-15.G and 23.C.1 – Within the C-2 Zoning District, no building or structure shall exceed a maximum height of two stories or 30 feet. The proposed height of the antenna support structure is 150 feet above existing grade. The application lists a variance request to allow the proposed monopole tower to exceed the maximum permitted height of a structure within the C-2 Zoning District.

7. Section 240-24.A – No structure in any zoning district shall be used in any manner that creates any dangerous, injurious, noxious, or otherwise objectionable condition in such a manner or in such amount as to affect adversely the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety. The Applicant must demonstrate that the proposed antenna and antenna support structure are safe and surrounding areas will not be negatively affected by support structure failure, falling ice or other debris, noise, electromagnetic fields, or radio frequency interference.
8. Section 240-24.A – No structure in any zoning district shall be used in any manner that creates any dangerous, injurious, noxious, or otherwise objectionable condition in such a manner or in such amount as to affect adversely the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety. The November 21, 2000 letter from the Pennsylvania Bureau for Historic Preservation notes that the Goshenville Historic District was placed in the National Register of Historic Places on November 8, 2000. The District includes the parcels on the northeast and southeast sides of the Paoli Pike intersection with Route 352 as well as the parcels immediately adjacent to the Boot Road intersection with Route 352. The December 10, 2009 letter from the Pennsylvania Bureau for Historic Preservation notes that construction of a 150 foot modern structure will visually adversely affect the historic and architectural qualities that make the District eligible for placement in the National Register of Historic Places. The proposed tower location creates an objectionable condition and does not comply with the requirements of this section.
9. Sections 240-27.C.1.c, 27.C.1.d, and 33.C.3 – A minimum of five percent of a parking area shall be landscaped and continually maintained as such. Planting along the perimeter of a parking area will not be considered as part of the five percent minimum parking area landscaping. In complying with this landscaping requirement, the planting beds must be distributed throughout the parking area as evenly as possible. The existing parking area does not comply with these landscaping requirements. If the existing parking area is to be utilized to address parking requirements for the communications facility, then the existing parking area will need to be redesigned to meet the requirements of these sections. Any reduction in the number of parking spaces for the addition of planting beds would increase the parking nonconformity (see comment #15).
10. Section 240-27.C.2.b.1 – Buffer yards are required to be provided as part of any expanded development of a principal commercial use along any lot line contiguous to lot(s) within a residential district. A 50 foot wide buffer yard shall be required from the district boundary line or lot line. The buffer yard shall be a landscaped area free of structures, materials, and vehicular parking. The R-2 Low Density Suburban Residential Zoning District borders the parcel's southeastern boundary line. The application lists a variance request to allow the communications facility to encroach into the required buffer yard.

11. Section 240-31.C.3.h.2.a.ii – As part of a conditional use application for the construction and installation of an antenna support structure, the Applicant shall prove to the reasonable satisfaction of the Board of Supervisors that the Applicant cannot adequately extend or infill its communications system by the use of equipment such as repeaters, antenna(e), and other similar equipment installed on existing structures such as utility poles and other available tall structures. This requirement will need to be addressed as part of the application.
12. Section 240-31.C.3.h.2.c – For each unrelated company sharing antenna space on a support structure, either one single-story equipment building not exceeding 500 square feet or up to three metal boxes placed on a concrete pad not exceeding 10 feet by 20 feet may be located on the site. The application lists a variance request to allow more than three equipment cabinets to be installed on a concrete pad.
13. Section 240-31.C.3.h.2.f – Where a proposed antenna support structure is located contiguous to an educational use, child day-care facility, or residential use, the minimum distance between the base of a support structure and any such adjoining uses shall equal 100 percent of the proposed support structure height unless it is satisfactorily demonstrated that the tower is designed to collapse upon itself within a setback area less than the required minimum setback without endangering such adjoining uses and their occupants. The provision for a setback distance of 100 percent of the support structure height is a safeguard in the event the support structure is sheared or dislodged at the point of its foundation attachment. The application lists a variance request to allow the tower to be setback less than 40 percent of the tower height from the adjacent property line(s).
14. Section 240-31.C.3.h.2.g – The Applicant shall demonstrate that the proposed communications antenna and antenna support structure are designed and constructed in accordance with all applicable building standards for such facilities and structures.
15. Sections 240-31.C.3.h.2.o, 33.A.1, and 33.B.6.a – Each use enlarged or altered in any district shall provide and satisfactorily maintain off-street parking spaces in accordance with the Off-Street Parking Requirements Table. The total number of parking spaces required for two or more uses shall be at least the sum of the spaces required for each use. A minimum of two parking spaces shall be provided for a fully automated communications facility. A fast-food restaurant and food stand requires one parking space per 30 square feet of floor area accessible to patrons plus one parking space per employee. A retail/general merchandise store requires a minimum of one parking space per 150 square feet of floor area accessible to patrons plus one parking space per employee.

Assuming three employees per shift along with a floor space allocation of one-third for storage and accessory rooms, one-third for retail/ general merchandise use, and one-third for fast food and food stand use, the required number of parking spaces for the convenience store is 48. Based on this assumption, the number of existing parking

spaces on the parcel (23) is insufficient for the convenience store use. The application lists a variance request to allow the existing parking spaces on the project site to service the proposed facility. Approval of this variance request would increase the parking nonconformity.

16. Section 240-31.C.3.h.2.g – A full site plan shall be required for all wireless communications facilities, showing all existing and proposed features, structures, and improvements. The plan shall comply with the requirements of Chapter 205, Subdivision and Land Development Ordinance. A scaled drawing(s) addressing conservation plan, erosion and sedimentation control plan, stormwater management plan, and landscaping plan requirements shall be prepared on sheets measuring either 18 inches by 24 inches or 24 inches by 36 inches and should be included as part of the application.
17. Section 240-31.C.3.h.2.t – A description of the anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and the traffic safety and noise impacts of such maintenance shall be provided with the application.
18. Section 240-31.C.3.h.2.v – if the applicant proposes to build an antenna support structure, the Applicant shall demonstrate that it has contacted the owners of structures of suitable location and height within a one-mile radius of the site proposed, has asked for permission to install the antenna(e) on those structures and has been denied. Evidence of good faith effort to mount the proposed antenna(e) on an existing structure shall be provided with the application.
19. Section 240-33.B.5.b – No off-street parking shall be provided between a building setback line and a street right-of-way line. The plans should note that the existing parking spaces, situated between the Paoli Pike right-of-way line and the front yard setback line, are non-conforming with respect to the permitted location of parking spaces.
20. Section 240-58.B – The applicant will need to demonstrate to the Zoning Hearing Board that the required findings of unique physical circumstances, conditions, and hardship as outlined by this section are pertinent to each variance request.

Please contact me if you have any questions concerning this review.

Sincerely,
YERKES ASSOCIATES, INC.



Michael Conrad, P.E.

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

February 17, 2011

East Goshen Township
Board of Supervisors
1580 Paoli Pike
West Chester, Pa. 19380

Re: Liberty Towers
Variance Request
53-4-80.1 (1594 Paoli Pike)

Dear Board Members:

At their meeting on February 16, 2011 the Planning Commission voted 6 to 1 in favor of the following motion:

I move that we recommend that the Board of Supervisors oppose these variance requests based on the fact that the applicant has not provided evidence of any hardship(s) to support either the use or the dimensional zoning variance requests, as required by law. Granting these variance requests for a wireless communications tower use in the center of the community, next to three schools and adjacent to the Township historic district, would have a significant negative impact on the quality of life and greatly alter the essential character of the surrounding neighborhoods.

Additionally, the Planning Commission recommends that the Board of Supervisors explore options to accommodate a wireless communications facility in the general vicinity of Paoli Pike and North Chester Road.

Sincerely,



Mark A. Gordon
Township Zoning Officer

BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

CHESTER COUNTY

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

February 7, 2011

Dear Property Owner:

The purpose of this letter is to inform you that Liberty Towers, LLC has amended their Zoning Variance application requesting relief from the zoning ordinance. The applicant is requesting that the Zoning Hearing Board grant relief from the requirements of the Township Zoning Ordinance to allow a Wireless Communications Facility use in the C-2 Zoning District. If granted the relief, the applicant proposes to construct a 150 foot tall Wireless Communications tower behind the Wawa store at 1594 Paoli Pike, West Chester, PA 19380.

The applicant is seeking relief from the following sections of the Township Zoning Ordinance:

1. A variance from section 240-15.B and 240-31.C(3)(h)[2][a][i] to allow construction and operation of the proposed facility in a C-2 zoning district;
2. A variance from section 240-15.G and 240-27.C(2)(b)[1] and 240-23.D(9) of the Ordinance to permit a rear yard setback of less than 50';
3. A variance from section 240-15.G to allow an increase of impervious cover on the project site above the maximum 45%;
4. A variance from section 240-23.A and 240-23.B(1) to permit two (2) principal uses and buildings on the subject property;
5. A variance from section 240-23.C and a variance or waiver from section 240-31.C(3)(h)[2][a][iii] to allow the proposed structure to exceed the height regulations specified in the Ordinance;
6. A variance from section 240-23.D(5)(a) to allow two (2) nonresidential principal buildings on the subject property separated by less than twice the minimum side yard requirement for each building;
7. A variance from section 240-31.C(3)(h)[2][c] to allow more than three(3) equipment cabinets to be installed on the proposed concrete pad;
8. A variance from section 240-31.C(3)(h)[2][f] to allow the base of the tower to be setback less than 40% of the tower height from the adjacent property line(s);
9. A variance and/ or waiver from section 240-31.C(3)(h)[2][o] to utilize existing parking spaces on the project site to service the proposed facility;

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of Zoning Variance applications.

This application is scheduled to be discussed during the meetings outlined below, and is subject to change. Visit the Township website for current information:

February 16, 2011 - Planning Commission meeting: 7:00 P.M.

February 22, 2011 - Board of Supervisors meeting: 7:00 P.M.

March 3, 2011 - Zoning Hearing, 7:30 P.M.

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

All meetings are held at the Township Building, are open to the public and are subject to change. This variance application is available for review at the Township Building during normal business hours. Please give me a call at 610-692-7171 or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Boards and Commissions
Kristin Camp, Esq. Township Solicitor (Via Email)
Mark Thompson, Esq. Zoning Hearing Board Solicitor (Via Email)
Richard J. Lemanowicz, Esq. (Via Email)

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171

Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 2/17/2011

To: Board of Supervisors

From: Mark Gordon, Township Zoning Officer *MLG*

Re: Wireless Tower RFP

Dear Board Members:

Enclosed is the next Draft of the RFP which includes Don's comments, a second round of Staff additions as per the solicitor and from the conversations at your last meeting as well as comments from Bernine Knox, an attorney and resident who has worked in the industry in the past. I was asked to have her review and comment, which I have included as redline changes. I have also enclosed her email to me.

The PC heard the Liberty Towers variance application on Wednesday night, the RF and planning testimony was very informative. You will hear Liberty Towers present their variance application on 2/22.

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DRAFT 5



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REQUEST FOR PROPOSALS
PLANNING AND CONSTRUCTION OF A WIRELESS
COMMUNICATIONS FACILITY
TOWNSHIP OF EAST GOSHEN

March 4, 2011

1 Due Date / Time: April 1, 2011, 4:00 P.M. Local Time

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Introduction

East Goshen Township is soliciting proposals from firms' to develop Township property known as the East Goshen Township Park, 1661 Paoli Pike, located on the north side of Paoli Pike with a wireless communication facility (a cell tower), which shall include planning, obtaining all necessary approvals and permits and constructing said tower(s) at the firms' expense, in accordance with the Request for Proposal (RFP).

All proposals shall be received by the Township no later than the **April 1, 2011, 4:00 P.M. Local Time.**

Deliver to:

East Goshen Township
Attn: Mark A. Gordon, Township Zoning Officer
1580 Paoli Pike
West Chester, PA 19380

The Board of Supervisors of East Goshen Township reserves the right to waive any technicalities, reserves the right to choose the proposal which in their judgment is best suited for the intended purpose, and which serves the best interests of East Goshen Township.

EAST GOSHEN TOWNSHIP
By: Mark A. Gordon
Township Zoning Officer

1 DATED: March 4, 2011

2 **Specifications**

3 **1. General**

4 The East Goshen Township Board of Supervisors is soliciting proposals
5 for a firm to construct, operate and maintain at the firm's expense a
6 wireless communications facility (a cell tower) in the East Goshen
7 Township Park located on the north side of Paoli Pike.

8 The selected firm shall enter into a lease with the Township and be
9 required to construct and maintain, at the firm's expense, a cell tower
10 and all associated equipment and structures.

11 Once a firm has been selected the Township will initiate the necessary
12 ordinance changes required to construct the tower.

13 All updates and amendments to this RFP as well as any changes to the
14 proposed schedule will be posted on the Township website,
15 www.eastgoshen.org.

16 **2. Schedule of Events**

17 The proposed schedule for the proposal selection and contract
18 negotiation is as follows:

19 Issue Request for Proposals:	March 4, 2011
20 Cutoff for Written Questions:	March 18, 2011
21 Proposals Due	April 1, 2011
22 Issue "Intent to Award"	May 3, 2011
23 Finalize Contract Language	May 24, 2011
24 Ordinance Approval	July 19th, 2011
25 Estimate Contract Start Date	September 1, 2011

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3. Basic Facility Standards

The Wireless Communication Facility (Tower) shall meet the following minimum standards:

1. Be located in the Township Park, northeast of Veterans Pavilion and west of the soccer fields in or near the wooded area (see tower site diagram).
2. The tower shall not exceed 150 feet in height from the average ground elevation at the base of the tower. Consideration will be given to multiple towers at lower heights.
3. The tower compound area shall not exceed 10,000 square feet, shall not be any larger than needed to accommodate the maximum number carriers planned for the tower and ~~the compound~~ shall be screened by a solid fence with a minimum 8 feet high of 8 feet, such as a wooden shadowbox fence.
4. No equipment, structure and /or apparatus whether temporary or permanent, except for the tower(s) and antennas mounted on the tower(s), shall be taller than the height of the fence.
5. The perimeter of the tower compound shall be landscaped as approved by the Township.
6. The tower(s) must be capable of accommodating five (5) to seven (7) wireless communications carriers and proposals submitted must demonstrate how this collocation can be accomplished.
7. All service lines from Paoli Pike to the tower compound shall be underground.
8. ~~Options to provide concealment of the tower should~~ Proposals shall include a minimum of one standard tower configuration and

1 one stealth tower configuration, to be provided in the design
2 specifications.

3 9. The tower shall meet the all requirements of the Township
4 ordinances.

5 ~~9-10.~~ All equipment, apparatus, structures, screening and
6 landscaping including landscape berms shall be maintained by the
7 lease holder.

9 **4. Required Information**

10 Proposals shall include the following information:

- 11 1. Current cell tower client list with at least three (3) active
12 municipal clients including municipal contact information, the
13 tower location and pictures of the tower.
- 14 2. Sample standard lease agreement with the property owner.
- 15 3. Sample standard contract for services with the carrier.
- 16 4. RF and Data coverage information for the proposed carriers.
- 17 5. Evidence that proposed carriers have a desire to locate in the
18 Township Park.
- 19 6. At least (2) pictorial options of tower configurations that meet the
20 site standards outlined herein.
- 21 7. Proposed schedule beginning at the execution of the contract
22 with the Township and ending with a functioning "On Air"
23 operational tower.
- 24 8. A statement of accuracy of the proposal contents.

25 **5. Compensation Schedule**

1 Proposals must have a detailed compensation schedule that outlines
2 the revenue model proposed and the actual dollars paid to East Goshen
3 Township for the life of the tower assuming one (1), two (2), three (3), four
4 (4), five (5), six (6), and seven (7) carriers are located at the site. The
5 compensation schedule must provide a minimum annual payment to the
6 Township which is not less than \$50,000 per/ yr. regardless of the number
7 of carriers and in additions shall share revenues at a rate of no less than
8 40% from all carriers located on the tower.

9 **Conclusion**

10 East Goshen Township welcomes this opportunity to provide reliable
11 cellular and data service to the residents of East Goshen Township.
12 Recognizing that our Township Park is a premier resource to the residents
13 of East Goshen Township and the surrounding communities, the successful
14 firm will present a proposal that is sensitive to the environmental and
15 aesthetic impacts of this type of facility.

16 The Board of Supervisors of East Goshen Township reserves the right
17 to waive any technicalities and to choose the proposal which in their sole
18 discretion is best suited for the intended purpose, and which serves the
19 best interest of East Goshen Township.

Memo

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: February 7, 2011

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Cost of Services

Attached is the list of Township services and functions. The suggested definitions for each heading are as follows:

Direct Wages & Benefits - The employees' wages and benefits for a specific service or function.

Department Head's Wages & Benefits – The Department Head's Wages & Benefits will be prorated based on the employee's Direct Wages & Benefits.

Total Direct Wages & Benefits – The sum of the Direct Wages & Benefits and the Department Head's Wages & Benefits.

Indirect Wages & Benefits - The Township Manager, Director of Finance and the Administration and Finance employee's wages and benefits, will be prorated according to Total Direct Wages & Benefits for the specific service or function.

Total Wages & Benefits – The sum of the Total Direct Wages & Benefits and the Indirect Wages & Benefits.

Direct Expenses – An expense budget line that is dedicated to a specific service or function.

Indirect Expenses - The remainder of the budget expenses such as debt service, utilities, repairs legal, transfer to capital reserve, insurance, etc., will be prorated according to Total Direct Wages & Benefits for the specific service or function.

We considered apportioning the building costs based on square footage, but concluded that there was no objective way to determine the square footage for each specific service or function.

Total Cost – The total cost to provide the service. (This will be equal to the total budget)

Receipts – A receipt budget line that is dedicated to a specific service or function.

Net Cost – The net cost to provide the service.

COOPERATIVE SERVICE AGREEMENT (CSA)
between
EAST GOSHEN TOWNSHIP (EGT)
and the
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1

The purpose of this agreement is to cooperate in a wildlife damage management project, as described in the attached Work Plan.

ARTICLE 2

APHIS WS has statutory authority under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C.426-426b) as amended, and the Act of December 22, 1987 (101Stat. 1329-331, 7 U.S.C. 426c), to cooperate with States, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3

APHIS WS and EGT mutually agree:

1. The parties' authorized representatives who shall be responsible for carrying out the provisions of this CSA shall be:

EGT: Louis F. Smith, Jr., Township Manager
1580 Paoli Pike
West Chester, PA 19380

APHIS-WS: Harris Glass, State Director
USDA APHIS WS
PO Box 60827
Harrisburg, PA 17106-0827

2. To meet as determined necessary by either party to discuss mutual program interests, accomplishments, needs, technology, and procedures to maintain or amend the Work Plan (Attachment A). Personnel authorized to attend meetings under this Agreement shall be Louis F. Smith, Jr. or his/her designee, the State Director (WS) or her designee, and/or those additional persons authorized and approved by Louis F. Smith, Jr. and the State Director.

3. APHIS WS shall perform services more fully set forth in the Work Plan, which is attached hereto and made a part hereof. The parties may mutually agree in writing, at any time during the term of this Agreement, to amend, modify, add or delete services from the Work Plan.

ARTICLE 4

EGT Agrees:

1. To authorize APHIS WS to provide technical assistance and direct control activities to reduce human health and safety risks and property damage associated with mutually agreed upon wildlife species. These activities are defined in the Work Plan. APHIS WS will be considered an invitee on lands controlled by EGT. EGT will be required to exercise reasonable care to warn APHIS WS as to dangerous conditions or activities in the project areas.
2. To reimburse APHIS WS for costs of services provided under this CSA up to but not exceeding the amount specified in Financial Plan (Attachment B). EGT will begin processing for payment invoices submitted by APHIS WS within 30 days of receipt. EGT ensures and certifies that it is not currently debarred or suspended and is free of delinquent Federal debt.
3. To designate to APHIS WS the EGT authorized individual whose responsibility shall be the coordination and administration of EGT activities conducted pursuant to this agreement.
4. East Goshen Township will assign a representative to assist APHIS WS during the roundup. The East Goshen Township representative will be responsible for navigating among roundup sites and may be requested to assist in conducting minor components of roundup operations.
5. To notify APHIS WS verbally or in writing as far in advance as practical of the date and time of any proposed meeting related to the program.
6. APHIS WS shall be responsible for administration and supervision of the program.
7. All equipment purchased for the program is and will remain the property of APHIS WS.
8. To coordinate with APHIS WS before responding to all media requests.

ARTICLE 5

APHIS WS Agrees:

1. To conduct activities at EGT as described in the Work and Financial Plans.

2. Designate to EGT the authorized APHIS WS individual who shall be responsible for the joint administration of the activities conducted pursuant to this Agreement.
3. To bill EGT for actual costs incurred by APHIS WS during the performance of services agreed upon and specified in the Work Plan. APHIS WS shall keep records and receipts of all reimbursable expenditures hereunder for a period of not less than one year from the date of completion of the services provided under this Agreement and EGT shall have the right to inspect and audit such records.
4. To coordinate with EGT before responding to all media requests.

ARTICLE 6

This Agreement is contingent upon the passage by Congress of an appropriation from which expenditures may be legally met and shall not obligate APHIS WS upon failure of Congress to so appropriate. This Agreement may also be reduced or terminated if Congress only provides APHIS WS funds for a finite period under a Continuing Resolution.

ARTICLE 7

APHIS WS assumes no liability for any actions or activities conducted under this Cooperative Service Agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (28 U.S.C. 1346(b), 2401(b), and 2671-2680).

ARTICLE 8

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom.

ARTICLE 9

Nothing in this Agreement shall prevent APHIS WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.

ARTICLE 10

EGT certifies that APHIS WS has advised EGT that there may be private sector service providers available to provide wildlife management services that EGT is seeking from APHIS WS.

ARTICLE 11

The performance of wildlife damage management actions by APHIS WS under this agreement is contingent upon a determination by APHIS WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable environmental statutes. APHIS WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.

ARTICLE 12

This Cooperative Service Agreement may be amended at any time by mutual agreement of the parties in writing. Also, this Agreement may be terminated at any time by mutual agreement of the parties in writing, or by one party provided that party notifies the other in writing at least 120 days prior to effecting such action. Further, in the event EGT does not provide necessary funds, APHIS WS is relieved of the obligation to provide services under this agreement.

In accordance with the Debt Collection Improvement Act of 1996, the Department of Treasury requires a **Taxpayer Identification Number** for individuals or businesses conducting business with the agency.

EGT Taxpayer Identification Number (TIN) 23-6005479

EAST GOSHEN TOWNSHIP:

Louis F. Smith, Jr., Township Manager
1580 Paoli Pike
West Chester, PA 19380

By: _____

Date

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
WILDLIFE SERVICES:**

By: _____

Harris Glass, State Director
USDA APHIS WS
PO Box 60827
Harrisburg, PA 17106-0827

Date

ATTACHMENT A WORK PLAN

Introduction

The U.S. Department of Agriculture (USDA) is authorized to protect American agriculture and other resources from damage associated with wildlife. The primary authority for Wildlife Services (WS) is the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C.426-426b) as amended, and the Act of December 22, 1987 (101Stat. 1329-331, 7 U.S.C. 426c). Wildlife Services activities are conducted in cooperation with other Federal, State and local agencies; private organizations and individuals.

The WS program uses an Integrated Wildlife Damage Management (IWDM) approach (sometimes referred to as IPM or “Integrated Pest Management”) in which a series of methods may be used or recommended to reduce wildlife damage. IWDM is described in Chapter 1, 1-7 of the Animal Damage Control Program Final Environmental Impact Statement (USDA, 1994). These methods include the alteration of cultural practices as well as habitat and behavioral modification to prevent damage. However, controlling wildlife damage may require that the offending animal(s) are killed or that the populations of the offending species be reduced.

Purpose

Damage caused by Canada geese includes excessive droppings, overgrazing of landscaping and natural vegetation, and noise disturbance. An extension of the integrated waterfowl damage management program conducted by EGT will be implemented by APHIS WS by conduct of a Canada goose population roundup to further reduce/prevent damages caused by Canada geese. Continued operational efforts to reduce the presence and activity of Canada geese will be necessary to substantially reduce the damage and human health and safety threats associated with Canada geese.

Location

East Goshen Township, West Chester, Chester County, PA

Planned USDA APHIS Wildlife Services Activities

The goal of APHIS WS is to manage the damage caused by wildlife by implementing integrated wildlife damage management programs. During summer 2011, WS will conduct a roundup and removal of up to 300 Canada geese (50% of the local Canada goose population) if deemed necessary by WS during a preliminary site visit to assess the presence of Canada geese with molted flight feathers on the property. This agreement includes allotment of funding from East Goshen Township for processing of Canada geese that are removed during a roundup so that the meat will be donated for charitable food distribution. All goose carcasses will be tested for contaminants prior to distribution.

Appropriate permits will be obtained by EGT and APHIS WS prior to the roundup. The above APHIS WS activities are fully provided for by the Pennsylvania Game Commission, Bureau of Wildlife Protection, Special Use (Depredation/Collecting) Permit and the US Fish and Wildlife

Service Depredation permit issued to the Director and/or the WS PA State Director. APHIS WS personnel will be available to provide technical assistance to EGT in deterring Canada geese and preventing other wildlife damage. Activities will be conducted with regular and overtime hours worked as necessary to accomplish the objectives of this program.

East Goshen Township will continue a no feeding of waterfowl policy and actively enforce (i.e., education and signage) the policy. East Goshen Township will be responsible for nest and egg treatment, and for conducting harassment and deterrent strategies to reduce the presence of Canada geese on the property within the legal guidelines of the Pennsylvania Code and regulations set forth by the U.S. Fish and Wildlife Service. APHIS WS professionals will also be available to provide technical assistance at the request of the Cooperator at any time.

Effective Dates

The Cooperative Service Agreement shall commence on June 1, 2011 and shall expire on August 31, 2011.

**ATTACHMENT B
FINANCIAL PLAN**

Personnel Costs	\$2,243
Vehicle Usage	\$454
Supplies and Equipment	\$2,347
Uniform Capitalization Cost	\$252
Program Support	\$815
TOTAL	\$6,111

The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed **\$6,111**.

Financial Point of Contact

EGT:	<u>Louis F. Smith, Jr.</u> Township Manager	<u>610-692-7171</u> Phone
APHIS-WS:	<u>Sandra Rader</u> Budget Analyst	<u>717-236-9451</u> Phone

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: February 14, 2011
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Resolutions

Attached are the updated resolutions that need to be adopted, along with a spread sheet showing the resolutions after you take action.

Suggested motion is as follows:

I move that we adopt the following resolutions:

- 2011-15 Treasurers' Bond
- 2011-16 Managers' Bond
- 2011-17 Tax Collectors' Bond
- 2011-19 Payment of Invoices at Year End
- 2011-34 Fee Schedule
- 2011-44 Procedure for the Collection of Sewer and Refuse Fees
- 2011-63 Amendment 1 to the Non Uniformed Pension Plan

And, that we rescind the following resolutions:

- 2011-12 Fee Schedule (see 2011-34)
- 2011-13 Work Comp (adoption of ordinance made the resolution mute)
- 09-54 Sewer and Refuse Collections (see 2011-44)
- 10-57 Refuse Rates (incorporated into 2011-34)
- 2011-63 Amendment 1 (see 2011-63)

And, that we authorize that those resolutions previously adopted, that are still applicable, be renumbered to include the full year designation as the beginning of the resolutions number.

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2011-15

**A RESOLUTION ESTABLISHING THE AMOUNT OF
THE TOWNSHIP TREASURER'S BOND**

WHEREAS, the Board of Supervisors is required to establish the amount of the Township Treasurer's bond: and

WHEREAS, the Board of Supervisors has previously determined that the bond should be in the amount of \$5,000,000.00.

BE IT RESOLVED THAT the East Goshen Township Board of Supervisors hereby confirms that the Treasurer's Bond shall be in the amount of \$5,000,000.00.

RESOLVED AND ADOPTED, this 22nd day of February 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2011-16

**A RESOLUTION ESTABLISHING THE AMOUNT OF
THE TOWNSHIP MANAGER'S BOND**

WHEREAS, the Board of Supervisors is required to establish the amount of the Township Manager's bond: and

WHEREAS, the Board of Supervisors has previously determined that the bond should be in the amount of \$1,000,000.00.

BE IT RESOLVED THAT the East Goshen Township Board of Supervisors hereby confirms that the Township Manager's Bond shall be in the amount of \$1,000,000.00.

RESOLVED AND ADOPTED, this 22nd day of February 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2011-17

**A RESOLUTION ESTABLISHING THE AMOUNT OF
THE TOWNSHIP TAX COLLECTOR'S BOND**

WHEREAS, the Board of Supervisors is required to establish the amount of the Township Tax Collector's bond: and

WHEREAS, the Board of Supervisors has previously determined that the bond should be in the amount of \$500,000.00.

BE IT RESOLVED THAT the East Goshen Township Board of Supervisors hereby confirms that the Township Tax Collector's Bond shall be in the amount of \$500,000.00.

RESOLVED AND ADOPTED, this 22nd day of February 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION 2011-19

**A RESOLUTION AUTHORIZING THE PAYMENT
OF INVOICES AT THE END OF THE YEAR.**

WHEREAS, Article VII Section 704 of the Commonwealth of Pennsylvania Second Class Township Code specifies that the Township Treasurer shall pay out all moneys of the Township only on direction by the Board of Supervisors; and

WHEREAS, the East Goshen Board of Supervisors officially reviews and approves proposed expenditures of the Township at its public meetings normally held on the first, second, third, fourth, and fifth Tuesdays of each month; and

WHEREAS, Article XIII, Section 1301 of the Commonwealth of Pennsylvania Second Class Township Code allows the Board of Supervisors to delegate any of its non-legislative powers and duties to the Township Manager.

BE IT RESOLVED THAT the Board of Supervisors delegates to the Township Manager the authority to approve and release disbursements, as requested by the Township Treasurer, which become due and payable in the interval between the last public meeting in December and the reorganization meeting in January.

A report of all such disbursements approved and released by the Township Manager will be submitted to the Board of Supervisors at the reorganization meeting in January.

RESOLVED AND ADOPTED, this 22nd day of February, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION 2011-34

**A RESOLUTION ESTABLISHING AND CONSOLIDATING
THE VARIOUS FEES AND CHARGES IMPOSED
PURSUANT TO THE CODE OF THE TOWNSHIP**

WHEREAS, the Code of East Goshen Township authorizes the Board of Supervisors to establish various fees and charges by resolution, and:

WHEREAS, the Board of Supervisors believes that it's in the best interests of the Township to consolidate all of the fees and charges into a single resolution.

BE IT RESOLVED THAT the East Goshen Township Board of Supervisors hereby establishes the following fee schedule for 2011.

1. Building/Zoning Permit Fees

- a. Residential Dwelling Units - includes all types of residential buildings.
 - i. New Construction - Calculated using the ICC method with a minimum charge of \$200.00.
 - ii. Accessory Buildings - Calculated using the ICC method with a minimum charge of \$200.00.
 - iii. Building Additions - Calculated using the ICC method with a minimum charge of \$200.00.
 - iv. Decks, Patios, Terraces
 - 1. 150 square feet or smaller - \$100.00
 - 2. Greater than 150 square feet - \$150.00
 - 3. Re-decking of surface materials and or replacement of railings or steps - \$50.00
 - v. New and replacement plumbing, HVAC, and sprinkler systems; any other permanent system; re-roofing; and re-siding shall be calculated at 1% of the project cost with a minimum permit fee of \$100.00.
 - vi. Flagpoles - all permit fees shall be waived for the installation of a flagpole on any residential lot.
 - vii. Alarms - New and replacement monitored alarm systems - \$40.00 permit.
 - viii. Zoning Permit – Any project which increases the footprint of a residential structure or adds a structure to the property requires a zoning permit - \$50.00

NOTES:

- All measurements and calculations shall be outside dimensions.
 - The above fee includes the residential building code plan review, all required inspections, Certificate of Occupancy and the Building Energy Act if applicable.
 - The ICC permit fee method and construction costs tables are published in the ICC Building Safety Journal.
 - The Township Permit Fee Multiplier used to calculate the ICC Permit Fee shall be .01.
- b. Non-Residential Buildings - Includes commercial, industrial, and institutional buildings.
- i. New Construction and Additions - Calculated using the ICC method with a minimum charge of \$200.00
 - ii. New plumbing, HVAC, alarm and sprinkler systems shall be calculated @ 1% of the project value with a minimum charge of \$200.00.
 - iii. Replacement plumbing, HVAC, alarm and sprinkler systems; any other permanent systems; re-roofing; and re-siding shall be calculated @ 1% of the project value with a minimum charge of \$200.00.
-
- iv. Alterations and fitting out of space - Calculated @ 1% of the project value with a minimum charge of \$200.00.
 - v. Flagpoles - All permit fees shall be waived for the installation of a flagpole on any commercial or industrial lot.
 - vi. Zoning Permit – Any project which increases the footprint of a commercial building structure or adds a structure requires a zoning permit - \$150.00

NOTES:

- The above fee includes the commercial building code plan review, all required inspections, Certificate of Occupancy and the Building Energy Act if applicable.
- The Township Permit Fee Multiplier used to calculate the ICC Permit Fee shall be .01.

c. Miscellaneous Categories

- i. Swimming Pools
 - 1. In-Ground - \$225.00
 - 2. Above-Ground - \$75.00
 - 3. Jacuzzi or Hot Tub - \$75.00

- ii. Demolitions
 - 1. Residential - \$50.00
 - 2. Commercial - Shall be calculated at 1% of estimated cost with a minimum of \$100.00.
 - iii. Impervious Surfaces - \$75.00 plus engineering, stormwater management permit and inspection costs: includes new driveways, widening of existing driveways by more than 25%, parking lots, tennis courts, etc. Driveways with new homes excluded.
 - iv. Renovations, alterations, structures, and facilities; including but not limited to porch enclosures, satellite dishes, silos and water towers, antenna towers, wind and solar energy systems, and the completion of unfinished areas shall be calculated at 1% of estimated cost with a minimum permit fee of \$100.00.
 - 1. As per Section 108 of the ICC 2006, if, in the opinion of the building official, the valuation of the permit is under-estimated, the permit will be denied unless detailed estimates can be shown to meet the approval of the building official. The final building valuation will be set by the building official.
 - v. Missed Inspections - \$25.00 per occurrence - All missed inspection fees shall be paid prior to the issuance of the Certificate of Occupancy.
 - vi. No Permit Fee - Any person who commences work on a building, structure, electrical, gas, mechanical, or plumbing system prior to obtaining the necessary permits shall be subject to a \$150.00 fee for residential and \$200.00 for commercial in addition to the applicable building permit and/or zoning permit fee. The Township in its sole discretion may elect to issue a citation for violation of the applicable building code.
 - vii. PA UCC Continuing Education Fee of \$4.00 for every Building Permit Issued.
- d. Zoning Permits. Although a Building Permit is not required for the following structures pursuant to the Uniform Construction Code (Act 45 of 1999), a Zoning Permit is required. The Zoning Permit fee is \$50.00.
- i. The following structures if the structure has a building area less than 500 square feet and is accessory to a single family detached dwelling.
 - 1. Carport
 - 2. Detached Garage
 - 3. Greenhouse
 - 4. Sheds
 - ii. An agricultural building as defined under section 103 of the Uniform Construction Code (Act 45 of 1999).
 - iii. Manufactured or industrialized housing pursuant to section 901 of the Uniform Construction Code (Act 45 of 1999)

2. Subdivision and Land Development Fees

- a. Subdivision Review
 - i. 2 lots - \$200.00 per plan
 - ii. 3 or more lots on existing streets - \$250.00 per plan
 - iii. 3 or more lots requiring new streets - \$400.00 per plan
- b. Land Development Review
 - i. Less than 4 Acres - \$200.00 per plan
 - ii. 4 Acres to 24.99 Acres - \$350.00 per plan
 - iii. 25 Acres to 99.99 Acres - \$600.00 per plan
 - iv. 100 Acres or More - \$850.00 per plan
- c. Lot Line and/or Minor Revision Review
 - i. \$150.00 per plan
- d. Additional costs for Subdivision, Land Development and Lot Line and/or Minor Revision Reviews shall be as follows:
 - i. The applicant shall pay the review fees of the professional consultants utilized by the Township during its review of the subdivision or land development application. The applicant shall submit \$2,000.00 to the Township at the time of the submission of the subdivision or land development application. This money shall be placed in an interest bearing account held by the Township and monies shall be disbursed from this account to pay the actual costs of the professional consultants. The Township shall provide the applicant with a breakdown of all monies disbursed from the account. If the account balance goes below \$500.00 the applicant shall deposit additional monies sufficient to bring the account balance back up to \$2,000.00. Upon approval or denial of the land development or subdivision application and payment of the final invoices from the professional consultants the balance of funds in the account plus any interest shall be returned to the applicant.
 - ii. The applicant shall reimburse the Township for the actual cost of all legal, engineering, inspections and materials tests, incurred during construction and up to acceptance, by the Township, of the improvements.
 - iii. The applicants shall pay all Chester County Planning Commission, Chester County Health Department, Department of Environmental Protection, Chester County Soil Conservation District and Penn Dot review fees, and all recording costs.
- e. Inspections
 - i. Township Engineer - prevailing rate
 - ii. Engineer's Inspector - prevailing rate

iii. Township Inspector - prevailing rate

3. Public Hearings

- a. The applicant shall deposit with the Township \$450.00 to defray the cost of the following:
- i. One half (½) the cost of preparation and publication of "Notice of Public Hearing".
 - ii. Posting of the property by the Township Staff.
 - iii. One half (½) of the appearance fee of the court reporter.
 - iv. Other miscellaneous administrative charges.
 - v. The cost for mailing a hearing notice letter to all property owners within 1,000 feet of the property.
- b. If the monies paid to the Township pursuant to Section a. are insufficient to insure payment of all costs incurred in the disposition of the application the Township shall require additional deposits in increments of one hundred dollars (\$100.00). The failure of the Township to demand additional deposits from time to time shall not relieve the applicant from liability for all costs, charges, fees and expenses in excess of deposits.
- c. Monies paid which are in excess of the actual costs shall be refunded to the applicant within 30 days of receipt of the written decision.
- d. Referring to b and c above; if the total costs exceed the monies paid by less than \$10.00 there will be no additional charge and conversely, there will be no refunds given for amounts under \$10.00
- e. Conditional Use Professional Consultants – The applicant shall pay the review fees of the professional consultants utilized by the Township during its review of the conditional use application. The applicant shall submit \$2,000.00 to the Township at the time of the submission of the application for a conditional use. This money shall be placed in an interest bearing account held by the Township and monies shall be disbursed from this account to pay the actual costs of the professional consultants. The Township shall provide the applicant with a breakdown of all monies disbursed from the account. If the account balance goes below \$500.00 the applicant shall deposit additional monies sufficient to bring the account balance back up to \$2,000.00. Upon approval or denial of the conditional use application and payment of the final invoices from the professional consultants the balance of funds in the account plus any interest shall be returned to the applicant.

4. **Sign Permits**

- a. Less than 32 Square Feet - \$25.00
- b. 32 Square Feet or More - \$75.00

5. **Hearings Before the BOCA Board of Appeals**

- a. There shall be a filing fee of \$100.00.
- b. In addition, the applicant shall deposit with the Township \$400.00 to defray the cost of the following:
 - i. Preparation and mailing of the list and/or labels bearing the names of property owners to be notified.
 - ii. Preparation of the hearing notice and affidavit of certification.
 - iii. Publication of "Notice of Public Hearing".
 - iv. Posting of the property by the Building Inspector.
 - v. One half (½) of the appearance fee of the court reporter.
 - vi. Other miscellaneous administrative charges.
 - vii. The cost for a copy of the transcript if requested by the applicant.
- c. If the monies paid by the applicant pursuant to Section b are insufficient to insure payment of all costs incurred in the disposition of the application, the Township shall require additional deposits in increments of one hundred dollars (\$100.00). The failure of the Township to demand additional deposits from time to time shall not relieve the applicant from liability for all costs, charges, fees and expenses in excess of deposits.
- d. Monies paid which are in excess of the actual costs shall be refunded to the applicant.
- e. Referring to C and D above; if the total costs exceed the monies paid by less than \$10.00 there will be no additional charge and conversely, there will be no refunds given for amounts under \$10.00

6. **Sewer, Refuse and Real Estate Tax Certification**

- a. Per Certification - \$5.00 – Fee must be paid prior to certification being issued.

7. **Collection Procedures**

- a. The Township Manager is authorized to collect any monies due and payable to the Township under this resolution in the manner prescribed by law.
- b. Any costs associated with the collection of these fees shall be the responsibility of the applicant.

8. Returned Checks

- a. Any check received by the Township pursuant to this resolution or any other ordinance shall be deposited in the authorized Township depository (bank).
- b. All checks returned by the Township depository (bank) to the Township, for insufficient funds or other reasons, shall be re-presented by the Township a second time. Any costs associated with this re-presentation shall be the responsibility of the person writing the check.
- c. Any check that is returned to the Township a second time will result in the imposition of a \$25.00 fee in addition to any bank fees, which shall be applied to the appropriate account.

9. Park Fees

- a. The following fees will be charged to those groups or individuals who reserve a facility for a specific date and time.

NOTES:

- The use of satellite parks is limited to passive events only.
 - Each day is divided into three time periods:

 - Morning - 7 am to Noon
 - Afternoon - Noon to 5 pm
 - Evening - 5 pm to Dusk
 - The West Chester Area School District is exempt from all fees.
 - Separate checks shall be provided in the event a deposit is required.
 - Deposit checks will be returned after the facility has been inspected and found to be in good condition.
- i. Pavilion (per event):
 1. 1 to 100 people - \$100.00 rental fee with \$50.00 refundable deposit
 2. Over 100 people - \$200.00 rental fee with \$100.00 refundable deposit
 - ii. Volleyball Courts (cost per court):
 1. \$30.00 per time period
 - iii. Satellite Parks (all Township owned open space except for the 55 acre Township Park. Per event):
 1. 1 event - \$50.00 with \$25.00 refundable deposit

iv. Baseball, Softball, Soccer Fields and Tennis Courts; excluding T-Ball (cost per field/court):

1. 1 field - \$30.00
2. Tennis Courts for approved Leagues - \$30.00 for 3 courts per time period

v. Tennis Court Keys:

1. Township Residents: - \$30.00 each
2. Non Residents of Township: - \$50.00 each
3. Replacement Key - \$6 each

10. **Copying of Township Records** - the cost for the copying of Township records pursuant to the “Right to Know Law” Act 3 of 2008, as amended, shall be as follows:

- a. Postage - the actual cost of mailing.
- b. Duplication - The fees are based upon the duplication of records maintained and duplicated in black & white on standard 8 ½ by 11 inch paper, 8 ½ x 14 inch paper or 11 x 17 inch paper. All larger records, including but not limited to plans, maps and similar documents are “over-size” records for purposes of the fee schedule.
 - i. Photocopy - \$0.25 per single sided copy
 - ii. Facsimile/Microfiche/Other Media – the Township’s cost to duplicate the record original media.
 - iii. Conversion of electronic media only records to paper – if a record is only maintained in electronic media the fee shall be the lesser of: \$ 0.25 per page (8½’ x 11’), or the Township’s cost to duplicate the record in the electronic media.
 - iv. Over-size Records (paper size is greater than 11” x 17”) photo copy - \$4.00 per sheet
 - v. Color documents – color documents that must be sent out for duplication shall be billed at the Township’s cost.
- c. Certification of a record – \$5.00 per certification.
- d. Use of own copier – A requester may utilize their own copier provided the device is self-powered, i.e., it may not be plugged into a Township power outlet. Any duplication by the requester must be done with a Township employee present.
- e. Direct access to the Township computer system is prohibited.
- f. No original records may be removed from the Township Building by a requester.

11. Code Books, Pamphlets and Zoning Maps

- a. Complete Code Book (includes subscription service for amendments for the balance of the calendar year) - \$110.00.
- b. Code Book Subscription Service - \$25.00 per year
- c. Zoning Pamphlet with Zoning Map - \$13.00
- d. Subdivision Pamphlet - \$7.00

12. Re-Sale and Re-Occupancy Inspections

- a. Residential - \$60.00
- b. Non-Residential Building – \$150.00

13. Contractor Registration

- a. \$25.00 - per year

14. Refuse charges pursuant to Section 194-8 of the Township Code

- a. Single Family Residential \$69.88 per quarter
- b. Multi-family Residential \$69.88 per quarter

15. Sewer Charges pursuant to Sections 188-3, 188-4 and 188-5 of the Township Code

Fixed Rate per unit

- a. Single Family Residential \$23.53 per quarter
- b. Multi-Family Residential \$23.53 per quarter
- c. Apartment Residential \$23.53 per quarter
- d. Commercial/Industrial Establishment \$23.53 per quarter
- e. Meter reading surcharge \$ 8.00 per quarter

Variable Rate

- a. Variable Rate \$0.711 per 100 gallons of water
- b. Variable Rate (East Whiteland) \$4.90 per 1,000 gallons of water

Permits/Inspections

- a. Sewer Laterals \$60.00 per lateral
- b. Water Meter/Measuring Device \$60.00 per meter/measuring device

16. Stormwater Management submissions pursuant to Ordinance 129-M-03

- a. Regulated activities that meet the criteria for exemptions pursuant to Section 302 of the ordinance shall be charged an application and plan review fee of the Township Engineers prevailing rate for 1 hour.

- b. Regulated activities that do not meet the criteria for exemptions pursuant to Section 302 of the ordinance shall reimburse the Township for the actual cost of all engineering, inspections and materials tests, incurred in the review of the plans and calculations, and in the inspection of the improvements during construction. These costs shall be billed at the Township Engineer's prevailing rate.
- c. Post Construction Maintenance inspections pursuant to Section 704, shall be billed at the Township Engineer's prevailing rate.

17. Solicitation Fees

- a. License Fee - (Except for those listed in §169-6) \$10.00
- b. PA State Police Background Check Fee; (all applicants) \$10.00

18. Wireless Telecommunications Carrier Fees

- a. Annual Registration Fee – \$25.00 per location.
- b. Penalty for untimely filing of Annual Report - \$100.00 per location.

19. Effective Date

The fees outlined in this resolution shall be effective on February 23, 2011.

And, Resolution 10-57 has been incorporated into this resolution and is hereby rescinded; and Resolution 2011-12 is hereby rescinded.

RESOLVED AND ADOPTED, this 22nd day of February, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2011- 44

**A RESOLUTION ESTABLISHING THE PROCEDURE FOR
THE COLLECTION SEWER & REFUSE ACCOUNT FEES**

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

1. Pursuant 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(s) a late notice and impose a penalty of 10% of the amount owed. When the 45th day falls on either a weekend or holiday on which the Township building is closed, payments that are received before the close of the business the next business day immediately following the 45th day shall be deemed to have been paid on time and no penalty shall be applied.

2. If the quarterly bill is not paid by the 60th day after the date of the bill, the Township will impose interest at the rate of $\frac{3}{4}$ of 1% or a fraction thereof of the amount owed per month (9% per year).

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

4. If the property owner(s) 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(s) 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 municipal lien will be filed with the Prothonotary's Office of the Court of Common Pleas of Chester County 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(s) refuses to accept the certified mail, the Solicitor will send the property owner(s) another letter by regular mail advising them that the account is past due and that they have 10 days from the date of the mailing of the aforementioned letter to bring the account current or a municipal lien will be filed 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)'s receipt of the letter sent pursuant to step 4 above, or within 10 days of the date of the mailing of the letter sent pursuant to step 5 above, the Solicitor will file a municipal lien for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs. The municipal lien will continue to accrue interest as stated above on any past due amount and any additional past due amounts will be added to the municipal lien. Any account that is leined and which the property owner(s) has made no attempt at payment will be re-leined on an annual basis.

7. When a delinquent account exceeds \$3,000.00, but is less than \$8,000.00, the Board of Supervisors may authorize filing a civil complaint with the District Court seeking a judgment against the property owner(s) 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 owner(s), the Township may seek to collect said judgment first by filing a Writ of Execution with the District Court which would in turn be executed against the personal property of the property owner(s).

8. 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 property owner(s) real property.

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

And, Resolution 09-54 is hereby rescinded.

RESOLVED AND ADOPTED, this ____ day of _____, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2011-63

**A RESOLUTION AMENDING THE EAST GOSHEN TOWNSHIP
NON-UNIFORMED EMPLOYEES' MONEY PURCHASE PENSION PLAN**

WHEREAS, On December 14, 2010 the East Goshen Township Board of Supervisors adopted Resolution 10-61 establishing the East Goshen Township Non-Uniformed Employees' Money Purchase Pension Plan (Defined Contribution Plan) dated December 14, 2010, effective January 1, 2011, and,

WHEREAS, The East Goshen Township Board of Supervisors has determined that it is in the best interests of the Township to amend the aforementioned plan.

BE IT RESOLVED THAT the East Goshen Township Non-uniformed Employees Money Purchase Pension Plan shall be and hereby is amended effective as of January 1, 2011 as follows:

Section 5.1(a) of the Plan is amended by replacing the last sentence of that subparagraph as follows:

“Notwithstanding anything herein to the contrary, a Participant’s Periods of Service shall include all Periods of Service provided to the Township prior to the Plan’s Effective Date.”

And, Resolution 2011-61 is hereby rescinded.

RESOLVED AND ADOPTED, this 22nd day of February 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171

Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 2/10/2010

To: Board of Supervisors

From: Mark Gordon, Township Zoning Officer *mlb*

Re: Tree Ordinance Amendments

Dear Board Members:

Please review the proposed Township Code and SALDO amendments drafted by the Conservancy Board, reviewed by the Planning Commission and prepared by the solicitor. If you concur with these amendments the next step is to forward them to the Chester County Planning Commission for review.

Also, enclosed is a resolution required by the ordinance for the recommended tree species.

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ - 2011

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING
CHAPTER 205 OF THE CODE OF EAST GOSHEN,
TITLED, "SUBDIVISION AND LAND DEVELOPMENT"
AND CHAPTER 218, TITLED, "TREES".**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that Chapter 205 of the East Goshen Township Code, titled, "Subdivision and Land Development" and Chapter 218 of the East Goshen Township Code, titled, "Trees" shall be amended as follows:

SECTION 1. The following definitions shall be added to Section 205-7:

CALIPER- For trees which are a minimum of twelve feet in height, the diameter of a tree trunk measured at a point four and one-half (4 ½) feet from the ground surface. For trees that are less than twelve feet in height, the diameter of a tree trunk measured at a point one foot from the ground surface.

DRIP LINE- The line marking where the outer edges of a tree's branches overhang the ground.

SPECIMEN TREE- A tree that is unique in either age, size, beauty, location, species or condition as determined by a licensed arborist.

TREE PROTECTION ZONE (TPZ) - An area that is radial to the trunk of a tree in which no construction activity shall occur. The tree protection zone shall be 25 feet from the trunk of the tree to be retained or the distance from the trunk to the drip line, whichever is greater. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

SECTION 2. Section 205-29 shall be amended by adding a new subparagraph A which shall state as follows:

"A. All preliminary subdivision and land development applications shall be submitted to the Conservancy Board for review and comments which shall be forwarded to the Planning Commission for consideration."

Existing Section 205-29.A shall be renumbered to be Section 205-29.B and existing Section 205-29.B shall be renumbered to be Section 205-29.C.

SECTION 3. Section 205-30.B shall be amended to add the following new subparagraphs (13), (14), (15) and (16):

“(13) All existing trees having a diameter of six inches caliper or greater, their species and size.

(14) Tree(s) proposed to be removed and trees proposed to be maintained.

(15) Specifications for removal of trees.

(16) Specifications for protection of existing trees that are to remain during construction, including grade changes or other work adjacent to the trees which would adversely affect the trees.”

SECTION 4. Section 205-32 shall be amended by adding a new subparagraph A which shall state as follows:

“A. All final subdivision and land development applications shall be submitted to the Conservancy Board for review and comments which shall be forwarded to the Planning Commission for consideration.”

Existing Section 205-32.A shall be renumbered to be Section 205-32.B and existing Section 205-32.B shall be renumbered to be Section 205-32.C.

SECTION 5. Section 205-61 shall be amended to state as follows:

“§ 205-61. Existing trees.

A. Neither portions of tree masses nor specimen trees shall be cleared unless absolutely necessary. Applicants shall make all reasonable efforts to preserve the existing trees.

B. When a proposed subdivision and/or land development necessitates the clearing of trees or portions of tree masses, applicants shall be guided by the following criteria in selecting trees and ornamentals for retention or clearing:

(1) Aesthetics (autumn coloration, type of flowers and fruit, bark and crown characteristics and amount of dieback present).

(2) Susceptibility of tree to insect and disease attack and to air pollution.

(3) Species longevity.

(4) Wind firmness and characteristic of soil to hold trees.

(5) Wildlife values (e.g., oak, hickory, pine, walnut, and dogwood have high food value).

(6) Climate(e.g., hardwoods reduce summer temperatures to surroundings more effectively than pines or cedars).

(7) Existence of disease, rot or other damage to the tree.

(8) Protection of buildings (e.g., dead and large limbs hanging over buildings shall be removed).

(9) The size of the tree at maturity.

(10) Preservation of Specimen Trees.

C. Unless otherwise provided in Section 205-61.D below, no more than 20% of the trees on any wooded lot may be cleared or removed and the remaining 80% shall be retained.

D. A maximum of 50% of the trees on a wooded lot may be removed if all of the following requirements are met:

- (1) The trees removed that are in excess of the 20% permitted pursuant to § 205-61.C shall be replaced on an inch-for-inch basis.
- (2) The diameter breast height (dbh) of the trees to be removed that are in excess of the 20% shall be determined.
- (3) All replacement trees shall be a minimum three-inch caliper, unless specifically approved by the Board of Supervisors.
- (4) The total diameter of the replacement trees shall equal the dbh of the trees removed (e.g., if a tree having a dbh of 12 inches is removed, it shall be replaced by four trees each having a minimum three-inch caliper).
- (5) The replacement trees shall be planted in accordance with a plan prepared by a licensed landscape architect and approved by the Board of Supervisors to ensure that the replacement trees are not located in such a manner that they crowd each other and consequently fail to thrive.
- (6) The Board of Supervisors shall review and approve the species of trees to be used for replacement and such trees shall be selected from a list of trees approved by the Board in a Resolution, as amended from time to time.
- (7) Plantings required pursuant to the buffer yard and landscaping requirements of this chapter may not be considered in calculating the replanting requirements of this section.
- (8) The replanting shall occur on the wooded lot that is being developed or at another location within the Township that is acceptable to the Board of Supervisors.

E. A list of species that are recommended for planting shall be adopted by the Board in a Resolution as amended from time to time.

SECTION 6. Section 205-62 shall be amended to state as follows:

“§ 205-62. Street trees.

Trees with a minimum caliper of 3 inches shall be provided where deemed advisable by the Township Planning Commission and/or Supervisors. Street trees shall be installed on forty-foot centers on the same side of the street. Tree varieties permitted will be determined by the Board of Supervisors but must be chosen from a list adopted by the Board in a Resolution as amended from time to time.

SECTION 7. Existing Section 205-63, titled, “Disposal of debris” shall be renumbered to be Section 205-63.1.

SECTION 8. A new Section 205-63 shall be added which shall read as follows:

“§ 205-63. Protection of existing trees during construction.

Trees to be retained after development must be protected from damage during construction activities. The following procedures shall be observed in order to protect those trees that are to remain.

A. Protection from mechanical injury and construction.

(1) All trees to be retained shall be protected from equipment damage by enclosing the tree(s) at the edge of the tree protection zone ("TPZ") with sections of snow fence or other fencing attached to posts which are buried twelve inches (12") into the ground with at least four feet above the ground and set no more than 12 feet apart. This fencing shall not be removed without Township permission.

(2) Construction equipment shall not operate within the TPZ nor shall dirt, rocks, debris or other materials be placed therein. The area within the TPZ shall not be built upon, nor shall any materials be stored there either temporarily or permanently. Vehicles and equipment shall not be parked in the TPZ.

(3) Trees shall not be used for roping, cables, signs or fencing. Nails and spikes shall not be driven into trees.

(4) Heavy equipment operators shall not operate or park any equipment within the TPZ.

(5) Exposed roots damaged during construction shall be protected from further damage and cleanly pruned.

(6) Tree limbs damaged during construction shall be laterally pruned immediately.

(7) Construction debris shall not be disposed of within the drip line.

(8) Trenching and root pruning shall not take place within the TPZ.

(9) Root pruning should not be done unless absolutely necessary and if necessary then no more than one side of the root system shall be pruned in a given year.

Optimum timing is autumn.

B. Protection from grade change.

(1) Raising the grade. If an increase in the grade of the land is proposed, the applicant shall install either:

(a) A system of gravel and drain tiles at the old soil level opening into a dry well built around the trunk and designed for each tree, individually fitting the contour of the land so that it drains water away from the tree trunk.

(b) A retaining wall between the existing grade and higher grade.

(2) Lowering the grade. If a lowering of the grade is proposed, the applicant shall use one of the following methods, individually designed to each tree:

(a) Terracing the grade.

(b) Placing a retaining wall between the existing grade and the lower grade."

SECTION 9. The definitions of "Caliper", "Historic Tree" and "Tree Protection Zone" in Section 218-1 shall be amended to state as follows:

CALIPER-- For trees which are a minimum of twelve feet in height, the diameter of a tree trunk measured at a point four and one-half (4 ½) feet from the ground surface. For trees that are less than twelve feet in height, the diameter of a tree trunk measured at a point one foot from the ground surface.

HISTORIC TREE -- Any tree over 100 years old identified by a licensed arborist.

TREE PROTECTION ZONE (TPZ) -- An area that is radial to the trunk of a tree in which no construction activity shall occur. The tree protection zone shall be 25 feet from the trunk of the tree to be retained or the distance from the trunk to the drip line, whichever is greater. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

SECTION 10. Section 218-2.A shall be amended to state as follows:

“A. Except in cases of emergency work necessary for protection of life or property, it shall be a violation of this chapter for any person, without first obtaining township approval, to do any of the following:

- (1) Cut, break, climb with spurs, injure in any manner or remove any tree.
- (2) Cut down any tree or interfere in any manner with the main roots of any tree.
- (3) Place any rope, guy wire, cable, sign, poster or other fixture on a tree.
- (4) Injure, misuse or remove any device placed to protect trees.
- (5) Place or install any stone, cement or other substance which shall impede the passage of water and air to the roots of any tree.”

SECTION 11. Section 218-4, titled, “Protection of existing trees during construction” shall be deleted.

SECTION 12. Section 218-5, titled, “Permit procedure” shall be deleted.

SECTION 13. Existing Section 218-6, titled, “Violations and penalties” shall be renumbered to be Section 218-4.

SECTION 14. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 15. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 16. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

ENACTED AND ORDAINED this _____ day of _____, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

Senya D. Isayeff, Chairman

Donald R. McConathy, Vice-Chairman

E. Martin Shane, Member

Carmen Battavio, Member

Thom Clapper Ph.D, Member

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. ____ - 2011

A RESOLUTION OF THE BOARD OF SUPERVISORS OF EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, ADOPTING A LIST OF RECOMMENDED SPECIES OF TREES AND STREET TREES THAT MAY BE PLANTED WHEN REQUIRED BY THE PROVISIONS OF CHAPTER 205 OF THE EAST GOSHEN TOWNSHIP CODE, TITLED "SUBDIVISION AND LAND DEVELOPMENT".

BE IT RESOLVED THAT the Board of Supervisors hereby approves the following list of tree and street tree species that may be used to satisfy the requirements in Chapter 205 of the East Goshen Township Code, Sections 205-61 and 205-62:

Deciduous canopy trees.

1. Acer rubrum, saccharum (maple: red, sugar).
2. Catalpa speciosa (catalpa).
3. Larix laricina (tamarack).
4. Liquidambar styracifera (sweet-gum).
5. Liriodendron tulipifera (tulip tree).
6. Magnolia acuminata (cucumber tree).
7. Nyssa sylvatica (sourgum or tupelo).
8. Populus deltoides (poplar).
9. Quercus coccinea, imbricaria, phellos, rubra (oak: scarlet, laurel, willow, red).
10. Tilia americana, cordata (linden: american, littleleaf).

Understory trees.

1. Amelanchier species (serviceberry or shadbush).
2. Asimina triloba (pawpaw).
3. Betula lenta (cherry or sweet birch).
4. Betula nigra (river birch).
5. Betula papyrifera (paper birch).
6. Celtis occidentalis (hackberry).
7. Cercis canadensis (redbud).
8. Chionanthus virginicus (fringe tree).
9. Cornus florida, alternifolia (dogwood: flowering, pagoda).
10. Crataegus species (hawthorns).
11. Diospyros virginiana (common persimmon).
12. Halesia carolina (carolina silverbell).

13. Magnolia virginiana (sweetbay and other magnolias).
14. Malus species (crabapple).
15. Oxydendron arboreum (sourwood).
16. Sassafras albidum (sassafras).
17. Stewartia ovata f. grandiflora (mountain stewartia).
18. Styrax obassia (fragrant snowbell).
19. Viburnum prunifolium (black haw).
20. Abies concolor (white or concolor fir).
21. Pinus strobus fastigiata ('Fastigiata' Eastern White Pine).

Street tree varieties.

1. Catalpa speciosa (northern catalpa).
2. Celtis occidentalis (hackberry).
3. Diospyros virginiana (common persimmon).
4. Carpinus betulus 'Fastigiata' (columnar hornbeam)
5. Carpinus betulus 'Frans Fontaine' (columnar hornbeam)
6. Carpinus caroliniana (American Hornbeam)
7. Acer Campestre (Hedge maple)
8. Acer Griseum (Paperbark maple)
9. Quercus imbricaria (laurel or shingle oak).
10. Quercus phellos (willow oak).
11. Tilia cordata (littleleaf linden).
12. American elm cultivars, 'Valley Forge' and 'New Harmony'"

RESOLVED this ___day of _____, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

Senya D. Isayeff, Chairman

Donald R. McConathy, Vice Chairman

E. Martin Shane, Member

Carmen Battavio, Member

Thom Clapper Ph.D, Member

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 2/17/2011
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer *mlg*
Re: Municipal Map

Dear Board Members:

In 2005 the Township had a map produced of the Township and had it mailed to all properties in the Township. This service costs the Township nothing due to the publisher selling advertisement space on the map. I have asked the firm who provided this service to the Township in 2005, Municipal Publications, if they would like to update our map and provide this service again for East Goshen in 2011. They are excited about working with us again and can accommodate us in the 4th quarter of 2011.

We have confirmed with our newsletter printer that this map can be stuffed with the 4th qtr newsletter and not increase the postage; however there will be a handling fee to stuff all 8400+ maps inside the newsletter and secure all sides. The quoted fee for this is \$335.00.

If this is something the Board would like us to pursue please authorize the \$335.00 expenditure and we'll get started on this project. I have enclosed a copy of the letter from Municipal Publications and a copy of the 2005 map for your review and use.

Municipal A Publications

February 1, 2011

157-11-17-11
BZ
PA 7-11

E. Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Attn: Mr. Mark Gordon, Director of Zoning & Codes

Dear Mr. Gordon:

It was a pleasure speaking with you yesterday afternoon regarding E. Goshen Township's Community Map and Information Guide renewal/update of the 2005 map produced by Municipal Publications.

To recap our conversation, I understand that E. Goshen Township does a quarterly newsletter produced in-house and is bi-folded from its 8 1/2 x 11 original size. As we discussed, inserting a map into your bi-fold newsletter is an attractive option:

- A. Many municipalities that produce a newsletter in-house have found that tucking a map into the newsletter still keeps the postage with the same range. An appropriate map fold to insert into your bi-folded newsletter can easily be accommodated.
- B. Keeps the cost of ads down. If the map were to be mailed independent of the newsletter and E. Goshen chose NOT to pay for the mailing, ad prices would have to be raised to absorb the cost of the mailing. (Especially in this economy, keeping ad costs at their lowest possible rate enables more businesses to take advantage of participating on the map.)

Following our conversation, I learned that pricing we receive from our printer located mid-state is very competitive. I am not sure of the arrangements you have with your printer for your newsletter, but our printer could print your newsletter, insert the map and mail both from our mailing house. We would be happy to present a quote if you'd like a comparison rate. Our printer usually undercuts most of the competition when quoting a rate for a newsletter product. Municipalities in the eastern quadrant of the state are finding that our printer saves them money and work.

As I mentioned, municipalities are finding now more than ever to keep communication fresh and ongoing between residents, businesses and local government. Local businesses like the affordable, long-shelf life form of advertising, residents like the full-color map & information guide an easy, go-to resource tool and local government finds a community map an excellent addition or alternative to their newsletters. Keeping your community map and information guide up-to-date is easy as it is important.

Mark, the team of Municipal Publications would welcome the opportunity to work with E. Goshen Township once again and produce a Community Map and Information Guide.

I am enclosing a Map Agreement Form so that I can place E. Goshen Township in my 2011 queue. I indicated 9,000 as the quantity (the same as 2005). Upon Board approval, please sign in the appropriate yellow highlighted areas. If you choose to use your printer and mail the maps to every address within the municipality, then initial in the box next to the statement (highlighted in pink) "agrees to distribute one copy to every address within the municipality." Or, if you choose to use our printer then initialing the pink highlighted line does not apply and leave that line blank.

Sincerely,



Sandy McCarthy, Map Project Representative

Enclosure

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**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
February 8, 2011 – 6:45pm
Draft Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Don McConathy, and Supervisors Marty Shane and Thom Clapper. Supervisor Carmen Battavio arrived at 9:45pm. Also present were Township Manager Rick Smith, Zoning Officer Mark Gordon, Director of Recreation Frank Vattilano, Bryan DelMonte (Conservancy Board), Jim McRee (Planning Commission and Deer Committee), and Park & Rec Board members Ruth Scadding, Ann Marie Fletcher-Moore, Phyllis Marron, Bob Huebner, and Vicki Wooters (Ms. Wooters had to leave at 9:00pm).

Vacancy Board

At 6:45pm Senya opened a meeting of the Vacancy Board to conduct an interview for a vacancy on the Township Board of Auditors. Resident Richard Flinn was interviewed. Mr. Flinn is a CPA with a wide range of accounting, business and auditing experience. He has lived in East Goshen since 1998 and is interested in getting more involved in the community now that his children are older. Don informed him that, if appointed, he would have to run in the municipal election this year to fill the balance of the unexpired term, as the appointment expires at the end of 2011. This would mean filing to run by March 8. Mr. Flinn said he would be willing to do so.

Don moved to appoint Richard Flinn to fill the vacancy on the Township Board of Auditors. Marty seconded the motion. Marty thanked resident Erich Flynn, who was present, for his interest in the position and willingness to serve the Township. There was no further discussion and no public comment. The Board voted unanimously to approve the motion. Senya then closed the meeting of the Vacancy Board. He thanked Erich Flynn for his interest in the position.

Call to Order & Pledge of Allegiance

Senya called the regular meeting to order at 7:10pm. He asked Mr. Brian Nagle to lead everyone in the Pledge of Allegiance.

Moment of Silence

Senya 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.

Chairman's Report

Senya announced that the Board met in Executive Session on February 1 to discuss a pending legal matter.

1
2 **Rental Equipment with Operators, Group 5 Re-Bid**

3 Rick reported that 12 bid packets were sent out. Six bids were received and opened on
4 January 28 as follows:

	<u>Total Bid</u>
5 Reid Paving Contractors, Inc., Gilbertsville, PA.....	\$66,600.00
6 Dan Malloy Paving, Inc., Downingtown, PA.....	\$68,400.00
7 P.J. Reilly Contracting Company, Inc., Eagle, PA.....	\$71,280.00
8 Warihay Enterprises, Inc., Manheim, PA.....	\$78,000.00
9 S.A. Macanga, Inc., West Chester, PA.....	\$85,200.00
10 Charlestown Paving Company, Devault, PA.....	\$95,220.00

11
12
13 Rick noted the lowest bidder was Reid Paving Contractors. He said he checked their references
14 and they were all very positive.

15
16 Marty recommended the bid for Rental Equipment with Operators (Group 5) be awarded to Reid
17 Paving Contractors, the lowest responsible bidder, as recommended by Public Works Director
18 Mark Miller in his January 28 memo to the Board. Don seconded the motion. There was no
19 discussion or public comment. The Board voted unanimously to approve the motion.

20
21 **Del Vacchio Holdings, Special Exception Application for 922 N. Chester Road**

22 Mr. Vince Del Vacchio, the applicant, was present with his attorney Brian Nagle, Esq.

23
24 Mr. Nagle described the applicant's proposed plan for the site (formerly McGinty's Nursery).
25 Mr. Del Vacchio is seeking a Special Exception from the Zoning Hearing Board to permit the
26 alteration of the existing legal Non-conforming use of the property. The alteration sought is the
27 replacement of a greenhouse with a new barn-style building. The proposed use for the site is the
28 same as the current use (a nursery/landscaping business) except the proposed use includes plans
29 to eliminate impervious coverage and restore the rear of the property to an open grass and
30 landscaped condition, and to add additional perimeter buffering.

31
32 Thom asked if piles of mulch and stone would be visible from Route 352. Mr. Del Vacchio said
33 after the house comes down the landscaping will shield any view of mulch and stone from the
34 road. Don asked how far back on the property the bins of materials are located, and Mr. Del
35 Vacchio indicated approximately 350 feet. Thom asked what the service bays would be used for
36 and Mr. Del Vacchio said for routine maintenance and light service on vehicles. Thom asked if
37 they would be used to repair transmissions and Mr. Del Vacchio said no.

38
39 Don noted that as part of a Special Exception the Board cannot stop an applicant from expanding
40 their business but can put reasonable conditions on them.

41
42 *Public Comment: Tom McCafferty, N. Chester Road* – Said he wanted to make sure the
43 applicant is not increasing the size of the business over 25% which is the upper limit based on his
44 reading of the ordinance, and that the applicant does not have plans to grow the business larger in
45 the future. He does not want his street to become entirely commercial in nature. Don said that
46 Mr. Del Vacchio's proposed operation will actually be smaller than what

1 Mr. McGinty had in his heyday. Mr. McCafferty asked what would happen if Mr. Del Vacchio
2 comes back to the Township in the future wanting to expand. Don said in that case the applicant
3 would have to follow the same process all over and the final decision would again fall to the
4 Zoning Hearing Board. It was then brought to Mr. McCafferty's attention that condition # 10
5 that the Board hoped to impose on the applicant would answer his concerns in regard to growth
6 of the business.

7
8 Don then read through the conditions the Board wanted to impose on the applicant. The
9 conditions were discussed and modified in conjunction with the applicant and his attorney.

10
11 Don moved to recommend the Zoning Hearing Board support the Special Exception application
12 of Del Vacchio Holdings, LLC who is seeking an alteration to the existing legal Non-conforming
13 use at 922 N. Chester Road with the following conditions, in accordance with the plans outlined
14 below, and authorize the Township Solicitor to be an advocate of the Township position at the
15 Zoning Hearing:

- 16
17
- 18 • Landscape Planting List dated 02-02-2011
 - 19 • Legal Non-Conforming Use Impervious Cover Calculations dated 01-24-2011
 - 20 • Existing Site Conditions dated 01-05-2011 with no revisions
 - 21 • Satellite Image w/ Overlay dated 01-05-2011 with no revisions
 - 22 • Satellite Image dated 01-05-2011 with no revisions
 - 23 • Conceptual Drawings Phases 1 & 2 dated 01-05-2011 and last revised 01-24-2011
 - 24 • Landscape Plan Phase 1 & 2 dated 02-02-2011 with no revisions
 - 25 • Storage Bin Detail dated 01-25-2011 with no revisions
- 26
- 27 1. The buildings identified on the plan and during the testimony as buildings to be removed
28 shall be removed prior to the issuance of a Use and Occupancy Certificate for the new
29 barn-style building. If the existing buildings are in use for storage when the barn building
30 is completed, a 60-day temporary Use and Occupancy Certificate may be issued to allow
31 materials to be moved.
 - 32 2. The new barn-style building (having a maximum footprint of 4000 sq.ft.) may be erected
33 as a replacement for the existing permitted buildings that are part of the legal Non-
34 conformity as shown on the plans that were submitted by the applicant.
 - 35 3. The Proposed barn-style building shall have a wooden exterior and shall be similar in
36 appearance to the existing sales building.
 - 37 4. The rear of the property (the area of the property west of the proposed bins) shall be
38 returned to a grass and/or wild flower meadow condition as shown on the plans. The
39 existing trees shall remain to the maximum extent possible. Should Township
40 regulations require, a grading plan shall be submitted to the Township and a permit
41 issued prior to any earth disturbance in the rear of the property.
 - 42 5. The existing single-family home shall remain as such and shall not be used in any manner
43 for the Non-conforming use. The applicant may build the Phase 2 single-family dwelling
44
45
46

1 provided that the existing residential structure is removed prior to the issuance of a Use
2 and Occupancy Certificate for the Phase 2 dwelling. The Township may provide a 60-
3 day temporary Use and Occupancy Certificate for the Phase 2 dwelling prior to the
4 demolition of the existing residence if the owner of the property is residing in the existing
5 residence and is moving into the new Phase 2 dwelling. The applicant shall post a bond
6 or letter of credit in a form acceptable to the Township to insure that the existing
7 residential dwelling is removed.

- 8
- 9
- 10 6. All stormwater controls required by the Township Ordinances for the Phase 2 single-
11 family dwelling shall be installed in conjunction with the building of the Phase 2
12 dwelling.
- 13 7. The Phase 1 landscaping shall be installed prior to the issuance of a Use and Occupancy
14 Certificate for the new barn building. The Phase 2 landscape screening shall be installed
15 prior to the issuance of a Final Use and Occupancy Certificate for the new single-family
16 home. Owner agrees to maintain all landscaping that is installed for Phase 1 and Phase 2
17 in perpetuity. Landscaping shall be installed as depicted in the Landscape Plan Phase 1
18 & 2.
- 19
- 20 8. Retail sales of bulk landscape materials including mulch, stone and sand and the delivery
21 of these materials to the property shall be limited to the hours between 9:00am and
22 5:00pm Monday through Saturday. No storage of manure shall be permitted on the
23 property.
- 24
- 25 9. The loading and unloading of stored landscape materials and equipment onto trucks or
26 trailers shall not occur before 7:00am and not after 6:00pm.
- 27
- 28 10. Upon the completion of Phases 1 and 2, as shown on the plans, no additional expansion
29 of buildings and/or impervious coverage pertaining to the legal Non-conforming use shall
30 be permitted unless approved by the Township Zoning Hearing Board.
- 31
- 32 11. Lighting shall be limited to safety and security lighting mounted to the buildings which
33 cast light downward so as not to create a glare condition, in accordance with §240-24.H.
- 34
- 35 12. Vehicle maintenance shall be limited to preventative maintenance and minor repairs and
36 shall be conducted inside of the new barn building during normal business hours.
- 37
- 38 13. The storage bins having a total square footage of 1,400 sq.ft. shall be constructed as
39 depicted on the plan and a maximum of one material storage bin (not to exceed 250 sq.ft.)
40 may be covered with a roof and that area shall be included in the total building coverage
41 area tabulation. The covered storage bin depicted on the plans shall be the only bin used
42 for salt storage.
- 43
- 44 14. As depicted on the plan, all business vehicles and employee parking shall be located to
45 the rear of the existing sales building in an area not to exceed 10,250 square feet.
46 Sufficient parking shall be provided for the maximum number of employees on site and

1 any business vehicles stored outside on the site. Appropriate ADA parking shall be
2 provided in accordance with the Township's Building Code.

- 3
4 15. Business vehicles having a gross vehicle weight in excess of 33,000 pounds shall not be
5 permitted to be parked or stored on the property.
6
7 16. There shall not be any storage or display of any hardscaping materials (i.e. brick pavers,
8 stone, etc.) in front of the existing sales building. Storage of such material shall be
9 limited to the area east of the existing bins, up to 20 feet behind the proposed bins, and
10 in the new barn building.
11
12 17. The rubber tire or track loader used for retail sales shall be equipped with a bucket having
13 a maximum size of one cubic yard.
14
15 18. The applicant will follow all applicable Federal, State and Local laws and secure all
16 proper permits prior to construction of the improvements depicted on the plans or use of
17 the existing buildings on the property.
18
19 19. The storage of bulk diesel fuel not to exceed a 300-gallon tank shall be permitted on the
20 property.
21
22 20. The customer parking in front of the existing single-family home shall not be increased in
23 size and shall be signed for customer parking only.
24
25 21. Prior to the issuance of the permit for the new barn building the applicant shall
26 demonstrate that the proposed total impervious area on the property is less than the total
27 impervious area shown on the existing conditions plan.
28
29 22. The conditions and orders, which are still applicable, outlined in the previous Zoning
30 Hearing Board decisions for this property, still apply except as modified by the subject
31 Special Exception.
32
33 23. The existing shade structures as shown on the plans may remain provided that they are
34 only covered with a porous fabric. These structures shall not be considered buildings for
35 the purpose of calculating building coverage.
36
37 24. The applicant shall be permitted to bring in nursery stock and agricultural products for
38 sale on the property.
39

40 Marty seconded the motion.

41
42 Thom asked Mr. Del Vacchio what is his plan in regard to housing employees once the residence
43 is torn down. Mr. Del Vacchio said he will find another place for the employees to live.

44
45 *Public Comment: Gary Moore, N. Chester Road* – Said he is looking forward to having

1 Mr. Del Vacchio as a neighbor and he wishes him well. He has no objections to the plans for the
2 site.

3
4 *Public Comment: Bryan DelMonte, Clocktower Drive* -- Asked if any consideration had been
5 given to having the applicant use pervious pavement instead of impervious pavement. Mr. Nagle
6 said it was considered but pervious pavement is very difficult to maintain when used in this type
7 of application, and it would be cost prohibitive per Mr. Del Vacchio. Don said this issue was
8 discussed at the Planning Commission. Mr. DelMonte asked for ballpark numbers of how much
9 more it would cost to install pervious pavement, but Mr. Nagle did not have the information.
10 Mr. DelMonte said he would have liked to have seen some hard numbers showing a cost
11 analysis.

12
13 The Board then discussed with the applicant and Mark Gordon the need for drainage when the
14 area behind the sales building is paved.

15
16 Thom said as long as the applicant agrees to the conditions, he did not think it necessary to pay
17 to have the Township Solicitor attend the meeting of the Zoning Hearing Board to advocate the
18 Board's position on this application.

19
20 Mr. Nagle said his client was agreeable to the conditions. Mr. Nagle said he was unsure of the
21 need to send the Township Solicitor to the hearing, as it may send a message that there is some
22 Board opposition to the application when in fact there is not. Don said he would like Kristin
23 Camp at the hearing in case any questions arise about the conditions the Board wants imposed.
24

25 Don noted that the Township received a letter dated January 26, 2011 from resident William F.
26 Cass of Vista Drive expressing concerns with the application in regard to truck traffic, workers
27 living in the old McGinty residence, and storage of mulch on the property.
28

29 There was no further discussion or public comment. The Board voted 3:1 and the motion passed.
30 Thom voted against the motion. He was in favor of the application but opposed to the plan to
31 send the Township Solicitor to the Zoning Hearing Board.
32

33 **Discussion of TAG Report with Park & Rec Board**

34 Ruth Scadding began to review the Park & Rec Board's recommendations to the Board in
35 response to the TAG report. She said the Park & Rec Board were a bit overwhelmed by the
36 TAG recommendations, and the amount they were being asked to cut from their budget. Marty
37 said the Supervisors cannot do the work and make the decisions for the Park & Rec Board, but
38 can serve as a sounding board and source of advice.
39

40 Ruth said the TAG recommendations are at odds with the philosophy of the Park & Rec Board.
41 She said the Park & Rec Board wants to continue to offer a high-quality program to residents,
42 and she noted they get excellent feedback from parents. She said the Park & Rec programs
43 pretty much pay for themselves except for the summer program. Frank Vattilano's salary is also
44 not covered by revenue from the programs. She said they are always seeking and applying for
45 grants. She expressed concern that another rate increase would conflict with the next newsletter
46 deadline. Marty reminded her that they have had the TAG report since last September. He said

1 the goal is for the Park & Rec Board to get a plan in place to accomplish the TAG
2 recommendations by 2012.

3
4 Don noted that the TAG report was a recommendation, not a mandate. He agreed with Ruth that
5 it is a lot to ask of them to accomplish all the TAG recommendations within one year. Senya
6 said he did not feel the same way and noted the TAG report came out last September. The Park
7 & Rec Board was charged with making recommendations on how to cut \$100K. Senya asked if
8 anyone on the Park & Rec Board had done the math to see if their recommendations add up to
9 \$100K. Ruth said no one had done the math because they were waiting to discuss the matter
10 with the Supervisors.

11
12 Frank Vattilano said recreation used to be a Township service, but has now become a business.
13 He said he does not have the type of personality required to be an effective fundraiser. Senya
14 told him it's not his job to be a fundraiser, and he should not have been made to assume that role
15 in the past.

16
17 Senya asked what TAG recommendations are at odds with the current Park & Rec philosophy.
18 Ruth said that opening Park & Rec events to non-residents is one. In the past they have focused
19 on providing activities to East Goshen residents.

20
21 Bob Huebner said he would like the Park & Rec Board to expand from 5 members to 7 members,
22 bringing in new people with business and fundraising experience.

23
24 Senya asked if the Park & Rec Board could handle the additional work involved in allowing non-
25 residents to participate in the programs. He then mentioned the possibility of a collaborative
26 effort with the YMCA, or developing a regional Park & Rec program. Don noted that if the
27 Township Park is going to be used more by non-residents, the Public Works budget will be
28 impacted. He said he does not want to see East Goshen's facilities overused so that they
29 deteriorate faster. Senya said the YMCA seems like one great resource to consider.

30
31 Senya noted that it took a very long time to receive a list of program utilization numbers from the
32 Park & Rec Board, and said the Park & Rec Board needs to keep a handle on their utilization
33 numbers and to be aware of how they have changed or kept consistent from years past.

34
35 Marty said a cost analysis needs to be done immediately on every Park & Rec program. The
36 Park & Rec Board also needs to keep a handle on how much revenue is brought in, and what
37 profit is being made. One way to make more profit is to control expenses. From a business
38 perspective, the Park & Rec Board needs to look at increasing revenue and reducing costs.
39 Marty advised them to look at all the correspondence and emails that were generated in 2001 to
40 justify creating Frank's position. There were a lot of good ideas and information in that
41 correspondence that should be reviewed. Marty said furthermore, the Park & Rec Board needs
42 to know a) are their programs working and b) are they using all their resources effectively.

43
44 Senya confirmed with Frank that he (Frank) is working with Barb Phillips to get information on
45 program usage statistics entered into AMS to make future reporting easier.

46

1 Marty assured Frank that he was part of the solution, not part of the problem and agreed with
2 Senya that it is not Frank's job to be out fundraising.

3
4 Carmen said the Park & Rec programs will have to be adjusted in order to justify the cost of
5 Frank's salary. He noted the Park & Rec Board is just as responsible as Frank to come up with
6 ideas. The Park & Rec Board needs to act on the TAG recommendations and if that's not
7 possible for some reason, they must let the Board know what help they need to accomplish their
8 objectives.

9
10 The idea of a membership-based Park & Rec program was then discussed, as well as a
11 concession stand. Carmen told the Park & Rec Board it was their responsibility to do the work
12 to research the concession stand idea.

13
14 Ann Marie said the Park & Rec Board wants to benefit financially from any revenue earned by
15 having a cell tower placed in the Township Park.

16
17 Don confirmed that Township staff is working on making the website able to accept online
18 payments for programs.

19
20 It was agreed that the issue of permits (?) will be discussed with the Park & Rec Board at the
21 February 22 Board of Supervisors meeting.

22
23 Senya assured the Park & Rec Board that no matter what happens, East Goshen will still be in
24 control of its Park & Rec program and will act as the manager. He said it is not his plan to have
25 them "give up the farm" or lose their identity as the East Goshen Park & Rec Board.

26
27 Don asked if Senya would consider extending the deadline for Park & Rec to implement the
28 TAG recommendations. Senya said he wants to keep the deadline as it stands, which is a
29 timeline previously agreed to by the Supervisors.

30
31 **Draft RFP for Cell Tower in Township Park**

32 The Board discussed this draft RFP, and the consensus was it was not ready to go out. The
33 Board will continue their discussion on this issue at the February 22 Board of Supervisors
34 meeting.

35
36 **CCATO Spring Convention, March 10**

37 Marty and Don plan to attend, and Thom is not yet sure. Carmen and Senya will not attend.

38
39 **Conference Room Chairs**

40 The Board gave staff permission to replace five chairs in the downstairs conference room. The
41 chairs are over 25 years old.

42
43 **Multi-Use Building and Parking Ordinance Amendment**

44 The Board reviewed and discussed the proposed amendment. Mark Gordon will revise the
45 document for review again at the Board's February 22 meeting.

1 **Any Other Matter**

2 **PSATS Grant Writing Course** – Mark Gordon will attend this course for the Township. If
3 anyone from the 501(c)(3) group wants to attend, it will have to be paid for by the 501(c)(3).

4
5 **Website** – Thom suggested the Township website have a link to the Webmaster to report any
6 typos or errors.

7
8 **PC Packet Distribution** – Carmen moved for the Township to continue to send hard copy packets
9 to Planning Commission members. Don seconded the motion. There was no discussion or
10 public comment. The Board voted unanimously to approve the motion.

11
12 **Review of Minutes**

13 The Board reviewed and corrected the draft minutes of February 1. Don moved to approve the
14 minutes as corrected. Marty seconded the motion. There was no further discussion or public
15 comment. The Board voted unanimously to approve the motion.

16
17 **Treasurer's Report & Expenditure Register Report**

18 *See attached Treasurer's Report for February 3, 2011.*

19
20 The Board reviewed the Treasurer's Report and the current invoices. Don would like the
21 Township to start tracking the tonnage of trash collected. Thom moved to accept the Treasurer's
22 Report of February 3 and the Expenditure Register Report as recommended by the Treasurer, to
23 accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the
24 motion. There was no discussion or public comment. The Board voted unanimously to approve
25 the motion.

26
27 **Action List**

28 **Multi-Use Building and Parking Ordinance Amendment** – Discussed earlier in the evening.
29 Will be discussed again at February 22 meeting.

30
31 **Comp Plan Action List** – Report was provided to the Board.

32
33 **Correspondence & Reports of Interest**

34 Senya acknowledged receipt of the following:

- 35 • Letter from resident William F. Cass regarding the Del Vacchio application for a Special
- 36 Exception for the former McGinty property on N. Chester Road.
- 37 • Notification of release of the Philadelphia International Airport Capacity Enhancement
- 38 Program Record of Decision.

39
40 **Meetings & Dates of Importance**

41 Senya noted the upcoming meetings as listed in the agenda.

42
43 **Public Comment Period**

44 None.

1
2
3
4
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6
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11
12

Adjournment

There being no further business, the meeting was adjourned at 11:18pm.

EXECUTIVE SESSION

The Board met in Executive Session until 11:20pm to discuss a pending legal matter.

Anne Meddings

Recording Secretary

Attachment – Treasurer's Report

February 3, 2011

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

GENERAL FUND

Real Estate Tax	\$0.00
Earned Income Tax	\$79,116.66
Local Service Tax	\$2,002.48
Transfer Tax	\$0.00
General Fund Interest Earned	\$1,329.34
Total Other Revenue	\$10,847.90
Total Receipts:	<u>\$93,296.38</u>

Accounts Payable	\$325,928.93
<u>Electronic Pmts:</u>	
Health Insurance	\$0.00
Credit Card	\$0.00
Postage	\$0.00
Debt Service	\$0.00
Payroll	\$50,000.00
Total Expenditures:	<u>\$375,928.93</u>

STATE FUND

Interest Earned	<u>\$4.24</u>
-----------------	---------------

Expenditures:	<u>\$0.00</u>
---------------	---------------

CAPITAL RESERVE

Interest Earned	<u>\$568.75</u>
-----------------	-----------------

Expenditures:	<u>\$0.00</u>
---------------	---------------

TRANSPORTATION FUND

Interest Earned	<u>\$330.97</u>
-----------------	-----------------

Expenditures:	<u>\$0.00</u>
---------------	---------------

SEWER OPERATING

Receipts	\$113,790.87
Interest Earned	\$10.53
Total Sewer:	<u>\$113,801.40</u>

Accounts Payable	\$228,882.60
Debt Service	\$0.00
Total Expenditures:	<u>\$228,882.60</u>

REFUSE

Receipts	\$32,557.82
Interest Earned	\$18.47
Total Refuse:	<u>\$32,576.29</u>

Expenditures	<u>\$4,690.41</u>
--------------	-------------------

EAST GOSHEN TOWNSHIP ACTION LIST

22-Feb-11

New additions are in **bold**

#	Item	Action Due Date
ADMI 10-22	TAG Action List	22-Feb-11
PCZ 09-01	Telecom Registration and Reporting	22-Feb-11
DPW 07-02	Hershey's Mill Dam	1-Mar-11
ADM 07-01	Review Wireless Ordinance	8-Mar-11
ADM 07-02	Pension Plan Conversion Committee	8-Mar-11
ADM 11-14	Training Plan	8-Mar-11
PCZ 06-01	Parking for Multi-Use Space in IP/BP District	8-Mar-11
ADM 11-17	Web Page Financial Reports	15-Mar-11
ADM 11-8	Budget Cuts	15-Mar-11
FIN-10-10	Energy Usage at Township Building	15-Mar-11
DPW 10-5	Street Signs	29-Mar-11
ADM 09-04	Quarterly Review of Right to Know Requests	5-Apr-11
ADM 11-11	Indemnification Letter	5-Apr-11
ADM 11-13	Municipal Authority Projects	5-Apr-11
ADM 11-15	Cell Tower	5-Apr-11
ADM 11-18	Fire Marshall Vehicle	5-Apr-11
ADM 11-9	Tax Collector	5-Apr-11
PCZ 11-2	Tree Ordinance	5-Apr-11
PCZ 11-3	Review Ordinance re Act 132 Home Improvement Act	5-Apr-11
PCZ 11-6	Sign Ordinance	12-Apr-11
DPW 08-02	Quarterly Report on I&I	26-Apr-11
FIN 09-01	Quarterly Summary of Pending Legal Cases	26-Apr-11
FIN 10-05	Quarterly Financial Reports - 2010	26-Apr-11
ADM 11-12	Goshen Fire Company Expenses	3-May-11
ADM 11-15	Facebook Twitter	3-May-11

#	Item	Action Due Date
PCZ 11-4	Impact of Chapter 102 Requirements	3-May-11
ADM 11-16	Post Retirement Medical Benefits	1-Jun-11
PCZ 11=7	Archery	1-Jun-11
ADM 11-10	Municipal Authority	1-Sep-11
DPW 08-04	Invasive Species	1-Sep-11
DPW 11-1	Reccomendation from CB on NLT Plan	1-Sep-11
ADM 09-05	Energy Conservation in Twp Bldg	Completed
ADM 09-07	Web Site Upgrade Status	Completed
ADM 09-08	Police Scheduling	Completed
ADM 09-09	ARCView System (GIS)	Completed
ADM 09-10	Soccer Fields @ Line Road	Completed
ADM 09-11	2010 Sponsorships: Fireworks & Leaf Bags	Completed
ADM 09-12	Deer Management Committee	Completed
ADM 09-13	ABC Appreciation Event Guest List	Completed
ADM 10-01	Employee Benefits	Completed
ADM 10-03	Township Advisory Group	Completed
ADM 10-04	Information Systems Analysis	Completed
ADM 10-06	Printers	Completed
ADM 10-07	Staffing Analysis	Completed
ADM 10-13	Sewer Metered Billing	Completed
ADM 10-14	Newsletter Advertising	Completed
ADM 10-15	Resolutions Book	Completed
ADM 10-16	Performance Evaluations	Completed
ADM 10-18	DMP Resolution	Completed
ADM 10-19	USDA Geese Round Up	Completed
ADM 10-20	Planning Commission Vacancies	Completed
ADM 10-21	ABC Meeting Minutes of 5/15/10	Completed
ADM 10-8	Emergency Operations Plan	Completed

#	Item	Action Due Date
DPW 07-01	Geese Management Program	Completed
DPW 07-04	Park Bridge Permit & Construction	Completed
DPW 08-01	Public Works Service Outsourcing	Completed
DPW 08-06	Recycling Contract	Completed
DPW 09-03	Road Resurfacing	Completed
DPW 10-01	Tree Vitalize Grant (Conservancy)	Completed
DPW 10-02	Pedestrian Crosswalk @ Township Park	Completed
DPW 10-02	Ridley Creek Expansion Monthly Update	Completed
DPW 10-04	Historic Books	Completed
DPW 10-06	Cost of Electric Work	Completed
FIN 09-02	Capital Reserve Fund Analysis	Completed
FIN 10-02	Services List	Completed
FIN 10-03	Monthly Financial Reports Take off list 12/14/10	Completed
FIN 10-06	Friends of East Goshen Township 501c3	Completed
FIN 10-06	Municipal Authority Funding	Completed
FIN 10-07	WCF Tower @ Township Building	Completed
FIN 10-08	DPW Expense Allocation	Completed
FIN 10-09	Invoice Coding Review	Completed
PCZ 10-01	CTDI Parking	Completed
PCZ 10-03	Generator Installations	Completed
PCZ 10-04	Lieberman Early & Co	Completed
ADM 08-02	Review Comp Plan Action List (Ch 10)	Completed
ADM 09-02	Records Retention (Email Archiving)	Completed

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **TAG Action List** No: ADM 10-22

List Date: 12/7/2010 Completed Date:

Description: Complete action items on TAG list

Date	Action
12/7/2010	Review list
1/3/2011	Updated summary is attached
1/18/2011	Updated summary is attached
2/1/2011	Updated summary is attached
2/22/2011	Updated summary is attached

EAST GOSHEN TOWNSHIP ACTION ITEM

Item:

Telecom Registration and Reporting

No:

PCZ 09-01

List Date:

2/24/2009

Completed Date:

Description:

Date	Action
4/20/2010	2010 letter out week of 01/04/10. Quarterly update due.
4/16/2010	Mark Gordon: Received three 2010 registrations to-date. First late and collection notification sent 3/19/10, second late notification and second collection letter going out week of 4/20/10.
6/10/2010	MG: All WCF Have paid their reg. fees and all but one carrier has provided their annual report for 2010.
6/24/2010	MG: All Wireless Carriers have submitted the required annual reports.
7/27/2010	I will have an update at the meeting
2/22/2011	All Carriers have registered. The snow has prevented two of them from completing and submitting their inspection reports

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Training Plan**

No: ADM 11-14

List Date: 2/17/2011

Completed Date:

Description: Review funding requirements for training plan

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Web Page Financial Reports** No: ADM 11-17

List Date: 2/17/2011 Completed Date:

Description: Post monthly financial reports with charts on web page

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Budget Cuts

No:

ADM 11-8

List Date:

2/17/2011

Completed Date:

Description:

Review budget cuts made in 2009, 2010 and 2010 budgets

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Indemnification Letter** No: ADM 11-11

List Date: **2/17/2011** Completed Date:

Description: Obtain indemnification letters for trash removal

Date	Action

EAST GOSHEN TOWNSHIP ACTION ITEM

Item:

Municipal Authority Projects

No:

ADM 11-13

List Date:

2/17/2011

Completed Date:

Description:

Identify Municipal Authority projects, develop schedule and determine funding mechanism.

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: No:

List Date: Completed Date:

Description:

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Fire Marshall Vehicle**

No: **ADM 11-18**

List Date: **2/17/2011**

Completed Date:

Description: **Sell Vehicle**

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Tax Collector

No:

ADM 11-9

List Date:

2/17/2011

Completed Date:

Description:

Eliminate tax collectors compensation starting in 2013

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Tree Ordinance

No:

PCZ 11-2

List Date:

2/17/2011

Completed Date:

Description:

Update Tree Ordinances

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Review Ordinance re Act 132 Home Improvement Act**

No: **PCZ 11-3**

List Date: **2/17/2011**

Completed Date:

Description: **Review ordinance in light of Act 132 Home Improvement Act**

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Sign Ordinance

No:

PZC 11-6

List Date:

2/17/2011

Completed Date:

Description:

Update sign ordinance to address electronic signs such as LCDS

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Review Goshen Fire Company Expenses**

No: ADM 11-12

List Date: 2/17/2011

Completed Date:

Description: Review Goshen Fire Company expenses. Meet with Fire Company

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Facebook Twitter

No:

ADM 11-5

List Date:

2/17/2011

Completed Date:

Description:

Investigate using facebook and twitter to communicate Township Events

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Impact of Chapter 102 Requirements

No:

PCZ 11-4

List Date:

2/17/2011

Completed Date:

Description:

Determine impact of updated Chapter 102 requirements on Township Ordinaances

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Post Retirement Medical Benefits

No:

ADM 11-16

List Date:

2/17/2011

Completed Date:

Description:

Determine how to finance Post Retirement Medical Benefits for WEGO

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: No:

List Date: Completed Date:

Description:

Date	Action

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item: **Municipal Authority**

No: ADM 11-10

List Date: 2/17/2011

Completed Date:

Description: Consider eliminating Municipal Authority to reduce costs

Date	Action

MEMO

To: Board of Supervisors

From: Mark Miller

Re: January's Operation Report

Date: February 17, 2011

Most of our time in January was spent on snow removal and equipment maintenance. For example, once the plowing is completed, the trucks are cleaned and then inspected from front to back. This involves checking the tightness of the bolts on the plows and plow frames. You would be surprised how loose bolts get after plowing. The truck's air lines and hydraulic lines are also inspected. Taking the time to go over the trucks cuts down on down time during a snow event. If a truck goes down during a storm it can cause delays in clearing the roads. We experienced no significant vehicle problems in January.

We used 2,950 gallons of fuel in January. This is almost double what was used in November (1,645 gallons).

We also performed work on the sewer system. The wet wells at each of the pumping stations were cleaned. The pumps were pulled out and checked as part of our preventive maintenance program and repaired. We also cleaned the wet well and all of the tanks at Ridley with the exception of the SBRs.

Lastly, street tree trimming was done in two developments; Pheasant Run and portions of Manley Road.

MM:nns

Nancy Scheiderman

From: Sue Smith [ssmith@eastgoshen.org]
Sent: Wednesday, February 09, 2011 7:45 AM
To: nscheiderman@eastgoshen.org
Subject: FW: Snow Removal

Nancy,

Could you give the BOS a copy of this message? Thanks, Sue

-----Original Message-----

From: mmiller@eastgoshen.org [mailto:mmiller@eastgoshen.org]
Sent: Tuesday, February 08, 2011 11:33 AM
To: ssmith@eastgoshen.org
Subject: FW: Snow Removal

Sue

Can you ask Nancy to give this to the Board? Mark

-----Original Message-----

From: "PAULFERRY1727" <paulferry1727@comcast.net>
Sent: Tuesday, February 8, 2011 7:47am
To: mmiller@eastgoshen.org
Subject: Snow Removal

Hi Mark,

Just a short note of thanks to let you know how much we appreciate what an incredible job East Goshen does in maintaining our roads during storms.

Each and every one of the storms was taken care of with great care. I have been back and forth to Delaware County recently and they need to take a page out of your book. As soon as you leave the township boundaries, you know because the roads are not totally clear.

Thanks again for all the hard work of each of your employees who do such a great job for our township residents ~~~ we really appreciate it.

C and P Ferry

PS Hope there won't be any more for you guys this winter -- you did enough!!



PENNONI ASSOCIATES INC.
CONSULTING ENGINEERS

February 8, 2011

EGMA 1100

CERTIFIED MAIL/RETURN RECEIPT

Senya D. Isayeff, Chairman
East Goshen Board of Supervisors
1580 Paoli Pike
West Chester, PA 19380

RECEIVED
BY: _____
FEB 11 2011

**Re: Act 14 Notification
NPDES Permit Renewal Application
East Goshen Municipal Authority NPDES Permit # PA0050504**

Dear Mr. Isayeff:

In accordance with Pennsylvania Act 14 and on behalf of East Goshen Municipal Authority, we are hereby notifying the Board of Supervisors that an Application for a National Pollution Discharge Elimination System (NPDES) Permit Renewal shall be submitted to the Pennsylvania Department of Environmental Protection (PaDEP). The Application for Permit Renewal is for the continued discharge of treated sewage from the Authority's existing 750,000 gallon per day Ridley Creek Sewage Treatment Plant.

Acts 67 and 68 of 2000, which amended the Municipalities Planning Code (MPC) to support sound land use practices and planning efforts, direct state agencies to consider comprehensive plans and zoning ordinances when reviewing applications for permitting of facilities or infrastructure, and specify that state agencies may rely upon comprehensive plans and zoning ordinances under certain conditions as described in sections 619.2 and 1105 of the MPC.

Enclosed is a General Information Form (GIF) completed by the applicant for this project. If you wish to submit comments for PaDEP to consider in review of this Permit Application, you must respond within 30 days to the PaDEP Southeast Regional Office. If there are no comments received by the end of the comment period, PaDEP will assume that there are no comments and will proceed with the normal application review process.

Sincerely,

PENNONI ASSOCIATES INC.

Daniel P. Barbato, P.E.
Authority Engineer

cc: Rick Smith, Township Manager



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

GENERAL INFORMATION FORM – AUTHORIZATION APPLICATION

Before completing this General Information Form (GIF), read the step-by-step instructions provided in this application package. This version of the General Information Form (GIF) must be completed and returned with any program-specific application being submitted to the Department.

Related ID#s (If Known)		DEP USE ONLY	
Client ID#	62683	APS ID#	Date Received & General Notes
Site ID#	256818	Auth ID#	
Facility ID#	270162		

CLIENT INFORMATION

DEP Client ID#	Client Type / Code			
62683	AUTH			
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Dun & Bradstreet ID#	
East Goshen Municipal Authority		23-6005479		
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Line 1		Mailing Address Line 2		
1580 Paoli Pike				
Address Last Line – City		State	ZIP+4	Country
West Chester		PA	19380	
Client Contact Last Name	First Name	MI	Suffix	
Smith	Louis (Rick)	F		
Client Contact Title	Phone		Ext	
Township Manager	610-692-7171			
Email Address	FAX			
rsmith@eastgoshen.org	610-692-8950			

SITE INFORMATION

DEP Site ID#	Site Name			
256818	Ridley Creek Sewage Treatment Plant			
EPA ID#	Estimated Number of Employees to be Present at Site			1-4
Description of Site				
Sewage treatment plant - provides wastewater treatment for portion of Township in the Ridley Creek Watershed.				
County Name	Municipality	City	Boro	Twp State
Chester	East Goshen	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> State
County Name	Municipality	City	Boro	Twp State
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> State
Site Location Line 1		Site Location Line 2		
1571 Towne Drive				
Site Location Last Line – City		State	ZIP+4	
West Chester		PA	19380	
Detailed Written Directions to Site				
Take US Route 352 S to E. Boot Road - Left on E. Boot Road; Right (South) on Thorncroft Drive; follow to intersection with Towne Drive - Left on Towne Drive; plant driveway on right (sign at top of driveway)				
Site Contact Last Name	First Name	MI	Suffix	
Miller	Mark	S		
Site Contact Title	Site Contact Firm			
Director of Public Works	East Goshen Township			
Mailing Address Line 1		Mailing Address Line 2		
1580 Paoli Pike				
Mailing Address Last Line – City		State	ZIP+4	
West Chester		PA	19380	

Phone (610) 692-7171	Ext	FAX (610) 692-8950	Email Address mmiller@eastgoshen.org
NAICS Codes (Two- & Three-Digit Codes – List All That Apply) 221			6-Digit Code (Optional)

Client to Site Relationship
Owner/Operator

FACILITY INFORMATION

Modification of Existing Facility	Yes	No
1. Will this project modify an existing facility, system, or activity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will this project involve an addition to an existing facility, system, or activity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If "Yes", check all relevant facility types and provide DEP facility identification numbers below.

Facility Type	DEP Fac ID#	Facility Type	DEP Fac ID#
<input type="checkbox"/> Air Emission Plant	_____	<input type="checkbox"/> Industrial Minerals Mining Operation	_____
<input type="checkbox"/> Beneficial Use (water)	_____	<input type="checkbox"/> Laboratory Location	_____
<input type="checkbox"/> Blasting Operation	_____	<input type="checkbox"/> Land Recycling Cleanup Location	_____
<input type="checkbox"/> Captive Hazardous Waste Operation	_____	<input type="checkbox"/> MineDrainage Trmt/LandRecyProjLocation	_____
<input type="checkbox"/> Coal Ash Beneficial Use Operation	_____	<input type="checkbox"/> Municipal Waste Operation	_____
<input type="checkbox"/> Coal Mining Operation	_____	<input type="checkbox"/> Oil & Gas Encroachment Location	_____
<input type="checkbox"/> Coal Pillar Location	_____	<input type="checkbox"/> Oil & Gas Location	_____
<input type="checkbox"/> Commercial Hazardous Waste Operation	_____	<input type="checkbox"/> Oil & Gas Water Poll Control Facility	_____
<input type="checkbox"/> Dam Location	_____	<input type="checkbox"/> Public Water Supply System	_____
<input type="checkbox"/> Deep Mine Safety Operation -Anthracite	_____	<input type="checkbox"/> Radiation Facility	_____
<input type="checkbox"/> Deep Mine Safety Operation -Bituminous	_____	<input type="checkbox"/> Residual Waste Operation	_____
<input type="checkbox"/> Deep Mine Safety Operation -Ind Minerals	_____	<input type="checkbox"/> Storage Tank Location	_____
<input type="checkbox"/> Encroachment Location (water, wetland)	_____	<input checked="" type="checkbox"/> Water Pollution Control Facility	270162
<input type="checkbox"/> Erosion & Sediment Control Facility	_____	<input type="checkbox"/> Water Resource	_____
<input type="checkbox"/> Explosive Storage Location	_____	<input type="checkbox"/> Other:	_____

Latitude/Longitude Point of Origin	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Ridley Creek STP	39	59	10	75	31	43
Horizontal Accuracy Measure	Feet 10		--or--	Meters		
Horizontal Reference Datum Code	<input type="checkbox"/> North American Datum of 1927 <input checked="" type="checkbox"/> North American Datum of 1983 <input type="checkbox"/> World Geodetic System of 1984					
Horizontal Collection Method Code	GISDR					
Reference Point Code	CNTER					
Altitude	Feet 360		--or--	Meters		
Altitude Datum Name	<input type="checkbox"/> The National Geodetic Vertical Datum of 1929 <input checked="" type="checkbox"/> The North American Vertical Datum of 1988 (NAVD88)					
Altitude (Vertical) Location Datum Collection Method Code	SRVEY					
Geometric Type Code	POINT					
Data Collection Date	2002					
Source Map Scale Number	1	Inch(es)	=	10	Feet	
	--or--	Centimeter(s)	=		Meters	

PROJECT INFORMATION

Project Name
Ridley Creek Sewage Treatment Plant NPDES Permit Renewal Application

Project Description
Renew existing NPDES Permit for continued discharge of treated sewage.

Project Consultant Last Name Barbato	First Name Daniel	MI P	Suffix
Project Consultant Title Authority Engineer		Consulting Firm Pennoni Associates Inc.	
Mailing Address Line 1 62 Rockford Road		Mailing Address Line 2 Suite 201	
Address Last Line – City Wilmington		State DE	ZIP+4 19806

Phone (302) 655-4451	Ext 3642	FAX (302) 654-2895	Email Address dbarbato@pennoni.com
Time Schedules	Project Milestone (Optional)		

1. **Have you informed the surrounding community and addressed any concerns prior to submitting the application to the Department?** Yes No
2. **Is your project funded by state or federal grants?** Yes No
Note: If "Yes", specify what aspect of the project is related to the grant and provide the grant source, contact person and grant expiration date.
 Aspect of Project Related to Grant
 Grant Source: H2O PA
 Grant Contact Person: Andrew Sheif
 Grant Expiration Date: June 30, 2012
3. **Is this application for an authorization on Appendix A of the Land Use Policy? (For referenced list, see Appendix A of the Land-Use Policy attached to GIF instructions)** Yes No
Note: If "No" to Question 3, the application is not subject to the Land Use Policy.
 If "Yes" to Question 3, the application is subject to this policy and the Applicant should answer the additional questions in the Land Use Information section.

LAND USE INFORMATION

Note: Applicants are encouraged to submit copies of local land use approvals or other evidence of compliance with local comprehensive plans and zoning ordinances.

1. **Is there an adopted county or multi-county comprehensive plan?** Yes No
2. **Is there an adopted municipal or multi-municipal comprehensive plan?** Yes No
3. **Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal zoning ordinance?** Yes No
Note: If the Applicant answers "No" to either Questions 1, 2 or 3, the provisions of the PA MPC are not applicable and the Applicant does not need to respond to questions 4 and 5 below.
 If the Applicant answers "Yes" to questions 1, 2 and 3, the Applicant should respond to questions 4 and 5 below.
4. **Does the proposed project meet the provisions of the zoning ordinance or does the proposed project have zoning approval?** Yes No
 If zoning approval has been received, attach documentation.
5. **Have you attached Municipal and County Land Use Letters for the project?** Yes No

COORDINATION INFORMATION

Note: The PA Historical and Museum Commission must be notified of proposed projects in accordance with DEP Technical Guidance Document 012-0700-001 and the accompanying Cultural Resource Notice Form.

If the activity will be a mining project (i.e., mining of coal or industrial minerals, coal refuse disposal and/or the operation of a coal or industrial minerals preparation/processing facility), respond to questions 1.0 through 2.5 below.

If the activity will not be a mining project, skip questions 1.0 through 2.5 and begin with question 3.0.

1.0	Is this a coal mining project? If "Yes", respond to 1.1-1.6. If "No", skip to Question 2.0. (DEP Use/48y1)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
1.1	Will this coal mining project involve coal preparation/ processing activities in which the total amount of coal prepared/processed will be equal to or greater than 200 tons/day? (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.2	Will this coal mining project involve coal preparation/ processing activities in which the total amount of coal prepared/processed will be greater than 50,000 tons/year? (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.3	Will this coal mining project involve coal preparation/ processing activities in which thermal coal dryers or pneumatic coal cleaners will be used? (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.4	For this coal mining project, will sewage treatment facilities be constructed and treated waste water discharged to surface waters? (DEP Use/4x62)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.5	Will this coal mining project involve the construction of a permanent impoundment meeting one or more of the following criteria: (1) a contributory drainage area exceeding 100 acres; (2) a depth of water measured by the upstream toe of the dam at maximum storage elevation exceeding 15 feet; (3) an impounding capacity at maximum storage elevation exceeding 50 acre-feet? (DEP Use/3140)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.6	Will this coal mining project involve underground coal mining to be conducted within 500 feet of an oil or gas well? (DEP Use/4z41)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.0	Is this a non-coal (industrial minerals) mining project? If "Yes", respond to 2.1-2.6. If "No", skip to Question 3.0. (DEP Use/48y1)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
2.1	Will this non-coal (industrial minerals) mining project involve the crushing and screening of non-coal minerals other than sand and gravel? (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.2	Will this non-coal (industrial minerals) mining project involve the crushing and/or screening of sand and gravel with the exception of wet sand and gravel operations (screening only) and dry sand and gravel operations with a capacity of less than 150 tons/hour of unconsolidated materials? (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.3	Will this non-coal (industrial minerals) mining project involve the construction, operation and/or modification of a portable non-metallic (i.e., non-coal) minerals processing plant under the authority of the General Permit for Portable Non-metallic Mineral Processing Plants (i.e., BAQ-PGPA/GP-3)? (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.4	For this non-coal (industrial minerals) mining project, will sewage treatment facilities be constructed and treated waste water discharged to surface waters? (DEP Use/4x62)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.5	Will this non-coal (industrial minerals) mining project involve the construction of a permanent impoundment meeting one or more of the following criteria: (1) a contributory drainage area exceeding 100 acres; (2) a depth of water measured by the upstream toe of the dam at maximum storage elevation exceeding 15 feet; (3) an impounding capacity at maximum storage elevation exceeding 50 acre-feet? (DEP Use/3140)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

3.0	Will your project, activity, or authorization have anything to do with a well related to oil or gas production, have construction within 200 feet of, affect an oil or gas well, involve the waste from such a well, or string power lines above an oil or gas well? If "Yes", respond to 3.1-3.3. If "No", skip to Question 4.0. (DEP Use/4z41)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
3.1	Does the oil- or gas-related project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water (including wetlands)? (DEP Use/4z41)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
3.2	Will the oil- or gas-related project involve discharge of industrial wastewater or stormwater to a dry swale, surface water, ground water or an existing sanitary sewer system or storm water system? If "Yes", discuss in <i>Project Description</i> . (DEP Use/4z41)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
3.3	Will the oil- or gas-related project involve the construction and operation of industrial waste treatment facilities? (DEP Use/4z41)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
4.0	Will the project involve a construction activity that results in earth disturbance? If "Yes", specify the total disturbed acreage. (DEP Use/4x66)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
4.0.1	Total Disturbed Acreage				
5.0	Does the project involve any of the following? If "Yes", respond to 5.1-5.3. If "No", skip to Question 6.0. (DEP Use/4x10)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.1	Water Obstruction and Encroachment Projects – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water? (DEP Use /4x10).	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.2	Wetland Impacts – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a wetland? (DEP Use/4x10).	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.3	Floodplain Projects by the commonwealth, a Political Subdivision of the commonwealth or a Public Utility – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a floodplain? (DEP Use /4x10).	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
6.0	Will the project involve discharge of stormwater or wastewater from an industrial activity to a dry swale, surface water, ground water or an existing sanitary sewer system or separate storm water system? (DEP Use/4x62)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.0	Will the project involve the construction and operation of industrial waste treatment facilities? (DEP Use/4x62)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
8.0	Will the project involve construction of sewage treatment facilities, sanitary sewers, or sewage pumping stations? If "Yes", indicate estimated proposed flow (gal/day). Also, discuss the sanitary sewer pipe sizes and the number of pumping stations/treatment facilities/name of downstream sewage facilities in the <i>Project Description</i> , where applicable. (DEP Use/4x62)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
8.0.1	Estimated Proposed Flow (gal/day)				
9.0	Will the project involve the subdivision of land, or the generation of 800 gpd or more of sewage on an existing parcel of land or the generation of an additional 400 gpd of sewage on an already-developed parcel, or the generation of 800 gpd or more of industrial wastewater that would be discharged to an existing sanitary sewer system? (DEP Use/4x61).	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
9.0.1	Was Act 537 sewage facilities planning submitted and approved by DEP? If "Yes" attach the approval letter. Approval required prior to 105/NPDES approval.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
10.0	Is this project for the beneficial use of biosolids for land application within Pennsylvania? If "Yes" indicate how much (i.e. gallons or dry tons per year). (DEP Use/4X62)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
10.0.1	Gallons Per Year (residential septage)				
10.0.2	Dry Tons Per Year (biosolids)				

11.0	Does the project involve construction, modification or removal of a dam? If "Yes", identify the dam. (DEP Use/3140)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
11.0.1	Dam Name				
12.0	Will the project interfere with the flow from, or otherwise impact, a dam? If "Yes", identify the dam. (DEP Use/3140)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
12.0.1	Dam Name				
13.0	Will the project involve operations (excluding during the construction period) that produce air emissions (i.e., NOX, VOC, etc.)? If "Yes", identify each type of emission followed by the amount of that emission. (DEP Use/4x70)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
13.0.1	Enter all types & amounts of emissions; separate each set with semicolons.				
14.0	Does the project include the construction or modification of a drinking water supply to serve 15 or more connections or 25 or more people, at least 60 days out of the year? If "Yes", check all proposed sub-facilities. (DEP Use/4x81)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
14.0.1	Number of Persons Served				
14.0.2	Number of Employee/Guests				
14.0.3	Number of Connections				
14.0.4	Sub-Fac: Distribution System	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.5	Sub-Fac: Water Treatment Plant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.6	Sub-Fac: Source	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.7	Sub-Fac: Pump Station	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.8	Sub Fac: Transmission Main	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.9	Sub-Fac: Storage Facility	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
15.0	Will your project include infiltration of storm water or waste water to ground water within one-half mile of a public water supply well, spring or infiltration gallery? (DEP Use/4x81) and 4x52).	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
16.0	Is your project to be served by an existing public water supply? If "Yes", indicate name of supplier and attach letter from supplier stating that it will serve the project. (DEP Use/4x81)	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
16.0.1	Supplier's Name Aqua Pennsylvania (existing service to existing development)				
16.0.2	Letter of Approval from Supplier is Attached	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
17.0	Will this project involve a new or increased drinking water withdrawal from a stream or other water body? If "Yes", should reference both Water Supply and Watershed Management. (DEP Use/4x81 and 4x10)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
17.0.1	Stream Name				
18.0	Will the construction or operation of this project involve treatment, storage, reuse, or disposal of waste? If "Yes", indicate what type (i.e., hazardous, municipal (including infectious & chemotherapeutic), residual) and the amount to be treated, stored, re-used or disposed. (DEP/Use4x32)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
18.0.1	Type & Amount				
19.0	Will your project involve the removal of coal, minerals, etc. as part of any earth disturbance activities? (DEP Use/48y1)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
20.0	Does your project involve installation of a field constructed underground storage tank? If "Yes", list each Substance & its Capacity. Note: Applicant may need a Storage Tank Site Specific Installation Permit. (DEP Use/2570)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
20.0.1	Enter all substances & capacity of each; separate each set with semicolons.				
21.0	Does your project involve installation of an aboveground storage tank greater than 21,000 gallons capacity at an existing facility? If "Yes", list each Substance & its Capacity. Note: Applicant may need a Storage Tank Site Specific Installation Permit. (DEP Use/2570)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
21.0.1	Enter all substances & capacity of each; separate each set with semicolons.				

22.0 Does your project involve installation of a tank greater than 1,100 gallons which will contain a highly hazardous substance as defined in DEP's Regulated Substances List, 2570-BK-DEP2724? If "Yes", list each Substance & its Capacity. **Note:** Applicant may need a Storage Tank Site Specific Installation Permit. (DEP Use/2570)

Yes No

22.0.1 Enter all substances & capacity of each; separate each set with semicolons.

23.0 Does your project involve installation of a storage tank at a new facility with a total AST capacity greater than 21,000 gallons? If "Yes", list each Substance & its Capacity. **Note:** Applicant may need a Storage Tank Site Specific Installation Permit. (DEP Use/2570)

Yes No

23.0.1 Enter all substances & capacity of each; separate each set with semicolons.

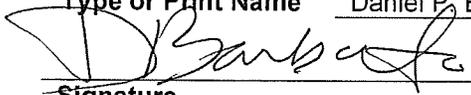
24.0 Will the intended activity involve the use of a radiation source? (DEP Use/4x90).

Yes No

CERTIFICATION

I certify that I have the authority to submit this application on behalf of the applicant named herein and that the information provided in this application is true and correct to the best of my knowledge and information.

Type or Print Name Daniel P. Barbato



Signature

Authority Engineer

Title

2/9/11

Date

TAG Recommendation Summary

February 22, 2011

ID	Item	Votes	Board Member	Staff Member	Due Date	Comments	Disposition
6	Capital Reserve	1	Marty	Deb	11/15/2010	On going- i.e. refinement and improvement	Completed - Start with \$1,000,000 in the fund.
7	Real Estate Transfer Tax Projections (101)			Deb	11/15/2010	RE Tax projection underway	Completed - Projection currently based on best available info
8	Earned Income Tax Projections (101a)			Deb	11/15/2010	We receive info from EIT Collector	Completed -Projection currently based on best available info
23	Drug Testing		n/a	n/a	12/7/2010	BoS agreed to eliminate testing for office staff but continue for CDL's.	Completed - eliminate random tests for office.
22	ABC Packet Distribution			Rick	12/15/2010	Soliciting comments from ABC's on proposed plan	Completed
19	Email Archiving		Don	Rick	12/31/2010	10-43 adopted. System in operation. Adding ABC Chair's as they are known	Completed
41	Real Estate Inspection Fees (39)	1	n/a	Mark G.	1/1/2011	BoS approved increases, Will be included in updated fee schedule	Completed
40	Yard Waste Drop Off / Pickup (50)		n/a	n/a	1/1/2011	Goes away with new contract	Completed
21	Limit Attendance to PSATS Convention		BOS	Rick	1/18/2011	Revisit on 1/3	Completed - 2 nights only
10	Convert Payroll to Biweekly & Bring In-House	1		Deb	1/31/2011	Payroll to be done in house for 2011. Stay with weekly payroll	Completed
11	Implement a Lockbox (112)	1		Deb	1/31/2011	Currently meeting with banks. The intention is to combine this with payroll and credit card payments and use one bank for all three services	
12	Bid Out & Restructure Annual Audit Process	1		Rick	1/31/2011	Did in 2009. Will re do in 2011	Completed for 2010
1	Empower Staff	3	Senya	Rick	1/31/2011	Meeting scheduled for 3/2/11	
13	Bid Out Insurance Annually w/Qualified Brokers (96)			Deb	1/31/2011	Solicit proposals from brokers	Completed for 2011
27	Rationalize Police Car Inventory (92)	1	Carmen/Chief	Rick	3/31/2011	In progress	
9	Implement a Fully Integrated Cost Accounting System (108)	2	Don	Deb	3/31/2011	Cost of Services is in 2/22/11 agenda	
25	Emergency Services Assessment	3	Marty	Rick	4/30/2011	In progress	
2	Merit Compensation	1		Rick	6/30/2011	Study	
34	Increase Fees for Ball Fields (48)	1	Thom	Frank	6/30/2011	BoS agreed to P&R recommendations and resolution adopted.	Completed
38	Reduce Frequency of Grounds Maintenance & Moving	1	P&R/Cons	Mark M.	6/30/2011	Do less mowing.	
30	Self Sustaining Park & Recreation Programs (104) (#30-37)	2	Thom	Frank	6/30/2011	30 - 37 require P & R input	
15	Assess/Replace HVAC System (95)	4	Carmen	Rick	6/30/2011		
29	Reevaluate Support of Fire Companies (23)	4	Carmen	Mark M.	6/30/2011	Fire Commissioner needed	
18	Work with Adjoining Townships for IT Support (116)		Don	Rick	6/30/2011		
31	Institute P & R Sponsorship Program (88)		Thom	Frank	6/30/2011	P&R BoS meeting 2/8/11	
32	Formalize & Expand Relationship w/YMCA		Thom	Frank	6/30/2011	P&R BoS meeting 2/8/11	
33	Concession Stand at EGT Park		Thom	Frank	6/30/2011	P&R BoS meeting 2/8/11	
35	Enable Online Reg & Paymt for P & R Programs		Thom	Frank	6/30/2011	P&R BoS meeting 2/8/11	
36	Leverage Social Networking Tools to Inc P & R Prog Participation		Thom	Frank	6/30/2011	P&R BoS meeting 2/8/11	
37	Expand P & R Prog Partnerships		Thom	Frank	6/30/2011	P&R BoS meeting 2/8/11	
14	Solar Array (94)			Rick	6/30/2011	Back burner. Revisit in 6 mths	
17	Evaluate Sharing of Services with Neighboring Townships	3	Thom	Mark	9/30/2011		
39	Maintain Ownership of Wastewater Treatment Plant (85)	2	Marty	Rick	12/31/2011	Tag recommended retaining	

TAG Recommendation Summary

February 22, 2011

2

16	Transition to an Electronic Newsletter (34)	3	Thom	Tia	12/31/2011	Blurb in Winter 2011 newsletter	
24	Police Negotiations			Rick	1/1/2012	Review and discuss. Could be improved upon.	
26	Two Tier Wage & Benefits Scale for Police Officers (120)			Rick	1/1/2012	Review and discuss. Could be improved upon.	
5	Library	1	Marty	Deb	TBD	Underway	Completed
20	Office Cleaning	1	n/a	n/a	Done	Continue with schedule of cleaning two times a week.	Completed
4	Implement No-Auto Replace	4	n/a	n/a	Done	BoS agreed to this	Completed
28	Retire Police Dog (83)	1	Carmen	Rick	TBD	Retire dog when he is ready to retire (i.e. do not replace)	Completed
3	Minimize Community Vacancy		Senya	Mark G.		Healthy real estate is important	

MONTHLY ACTIVITY REPORT FOR JANUARY 2011

CAR #	YEAR/MAKE/MODEL	UNIT	USER	ENDING MILEAGE	LAST MONTH	TOTAL	DISTRICT COURT DISBURSEMENTS	AMOUNTS
67-44	2008 DODGE CHARGER	ADMINISTRATION	CHIEF DUMOND	57525	56681	844	EAST GOSHEN TWP	\$775.34
67-39	2007 FORD CROWN VIC	ADMINISTRATION	SGT GORMAN	72701	71492	1209	WESTTOWN TWP	\$4,530.13
67-30	2004 FORD CROWN VIC	DETECTIVES	DET. BRETZ	67361	66654	707	THORNBURY TWP	\$612.02
67-33	2006 FORD CROWN VIC	DETECTIVES	DET. BALCHUNIS	89100	88157	943		
67-36	2006 FORD EXPEDITION	DETECTIVES	DET CAHILL	103877	101460	2417		
67-38	2007 FORD CROWN VIC	DETECTIVES	DET. LARGE	67820	67251	569		
67-40	2007 FORD EXPEDITION	DETECTIVES	DET. RAGNI	66666	65957	709		
	2002 FORD EXPLORER	DETECTIVES	UNDERCOVER	86731	86714	17		
67-11	1996 JEEP CHEROKEE	DETECTIVES	UNDERCOVER	152132	151959	173		
67K90	2003 FORD CROWN VIC	K9	K-9	73324	73253	71		
67-32	2006 FORD CROWN VIC	TRAFFIC	1ST LINE PATROL	45632	45151	481		
67-42	2008 FORD EXPEDITION	TRAFFIC	1ST LINE PATROL	51490	50500	990		
67-53	2010 DODGE CHARGER	TRAFFIC	1ST LINE PATROL (UNMARKED)	6699	5636	1063		
67-37	2007 FORD CROWN VIC	PATROL	1ST LINE PATROL	72677	71204	1473		
67-41	2006 FORD CROWN VIC	PATROL	1ST LINE PATROL	77175	76709	466		
67-43	2008 FORD CROWN VIC	PATROL	1ST LINE PATROL	68627	68542	85		
67-45	2008 FORD CROWN VIC	PATROL	1ST LINE PATROL	75265	72561	2704		
67-46	2009 DODGE CHARGER	PATROL	1ST LINE PATROL	40430	38698	1732		
67-47	2009 DODGE CHARGER	PATROL	1ST LINE PATROL	54140	52122	2018		
67-48	2009 DODGE CHARGER	PATROL	1ST LINE PATROL	42521	40370	2151		
67-49	2009 DODGE DURANGO	PATROL	1ST LINE PATROL	47051	44444	2607		
67-50	2010 DODGE CHARGER	PATROL	1ST LINE PATROL	20493	18096	2397		
67-51	2010 DODGE CHARGER	PATROL	1ST LINE PATROL	21855	19377	2478		
67-52	2010 DODGE CHARGER	PATROL	1ST LINE PATROL (UNMARKED)	15897	13296	2601		

TOTAL MILES 30905

		MONTHLY ACTIVITY REPORT			
		WESTTOWN	EAST GOSHEN	THORNBURY	TOTAL
MONTHLY ACTIVITY REPORT FOR JANUARY 2011					
UCR CLASS					
Part I	ARSONS	0	0	0	0
Part I	ASSAULTS	0	2	0	2
Part I	BURGLARY	0	0	0	0
Part I	MURDER AND MANSLAUGHTER	0	0	0	0
Part I	RAPE	0	0	0	0
Part I	RETAIL THEFT	0	1	4	5
Part I	ROBBERY	0	0	0	0
Part I	THEFTS	4	11	2	17
Part II	CRIMINAL MISCHIEF	4	6	3	13
Part II	DISORDERLY CONDUCT	18	17	3	38
Part II	D.U.I.	1	0	0	1
Part II	HARASSMENT	1	11	1	13
Part II	STOLEN VEHICLES	0	0	0	0
Part II	RECOVERED STOLEN VEHICLES	0	0	0	0
	ACCIDENTS	32	29	15	76
	FATAL	0	0	0	0
	PEDESTRIAN	0	0	0	0
	HIT & RUN	1	1	0	2
	INJURED PERSONS	3	2	0	5
	ALARMS	18	39	20	77
	AMBULANCE CALLS	31	70	10	111
	Medical Facility Ambulance calls	26	59	0	85
	ANIMAL COMPLAINTS	9	9	4	22
	ARRESTS AND CITATIONS	6	6	7	19
	BUSINESS DOOR OPEN	0	0	0	0
	DISABLED VEHICLES	10	8	4	22
	FAMILY DISTURBANCES	7	12	1	20
	FIRE CALLS	16	20	2	38
	HUNTING CALLS	0	0	0	0
	INCIDENTS	88	97	27	212
	KEYS LOCKED	7	8	3	18
	MISCELLANEOUS CALLS	7	6	0	13

	WESTTOWN	EAST GOSHEN	THORNBURY	TOTAL
MISSING PERSONS	1	1	0	2
LOCATED	1	1	0	2
MOTOR VEHICLE VIOLATIONS	78	32	14	124
911 HANG UP CALLS	5	19	2	26
PARKING VIOLATIONS	0	0	0	0
SUICIDE	0	0	0	0
SUSPICIOUS CONDITIONS	26	23	6	55
VACATION CHECKS	2	0	0	2
<u>POLICE RADIO ROOM CALLS*</u>	437	576	157	1170
PERCENTAGE BY INDIVIDUAL TOWNSHIPS -	37%	49%	14%	100%
MONTHLY				
YEAR TO DATE PERCENTAGE BY	38%	50%	12%	100%
INDIVIDUAL TOWNSHIPS				
<u>*NUMBERS ARE PARTIAL BREAKDOWN OF POLICE RADIO ROOM CALLS</u>				

EAST GOSHEN TOWNSHIP RESOLUTIONS

Revised 2/14/11

Number	Resolution Name	Date Adopted
2011-1	Election of Board Chairman	1/3/11
2011-2	Election of Board Vice Chairman	1/3/11
2011-3	Appointment of Police Commissioner	1/3/11
2011-4	Appointment of Township Officials	1/3/11
2011-5	Re-appointment of Township Employees	1/3/11
2011-6	Appointment of Depositories for Township Funds	1/3/11
2011-7	Certification of Delegates to State Convention	1/3/11
2011-8	Holiday Schedule 2011	1/3/11
2011-9	Meeting Schedule 2011	1/3/11
2011-10	Appointment of Earned Income and Local Tax Collector for Township	1/3/11
2011-11	Appointment of Independent Auditors for Township	1/3/11
2009-12	Public Safety Boundaries	1/5/09
2009-13	Authorization of Participation in VALIC 457 Plan	1/5/09
2009-14	Authorization of Pension Plan Participation and Appointment of Plan Administrator	1/5/09
2011-15	Treasurer's Bond	2/22/11
2011-16	Township Manager's Bond	2/22/11
2011-17	Tax Collector's Bond	2/22/11
2009-18	Invoice Authorization Process	1/5/09
2011-19	Payment of Invoices at Year End	2/22/11
2011-20	Reserved	
2009-21	Payment of Certain Expenses Prior to Board Review and Approval	1/5/09
2010-22	Mileage Reimbursement Rate	8/10/10
2009-23	Appointment of Bid Opener	1/5/09
2010-24	Specific Provisions of the Deer Management Program for the 2010-2011 Season	7/20/10
2009-25	Authorization of Participation in the Section 125 Premium-Only Plan for Health, Dental, and Life Insurance	1/5/09
2009-26	Confirmation of Representative and Alternate to West Chester Regional Planning Commission	1/5/09
2009-27	Video or Audio Recording of a Public Meeting	1/5/09
2009-28A	Right to Know	4/14/09
2009-29	Code of Conduct	1/5/09
2009-30	Notification of Subdivision, Land Development, and Other Zoning Applications	1/5/09
2009-31	Real Estate Taxes Received by Mail	1/5/09
2009-32	Road Restoration Requirements	1/5/09
2009-33	Appointment to the Police Commission	1/5/09
2011-34	2011 Fee Schedule (with refuse rates)	2/22/11

EAST GOSHEN TOWNSHIP RESOLUTIONS

Revised 2/14/11

2009-35	ICC Board of Appeals	1/5/09
2009-36	Mailbox Replacement	1/5/09
2009-37	Discount and Penalties for Real Estate Taxes	1/5/09
2009-38	Mutual Aid Among Municipalities in Chester County	1/5/09
2009-39	Release of Financial Information	1/5/09
2009-40	Mail & Subpoenas	1/5/09
2009-41	Grants Policy	1/5/09
2009-42	Procurement Cards	1/5/09
2010-43	E-Mail Policy	11/23/10
2011-44	Procedure for the collection of Sewer and Refuse Fees	2/22/11
2009-45	Sexual Harassment Policy	3/3/09
2009-46	Reserved	
2010-47	Order of Business	9/28/10
2009-48	Disposal of Fill Dirt	5/5/09
2009-49	Collateralization of Township Deposits	5/12/09
2009-50	Authorizing Participation in WC Area Regional Emergency Management Group	5/12/09
2009-51	Identity Theft Prevention Policy	7/21/09
2009-52	Establishing the Policy Waiving the Penalty for Late Sewer and Refuse Payments	10/20/09
2009-53	Establishing the Policy Waiving the Penalty for Late Real Estate Tax Payments	10/20/09
2011-54	Reserved	
2009-55	Establishing Policy for Eagle Projects	11/10/09
2010-56	Compliance with the Professional Services Contract Provisions of Act 44 of 2009 relating to Pension Plan	11/23/10
2011-57	Reserved	
2010-58	PADOT Mowing Agreement	12/14/10
2010-59	Amending the East Goshen Township Non-Uniformed Defined Benefit Pension Plan	12/14/10
2010-60	Freezing the East Goshen Township Non-Uniformed Defined Benefit Pension Plan	12/14/10
2010-61	Establishing the East Goshen Township Non-Uniformed Employees' Money Purchase Pension Plan	12/14/10
2010-62	Emergency Operations Plan	12/14/10
2011-63	Amendment 1 to Non-Uniformed Employee Defined Benefit Pension Plan	2/22/11
2010-102	Installation of "No Trespassing-No Swimming-Enter at Your Own Risk" Signs at the Hershey Mill Dam Open Space	2/2/10
2010-103	Municipal Adoption of the Chester County Multi-Directional Hazard Mitigation Plan	4/13/10
2010-104	East Boot Road Weight Limit	5/11/10

Township Services and Activities

2/7/2011

Service/Activity	Direct Wages & Benefits	Depart. Head Wages & Benefits	Indirect Expenses Wages & Benefits	Total Wages & Benefits	Direct Expense	Indirect Expenses	Total Expenses	Receipts	Net Expense
Public Works									
Snow									
Grass - Park									
Grass - Open Space									
Paving									
Park Maintenance									
Ball Fields									
MS4 Costs (Stormwater)									
Tennis Courts									
Tot-Lot									
Bathrooms									
Trees									
Stormwater									
Signs/Signals									
Road Maintenance									
Park and Rec									
Summer Recreation									
Pumpkin Festival									
Egg Hunt									
Fireworks									
Applebrook Golf									
Rec Programs									
EMS									
Police									
Fire (Excluding Pass Thru Expenses)									
SPCA									

Township Services and Activities

2/7/2011

Service/Activity	Direct Wages & Benefits	Depart. Head Wages & Benefits	Indirect Expenses Wages & Benefits	Total Wages & Benefits	Direct Expense	Indirect Expenses	Total Expenses	Receipts	Net Expense
Code Enforcement									
Permits									
Reoccupancy									
Fire Marshall									
Zoning (Including Planning Commission & Zoning Hearing Board)									
Admin									
Communication (Newsletter & Website)									
Deer									
Sewer									
Refuse									
Library									
Visiting Nurses									
District Court									
ABC's									
Geese									
Tax Collection (EIT, LST, RE Transfer & RE Tax)									