

**AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
TUESDAY, June 7, 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
 - a. The Board met in executive session on May 24 and June 1, 2011 to discuss a personnel matter
7. Public Hearing
 - a. Public Hearing for Ordinance Amending Chapter 240 “Zoning” (Multiple Principal Uses)
 - b. Public Hearing for Ordinance Amending Chapter 205 “Subdivision and Land Development” and Chapter 218 “Trees”
8. Police/EMS Report – 3rd Tuesday
9. Financial Report – 4th Tuesday
10. Old Business
 - a. Executive Assistant Position
11. New Business
 - a. Consider recommendation on Fence Bids
 - b. Consider delegates for the Chester County Tax Collection Committee
 - c. Property Maintenance /Tall Grass
 - d. Chili Cook-Off participation
 - e. Consider recommendation on Paver
12. Any Other Matter
13. Approval of Minutes
 - a. May 24, 2011
 - b. May 26, 2011
14. Treasurer’s Report
 - a. June 2, 2011
15. Review Action List
16. Correspondence, Reports of Interest
 - a. Acknowledge PennDOT’s US 202 Executive Committee will be held on Friday, June 17, 2011 at 10:30 am
17. Meetings & Dates of Importance:

June 7, 2011	Board of Supervisors	7:00 pm
June 8, 2011	Pension Committee	1:00 pm
	Conservancy Board	7:00 pm
June 9, 2011	Historical Commission	7:00 pm
June 11, 2011	New York City Day Trip - Departure	7:00 am
June 13, 2011	Municipal Authority	7:00 pm
June 14, 2011	Board of Supervisors	7:00 pm

June 14, 2011	Flag Day	
June 15, 2011	Friends of East Goshen (501c3)	7:00 pm
June 21, 2011	Park & Recreation w/s	10:00 am
	Board of Supervisors	7:00 pm
June 25, 2011	Community Day	4:00 pm
	(rain date June 26)	
June 28, 2011	Board of Supervisors	7:00 pm

Newsletter :

Article Due Date – August 3, 2011

Delivery Date – October 1, 2011

18. Public Comment – Hearing of Residents

19. Adjournment

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

**Buckley, Brion, McGuire,
Morris & Sommer LLP**

ATTORNEYS AT LAW

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

Kristin S. Camp
(610) 436-4400 Ext. 105
(610) 436-8305 FAX
kcamp@buckleyllp.com

May 13, 2011

RECEIVED
BY: _____

MAY 17 2011

Daily Local News
250 North Bradford Avenue
West Chester, Pennsylvania 19382

Re: Ordinance Amending Chapter 240 "Zoning" (Multiple Principal Uses)

Dear Sir/Madam:

Enclosed for filing in the offices of the Daily Local News is a true and correct copy of the above-captioned Ordinance amendment which must be filed with your offices and be made available for public inspection prior to its adoption by the East Goshen Township Board of Supervisors on Tuesday, June 7, 2011, at 7:00 p.m., prevailing time. Please execute the enclosed copy of this letter and return it to me in the enclosed self-addressed stamped envelope.

Should you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

Kristin S. Camp / *akf*
Kristin S. Camp

KSC/akf
Enclosure - NOT FOR ADVERTISEMENT

cc: Louis F. Smith, Jr., Township Manager (w/encl.)

Received by Daily Local News on _____, 2011.

(signature)

Please Print Name _____

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Morris & Sommer LLP**
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May 13, 2011

Chester County Law Library
201 W. Market Street
Suite 2400
West Chester, Pennsylvania 19380

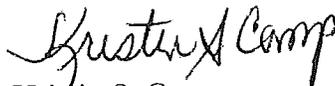
Re: Ordinance Amending Chapter 240 "Zoning" (Multiple Principal Uses)

Dear Sir/Madam:

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Kristin S. Camp

KSC/akf
Enclosure

cc: Louis F. Smith, Jr., Township Manager (w/encl.)

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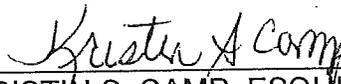
_____ (signature)

Please Print Name _____

CERTIFICATION

Kristin S. Camp, Esquire, hereby certifies and attests that the attached is a true and correct copy of the complete verbatim text of an Ordinance amending Chapter 240 of the Code of East Goshen, titled "Zoning", which is proposed for enactment and adoption by the East Goshen Township Board of Supervisors at a public hearing which will be held on Tuesday, June 7, 2011, at 7:00 p.m., prevailing time, at the East Goshen Township Municipal Building, 1580 Paoli Pike, West Chester, Pennsylvania 19380.

DATE: May 16, 2011



KRISTIN S. CAMP, ESQUIRE
Solicitor for East Goshen Township

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ - 2011

AN ORDINANCE OF EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 240 OF THE EAST GOSHEN TOWNSHIP CODE, TITLED, "ZONING", SECTION 240-6 TO ADD A DEFINITION FOR "MULTIPLE USE BUILDING"; SECTIONS 240-19.C(1), 240-21.C(1) AND 240-31.C(3)(v) REGARDING MULTIPLE USES IN THE I-1 AND BP DISTRICTS; AND SECTION 240-33.A(1) TO AMEND THE REQUIRED NUMBER OF OFF-STREET PARKING SPACES FOR OFFICES, INDUSTRIAL, WHOLESALE, WAREHOUSING AND MULTIPLE USE BUILDINGS.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of East Goshen Township, that Chapter 240 of the Code of the Township of East Goshen, titled, "Zoning", shall be amended as follows:

SECTION 1. Section 240-6 titled, "Definitions" shall be amended by adding the following definition in proper alphabetical order:

MULTIPLE USE BUILDING - A building which has more than one use where each use has a minimum gross floor area of 5,000 square feet, and which may or may not consist of different businesses or tenants.

SECTION 2. Section 240-19.C(1) shall be amended to state as follows:

- (1) Multiple uses in a Multiple Use Building with uses that are permitted in this Section by right or by conditional use and when specifically approved pursuant to Section 240-31.C(3)(v).

SECTION 3. Section 240-21.C(1) shall be amended to state as follows:

- (1) Multiple uses in a Multiple Use Building with uses that are permitted in this Section by right or by conditional use and when specifically approved pursuant to Section 240-31.C(3)(v).

SECTION 4. Section 240-31.C(3)(v) shall be amended to state as follows:

(v) Multiple uses in a Multiple Use Building in the I-1 District pursuant to Section 240-19.C(1) and in the BP District pursuant to Section 240-21.C(1). The following shall apply if an existing building is to be converted or if a new building is built for multiple uses:

- [1] Each use shall have a minimum of 5,000 square feet of contiguous floor space. Separate users which are the same type of principal use may make up the minimum 5,000 square feet of floor space.
- [2] A development plan shall be submitted and conform to Chapter 205, Subdivision and Land Development, as well as Sections 240-24 and 240-27.

SECTION 5. The parking table referenced in Section 240-33.A(1)(a) shall be amended as follows:

E. Retail and commercial services uses

Minimum Off-Street Parking Requirements

Use	Minimum Off-Street Parking Spaces	Plus the Following Minimum Off-Street Parking Spaces
8. Office	4 per 1,000 sq ft of gross floor area or 1 space per each employee on the largest shift, whichever is greater	1 space per company vehicle based at the facility, plus a minimum of 4 spaces per principal building for visitors

F. Industrial, wholesale and warehousing uses

Use	Minimum Off-Street Parking Spaces	Plus the Following Minimum Off-Street Parking Spaces
1. Industrial, wholesale, warehousing uses	1 space per 1,000 sq. ft. of gross floor area or 1 space per employee on the largest shift, whichever is greater	1 space per company vehicle based at the facility, plus a minimum of 4 spaces per principal building for visitors
2. Multiple Use Building	Calculate using the aggregate number of parking spaces required for each use in the building (i.e., for office use, warehouse use, etc.)	1 space per company vehicle based at the facility, plus a minimum of 4 spaces per principal building for visitors

SECTION 6. 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 7. 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 8. 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

Buckley, Brion, McGuire,
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May 13, 2011

RECEIVED
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Daily Local News
250 North Bradford Avenue
West Chester, Pennsylvania 19382

Re: Ordinance Amending Chapter 205 "Subdivision and Land Development" and Chapter 218 "Trees"

Dear Sir/Madam:

Enclosed for filing in the offices of the Daily Local News is a true and correct copy of the above-captioned Ordinance amendment which must be filed with your offices and be made available for public inspection prior to its adoption by the East Goshen Township Board of Supervisors on Tuesday, June 7, 2011, at 7:00 p.m., prevailing time. Please execute the enclosed copy of this letter and return it to me in the enclosed self-addressed stamped envelope.

Should you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

Kristin S. Camp
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KSC/akf
Enclosure - NOT FOR ADVERTISEMENT

cc: Louis F. Smith, Jr., Township Manager (w/encl.)

Received by Daily Local News on _____, 2011.

(signature)

Please Print Name _____

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May 13, 2011

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Re: Ordinance Amending Chapter 205 "Subdivision and Land Development" and Chapter 218
"Trees"

Dear Sir/Madam:

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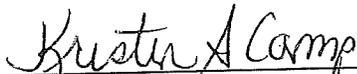
_____ (signature)

Please Print Name _____

CERTIFICATION

Kristin S. Camp, Esquire, hereby certifies and attests that the attached is a true and correct copy of the complete verbatim text of an Ordinance amending Chapter 205 of the Code of East Goshen, titled "Subdivision and Land Development" and Chapter 218, titled "Trees", which is proposed for enactment and adoption by the East Goshen Township Board of Supervisors at a public hearing which will be held on Tuesday, June 7, 2011, at 7:00 p.m., prevailing time, at the East Goshen Township Municipal Building, 1580 Paoli Pike, West Chester, Pennsylvania 19380.

DATE: May 16, 2011



KRISTIN S. CAMP, ESQUIRE
Solicitor for East Goshen Township

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" TO ADD DEFINITIONS FOR CALIPER, DRIP LINE, SPECIMEN TREE AND TREE PROTECTION ZONE, TO ESTABLISH SPECIFICATIONS AND STANDARDS FOR TREE REMOVAL AND REPLACEMENT, STREET TREES AND TREE PROTECTION MEASURES.

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, movement of vehicles, placement of fill or other land disturbance activities 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 effect 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 or equivalent).
 - (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.
- (10) Feeder roots shall not be cut closer than 25 feet to tree trunks.

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, movement of vehicles, placement of fill or other land disturbance activities 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

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Table to
6/7/11

Date: 4/29/2011
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer *mlb*
Re: Executive Assistant

Dear Board Members:

At your meeting last week I captured the following with respect to the Executive Assistant Position:

- The Board of Supervisors has Approved the Position
- The Job Description still needs some work and is an open topic
- The salary range for the position is still an open topic

The salary range for this position as outlined in the proposed job description and calculated using the current policy is \$54,240 – \$67,800. One suggestion is to reduce this range by 20% due to the current state of the economy and that would make the salary range \$43,392 – \$54,240. Logistically this would be unfair to the position and could make future salary raises difficult to manage.

The job description must drive the salary range and I would suggest that if the goal is to lower the salary range for this position then the job description should be revised to lower the salary range.

TITLE: EXECUTIVE ASSISTANT / EXECUTIVE ASSISTANT TO THE TOWNSHIP MANAGER / ASSISTANT TO THE TOWNSHIP MANAGER (DRAFT)

FLSA STATUS: NON-EXEMPT

POSITION SUMMARY:

The Executive Assistant to the Township Manager is a full time –administrative support position of considerable difficulty, responsible for performing a variety of complex and confidential secretarial and administrative duties for the Township Manager. ~~This is a full-time position.~~ The employee will ~~also~~ perform the duties associated with the administration of the Township website, will research and analyze administrative projects for the Township Manager requiring the gathering of information through departments or other research, preparation of draft reports for review by the Township Manager and Finalization of the of the project presentation. project support for the administration and any grant submissions. The employee also performs other administrative duties for the Administration Department and fills in for the Township receptionist as needed. The employee will conduct research and draft grant applications for review by the Township Manager. The employee also performs other administrative duties for the Administration Department as required and fills in for the Township receptionist as needed. performs other assigned duties as required.

REPORTS TO:

- Township Manager

SUPERVISES:

- ~~Administrative Staff~~None

PRINCIPAL ACCOUNTABILITIES AND/OR TASKS:

- Responsible for the management of the Township Action List
 - ~~—Routine typing~~
 - ~~—Routine filing~~
- Maintains Township website
- Responsible for writing grant requests
- Responsible for the creation of the Board of Supervisors Meeting Agendas and Information Packets
- Drafts and prepares routine correspondence as requested
 - ~~—Maintains Township Officials list~~
- Manages the ABC (Authority, Boards and Commissions) Orientation process
- Performs other administrative duties as requested
 - ~~—Fills in and Backs-up receptionist as needed~~
- Oversees the ABC information packet process
- Compiles information for “Right to Know” requests
- Maintains ordinance and resolution files and distributes as needed
- Supports project efforts across the administration
- ~~Assists Township Manager in responding to mail and e-mail~~
 - ~~— Maintains Township Officials list~~
 - ~~— Fills in and Backs-up receptionist as needed~~
 - ~~— Routine typing~~
 - ~~— Routine filing~~
 - ~~— Other duties as assigned~~
-

INTERPERSONAL INTERACTIONS REQUIRED:

Internal Contact:

- Township Manager
- Elected Officials
- Director of Administration and Finance / Treasurer
- Other Township Staff

External Contact:

- Residents
- Visitors to Office
- ABC Members
- Consultants

PHYSICAL DEMANDS:

The employee must be able to hear, speak, and use a telephone, typewriter, computer, copier, scanner, postage machine, and adding machine. This employee must be able to move 15 pounds from one location to another.

MENTAL DEMANDS:

The employee must be able to read and write at a college level. In addition, the employee must be able to reason, solve problems while being interrupted, provide oral and written communication to the Township Board of Supervisors and other Township personnel, residents, lawyers, legislators, state county and local agencies as well as the general public.

REQUIRED EDUCATION, TRAINING, EXPERIENCE, AND KNOWLEDGE:

- Minimum of Associates Degree, Bachelors Degree preferred
- 5 years experience in a similar position, either from the private or public sector
- Advanced knowledge of Microsoft Office applications (Word, Excel, Access, Outlook, Power Point, etc.)

REQUIRED SKILLS:

The employee must be able to use office equipment, read and write at a college level, and have an advanced skill level with word processing, spreadsheet, and database applications. Excellent organizational and communication skills are also required. Ability to communicate clearly and concisely, both orally and in writing; strong interpersonal skills; ability to understand, organize, index and reference a wide variety of administrative information and records. Employee must be resourceful and have the ability to work independently, exercise discretion and independent judgment, assess priorities, multi-task and possess problem solving capabilities. Must be able to discern matters of sensitivity and confidentiality and handle stressful situations. Ability to establish and maintain effective working relationships with elected officials, employees, supervisors, other agencies and the public. Must be flexible and adaptable to the fast paced environment of the office of the Township Manager. The employee must be able to use office equipment, read and write at a college level, and have an advanced skill level with word processing, spreadsheet, and database applications. Excellent organizational skills are also required.

REQUIRED LICENSES, REGISTRATIONS, OR CERTIFICATES:

- Valid PA Drivers License

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: 4/21/2011
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer
Re: Executive Assistant / Permit Coordinator positions

Dear Board Members:

As requested I have amended the Executive Assistant job description and provided you with a draft of the revised Permit Coordinator job description.

Executive Assistant Position:

The Staff recommendation for this position is that it be structured as a regular full time position. In order to assist the Township Manager appropriately this position will be a direct report to the Township Manager with no subordinate reports. This position will augment the office of the Township Manager and will have a very minimal impact on the overall front office administration work load, however we envision this position adding a heightened level of Quality Assurance for Administration deliverables. The annual salary range as discussed will be 80% of the assessed 2011 range due to the economy: \$43,500 – 54,375.

All department heads agree that this position is needed and long overdue.

Permit Coordinator:

This position has been a full time position since 2000 and in the last couple of years several administrative functions have been assumed by this position that could not be accommodated by the admin staff. With the removal of the website duties from the Permit Coordinator's work load I have found that **a six hour/day work schedule is still not enough to provide the level of service required.** With the reduction in office staff in 2010 (3.5 FTE's / 4 if you factor in the Loss of Terry) and no reduction in work load; **the Permit Coordinator has had to step up to perform a number of Admin Department support functions due to the elimination of administrative staff members.**

Over the last month the part time hours performed by the Permit Coordinator has shown to be less than required to meet the Code Department and Administrative Department needs. The quality of work being performed is very good however the

logistical demands of the office require a full time person in the position. **This position is critical in the organization and should remain as a full time position in order to continue to deliver Admin and Code Department services at the level we have in the past.**

The administrative Department took a 40% cut in staffing due to the 2010 staff reductions. The restructuring did shuffle duties to other full time employees however the deep cuts are still felt six months later.

Summary / Staff Recommendation:

The last six months have been a real challenge for the administration. Everyone was asked to step up and assume duties and all have done just that. My assessment is that everyone is carrying their share (+) and working together better than I have ever seen in my tenure here. With the resignation of Terry we are now down another half FTE making the challenges even more apparent in the Administration and Code Department.

Recommendations: Review, amend and approve the Executive Assistant job description and authorize the Staff to advertise the position. Review, amend and approve the Permit Coordinator position and authorize the Staff to advertise the position.

The net result of this recommendation is an increase in 1 FTE staff member in 2011 however this still effectuates a net decrease in staffing of 2.5 FTE staff members from 2010 staffing levels. **This is the MINIMUM action necessary to continue to deliver PREMIER services in the Admin and Code Departments.**

BOARD OF SUPERVISORS EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

June 2, 2011

To: Board of Supervisors
From: Rick Smith
Re: Township Fence Bid Results

We have solicited bids for Township fence. On June 2, 2011 at 10:00am bids were opened.

The Results are as follows:

#1 – Pressure treated shadow box fence:	<u>Amount</u>	<u>Company</u>
Materials only	\$6,330.00	Everlasting Fence Co.
	\$8,350.00	Abel Fence LLC
	\$8,900.00	Long Fence Co. Inc.
	\$8,998.00	Amity Fence Company
	\$9,014.00	Pro Max Fence Systems
#2 – White cedar shadow box fence:	<u>Amount</u>	<u>Company</u>
Materials only	\$9,132.00	Pro Max Fence Systems
	\$11,298.00	Amity Fence Company
	\$11,475.00	Abel Fence LLC
	\$13,900.00	Long Fence Co.
	No Bid	Everlasting Fence Co.
#3 – Vinyl Shadow Box Fence:	<u>Amount</u>	<u>Company</u>
Materials only	\$13,712.00	Pro Max Fence Systems
	\$15,699.00	Everlasting Fence Co.
	\$17,320.00	Abel Fence LLC
	\$17,900.00	Long Fence Co.
	\$24,848.00	Amity Fence Company

#4 – Pressure treated shadow box fence:	<u>Amount</u>	<u>Company</u>
Installed	\$12,450.00	Abel Fence LLC
	\$13,075.00	Everlasting Fence Co.
	\$13,950.00	Long Fence Co.
	\$14,871.00	Pro Max Fence Systems

#5 – White cedar shadow box fence:	<u>Amount</u>	<u>Company</u>
Installed	\$14,990.00	Pro Max Fence Systems
	\$15,600.00	Abel Fence LLC
	\$17,625.00	Amity Fence Company
	\$19,300.00	Long Fence Co.
	No Bid	Everlasting Fence Co.

#6 – Vinyl shadow box fence:	<u>Amount</u>	<u>Company</u>
Installed	\$19,804.00	Pro Max Fence Systems
	\$22,775.00	Abel Fence. LLC
	\$22,840.00	Long Fence Co.
	\$23,395.00	Everlasting Fence Co.
	\$29,170.00	Amity Fence Company, Inc.

Recommendation:

We recommend that the Board accept the bid from Abel Fence for pressure treated fence installed by the contractor in the amount of \$12,450.00. The Township would save the expense of disposing of the old fence and would ensure that the fence would be installed by the time school starts in the fall.



CHESTER COUNTY TAX
COLLECTION COMMITTEE

May 16, 2011

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

RECEIVED
BY: _____
MAY 9 2011

Attn: Board Secretary

Re: Delegates for the Chester County Tax Collection Committee

I am writing to school districts and municipal governments who are members of the Chester County Tax Collection District to verify the current primary and alternate delegates that have been appointed by your entity to the Chester County Tax Collection Committee (CCTCC). Act 32 of 2008 mandated the creation of the Tax Collection Committee in the county to implement county-wide local income tax collection. Under the law, each school district and municipality that levies an earned income tax must appoint one voting delegate and one or more voting alternates to the Committee. Those school districts and municipalities that do not impose income tax may appoint a nonvoting delegate and one or more nonvoting alternates.

Attached is the delegate appointment information that the CCTCC currently has for your entity. Please verify the accuracy of this information and let me know of any new appointments or other information changes so that the CCTCC records can be updated accordingly. Also included is a sample resolution for your use if you need to appoint a new primary voting delegate or one or more alternate voting delegates. Individuals appointed as TCC delegates do not need to be residents nor elected officials of the political subdivisions. Delegates may also represent multiple school districts and municipalities on the CCTCC.

Please indicate if you or someone from your organization is interested in serving as a CCTCC officer or as a member of a committee. The election of officers and committee assignments take place at the annual meeting.

The next meeting of the full CCTCC membership is scheduled for Thursday, November 10, 2011 at 7:00 PM at the Chester County Intermediate Unit, 455 Boot Road, Downingtown, PA 19335. Please do not hesitate to contact me if you need additional information.

Sincerely,

Joseph P. Lubitsky
CCTCC Administrator

**Chester County Tax Collection District
Delegate Information**

Please verify that the following information is correct.

Township/School District: East Goshen Township

Address: 1580 Paoli Pike, West Chester, PA 19380

Phone Number: 610-692-7171

Email:

Primary Delegate's Name: Rick Smith

Address: 1580 Paoli Pike, West Chester, PA 19380

Phone Number: 610-692-7171

Email: rsmith@eastgoshen.org

Secondary Delegate's Name: Deb Beury

Address: 1580 Paoli Pike, West Chester, PA 19380

Phone Number: 610-692-7171

Email: dbeury@eastgoshen.org

Alternate Delegate's Name:

Address:

Phone Number:

Email:

**Any changes should be sent to:
Chester County Tax Collection Committee
Attn: Bobbie-Lou Schneider
Chester County Intermediate Unit
455 Boot Road, Downingtown, PA 19335
or email: BobbielouSc@cciu.org**

[_____ SCHOOL DISTRICT]

[_____ TOWNSHIP]

[_____ BOROUGH]

[_____ CITY]

TCC Delegate Appointment Resolution

Background. Act 32 § 505(b) requires the governing bodies of school districts, townships, boroughs, and cities to appoint one voting delegate and one or more alternate delegates to be their Tax Collection Committee (TCC) representatives. The purpose of this resolution is to appoint the required delegates. The appointed individuals have consented to appointment.

RESOLVED, by the governing body of the [school district/township/borough/city], that the following individuals are appointed as TCC delegates for the [school district/ township/borough/city]:

1. Primary voting delegate: _____
2. First alternate voting delegate: _____
3. Second alternate voting delegate: _____
4. If the primary voting delegate cannot be present for a TCC meeting, the first alternate voting delegate shall be the representative at the TCC meeting. If both the primary voting delegate and the first alternate voting delegate cannot be present for a TCC meeting, the second alternate voting delegate shall be the representative at the TCC meeting.
5. These appointments are effective immediately and shall continue until successors are appointed. Delegates shall be appointed each year in November or December or as soon thereafter as possible. All delegates shall serve at the pleasure of this governing body and may be removed at any time.

Certification of adoption. The undersigned certifies that the above Resolution was adopted at a public meeting on this date.

Date: _____

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: 5/18/2011
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer
Re: Property Maintenance / Tall Grass *mlg*

Dear Board Members:

As you know the Township enforces our Grass and Weed Ordinance, §96 of the Township Code as well as the Property Maintenance Code, §178 of the Township Code (2009 International Property Maintenance Code [IPMC]). During the spring and early summer I always have a handful of violation notices that go out to residents and very rarely do I have to enforce the ordinance. Typically residents get the message and stay on top of it.

This year is not really any different except for the fact that we have had so much rain that it has been difficult to cut the grass. So far this week alone I identified a dozen or more properties that are in violation of the 6 inch maximum grass length requirement. During my site visits and in speaking with some surrounding property owners; a few of those properties appear to be vacant and the length of the grass could cause a nuisance to surrounding property owners if not addressed.

All the properties I have identified to be in violation have been notified via mail of the Township requirements and have been asked to comply with the ordinance. This is our Violation Notice (Nice Letter). I know I will get a couple of those letters back and I believe some of these properties will require Enforcement Actions.

Enforcement Actions follow this abbreviated procedure:

- Enforcement Notice is mailed (IAW 107.2 of the IPMC)
- Corrective actions are spelled out and a reasonable timeframe for completion of the corrective actions is given (10 days).
- Upon the end of the ten day period the property is inspected and if the violations have been corrected the process ends.
- If the violations still exist, the Property Maintenance Code permits the Township to enter the property and correct the violation, in this case; cut the grass.

The Township has only had use this authority once since it's adoption. We cut the grass at 1419 Center Street for a year plus until it went to sheriff sale back in 2009. I believe we could have a couple properties this year that will require the Township to make the decision to enter the properties and cut the grass. I'm doing everything I can to get the property owners to maintain their properties on their own, however if they refuse to do so, the Township has the authority to do it for them and lien their properties if needed.

I have attached the applicable sections of the code for your information and review.

Recommendation:

Direct the staff to follow the guidelines outlined in the IPMC, cut private property owners' grass when necessary and seek reimbursement from the property owners as outlined in the code.

**CODE OF THE TOWNSHIP OF EAST GOSHEN PENNSYLVANIA, v58 Updated
09-01-2010 / PART II GENERAL LEGISLATION / Chapter 96, BRUSH, GRASS AND
WEEDS / § 96-2. Maintenance of lot.**

§ 96-2. Maintenance of lot.

Between May 1 and September 30 of each calendar year, the owner of each lot shall mow the lot as often as is necessary to keep all grass, weeds and vegetation growing on the lot to a height of six inches or less.

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

301.3 Vacant structures and land. All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the

property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved agency*.

105.3.2 Test reports. Reports of tests shall be retained by the *code official* for the period required for retention of public records.

105.4 Used material and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *code official*.

105.5 Approved materials and equipment. Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved sources*.

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The *code official* shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, cor-

rect or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and

fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is

likely to partially or completely collapse, or to become *detached* or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be insanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

June 1, 2011

TO: Board of Supervisors

FROM: Mark Miller

RE: Paver Replacement

If you recall at the meeting I had figured it would cost around \$100,000 to replace our paver. However, we were able to locate a new 2010 paver for \$90,000 on the Costars program with the help of Lou Libby, a township resident. The next comparable unit to the 2010 model was \$140,000.

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**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
May 24, 2011 – 7:00pm
Draft Minutes**

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

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm. He asked Marty to lead everyone in the Pledge of Allegiance.

Moment of Silence

Carmen called for a moment of silence to honor the men and women serving their country in the armed forces, and their families.

Recording of Meeting

No one indicated they would be recording the meeting.

Public Comment on Non-Agenda Items

None.

Chairman's Report

Senya announced the following:

- The Board met in Executive Session on May 10 to discuss a personnel matter.
- The Board will hold a long-range financial planning session on May 26 from 1:00pm to 4:30pm. The meeting will be open to the public.

Public Hearing - Conditional Use

Senya announced that the Conditional Use hearing for the adaptive reuse of a Historic Resource at 1422 Paoli Pike will be continued until July 12, 2011.

Police Report

Police Chief John Dumond reported there were 631 calls for service from East Goshen in April. The police are investigating robberies that occurred on Sturbridge Lane and Lochwood Lane. There has been a larger than normal number of thefts from vehicles, both locked and unlocked, within the Township. Don asked Chief Dumond to write a short blurb for the Township newsletter reminding residents to lock their cars and not leave valuables in plain view.

Financial Report

The Board agreed to postpone discussion of the financial report until the May 26 long-range financial planning session.

1 **Firearms At June 4 Living History Day**

2 The Board reviewed a memo from the Historical Commission requesting permission to have
3 Civil War re-enactors discharge weapons at the Living History Day scheduled for June 4 at the
4 Plank House/Blacksmith Shop complex.

5
6 Marty moved to authorize the Historical Commission to allow re-enactors to discharge black
7 powder weapons that do not fire a projectile during the June 4 Living History Day between the
8 hours of 11:00am and 4:00pm at the Plank House/Blacksmith Shop complex. Thom seconded
9 the motion. There was no discussion or public comment. The Board voted unanimously to
10 approve the motion. Don noted that the Township will need to appoint a Safety Officer by
11 June 4. Rick will take care of this.

12
13 **Street Signs in Rossmore**

14 The Board reviewed a request from the Rossmore HOA to replace, at their expense, the street
15 signs and other traffic control signs in their development with fancier, decorative metal sign
16 posts having upper and lower case letters. Marty moved to allow the Rossmore HOA to replace
17 the street signs and other traffic control signs in their community, provided the signs and posts
18 comply with the applicable PennDOT requirements. Carmen seconded the motion. There was
19 no discussion or public comment. The Board voted unanimously to approve the motion. Senya
20 asked Rick to thank the Rossmore HOA for making the effort to beautify the Township and add
21 value to their development.

22
23 **Ashbridge Preserve**

24 The Board reviewed a request from the Willistown Conservation Trust for East Goshen to
25 provide materials, equipment and labor to install an ADA-compliant footpath and stream
26 viewing area off the parking lot at the Ashbridge Preserve. This path and viewing area will
27 accompany two concrete stepping-stone crossings the Willistown Conservation Trust will be
28 installing in the Ridley Creek. Rick noted that East Goshen has an ownership interest in the
29 Ashbridge Preserve.

30
31 Don moved to authorize the Public Works Department to assist the Willistown Conservation
32 Trust, as requested, with the construction of the ADA-compliant footpath and stream viewing
33 area at the Ashbridge Preserve. Carmen seconded the motion. There was no further discussion
34 and no public comment. The Board voted unanimously to approve the motion.

35
36 **Any Other Matter**

37 **Street Signs** - Don shared an article about street signs from the PSATS magazine which indicates
38 that East Goshen's street signs are in compliance with federal regulations and will not need to be
39 replaced with upper and lower case letter signs. Don moved to rescind Marty's recommendation
40 made at the April 5, 2011 Board meeting that the Township budget money for street sign
41 replacement over ten years beginning with the 2012 budget. Instead, the Township can replace
42 street signs only as needed. Carmen seconded the motion. There was no discussion or public
43 comment. The Board voted unanimously to approve the motion.

44
45 **Traffic Signal at Paoli Pike & Line Road** - At Don's request, the Board reviewed the plans for
46 the developer of Applebrook Meadows in Willistown to install a traffic signal and make road

1 improvements at Paoli Pike & Line Road in conjunction with the new development on Line
2 Road. Per Rick, the developer will have the signal in by Halloween or Thanksgiving if
3 everything goes according to plan.
4

5 Personnel Matter – Don requested that Rick look into allegations made by a resident that Frank
6 Vattilano’s wife and daughter are being paid for ???
7

8 **Proposals to Install a Cell Tower at the Township Building**

9 For the benefit of the residents present, Don summarized the Wireless Subcommittee’s
10 recommendations regarding the installation of a cell tower at the Township building, and noted
11 that the choice for a company to build the tower is down to two – Liberty Towers and US
12 Wireless.
13

14 Carmen asked Don what the difference is in number of wireless carriers that can be
15 accommodated on a tower that is 150 feet tall vs. 180 feet tall. Don said a 150-ft tower can
16 accommodate 5 carriers and a 180-ft tower can accommodate 8 carriers.
17

18 Don suggested the Township give US Wireless 60 days to get agreements with at least four
19 carriers, and if they cannot deliver, the Township can go with Liberty Towers.
20

21 Marty stated he wants the contract to go to Liberty Towers, and he wants to get paid based on the
22 revenue “blend” formula so the Township will have at least some guaranteed income.
23

24 Carmen asked Rich Lemanowicz of Liberty Towers, (in the audience) if Liberty Towers would be
25 able to increase the reception for communications devices used by Emergency Services workers
26 in Chester County by building a tower in East Goshen. Mr. Lemanowicz said his firm is not set
27 up to do that, but assured the Board that a tower would not interfere with the current reception
28 for Emergency Services communication devices.
29

30 Marty explained to the residents that the Board decided to move the tower to the Township
31 Building, instead of putting it at the park, because the park location is not really viable and
32 would not provide good reception. He said it’s a given that a cell tower will be going up either
33 behind the Wawa or at the Township Building.
34

35 *Public Comment: Mike Steinberger, Tallmadge Drive* – Asked how the Board made their
36 decision to build the tower at the Township Building, since nowhere in the minutes does it state
37 that cell tower companies have refused to put a tower at the park. Don said that while no
38 vendors indicated they would not build a tower at the park, they all said the coverage at the
39 Township building would be better.
40

41 Don noted that none of the cellular carriers have provided the Township with adequate RF
42 information, even though it was requested. Rich Lemanowicz said the Wawa is the ideal
43 location because it’s right in the center of the coverage gap according to all the carriers he has
44 spoken with.
45

1 Marty told the residents that if the Supervisors had their way, no tower would be built in the
2 Township. However, he said one is going to be built no matter what. If it does go up at the park
3 then the residents near the park will be unhappy. He noted that a lawsuit is imminent (although
4 not filed yet) to build a tower behind the Wawa, so the Township has to take action now. Don
5 said if a tower goes up behind the Wawa, the Township will get no revenue from it. The
6 residents in the audience said that may be the case but a tower behind the Wawa will not
7 negatively impact their property values as would one built at the Township building.

8
9 Rick was asked how many letters were sent to residents about this issue. Rick said 74 letters
10 were mailed, and a notice was posted on the web and on Constant Contact.

11
12 *Public Comment: Ed McFalls, Tallmadge Drive* – Said that in the past the Board has done a
13 good job of blending commercial and residential properties within the Township, but he has no
14 idea how they can conceive of putting a cell tower at this location.

15
16 The Board then discussed where exactly the tower could be located to be as far from the nearby
17 residents' properties as possible. They discussed putting it back near the District Court and
18 whether the floodplain issue would influence the location. Mr. Lemanowicz said it's not out of
19 the question to locate a tower in a floodplain – it's been done before. Marty reassured the
20 residents that while all the details have to be worked out, the Board's desire is to place the tower
21 as far back from the road (and the residents) as possible, and that no matter where it goes the
22 Board's desire is to have the least intrusive tower possible.

23
24 Marty then stated that the Board's purpose this evening was to discuss which cell tower company
25 to go with, not to hammer out all the details about the tower – that will be done once a company
26 is selected.

27
28 A resident asked Marty about the pending lawsuit and how the Township knows they would lose.
29 Marty said he knows the Township would lose the suit based on previous case law.

30
31 A resident asked Marty who would build and maintain the tower. Marty said the tower company
32 would. He was asked if a maintenance bond would be required and Marty said yes. A resident
33 mentioned the impact a tower would have on property values and Marty said that if there is
34 going to be a documentable reduction in the value of residents' properties, the Township should
35 get that information ahead of time from the cell tower company.

36
37 The tower's appearance was then discussed. Carmen told the residents that the Board had ruled
38 out a clock tower as they are too large and unattractive. A "tree" tower has also been ruled out
39 because their "branches" have a tendency to fall off, posing a safety hazard. Marty said the
40 Board believes a monopole would be the least intrusive.

41
42 A resident asked if the FAA has been contacted to see if it's okay to locate a tower at this
43 location. Rick said the Township has a letter from the FAA saying it's okay for a tower to go up
44 behind the Wawa. The residents asked that he check to make sure it's still okay with the FAA if
45 it is moved to the Township building. Someone also requested that Rick find out if a blinking
5 red light will be required at the top of the tower, due to its proximity to the airport.

1
2 Resident Mike Steinberger suggested the Board consider putting the tower directly behind the
3 Township building, moving the new fueling area if necessary to make room. Don said the
4 Township just installed the fueling area and it would be prohibitively expensive to relocate the
5 fuel tank, etc.

6
7 A resident asked how much space would be required for the tower. Rich Lemanowicz said at
8 least 70x80 feet would be needed at the base.

9
10 Thom asked Rich Lemanowicz what type of revenue agreement would be best for the Township.
11 Mr. Lemanowicz said revenue sharing would be the riskiest, but with the greatest opportunity for
12 income. A land lease agreement would mean less money, but would be the most stable. The
13 middle ground would be a blended agreement.

14
15 Thom asked about the number of carriers on the tower. Mr. Lemanowicz said Liberty Towers
16 would be likely to secure _____ carriers in the first year the tower is up.

17
18 Carmen asked Mr. Lemanowicz about mergers in the telecommunications industry, and how that
19 would impact revenue to the Township since fewer carriers would be looking for real estate on
20 towers. Mr. Lemanowicz said it is a definite risk; for example, AT&T is currently looking to
21 buy out T-Mobile.

22
23 Marty asked Mr. Lemanowicz for his thoughts on how quickly the current cell tower technology
24 will become obsolete or outdated. Mr. Lemanowicz said he did not see the current technology
25 becoming obsolete in the next ten years.

26
27 Thom told Mr. Lemanowicz that based on a survey of neighboring municipalities, the Liberty
28 Towers quote of \$1,837 per month per carrier is low. He asked if that figure was negotiable and
29 Mr. Lemanowicz said yes, and that Liberty Towers quoted conservatively.

30
31 Senya asked Mr. Lemanowicz if the Board could rely on Liberty Towers to provide a fair quote,
32 since the Township does not have the in-house capability to determine the fair market value of
33 placing a tower on Township property. If not, the Township may have to consider hiring an
34 outside expert for advice. Mr. Lemanowicz said _____

35
36 Senya asked if it would be possible for Liberty Towers to get realistic numbers from the cellular
37 carriers. Mr. Lemanowicz said it is very difficult to get that kind of information from carriers.
38 He noted, however that the Township would definitely get more money for the tower than the
39 owner of the Wawa property would get because deals with municipalities are always more
40 lucrative. Senya said he did not know how the Board could make a decision in the absence of
41 meaningful dollar figures.

42
43 Carmen then moved to negotiate with Liberty Towers for the final construction of a cell tower to
44 be placed on the Township building property as far back as possible, and that during negotiations
45 the Board seek to maximize the Township's income from the tower, and in doing so, Liberty

1 Towers would agree to put the potential lawsuit over the Wawa location to rest. Marty seconded
2 the motion.

3
4 Thom said he would prefer to tell Liberty Towers that the Board's preliminary feeling is to have
5 a tower located at the Township building and to see if they can come back more with more than
6 \$1,837 per month per carrier. The rest of the Board said that was basically what Carmen
7 captured in his motion but Thom disagreed.

8
9 Senya clarified that should the Township be satisfied with the negotiations with Liberty Towers,
10 the Board would then award the contract to Liberty to build the tower.

11
12 Senya asked Mr. Lemanowicz what was the highest rental amount he had seen for a cell tower.
13 Mr. Lemanowicz said he's seen a range from \$1,800 to \$2,400 per month per carrier. Rooftop
14 antennas in Philadelphia generate the highest amount.

15
16 The Board asked Mr. Lemanowicz how quickly he could get firm pricing information from his
17 carriers, and he said one week. He also said his firm could do all the other research work on the
18 site in less than one month.

19
20 After some discussion, Marty then withdrew his second to Carmen's motion, and the motion
21 died.

22
23 Thom then moved to give preliminary approval to Liberty Towers so they could negotiate with
24 their carriers and come back to the Township with their best offer. At that time, the Board will
25 consider awarding the contract to Liberty Towers. Senya seconded the motion. After
26 consideration, Senya then withdrew his second, and the motion died.

27
28 Marty then moved to negotiate with Liberty Towers regarding the possibility of locating a cell
29 tower behind the Township Building. If the Board of Supervisors is satisfied with the results of
30 the negotiations, they will award the contract to Liberty Towers. Carmen seconded the motion.

31
32 Thom said he disagreed with this approach and would prefer to start out by knowing a firm
33 dollar figure before conducting further negotiations.

34
35 Don asked Kathryn Yahraes if she thought a cell tower at the Township building site would fall
36 under the federal historic site regulations due to its proximity to historic Goshenville. Kathryn
37 said yes, since the Township building is within one-half mile of the historic district. Carmen
38 noted that any historic issues would be Liberty Towers' problem, not the Township's, and these
39 issues would not impact the revenue the Township would earn. Mr. Lemanowicz confirmed
40 these facts.

41
42 Kathryn Yahraes noted for the record that the Historical Commission, for obvious reasons,
43 would prefer the cell tower be located at the far end of the Township Park instead of at the
44 Township building or the Wawa. (This opinion was outlined in a May 17 letter to the Board
45 written by Chairperson Ellen Carmody.) A resident in the audience said he also prefers the park
46 location.

1 The Board then discussed the pending lawsuit with the residents.

2
3 There was no further discussion or public comment on the motion. The Board voted 4:1 and the
4 motion passed. (Don was opposed.)

5
6 Mr. Lemanowicz asked who the Township's negotiating team will be, and was told it would
7 consist of Senya Isayeff, Thom Clapper, Rick Smith and Mark Gordon.

8
9 **Monthly Update from Goshen Fire Company**

10 Jerry Fokas and Bill Keslick were present. Mr. Fokas provided a verbal report for April as
11 follows: In April the Fire Company responded to 278 fire calls, 56% of which were from East
12 Goshen. They responded to many false alarms. Out of 160 EMS calls, 80 were made from
13 Bellingham and Wellington. The Fire Police responded to 52 calls, 17 of which were in East
14 Goshen. The Fire Company conducted their Easter and Mother's Day flower sales, netting
15 \$13,000. Each of these two events required 132 hours of labor. They had a breakfast fundraiser
16 on May 15, as well as a donut sale. Mr. Fokas noted that the Fire Company spends a great deal
17 of time on fundraising. He said he has submitted an informational article about the Fire
18 Company to the Township that he has been told will run as an insert in the next newsletter.

19
20 Marty said he would prefer if the Fire Company would provide a written report to the Township
21 before coming to the meeting each month. That way the Supervisors will have it in their packets
22 to review before the meeting. There was some discussion about which week of the month would
23 work best for the Fire Company to come to the Board's meeting. Mr. Fokas will get back to
24 Rick on this.

25
26 **Review of Minutes**

27 The Board reviewed the draft minutes of May 10 and had no corrections or changes. Carmen
28 moved to accept the minutes as submitted. Marty seconded the motion. There was no discussion
29 or public comment. The motion passed unanimously, with Thom and Don abstaining from
30 voting.

31
32 [Note: Carmen Battavio had to leave the meeting at this point.]

33
34 **Treasurer's Report & Expenditure Register Report**

35 *See attached Treasurer's Report for May 19, 2011.* The Board reviewed the Treasurer's Report
36 and the current invoices. Thom moved to accept the Treasurer's Report of May 19 and the
37 Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to
38 authorize payment of the invoices just reviewed. Don seconded the motion. There was no
39 discussion and no public comment. The Board voted unanimously to approve the motion.

40
41 **Action List**

42 **Indemnification Letter** – Received the letter from the Reserve. Item is now complete.

43 **Municipal Authority Projects** – The Board reviewed Rick's report, and discussed whether to
44 borrow money for the projects now or wait and take a risk on interest rates. No decision was
45 reached. The Board may discuss this matter again at the long-range financial meeting scheduled
46 for May 26.

1 Facebook/Twitter – Rick reported that Frank Vattilano has 3 interns working on the Park & Rec
2 Facebook page.

3 IT Committee – No action.

4 TAG Action List – Marty moved to award the lockbox business to M&T Bank per the
5 recommendation of Finance Director Deb Beury. Thom seconded the motion. There was no
6 discussion or public comment. The motion passed unanimously. Rick said the lockbox will
7 probably be implemented by the 3rd quarter.

8 Senya reported that the CII Council will meet at the Township on June 15.

9
10 **Correspondence & Reports of Interest**

11 Senya acknowledged receipt of a thank-you letter from Whitey Hassler's family.

12
13 **Meetings & Dates of Importance**

14 Senya noted the upcoming meetings as listed in the agenda and noted that June 25 will be a
15 Community Day with a fireworks show.

16
17 **Public Comment Period**

18 None.

19
20 **Adjournment**

21 There being no further business, the regular meeting was adjourned at 9:55pm.

22
23 **Executive Session**

24 The Board met in Executive Session until 10:45pm to discuss a personnel matter.

25
26
27
28 Anne Meddings

29 Recording Secretary

30 Attachment: *Treasurer's Report*

31

May 19, 2011

**TREASURER'S REPORT
2011 RECEIPTS AND BILLS**

GENERAL FUND

Real Estate Tax	\$45,976.33
Earned Income Tax	\$588,684.85
Local Service Tax	\$12,217.65
Transfer Tax	\$29,401.23
General Fund Interest Earned	\$0.00
Total Other Revenue	\$98,059.59
Total Receipts:	\$774,339.65

Accounts Payable	\$98,786.61	
<u>Electronic Pmts:</u>		
Health Insurance	\$48,738.68	
Credit Card	\$1,521.37	
Postage	\$0.00	
Debt Service	\$21,787.91	
Payroll	\$85,000.00	
Total Expenditures:	\$255,834.57	(2 Weeks)

STATE FUND

Interest Earned	\$0.00
-----------------	--------

Expenditures:	\$0.00
---------------	--------

CAPITAL RESERVE

Interest Earned	\$0.00
-----------------	--------

Expenditures:	\$1,508.88
---------------	------------

TRANSPORTATION FUND

Interest Earned	\$0.00
-----------------	--------

Expenditures:	\$0.00
---------------	--------

SEWER OPERATING

Receipts	\$166,321.38
Interest Earned	\$0.00
Total Sewer:	\$166,321.38

Accounts Payable	\$19,457.96
Debt Service	\$32,024.00
Total Expenditures:	\$51,481.96

REFUSE

Receipts	\$40,759.99
Interest Earned	\$0.00
Total Refuse:	\$40,759.99

Expenditures	\$62,721.44
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SEWER CAPITAL RESERVE

Receipts	\$0.00
Interest Earned	\$0.00
Total Sewer Capital Reserve	\$0.00

Expenditures	\$0.00
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draft
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
ANNUAL PLANNING SESSION
MAY 26, 2011

The East Goshen Township Board of Supervisors held an Annual Planning Session at the Township Building on Thursday, May 26, 2011 at 1:00 p.m. Board of Supervisor members present were: Senya Isayeff, Chairman; Donald McConathy, E. Martin Shane, and Thom Clapper. Others present were: Rick Smith, Township Manager; Deborah Beury, Director of Finance; Brian McCool, Accounting Associate; Mark Gordon, Director of Code Enforcement; Mark Miller, Director of Public Works; and Frank Vattilano, Director of Recreation.

Summary Core Function Report

Deb stated that the 1st quarter reports are as of April 30, 2011. The Summary Core Function report shows that the YTD budget total should be \$633,096. However, the YTD actual total is \$298,126 resulting in a variance of -\$334,970. The anticipated Earned Income Tax payment was not received from Keystone until May 25, 2011.

The Real Estate Transfer Tax is a concern. Marty feels that Chester County housing isn't as bad as the rest of the country. But the problem is, that people who are qualified, are having trouble getting funding.

Known Impact List

Deb reviewed the list which shows negative possible impact on Revenues for the Local Service tax, Real Estate Transfer tax and Earned Income Tax.

Under Expenses some definite impact items are the Pension plan which was changed from a defined benefit plan to a defined contribution plan.

The change in the Health Insurance will be a savings.

Credit from the Police – Marty feels a revenue line should be added with a 0 for budget. Then the credit will show. He feels the more items shown, the better the detail.

Public Works Repaving – Mark Miller feels the cost of asphalt will increase \$8 per ton or more. He will keep the Board of Supervisors informed.

Executive Assistant – This represents 3 months salary and benefits if hired for the last 3 months of the year. Don feels it should be in the “possible impact” column.

Marty feels the “General Fund Detail” report should be in the report before the “Impact List”.

Everyone agreed.

Don asked if the benefits payout to the previous Permit Coordinator would impact anything.

Deb commented it may be a bit more than budget.

Variances Core Function Format

Deb reported that the pass through accounts have been taken out of the core function report.

Pass Through Accounts

Deb has requested AMS to include total expense and total revenue lines at the bottom of the report. Deb said that she needs to amend the budget for preparation of the Fire Company payroll. Marty requested that “Amended” be changed to “Revised” Budget.

1 Accounts Receivable

2 Don is concerned that the total seems to be continuing to grow. He is noticing an increase in the
3 number of people not paying their bills. Marty feels that if the 90-120 day payments increase
4 then that's a concern. Deb mentioned that Tia has filed some claims which are generating some
5 payments. The County processes liens for unpaid taxes.
6

7 Disbursements & Cash Accounts

8 Deb explained the set up of the accounts. Marty feels that probably 80% of the disbursements
9 are things over which there is no control. Deb will look for better rates for the lockbox service.
10 She mentioned that the change over due to the sale of 1st National Bank to 1N Bank was
11 difficult. In answer to Don's question, she said the Township can only put cash in FDIC
12 accounts. Since the CD rates a TD Bank are lower than others, the BOS agreed to pull some
13 funds out and put them where the rates are higher.
14

15 Other Funds

16 Marty thought all budgets were going to have the same format. He feels this should be the goal
17 for next year.

18 Deb explained that the Percent column on the Capital Reserve report represents what has been
19 used so far. The revenues are added at the end of the year. Marty would like the detail sheet for
20 this.

21 Deb pointed out that on page 2 of the Sewer Operating report, the STP Maintenance and Repairs
22 had a budget of \$25,000 and is already over, at \$29,922. Rick feels some items are not related
23 to the expansion and should be in Capital instead of Operating. Marty feels the balance in the
4 sewer operating account must be funded for unexpected expenses instead of taking funds from
25 the General Fund or borrowing. He feels the Board of Supervisors should receive a monthly
26 Sewer Operating report. Everyone agreed.
27

28 Annual Planning Session – Summary, Detail and “What If”

29 Marty explained that the detail sheet is in line item format which includes history and
30 assumptions. The assumptions have not changed and are not a percentage across the board. He
31 feels loans should be paid to get rid of the costs and get better rates. However, Rick pointed out
32 that some loans have penalties for early payment.

33 Several “What If” analyses were discussed. Rick feels that the decision that needs to be made is,
34 either raise taxes and use up the reserves, or use up the reserves then increase taxes. Marty feels
35 a tax increase should start in 2012. Don prefers small tax increases more often. Also, Marty
36 feels all “What Ifs” must include cost for police pension and post employment medical.

37 Don wants to have another planning session this Fall when some revenues are more definite.
38

39 The meeting ended at 3:45 p.m.
40

41
42 Respectfully submitted,
43

44
45 Ruth Kiefer, Recording Secretary

EAST GOSHEN TOWNSHIP ACTION LIST

7-Jun-11

New additions are in **bold**

#	Item	Action Due Date
ADM 07-01	Review Wireless Ordinance	7-Jun-11
ADM 11-12	Goshen Fire Company Expenses	7-Jun-11
ADM 11-16	Post Retirement Medical Benefits	7-Jun-11
ADMI 10-22	TAG Action List	7-Jun-11
DPW 07-02	Hershey's Mill Dam	7-Jun-11
PCZ 06-01	Parking for Multi-Use Space in I/BP District	7-Jun-11
PCZ 09-01	Telecom Registration and Reporting	7-Jun-11
PCZ 11-2	Tree Ordinance	7-Jun-11
PCZ 11-4	Impact of Chapter 102 Requirements	7-Jun-11
PCZ 11-6	Sign Ordinance	7-Jun-11
PCZ 11-7	Archery	7-Jun-11
ADM 11-13	Municipal Authority Projects	28-Jun-11
ADM 11-15	Cell Tower	28-Jun-11
ADM 11-22	IT Committee	28-Jun-11
ADM 09-04	Quarterly Review of Right to Know Requests	5-Jul-11
DPW 08-02	Quarterly Report on I&I	19-Jul-11
FIN 09-01	Quarterly Summary of Pending Legal Cases	19-Jul-11
FIN 10-05	Quarterly Financial Reports - 2010	26-Jul-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
	Last # ADM 11-22	

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: 6/2/2011

To: Board of Supervisors

From: Mark Gordon, Township Zoning Officer *mlb*

Re: Ordinance Amendment (Wireless)

Dear Board Members:

The Solicitor has amended the WCF Ordinance amendment draft to address the use in the C-2 District on Township owned property as a use by right that must meet the standards outlined in 240-31, just like any other installation however the review would be conducted by staff and the twp engineer if needed. The Planning Commission reviewed the amendment at their meeting on June 1, 2011 and recommends that the Board review the amendment and forward to the CCPC for review and comment.

Draft Motion: Wireless Communication Facilities

Mr. Chairman, I move that we recommend that staff forward the proposed amendment to the Zoning Ordinance amending the Wireless Communications ordinance to the CCPC for review and comment.

1 | Section 240-15.B.

2
3 | (12) Wireless communications facility and commercial radio or television
4 | tower/antennas on Township owned property, subject to compliance with the
5 | standards in § 240-31.C(3)(h).
6

7 | Section 240-31.

8
9 | (h) Wireless communications facilities.

10
11 | [1] Purpose. The purpose of this subsection and the standards established
12 | herein are to govern the use, construction and siting of wireless communications
13 | facilities in recognition of the nature of wireless communications systems and the
14 | Federal Telecommunications Act of 1996, as amended from time to time. These
15 | regulations are intended to:

16
17 | [a] Accommodate the need for wireless communications facilities while
18 | regulating their location and number so as to ensure the provision for necessary
19 | services.

20
21 | [b] Minimize the adverse visual effects and the number of such
22 | facilities through proper design, siting, screening, material, color and finish, and by
23 | requiring that competing providers of wireless communications services collocate their
24 | commercial communications antennae and related facilities on existing towers if
25 | possible.

26
27 | [c] Ensure the structural integrity of commercial communications
28 | antenna support structures through compliance with applicable industry standards and
29 | regulations, including the Township's Building Code.

30
31 | [d] Promote the health, safety and welfare of the Township's residents.

32
33 | [2] Standards for commercial communications antenna erected on a
34 | commercial communications support structure. All applicants seeking to construct,
35 | erect, relocate or alter a commercial communications support structure shall comply
36 | with the following regulations. A written narrative that addresses how the applicant will
37 | meet each of the regulations listed below shall be submitted with the conditional use
38 | application or building permit application in the case of a facility built on Township
39 | owned property in the C-2 District.

40
41 | [a] Location and height.

42
43 | [i] Permissible Locations. Wireless communications facilities
44 | must be located on property within the following zoning
45 | districts where permitted by right or as a conditional use and
46 | only in such location within that district and at a minimum

1 height necessary to satisfy their function in the applicant's
2 wireless communications system. The zoning districts in
3 which wireless communications facilities are permitted by
4 conditional use are the BP and I-1 Districts, ~~and on any~~
5 ~~property owned by East Goshen Township, regardless of the~~
6 ~~zoning district.~~ Wireless Communications facilities are also
7 permitted by right on Township owned property in the C-2
8 District.

- 9
- 10 [ii] Maximum heights. No commercial communications antenna
11 support structure serving a single provider shall be taller
12 than 120 feet, measured from undisturbed ground level,
13 unless the applicant proves that another provider of wireless
14 communications services has agreed to collocate
15 commercial communications antenna(e) on the applicant's
16 commercial communications antenna support structure. In
17 such case, the commercial communications antenna support
18 structure shall not exceed 150 feet. No applicant shall have
19 the right under these regulations to erect a tower to the
20 maximum height specified, unless it proves the necessity for
21 such height. The applicant shall demonstrate that the
22 proposed height of the commercial communications antenna
23 support structure and the commercial communications
24 antennae intended to be attached thereto is the minimum
25 height required to provide satisfactory service for wireless
26 communications.

27

28 [b] Conditional Use Application or Building Permit Application for
29 Facilities Built on Township Owned Property in the C-2 District. -

- 30
- 31 [i] Site plan. A site plan shall be submitted with the conditional
32 use application or the building permit application for facilities
33 built on Township owned property in the C-2 District which
34 shows all existing and proposed structures and
35 improvements, including but not limited to the commercial
36 communications antenna(e), commercial communications
37 antenna support structure, building, fencing, landscaping,
38 parking, ingress and egress. In addition, the site plan shall
39 show each of the contiguous properties, identified by tax
40 parcel number and owner, depicting all buildings and
41 structures located on such properties and their principal
42 and/or accessory uses. The plan shall comply with the
43 requirements for a final plan as set forth in Chapter 205,
44 Subdivision and Land Development.
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[ii] Miscellaneous Information and Reports. The conditional use application or the building permit application for facilities built on Township owned property in the C-2 District shall be accompanied by the following:

- [a] A propagation study demonstrating that there is a substantial gap in coverage for the provider;
- [b] A description of the type and manufacturer of the proposed transmission/radio equipment;
- [c] A study demonstrating compliance with the noise standards in Section 240-24 of this chapter. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards in this chapter;
- [d] The name, address and contact information for the primary and secondary contact person responsible for the facility operation and maintenance;
- [e] A report which addresses the potential impacts associated with constructing the facility and possible mitigation measures if negative impacts are expected to occur on surrounding properties;
- [f] A report from a registered professional engineer that confirms that the radiofrequency emissions from the proposed facility will comply with the Federal Communications Commission standards;
- [g] A certificate of insurance issued to the owner/operators, evidencing that there is or will be adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the land site and the proposed facilities;
- [h] A copy of the lease or other written agreement with the property owner confirming that Applicant has standing to file the application and maintain the proposed facility on the subject property.

1 [iii] Licensing and applicable regulations. If the applicant is a
2 commercial wireless communications company, it must
3 demonstrate that it is licensed by the Federal
4 Communications Commission (FCC) and submit with the
5 conditional use application or the building permit application
6 for facilities built on Township owned property in the C-2
7 District copies of all FCC permits and licenses. All such
8 information shall be accompanied by a certification signed by
9 an officer of the applicant providing that, after due inquiry,
10 the information being supplied is true and correct to the best
11 of their knowledge, information and belief.

12 [iv] Section 106. The applicant shall provide proof to the
13 Township that it has complied with Section 106 of the
14 National Historic Preservation Act, 16 U.S.C. § 470f, as
15 amended, and has reviewed the effects of the proposed
16 wireless communications facilities on local historic resources
17 that are included in or eligible for inclusion in the National
18 Register of Historic Properties.

19 [v] Maintenance. During the conditional use hearing or as part
20 of the building permit application, the applicant shall describe
21 anticipated maintenance needs, including frequency of
22 service, personnel needs, equipment needs and the traffic
23 safety and noise impacts of such maintenance. If approved,
24 the applicant shall be responsible for maintaining the
25 commercial facility in the manner described in the hearing or
26 application as required by the Board as part of the
27 conditional use approval.

28 [vi] Collocation. Prior to the Board's approval of a conditional
29 use or building permit for facilities built on Township owned
30 property in the C-2 District authorizing the construction and
31 installation of a commercial communications antenna
32 support structure (tower) it shall be incumbent upon the
33 applicant to prove to the reasonable satisfaction of the Board
34 that the applicant cannot adequately extend or infill its
35 communications system by the use of equipment such as
36 repeaters, antenna(e) and other similar equipment installed
37 on existing structures, such as utility poles, existing
38 commercial communications support structures, and other
39 available tall structures. The applicant shall demonstrate that
40 it has contacted the owners of structures of suitable location
41 and height within a one-mile radius of the site proposed, has
42 asked for permission to install the commercial
43 communications antenna(e) on those structures and has
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1 been denied such permission. The Board of Supervisors
2 may deny an application to construct a new commercial
3 communications antenna support structure if the applicant
4 has not made a good faith effort to mount the commercial
5 communications antenna(e) on an existing structure as set
6 forth in this subsection.
7

8 [c] Building Permit Required. Upon approval of the conditional use
9 application, the applicant shall apply for and obtain a building permit prior to the erection
10 of the commercial communications support structure.
11

12 [i] Soil report. A soil report complying with the standards of
13 Geotechnical Investigations, ANSI/EIA-222-E, as amended,
14 shall be submitted to the Township Engineer to document
15 and verify the design specifications of the foundation for the
16 commercial communications antenna support structure, and
17 anchors for the guy wires, if used.
18
19

1 [iii] Certification by engineer. Prior to the Township's issuance of
2 a permit authorizing construction and erection of a
3 commercial communications antenna support structure, a
4 structural engineer registered in Pennsylvania shall issue to
5 the Township a written certification of its ability to meet the
6 structural standards offered by either the Electronic
7 Industries Association or the Telecommunication Industry
8 Association, and certify the proper construction of the
9 foundation and the erection of the commercial
10 communications antenna support structure.

11
12 [d] Wireless communications equipment building or pad. Either one
13 single-story wireless communications equipment building not exceeding 500 square feet
14 in area, or a concrete pad not exceeding 500 square feet in area that houses the
15 equipment necessary for the proper functioning of the tower and commercial
16 communications antenna(s) may be located on the property where the tower is located.
17 This pad must be setback a minimum of ten feet from any property line and the
18 combined height of the pad and any structures erected on such pad may not exceed
19 eight feet. Each unrelated company sharing commercial communications antenna(e)
20 space on the tower may have its own building or pad provided that the total area of all
21 buildings or pads on the site shall not exceed 500 square feet, unless otherwise
22 approved by the Board.

23
24 [e] Other facilities. With the exception of the wireless communications
25 equipment building or pad housing the equipment necessary for the proper functioning
26 of the tower and commercial communications antenna(s), all other uses ancillary to
27 commercial communications antenna(s) and commercial communications antenna
28 support structures, including but not limited to a business office, mobile telephone
29 switching office, maintenance depot and vehicular storage area shall not be located on
30 any land site, unless otherwise permitted by the applicable district regulations in which
31 the site is located.

32
33 [f] Utilities. All utilities required for the facility shall be located
34 underground.

35
36 [g] Setbacks from tower base. The minimum setback for the tower
37 base shall comply with the minimum setbacks established for the zoning district in which
38 the tower is located.

39
40 [h] Antenna support structure safety. The applicant shall demonstrate
41 that the proposed commercial communications antenna(e) and commercial
42 communications antenna support structure are designed and constructed in accordance
43 with all applicable building standards for such facilities and structures, including but not
44 limited to the standards developed by the Electronics Industry Association, the Institute
45 of Electrical and Electronics Engineer, the Telecommunications Industry Association,
46 the American National Standards Institute, the Electrical Industry Association and the

1 Township's applicable Building Code. The applicant shall demonstrate that the
2 proposed wireless communications facility is designed in such a manner so that no part
3 of the facility will attract/deflect lightning onto adjacent properties.
4

5 [i] Fencing. A security fence having a minimum height of six (6) feet
6 shall be required around the antenna support structure and other equipment.
7

8 [j] Landscaping. Unless prohibited by federal or state laws, the
9 following landscaping shall be required to screen as much of a newly constructed
10 commercial communications antenna support structure as possible. The Board of
11 Supervisors may permit any combination of existing vegetation, topography, walls,
12 decorative fences or other features instead of landscaping, if, in the discretion of the
13 Board of Supervisors, they achieve the same degree of screening as the required
14 landscaping.
15

16 [i] An evergreen screen shall be required to surround the
17 commercial communications antenna support structure. The
18 screen can be either a hedge planted three feet on center
19 maximum or a row of evergreen trees planted 10 feet on
20 center maximum. The evergreen screen shall be a minimum
21 planted height of six feet at planting and shall be capable of
22 growing to a minimum of 15 feet at maturity.
23

24 [ii] Existing vegetation on and around the land site shall be
25 preserved to the greatest extent possible.
26

27 [iii] The landscaping shall be maintained by the applicant for as
28 long as the facility is in operation.
29

30 [k] Design. In order to reduce the number of commercial
31 communications antenna support structures in the Township in the future, the proposed
32 commercial communications antenna support structure shall be designed to
33 accommodate other potential communication users, including but not limited to
34 commercial wireless communication companies, local police, fire and ambulance
35 companies.
36

37 [l] Proof of annual inspection.
38

39 [i] Annually, the owner of a commercial communications
40 antenna support structure shall submit to the Township proof
41 of the annual inspection of the commercial communications
42 antenna support structure and commercial communications
43 antenna(e) by an independent professional engineer as
44 required by the ANSI/EIA/TIA-222-E Code. Based upon the
45 results of such inspection, the Board of Supervisors may

1 require removal or repair of the wireless communications
2 facility.

3
4 [ii] In the event that the annual inspection referred to above is
5 not performed in a timely manner or if the owner of the
6 wireless communications facility fails to make the necessary
7 repairs or to remove the facility when directed by the Board
8 the owner shall be subject to civil enforcement proceedings
9 in accordance with § 240-54.

10
11 [m] Required parking. If the wireless communication facility is fully
12 automated, a minimum of two spaces shall be provided unless the applicant
13 demonstrates to the satisfaction of the Board of Supervisors that adequate parking is
14 available. If the wireless communication facility is not fully automated, the number of
15 required parking spaces shall equal the number of employees present at the wireless
16 communication facility during the largest shift.

17
18 [n] Visual appearance. Commercial communications antenna support
19 structures shall be painted silver, or another color approved by the Board, or shall have
20 a galvanized finish. All wireless communications equipment buildings and other
21 accessory facilities shall be aesthetically and architecturally compatible with the
22 surrounding environment and shall maximize the use of a like facade to blend with the
23 existing surroundings and neighboring buildings to the greatest extent possible.

24
25 [o] Signs. No sign or other structure shall be mounted on the wireless
26 communications facility, except as may be required by the FCC, FAA or other
27 governmental agency.

28
29 [p] Lighting. Commercial communications antenna support structures
30 shall meet all Federal Aviation Administration (FAA) regulations. No commercial
31 communications antenna support structure may be artificially lighted except when
32 required by the FAA or other governmental authority. When lighting is required by the
33 FAA or other governmental authority, it shall be limited to the minimum lumens and
34 number of lights so required and it shall be oriented inward so as not to project onto
35 surrounding properties. The applicant shall promptly report any outage or malfunction of
36 FAA mandated lighting to the appropriate governmental authorities and to the Township
37 Secretary.

38
39 [q] Abandonment. If use of the wireless communications facility is
40 abandoned, or if the wireless communications facility is not in use for a period of six
41 months or longer, the owner shall demolish and/or remove the wireless communications
42 facility from the land site within six months of such abandonment and/or nonuse. All
43 costs of demolition and/or removal shall be borne by the owner of the wireless
44 communications facility. In the event that the demolition and/or removal referred to
45 above is not performed in a timely manner, the owner shall be subject to civil
46 enforcement proceedings in accordance with § 240-54C.

1
2 [r] Interference. In the event that the wireless communications facility
3 causes interference with the radio or television reception of any Township resident for a
4 period of three continuous days, the resident shall notify the applicant of such
5 interference and the applicant, at the applicant's sole expense, shall thereafter ensure
6 that any interference problems are promptly corrected. In the event that the interference
7 is not corrected in a timely manner, the applicant shall be subject to the civil
8 enforcement proceedings in accordance with § 240-54C.

9
10 [s] Annual report. In January of each year, the owner of any wireless
11 communications facility shall pay the registration fee as established from time to time by
12 resolution of the Board of Supervisors and shall provide the Township with the following
13 information.

- 14 [i] The names and addresses of the owner of the wireless
15 communications facility and any organizations utilizing the
16 wireless communications facility and telephone numbers of
17 the appropriate contact person in case of emergency.
18
19 [ii] The name and address of the property owner on which the
20 wireless communications facility is located.
21
22 [iii] The location of the wireless communications facility by
23 geographic coordinates, indicating the latitude and longitude.
24
25 [iv] Output frequency of the transmitter.
26
27 [v] The type of modulation, digital format and class of service.
28
29 [vi] Commercial communications antenna(e) gain.
30
31 [vii] The effective radiated power of the commercial
32 communications antenna(e).
33
34 [viii] The number of transmitters, channels and commercial
35 communications antenna(e).
36
37 [ix] A copy of the owner's or operator's FCC authorization.
38
39 [x] Commercial communications antenna(e) height.
40
41 [xi] Power input to the commercial communications antenna(e).
42
43 [xii] Distance to nearest base station.
44
45

- 1 [xiii] A certification signed by an officer of the applicant that the
2 wireless communications facility is continuing to comply with
3 this chapter and all applicable governmental regulations,
4 including but not limited to output and emission limits
5 established by the FCC.
6
7 [xiv] A certificate of insurance issued to the owner/operators,
8 evidencing that there is adequate current liability insurance
9 in effect insuring against liability for personal injuries and
10 death and property damage caused by the land site and the
11 wireless communications facilities.
12
13 [xv] Changes occurring with respect to any of the information
14 required above shall be reported to the Township, in writing,
15 within 10 days of the effective date of such changes. The
16 failure to supply the annual report by the close of January
17 shall result in the issuance of an enforcement notice in
18 accordance with § 240-54.

19
20 [3] Standards for commercial communications antenna erected on an existing
21 structure. All applicants seeking to construct, erect, relocate or alter a commercial
22 communications antenna on an existing structure shall comply with the following
23 regulations. A written narrative that addresses how the applicant will meet each of the
24 regulations listed below shall be submitted with the conditional use application or the
25 building permit application for facilities built on Township owned property in the C-2
26 District.

27
28 [a] Location and height.

- 29
30 [i] The commercial communications antenna must be located
31 on an existing structure. For purposes of this Subsection, in
32 order to constitute an existing structure, the structure must
33 be one that was constructed and/or erected prior to April 7,
34 1998.
35
36 [ii] Steeple exception to existing structure requirement. The
37 applicant may, upon conditional use approval being granted
38 by the Board of Supervisors, install a commercial
39 communications antenna in any zoning district, in
40 accordance with the provision of this section provided the
41 commercial communications antenna shall be located
42 entirely within a steeple located on a place of worship and no
43 portion of the antenna shall be visible from the outside.
44
45 [iii] Limitations on Height. In no event shall mounted
46 commercial communications antenna(e) extend more than

1 25 feet above the height of the existing structure. The
2 applicant shall demonstrate that the proposed height of the
3 commercial communications antenna is the minimum height
4 required to provide satisfactory service for wireless
5 communications.
6

7 [b] Conditional Use.

8
9 [i] Site plan. A site plan shall be submitted with the conditional
10 use application or the building permit application for facilities
11 built on Township owned property in the C-2 District which
12 shows all existing and proposed structures and
13 improvements, including but not limited to the commercial
14 communications antenna(e), the existing structure to which
15 the commercial communications antenna(e) will be attached,
16 building, fencing, landscaping, parking, ingress and egress.
17 In addition, the site plan shall show each of the contiguous
18 properties, identified by tax parcel number and owner,
19 depicting all buildings and structures located on such
20 properties and their principal and/or accessory uses. The plan
21 shall comply with the requirements for a final plan as set forth
22 in Chapter 205, Subdivision and Land Development.
23

24 [ii] Miscellaneous Information and Reports. The conditional use
25 application or the building permit application for facilities built
26 on Township owned property in the C-2 District shall be
27 accompanied by the following:
28

29 [a] A propagation study demonstrating that there is a
30 substantial gap in coverage for the provider;

31
32 [b] A description of the type and manufacturer of the
33 proposed transmission/radio equipment;

34
35 [c] A study demonstrating compliance with the noise
36 standards in Section 240-24 of this chapter. In
37 instances where there are multiple carriers or multiple
38 equipment boxes proposed to be built on one site, the
39 applicant must demonstrate that the cumulative noise
40 from all carriers' equipment shall comply with the
41 noise standards in this chapter;

42
43 [d] The name, address and contact information for the
44 primary and secondary contact person responsible for
45 the facility operation and maintenance;
46

1 [e] A report from a registered professional engineer that
2 confirms that the radiofrequency emissions from the
3 proposed facility will comply with the Federal
4 Communications Commission standards.
5

6 [f] A certificate of insurance issued to the
7 owner/operators, evidencing that there is or will be
8 adequate current liability insurance in effect insuring
9 against liability for personal injuries and death and
10 property damage caused by the land site and the
11 proposed wireless communications facilities;
12

13 [g] A copy of the lease or other written agreement with
14 the property owner confirming that Applicant has
15 standing to file the application and maintain the
16 proposed facility on the subject property.
17

18 [iii] Licensing and applicable regulations. If the applicant is a
19 commercial wireless communications company, it must
20 demonstrate that it is licensed by the Federal
21 Communications Commission (FCC) and submit with the
22 conditional use application or the building permit application
23 for facilities built on Township owned property in the C-2
24 District copies of all FCC permits and licenses. All such
25 information shall be accompanied by a certification signed by
26 an officer of the applicant providing that, after due inquiry,
27 the information being supplied is true and correct to the best
28 of their knowledge, information and belief.
29

30 [iv] Section 106. The applicant shall provide proof to the
31 Township that it has complied with Section 106 of the
32 National Historic Preservation Act, 16 U.S.C. § 470f, as
33 amended, and has reviewed the effects of the proposed
34 wireless communications facilities on local historic resources
35 that are included in or eligible for inclusion in the National
36 Register of Historic Properties.
37

38 [v] Maintenance. During the conditional use hearing or as part
39 of the building permit application, the applicant shall describe
40 anticipated maintenance needs, including frequency of
41 service, personnel needs, equipment needs and the traffic
42 safety and noise impacts of such maintenance. If approved,
43 the applicant shall be responsible for maintaining the
44 commercial communications antenna(e) in the manner
45 described in the hearing or application or as required by the
46 Board as part of the conditional use approval.

1
2 [c] Building Permit Required. Upon approval of the conditional use
3 application the applicant shall apply for and obtain a building permit prior to the erection
4 of the commercial communications antenna on an existing structure. Prior to the
5 Township's issuance of a permit authorizing construction and erection of a commercial
6 communications antenna, a structural engineer registered in Pennsylvania shall issue to
7 the Township a written certification that confirms that the existing structure can support
8 the load of the proposed antenna and all cables associated therewith.

9
10 [d] Wireless communications equipment. A concrete pad not
11 exceeding 10 feet by 20 feet in area that contains up to three metal boxes housing the
12 equipment necessary for the proper functioning of the antenna may be located on the
13 property where the commercial communications antenna will be located. This pad must
14 be setback a minimum of ten feet from any property line and the combined height of the
15 pad and boxes may not exceed eight feet. Each unrelated company having an antenna
16 on the existing structure may have its own concrete pad provided that the total area of
17 all pads for all carriers located on the structure shall not exceed 500 square feet, unless
18 otherwise approved by the Board.

19
20 If the commercial communications antenna is installed on an existing utility pole,
21 the Board may authorize the installation of one or more cabinets on the utility pole upon
22 which the antenna(s) is located. The cabinets shall be located at the maximum height
23 allowed by the owner of the utility pole, however, in no case shall the bottom of any
24 cabinet be less than eight feet above ground level. The Board shall approve the color,
25 size and orientation of the cabinet(s) on the pole.

26
27 [e] Other facilities. With the exception of the wireless communications
28 equipment pad housing the equipment necessary to the proper functioning of the
29 commercial communications antenna(s), all other uses ancillary to commercial
30 communications antenna(s), including but not limited to a business office, mobile
31 telephone switching office, maintenance depot and vehicular storage area shall not be
32 located on any land site, unless otherwise permitted by the applicable district
33 regulations in which the site is located.

34
35 [f] Utilities. All utilities required for the antenna **and associated**
36 **ground equipment** shall be located underground.

37
38 [g] Required parking. If the wireless communication antenna is fully
39 automated, a minimum of two spaces shall be provided unless the applicant
40 demonstrates to the satisfaction of the Board of Supervisors that adequate parking is
41 available. If the wireless communication antenna is not fully automated, the number of
42 required parking spaces shall equal the number of employees present at the wireless
43 communication antenna during the largest shift.

44
45 [h] Safety of Antenna. The applicant shall demonstrate that the
46 proposed commercial communications antenna(e) are designed and constructed in

1 accordance with all applicable building standards for such facilities and structures,
2 including but not limited to the standards developed by the Electronics Industry
3 Association, the Institute of Electrical and Electronics Engineer, the
4 Telecommunications Industry Association, the American National Standards Institute,
5 the Electrical Industry Association and the Township's applicable Building Code. The
6 applicant shall demonstrate that the proposed wireless communications facility is
7 designed in such a manner so that no part of the facility will attract/deflect lightning onto
8 adjacent properties.

9
10 [i] Fencing. A security fence having a minimum height of six (6) feet
11 shall be required around the equipment buildings or pads.

12
13 [j] Landscaping. Unless prohibited by federal or state law, the
14 following landscaping shall be required to screen the equipment building or pads. The
15 Board of Supervisors may permit any combination of existing vegetation, topography,
16 walls, decorative fences or other features instead of landscaping, if, in the discretion of
17 the Board of Supervisors, they achieve the same degree of screening as the required
18 landscaping.

19
20 [i] An evergreen screen shall be required to surround the
21 equipment building or pad. The screen can be either a
22 hedge planted three feet on center maximum or a row of
23 evergreen trees planted 10 feet on center maximum. The
24 evergreen screen shall be a minimum planted height of six
25 feet at planting and shall be capable of growing to a
26 minimum of 15 feet at maturity.

27
28 [ii] Existing vegetation on and around the land site shall be
29 preserved to the greatest extent possible.

30
31 [iii] The landscaping shall be maintained by the applicant for as
32 long as the facility is in operation.

33
34 [h] Proof of annual inspection.

35
36 [i] Annually, the owner of a commercial communications
37 antenna shall submit to the Township proof of the annual
38 inspection of the commercial communications antenna by an
39 independent professional engineer as required by the
40 ANSI/EIA/TIA-222-E Code. Based upon the results of such
41 inspection, the Board of Supervisors may require removal or
42 repair of the wireless communications facility.

43
44 [ii] In the event that the annual inspection referred to above is
45 not performed in a timely manner or if the owner of the
46 antenna fails to make the necessary repairs or to remove the

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antenna when directed by the Board, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54.

1 [i] Lighting. Commercial communications antenna shall meet all
2 Federal Aviation Administration (FAA) regulations. No commercial communications
3 antenna may be artificially lighted except when required by the FAA or other
4 governmental authority. When lighting is required by the FAA or other governmental
5 authority, it shall be limited to the minimum lumens and number of lights so required and
6 it shall be oriented inward so as not to project onto surrounding properties. The
7 applicant shall promptly report any outage or malfunction of FAA mandated lighting to
8 the appropriate governmental authorities and to the Township.

9
10 [j] Abandonment. If use of the wireless communications antenna is
11 abandoned, or if the wireless communications antenna is not in use for a period of six
12 months or longer, the owner shall remove the wireless communications antenna from
13 the existing structure within six months of such abandonment and/or nonuse. All costs
14 of demolition and/or removal shall be borne by the owner of the wireless
15 communications antenna. In the event that the demolition and/or removal referred to
16 above is not performed in a timely manner, the owner shall be subject to civil
17 enforcement proceedings in accordance with § 240-54C.

18
19 [k] Interference. In the event that the wireless communications
20 antenna causes interference with the radio or television reception of any Township
21 resident for a period of three continuous days, the resident shall notify the applicant of
22 such interference and the applicant, at the applicant's sole expense, shall thereafter
23 ensure that any interference problems are promptly corrected. In the event that the
24 interference is not corrected in a timely manner, the applicant shall be subject to the civil
25 enforcement proceedings in accordance with § 240-54C.

26
27 [l] Visual appearance. All wireless communications equipment
28 buildings and other accessory facilities shall be aesthetically and architecturally
29 compatible with the surrounding environment and shall maximize the use of a like
30 facade to blend with the existing surroundings and neighboring buildings to the greatest
31 extent possible.

32
33 [m] Annual report. In January of each year, the owner of any wireless
34 communications antenna shall pay the registration fee as established from time to time
35 by resolution of the Board of Supervisors and shall provide the Township with the
36 information specified in Section 240-31(h)[2][s]. Failure to supply the annual report by
37 the close of the following January shall result in the issuance of an enforcement notice
38 in accordance with Section 240-54.

39
40 [n] Signs. No sign or other structure shall be mounted on the wireless
41 communications antenna, except as may be required by the FCC, FAA or other
42 governmental agency.

EAST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ - 2011

AN ORDINANCE OF EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 240 OF THE EAST GOSHEN TOWNSHIP CODE, TITLED, "ZONING", SECTION 240-15.B TO ALLOW WIRELESS COMMUNICATIONS FACILITIES ON TOWNSHIP OWNED PROPERTY IN THE C-2 DISTRICT BY RIGHT AND SECTION 240-31.C(3)(h) TO AMEND THE REGULATIONS FOR WIRELESS COMMUNICATIONS FACILITIES.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of East Goshen Township, that Chapter 240 of the Code of the Township of East Goshen, titled, "Zoning", shall be amended as follows:

SECTION 1. Section 240-15.B. shall be amended by adding a new subparagraph (12) which shall read as follows:

"(12) Wireless communications facility and commercial radio or television tower/antennas on Township owned property, subject to compliance with the standards in § 240-31.C(3)(h)."

SECTION 2. Section 240-31.C(3)(h) shall be revised as follows:

"(h) Wireless communications facilities.

[1] Purpose. The purpose of this subsection and the standards established herein are to govern the use, construction and siting of wireless communications facilities in recognition of the nature of wireless communications systems and the Federal Telecommunications Act of 1996, as amended from time to time. These regulations are intended to:

[a] Accommodate the need for wireless communications facilities while regulating their location and number so as to ensure the provision for necessary services.

[b] Minimize the adverse visual effects and the number of such facilities through proper design, siting, screening, material, color and finish, and by requiring that competing providers of wireless communications services collocate their commercial communications antennae and related facilities on existing towers if possible.

[c] Ensure the structural integrity of commercial communications antenna support structures through compliance with applicable industry standards and regulations, including the Township's Building Code.

[d] Promote the health, safety and welfare of the Township's residents.

[2] Standards for commercial communications antenna erected on a commercial communications support structure. All applicants seeking to construct, erect, relocate or alter a commercial communications support structure shall comply with the following regulations. A written narrative that addresses how the applicant will meet each of the regulations listed below shall be submitted with the conditional use application or building permit application in the case of a facility built on Township owned property in the C-2 District.

[a] Location and height.

[i] Permissible Locations. Wireless communications facilities must be located on property within the following zoning districts where permitted by right or as a conditional use and only in such location within that district and at a minimum height necessary to satisfy their function in the applicant's wireless communications system. The zoning districts in which wireless communications facilities are permitted by conditional use are the BP and I-1 Districts. Wireless Communications facilities are also permitted by right on Township owned property in the C-2 District.

[ii] Maximum heights. No commercial communications antenna support structure serving a single provider shall be taller than 120 feet, measured from undisturbed ground level, unless the applicant proves that another provider of wireless communications services has agreed to collocate commercial communications antenna(e) on the applicant's commercial communications antenna support structure. In such case, the commercial communications antenna support structure shall not exceed 150 feet. No applicant shall have the right under these regulations to erect a tower to the maximum height specified, unless it proves the necessity for such height. The applicant shall demonstrate that the proposed height of the commercial communications antenna support structure and the commercial communications antennae intended to be attached thereto is the minimum height required to provide satisfactory service for wireless communications.

[b] Conditional Use Application or Building Permit Application for Facilities Built on Township Owned Property in the C-2 District.

- [i] Site plan. A site plan shall be submitted with the conditional use application or the building permit application for facilities built on Township owned property in the C-2 District which shows all existing and proposed structures and improvements, including but not limited to the commercial communications antenna(e), commercial communications antenna support structure, building, fencing, landscaping, parking, ingress and egress. In addition, the site plan shall show each of the contiguous properties, identified by tax parcel number and owner, depicting all buildings and structures located on such properties and their principal and/or accessory uses. The plan shall comply with the requirements for a final plan as set forth in Chapter 205, Subdivision and Land Development.

- [ii] Miscellaneous Information and Reports. The conditional use application or the building permit application for facilities built on Township owned property in the C-2 District shall be accompanied by the following:
 - [a] A propagation study demonstrating that there is a substantial gap in coverage for the provider;
 - [b] A description of the type and manufacturer of the proposed transmission/radio equipment;
 - [c] A study demonstrating compliance with the noise standards in Section 240-24 of this chapter. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards in this chapter;
 - [d] The name, address and contact information for the primary and secondary contact person responsible for the facility operation and maintenance;
 - [e] A report which addresses the potential impacts associated with constructing the facility and possible mitigation measures if negative impacts are expected to occur on surrounding properties;

- [f] A report from a registered professional engineer that confirms that the radiofrequency emissions from the proposed facility will comply with the Federal Communications Commission standards;
 - [g] A certificate of insurance issued to the owner/operators, evidencing that there is or will be adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the land site and the proposed facilities;
 - [h] A copy of the lease or other written agreement with the property owner confirming that Applicant has standing to file the application and maintain the proposed facility on the subject property.
- [iii] Licensing and applicable regulations. If the applicant is a commercial wireless communications company, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with the conditional use application or the building permit application for facilities built on Township owned property in the C-2 District copies of all FCC permits and licenses. All such information shall be accompanied by a certification signed by an officer of the applicant providing that, after due inquiry, the information being supplied is true and correct to the best of their knowledge, information and belief.
- [iv] Section 106. The applicant shall provide proof to the Township that it has complied with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f, as amended, and has reviewed the effects of the proposed wireless communications facilities on local historic resources that are included in or eligible for inclusion in the National Register of Historic Properties.
- [v] Maintenance. During the conditional use hearing or as part of the building permit application, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs and the traffic safety and noise impacts of such maintenance. If approved, the applicant shall be responsible for maintaining the commercial facility in the manner described in the hearing or application as required by the Board as part of the conditional use approval.

[vi] Collocation. Prior to the Board's approval of a conditional use or building permit for facilities built on Township owned property in the C-2 District authorizing the construction and installation of a commercial communications antenna support structure (tower) it shall be incumbent upon the applicant to prove to the reasonable satisfaction of the Board 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, existing commercial communications support structures, and other available tall structures. 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 commercial communications antenna(e) on those structures and has been denied such permission. The Board of Supervisors may deny an application to construct a new commercial communications antenna support structure if the applicant has not made a good faith effort to mount the commercial communications antenna(e) on an existing structure as set forth in this subsection.

[c] Building Permit Required. Upon approval of the conditional use application, the applicant shall apply for and obtain a building permit prior to the erection of the commercial communications support structure.

[i] Soil report. A soil report complying with the standards of Geotechnical Investigations, ANSI/EIA-222-E, as amended, shall be submitted to the Township Engineer to document and verify the design specifications of the foundation for the commercial communications antenna support structure, and anchors for the guy wires, if used.

[ii] Certification by engineer. Prior to the Township's issuance of a permit authorizing construction and erection of a commercial communications antenna support structure, a structural engineer registered in Pennsylvania shall issue to the Township a written certification of its ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association, and certify the proper construction of the foundation and the erection of the commercial communications antenna support structure.

[d] Wireless communications equipment building or pad. Either one single-story wireless communications equipment building not exceeding 500 square feet in area, or a concrete pad not exceeding 500 square feet in area that houses the equipment necessary for the proper functioning of the tower and commercial communications antenna(s) may be located on the property where the tower is located. This pad must be setback a minimum of ten feet from any property line and the combined height of the pad and any structures erected on such pad may not exceed eight feet. Each unrelated company sharing commercial communications antenna(e) space on the tower may have its own building or pad provided that the total area of all buildings or pads on the site shall not exceed 500 square feet, unless otherwise approved by the Board.

[e] Other facilities. With the exception of the wireless communications equipment building or pad housing the equipment necessary for the proper functioning of the tower and commercial communications antenna(s), all other uses ancillary to commercial communications antenna(s) and commercial communications antenna support structures, including but not limited to a business office, mobile telephone switching office, maintenance depot and vehicular storage area shall not be located on any land site, unless otherwise permitted by the applicable district regulations in which the site is located.

[f] Utilities. All utilities required for the facility shall be located underground.

[g] Setbacks from tower base. The minimum setback for the tower base shall comply with the minimum setbacks established for the zoning district in which the tower is located.

[h] Antenna support structure safety. The applicant shall demonstrate that the proposed commercial communications antenna(e) and commercial communications antenna support structure are designed and constructed in accordance with all applicable building standards for such facilities and structures, including but not limited to the standards developed by the Electronics Industry Association, the Institute of Electrical and Electronics Engineer, the Telecommunications Industry Association, the American National Standards Institute, the Electrical Industry Association and the Township's applicable Building Code. The applicant shall demonstrate that the proposed wireless communications facility is designed in such a manner so that no part of the facility will attract/deflect lightning onto adjacent properties.

[i] Fencing. A security fence having a minimum height of six (6) feet shall be required around the antenna support structure and other equipment.

[j] Landscaping. Unless prohibited by federal or state laws, the following landscaping shall be required to screen as much of a newly constructed commercial communications antenna support structure as possible. The Board of Supervisors may permit any combination of existing vegetation, topography, walls,

decorative fences or other features instead of landscaping, if, in the discretion of the Board of Supervisors, they achieve the same degree of screening as the required landscaping.

- [i] An evergreen screen shall be required to surround the commercial communications antenna support structure. The screen can be either a hedge planted three feet on center maximum or a row of evergreen trees planted 10 feet on center maximum. The evergreen screen shall be a minimum planted height of six feet at planting and shall be capable of growing to a minimum of 15 feet at maturity.
- [ii] Existing vegetation on and around the land site shall be preserved to the greatest extent possible.
- [iii] The landscaping shall be maintained by the applicant for as long as the facility is in operation.

[k] Design. In order to reduce the number of commercial communications antenna support structures in the Township in the future, the proposed commercial communications antenna support structure shall be designed to accommodate other potential communication users, including but not limited to commercial wireless communication companies, local police, fire and ambulance companies.

[l] Proof of annual inspection.

- [i] Annually, the owner of a commercial communications antenna support structure shall submit to the Township proof of the annual inspection of the commercial communications antenna support structure and commercial communications antenna(e) by an independent professional engineer as required by the ANSI/EIA/TIA-222-E Code. Based upon the results of such inspection, the Board of Supervisors may require removal or repair of the wireless communications facility.
- [ii] In the event that the annual inspection referred to above is not performed in a timely manner or if the owner of the wireless communications facility fails to make the necessary repairs or to remove the facility when directed by the Board the owner shall be subject to civil enforcement proceedings in accordance with § 240-54.

[m] Required parking. If the wireless communication facility is fully automated, a minimum of two spaces shall be provided unless the applicant demonstrates to the satisfaction of the Board of Supervisors that adequate parking is available. If the wireless communication facility is not fully automated, the number of required parking spaces shall equal the number of employees present at the wireless communication facility during the largest shift.

[n] Visual appearance. Commercial communications antenna support structures shall be painted silver, or another color approved by the Board, or shall have a galvanized finish. All wireless communications equipment buildings and other accessory facilities shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

[o] Signs. No sign or other structure shall be mounted on the wireless communications facility, except as may be required by the FCC, FAA or other governmental agency.

[p] Lighting. Commercial communications antenna support structures shall meet all Federal Aviation Administration (FAA) regulations. No commercial communications antenna support structure may be artificially lighted except when required by the FAA or other governmental authority. When lighting is required by the FAA or other governmental authority, it shall be limited to the minimum lumens and number of lights so required and it shall be oriented inward so as not to project onto surrounding properties. The applicant shall promptly report any outage or malfunction of FAA mandated lighting to the appropriate governmental authorities and to the Township Secretary.

[q] Abandonment. If use of the wireless communications facility is abandoned, or if the wireless communications facility is not in use for a period of six months or longer, the owner shall demolish and/or remove the wireless communications facility from the land site within six months of such abandonment and/or nonuse. All costs of demolition and/or removal shall be borne by the owner of the wireless communications facility. In the event that the demolition and/or removal referred to above is not performed in a timely manner, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54C.

[r] Interference. In the event that the wireless communications facility causes interference with the radio or television reception of any Township resident for a period of three continuous days, the resident shall notify the applicant of such interference and the applicant, at the applicant's sole expense, shall thereafter ensure that any interference problems are promptly corrected. In the event that the interference is not corrected in a timely manner, the applicant shall be subject to the civil enforcement proceedings in accordance with § 240-54C.

[s] Annual report. In January of each year, the owner of any wireless communications facility shall pay the registration fee as established from time to time by resolution of the Board of Supervisors and shall provide the Township with the following information.

- [i] The names and addresses of the owner of the wireless communications facility and any organizations utilizing the wireless communications facility and telephone numbers of the appropriate contact person in case of emergency.
- [ii] The name and address of the property owner on which the wireless communications facility is located.
- [iii] The location of the wireless communications facility by geographic coordinates, indicating the latitude and longitude.
- [iv] Output frequency of the transmitter.
- [v] The type of modulation, digital format and class of service.
- [vi] Commercial communications antenna(e) gain.
- [vii] The effective radiated power of the commercial communications antenna(e).
- [viii] The number of transmitters, channels and commercial communications antenna(e).
- [ix] A copy of the owner's or operator's FCC authorization.
- [x] Commercial communications antenna(e) height.
- [xi] Power input to the commercial communications antenna(e).
- [xii] Distance to nearest base station.
- [xiii] A certification signed by an officer of the applicant that the wireless communications facility is continuing to comply with this chapter and all applicable governmental regulations, including but not limited to output and emission limits established by the FCC.
- [xiv] A certificate of insurance issued to the owner/operators, evidencing that there is adequate current liability insurance in effect insuring against liability for personal injuries and

death and property damage caused by the land site and the wireless communications facilities.

- [xv] Changes occurring with respect to any of the information required above shall be reported to the Township, in writing, within 10 days of the effective date of such changes. The failure to supply the annual report by the close of January shall result in the issuance of an enforcement notice in accordance with § 240-54.

[3] Standards for commercial communications antenna erected on an existing structure. All applicants seeking to construct, erect, relocate or alter a commercial communications antenna on an existing structure shall comply with the following regulations. A written narrative that addresses how the applicant will meet each of the regulations listed below shall be submitted with the conditional use application or the building permit application for facilities built on Township owned property in the C-2 District.

[a] Location and height.

- [i] The commercial communications antenna must be located on an existing structure. For purposes of this Subsection, in order to constitute an existing structure, the structure must be one that was constructed and/or erected prior to April 7, 1998.
- [ii] Steeple exception to existing structure requirement. The applicant may, upon conditional use approval being granted by the Board of Supervisors, install a commercial communications antenna in any zoning district, in accordance with the provision of this section provided the commercial communications antenna shall be located entirely within a steeple located on a place of worship and no portion of the antenna shall be visible from the outside.
- [iii] Limitations on Height. In no event shall mounted commercial communications antenna(e) extend more than 25 feet above the height of the existing structure. The applicant shall demonstrate that the proposed height of the commercial communications antenna is the minimum height required to provide satisfactory service for wireless communications.

[b] Conditional Use.

- [i] Site plan. A site plan shall be submitted with the conditional use application or the building permit application for facilities built on Township owned property in the C-2 District which shows all existing and proposed structures and improvements, including but not limited to the commercial communications antenna(e), the existing structure to which the commercial communications antenna(e) will be attached, building, fencing, landscaping, parking, ingress and egress. In addition, the site plan shall show each of the contiguous properties, identified by tax parcel number and owner, depicting all buildings and structures located on such properties and their principal and/or accessory uses. The plan shall comply with the requirements for a final plan as set forth in Chapter 205, Subdivision and Land Development.
- [ii] Miscellaneous Information and Reports. The conditional use application or the building permit application for facilities built on Township owned property in the C-2 District shall be accompanied by the following:
 - [a] A propagation study demonstrating that there is a substantial gap in coverage for the provider;
 - [b] A description of the type and manufacturer of the proposed transmission/radio equipment;
 - [c] A study demonstrating compliance with the noise standards in Section 240-24 of this chapter. In instances where there are multiple carriers or multiple equipment boxes proposed to be built on one site, the applicant must demonstrate that the cumulative noise from all carriers' equipment shall comply with the noise standards in this chapter;
 - [d] The name, address and contact information for the primary and secondary contact person responsible for the facility operation and maintenance;
 - [e] A report from a registered professional engineer that confirms that the radiofrequency emissions from the proposed facility will comply with the Federal Communications Commission standards.

[f] A certificate of insurance issued to the owner/operators, evidencing that there is or will be adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the land site and the proposed wireless communications facilities;

[g] A copy of the lease or other written agreement with the property owner confirming that Applicant has standing to file the application and maintain the proposed facility on the subject property.

[iii] Licensing and applicable regulations. If the applicant is a commercial wireless communications company, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with the conditional use application or the building permit application for facilities built on Township owned property in the C-2 District copies of all FCC permits and licenses. All such information shall be accompanied by a certification signed by an officer of the applicant providing that, after due inquiry, the information being supplied is true and correct to the best of their knowledge, information and belief.

[iv] Section 106. The applicant shall provide proof to the Township that it has complied with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f, as amended, and has reviewed the effects of the proposed wireless communications facilities on local historic resources that are included in or eligible for inclusion in the National Register of Historic Properties.

[v] Maintenance. During the conditional use hearing or as part of the building permit application, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs and the traffic safety and noise impacts of such maintenance. If approved, the applicant shall be responsible for maintaining the commercial communications antenna(e) in the manner described in the hearing or application or as required by the Board as part of the conditional use approval.

[c] Building Permit Required. Upon approval of the conditional use application the applicant shall apply for and obtain a building permit prior to the erection of the commercial communications antenna on an existing structure. Prior to the Township's issuance of a permit authorizing construction and erection of a commercial

communications antenna, a structural engineer registered in Pennsylvania shall issue to the Township a written certification that confirms that the existing structure can support the load of the proposed antenna and all cables associated therewith.

[d] Wireless communications equipment. A concrete pad not exceeding 10 feet by 20 feet in area that contains up to three metal boxes housing the equipment necessary for the proper functioning of the antenna may be located on the property where the commercial communications antenna will be located. This pad must be setback a minimum of ten feet from any property line and the combined height of the pad and boxes may not exceed eight feet. Each unrelated company having an antenna on the existing structure may have its own concrete pad provided that the total area of all pads for all carriers located on the structure shall not exceed 500 square feet, unless otherwise approved by the Board.

If the commercial communications antenna is installed on an existing utility pole, the Board may authorize the installation of one or more cabinets on the utility pole upon which the antenna(s) is located. The cabinets shall be located at the maximum height allowed by the owner of the utility pole, however, in no case shall the bottom of any cabinet be less than eight feet above ground level. The Board shall approve the color, size and orientation of the cabinet(s) on the pole.

[e] Other facilities. With the exception of the wireless communications equipment pad housing the equipment necessary to the proper functioning of the commercial communications antenna(s), all other uses ancillary to commercial communications antenna(s), including but not limited to a business office, mobile telephone switching office, maintenance depot and vehicular storage area shall not be located on any land site, unless otherwise permitted by the applicable district regulations in which the site is located.

[f] Utilities. All utilities required for the antenna and associated ground equipment shall be located underground.

[g] Required parking. If the wireless communication antenna is fully automated, a minimum of two spaces shall be provided unless the applicant demonstrates to the satisfaction of the Board of Supervisors that adequate parking is available. If the wireless communication antenna is not fully automated, the number of required parking spaces shall equal the number of employees present at the wireless communication antenna during the largest shift.

[h] Safety of Antenna. The applicant shall demonstrate that the proposed commercial communications antenna(e) are designed and constructed in accordance with all applicable building standards for such facilities and structures, including but not limited to the standards developed by the Electronics Industry Association, the Institute of Electrical and Electronics Engineer, the Telecommunications Industry Association, the American National Standards Institute, the Electrical Industry Association and the Township's applicable Building Code. The

applicant shall demonstrate that the proposed wireless communications facility is designed in such a manner so that no part of the facility will attract/deflect lightning onto adjacent properties.

[i] Fencing. A security fence having a minimum height of six (6) feet shall be required around the equipment buildings or pads.

[j] Landscaping. Unless prohibited by federal or state law, the following landscaping shall be required to screen the equipment building or pads. The Board of Supervisors may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if, in the discretion of the Board of Supervisors, they achieve the same degree of screening as the required landscaping.

[i] An evergreen screen shall be required to surround the equipment building or pad. The screen can be either a hedge planted three feet on center maximum or a row of evergreen trees planted 10 feet on center maximum. The evergreen screen shall be a minimum planted height of six feet at planting and shall be capable of growing to a minimum of 15 feet at maturity.

[ii] Existing vegetation on and around the land site shall be preserved to the greatest extent possible.

[iii] The landscaping shall be maintained by the applicant for as long as the facility is in operation.

[k] Proof of annual inspection.

[i] Annually, the owner of a commercial communications antenna shall submit to the Township proof of the annual inspection of the commercial communications antenna by an independent professional engineer as required by the ANSI/EIA/TIA-222-E Code. Based upon the results of such inspection, the Board of Supervisors may require removal or repair of the wireless communications facility.

[ii] In the event that the annual inspection referred to above is not performed in a timely manner or if the owner of the antenna fails to make the necessary repairs or to remove the antenna when directed by the Board, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54.

[l] Lighting. Commercial communications antenna shall meet all Federal Aviation Administration (FAA) regulations. No commercial communications antenna may be artificially lighted except when required by the FAA or other governmental authority. When lighting is required by the FAA or other governmental authority, it shall be limited to the minimum lumens and number of lights so required and it shall be oriented inward so as not to project onto surrounding properties. The applicant shall promptly report any outage or malfunction of FAA mandated lighting to the appropriate governmental authorities and to the Township.

[m] Abandonment. If use of the wireless communications antenna is abandoned, or if the wireless communications antenna is not in use for a period of six months or longer, the owner shall remove the wireless communications antenna from the existing structure within six months of such abandonment and/or nonuse. All costs of demolition and/or removal shall be borne by the owner of the wireless communications antenna. In the event that the demolition and/or removal referred to above is not performed in a timely manner, the owner shall be subject to civil enforcement proceedings in accordance with § 240-54C.

[n] Interference. In the event that the wireless communications antenna causes interference with the radio or television reception of any Township resident for a period of three continuous days, the resident shall notify the applicant of such interference and the applicant, at the applicant's sole expense, shall thereafter ensure that any interference problems are promptly corrected. In the event that the interference is not corrected in a timely manner, the applicant shall be subject to the civil enforcement proceedings in accordance with § 240-54C.

[o] Visual appearance. All wireless communications equipment buildings and other accessory facilities shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

[p] Annual report. In January of each year, the owner of any wireless communications antenna shall pay the registration fee as established from time to time by resolution of the Board of Supervisors and shall provide the Township with the information specified in Section 240-31(h)[2][s]. Failure to supply the annual report by the close of the following January shall result in the issuance of an enforcement notice in accordance with Section 240-54.

[q] Signs. No sign or other structure shall be mounted on the wireless communications antenna, except as may be required by the FCC, FAA or other governmental agency.”

SECTION 3. 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 4. 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 5. 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
ACTION ITEM**

Item: **Wireless Ordinance** No: ADM 07-01

List Date: 6/29/2007 Completed Date:

Description: Review and revise Ordinance.

Date	Action
5/4/2010	Bring ordinance up to standards and close some loopholes. Remove annual reporting and fee. Wireless carrier name change. Review satellite dishes
5/4/2010	Memo from Mark Gordon.
5/25/2010	Mark to review Ordinance with Jeff Sommer to address issues related to current technology, configurations and Township restrictions.
7/27/2010	The first draft of the ordinance is attached. It is still a work in progress. If you have any comments please pass them on to Mark Gordon. Once we have incorporated the comments we will have a draft for the Board's review.
9/14/2010	Comments have been sent to Kristin- She is working on revised ordinance
10/5/2010	We have sent additional comments to Kristin- She is working on revised ordinance
11/3/2010	Second Draft is attached for review tabled to 11/9
11/9/2010	Second Draft is attached for review
12/14/2010	Don is working with Kristin on this
3/8/2011	PC is still reviewing draft ordinance
4/26/2011	PC is still reviewing draft ordinance
5/3/2011	Final draft of the ordinance is on PC 5/4 agenda.
6/7/2011	Final draft of the ordinance as approved by PC is attached

**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
5/3/2011	J. Fokas was at 4/19 meeting and said there was a mix-up in communications and that the requested info would be forthcoming
5/24/2011	Info in Finance Report
6/7/2011	Set date to discuss

**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
6/7/2011	<p>We can utilize the same process that the Police Commission uses. The Commission currently deposits \$66,000 a year to this fund. You just need to create by resolution a separate fund that would be held in East Goshen Township's name. . The question is "how much do you want to deposit to the fund. annually?". We are responsible for ~56% of the liability.</p>

E

WESTTOWN EAST GOSHEN
REGIONAL POLICE COMMISSION
HEALTH & WELFARE PLAN

GASB 45 LIABILITY DISCLOSURE
FOR CALENDAR YEAR 2008

POTENTIAL REPORTING SCENARIOS UNDER
GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT 45
POSTEMPLOYMENT BENEFIT LIABILITY DISCLOSURE

BEYER-BARBER COMPANY

Employee Benefit and
Actuarial Consultants
1136 Hamilton Street
Allentown, PA 18101
July 25, 2008



BEYER-BARBER COMPANY

1136 HAMILTON STREET, SUITE 103
ALLENTOWN, PENNSYLVANIA 18101

PHONE 610-435-9577
FAX 610-435-2663
E-MAIL bbco@enter.net

July 25, 2008

Ms. Kathy Brill
Westtown East Goshen Regional Police Commission
1081 Wilmington Pike
West Chester, PA 19382

RE: GASB 45 Disclosure

Dear Ms. Brill,

Government Accounting Standards Board Statements 43 and 45 require the disclosure of liabilities relating to post-employment benefits other than pensions on the financial statements of the plan (GASB 43) and on the financial statements of the government entity (GASB 45). Keep in mind that these Statements do not require pre-funding of the post-employment benefits. They only require disclosure of the liabilities.

The following report provides three potential reporting scenarios of the actuarial valuation of the Postretirement Benefit Liability for the Westtown East Goshen Regional Police Commission Health and Welfare Fund for the plan year beginning January 1, 2008 in accordance with GASB Statement 45. The different scenarios are based on Pay-As-You-Go, Partial and Fully Funded bases. The Westtown East Goshen Regional Police Commission is currently providing post-employment benefits other than pension on a Pay-As-You-Go basis.

Post-employment benefits other than pension include benefits such as medical, dental, vision, hearing, life insurance, long term disability, long term care, death benefits, and any payments made to the retiree that are to be used for such coverage. Westtown East Goshen Regional Police Commission provides medical and prescription drug coverages as well as life insurance to eligible Police Officer retirees and their spouses to age 65 as described in Section 4. We are not aware of any other post-employment benefits that are offered to any other class of retirees that are subsidized by the Commission.

The actuarial computations provided have been determined as of January 1, 2008. These calculations have been made on a basis consistent with our understanding of GASB 45. Westtown East Goshen Regional Police Commission is first required to include a GASB 45 disclosure on its financial statements beginning fiscal year ending December 31, 2009, although earlier disclosure is permitted. Even though the disclosure must be included on the financial statements every year beginning with the fiscal year ending December 31, 2009, a municipal entity as small as Westtown East Goshen Regional Police Commission is only required to have an actuarial valuation performed once every three (3) years.

We have made these determinations under the presumption that the Westtown East Goshen Regional Police Commission will continue to provide postretirement health and welfare

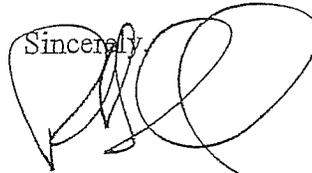
Ms. Kathy Brill

July 25, 2008

benefits. Were the Fund to terminate, different actuarial assumptions and other factors might be applicable in determining the postretirement benefit liability. Should the Commission have the right to terminate the retiree health coverage at any time, any actuarial figures provided herein should not be taken to imply a legal obligation to pay benefits.

If you have any questions concerning this report, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rande W. Sekol', written over the word 'Sincerely,'.

Rande W. Sekol, EA, MAAA, FCA
CEO and Chief Actuary

Cc: Thomas J. Anderson

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SECTION 1

VALUATION RESULTS

The following exhibits show key valuation results for the Westtown East Goshen Regional Police Commission assuming three alternative funding options and discount rates. The possible funding options are pay-as-you-go, partial funding, and full funding. The following describes the different assumptions utilized under each of the possible funding methods. In all three cases, the Unfunded Actuarial Accrued Liability (UAAL) is amortized as a level dollar amount over the GASB No. 45 maximum amortization period of 30 years.

You will notice that all three funding scenario exhibits show the Actuarial Value of Assets as \$0. That is because GASB Statements 43 and 45 specify that in order for "assets" to be counted toward the post-employment liability, they must be held in a separate, irrevocable trust that may not be used for any purpose other than providing benefits to retirees in accordance with the plan. The trust must also be legally protected from creditors of both the employer and plan administrator, if any. For example, an earmarked amount within the Commission's general fund will not meet this definition of "assets". We recommend that Westtown East Goshen Regional Police Commission consider taking steps to establish a retiree fund that meets the GASB requirements.

Pay-As-You-Go

Under the Pay-As-You-Go scenario, Westtown East Goshen Regional Police Commission would continue to pay healthcare premiums with no additional Commission contributions to pre-fund the benefits. A lower discount rate of 4.5% is assumed since the Commission's general fund is the "funding source" and is expected to be conservatively invested. The lower the discount rate, the higher the liabilities. If the Commission finances retiree healthcare benefits on a pay-as-you-go basis, the under-funded OPEB liability is projected to grow dramatically in future years.

- Commission's current "contribution" toward retiree costs (on an age-adjusted basis) is \$66,082.
- The Commission makes no additional contributions to a separate trust.
- As of 12/31/2008, the Commission's net OPEB obligation would be \$838,614 and would increase dramatically in future years.

Partial Funding

Under the Partial Funding scenario, the Westtown East Goshen Regional Police Commission is assumed to partially fund the Annual-Required Contribution by an amount equal to the Pay-As-You-Go cost plus 50% of the excess of the Annual Required Contribution over the Pay-As-You-Go cost. This money would be placed in a separate trust which is earmarked solely for retiree healthcare benefits as discussed above. Since this will result in a slow accumulation of assets that can be invested less conservatively than general fund assets, it can support a 6.125% discount rate. A higher discount rate results in lower liabilities and in turn, a lower under-funded OPEB liability.

- Commission's "contribution" toward retiree costs (on an age-adjusted basis) is \$66,082.

SECTION 1 (CONTINUED)

VALUATION RESULTS

- The Commission makes additional contributions of \$361,083 to a separate trust.
- As of 12/31/2008, the Commission's net OPEB obligation would be \$361,083 and would increase moderately in future years.

Full Funding

Under the Full Funding scenario, Westtown East Goshen Regional Police Commission is assumed to fully fund the Annual Required Contribution in the separate trust mentioned above. This will result in a faster accumulation of assets that can be more aggressively invested supporting a discount rate of 7.75%. Full Funding eliminates the under-funded OPEB liability.

- Commission's "contribution" toward retiree costs (on an age-adjusted basis) is \$66,082.
- Commission makes additional contributions of \$629,828 to a separate trust.
- As of 12/31/2008, the Commission's net OPEB obligation would be \$0.

WESTTOWN EAST GOSHEN
REGIONAL POLICE COMMISSION

OPEB ACTUARIAL VALUATION RESULTS
AS OF JANUARY 1, 2008
PAY-AS-YOU-GO FUNDING POLICY AT 4.5%

Number of Participants Covered	
Active Participants	30
Retired Participants	<u>2</u>
Total Participants	32
Actuarial Present Value of Projected Benefits	\$12,917,262
Actuarial Accrued Liability (Entry Age Normal Actuarial Cost Method)	\$6,250,900
Actuarial Value of Assets	\$0
Unfunded Actuarial Accrued Liability	\$6,250,900
Annual Required Contribution of the Employer (ARC)	
Normal Cost	\$498,511
Amortization of UAAL *	367,227
Interest	<u>38,958</u>
Total ARC (Annual OPEB Cost)	\$904,696
Pay-As-You-Go Employer Contribution for CY 2008	\$66,082
Additional Employer Contribution for CY 2008	<u>0</u>
Total Employer Contribution for CY 2008	\$66,082
Expected Net OPEB Obligation at 12/31/2008	\$838,614

* The UAAL is amortized over 30 years as a level dollar amount.

WESTTOWN EAST GOSHEN
REGIONAL POLICE COMMISSION

OPEB ACTUARIAL VALUATION RESULTS
AS OF JANUARY 1, 2008
PARTIAL FUNDING POLICY AT 6.125%

Number of Participants Covered	
Active Participants	30
Retired Participants	<u>2</u>
Total Participants	32
Actuarial Present Value of Projected Benefits	\$9,749,809
Actuarial Accrued Liability (Entry Age Normal Actuarial Cost Method)	\$5,292,770
Actuarial Value of Assets	\$0
Unfunded Actuarial Accrued Liability	\$5,292,770
Annual Required Contribution of the Employer (ARC)	
Normal Cost	\$375,573
Amortization of UAAL *	367,181
Interest	<u>45,494</u>
Total ARC (Annual OPEB Cost)	\$788,248
Pay-As-You-Go Employer Contribution for CY 2008	\$66,082
Additional Employer Contribution for CY 2008	<u>361,083</u>
Total Employer Contribution for CY 2008	\$427,165
Expected Net OPEB Obligation at 12/31/2008	\$361,083

* The UAAL is amortized over 30 years as a level dollar amount.

WESTTOWN EAST GOSHEN
REGIONAL POLICE COMMISSION
OPEB ACTUARIAL VALUATION RESULTS
AS OF JANUARY 1, 2008
FULL FUNDING POLICY AT 7.75%

Number of Participants Covered	30
Active Participants	<u>2</u>
Retired Participants	32
Total Participants	
Actuarial Present Value of Projected Benefits	\$7,514,444
Actuarial Accrued Liability (Entry Age Normal Actuarial Cost Method)	\$4,502,402
Actuarial Value of Assets	\$0
Unfunded Actuarial Accrued Liability	\$4,502,402
Annual Required Contribution of the Employer (ARC)	
Normal Cost	\$283,405
Amortization of UAAL *	362,451
Interest	<u>50,054</u>
Total ARC (Annual OPEB Cost)	\$695,910
Pay-As-You-Go Employer Contribution for CY 2008	\$66,082
Additional Employer Contribution for CY 2008	<u>629,828</u>
Total Employer Contribution for CY 2008	\$695,910
Expected Net OPEB Obligation at 12/31/2008	\$0

* The UAAL is amortized over 30 years as a level dollar amount.

SECTION 2

ACTUARIAL ASSUMPTIONS & METHODS

This section reflects the actuarial assumptions that have been used to make the determination of liabilities which are the basis of the actuarial disclosure information shown in Section 1 of this report. We have selected assumptions that are consistent with those used for the pension fund valuation. Note that these actuarial assumptions are effective as of the January 1, 2008 Measurement Date and may be changed for future Measurement Dates.

An actuarial valuation measures the program's funded status and annual funding of accounting costs based on the assumptions and methods selected. The funded status compares fund assets to Actuarial Accrued Liabilities, and the Annual Required Cost (ARC) represents the Normal Cost plus an amortization of the Unfunded Actuarial Accrued Liability adjusted for interest.

In the valuation process, certain economic and demographic assumptions are made relating to the projection of benefits, as well as the timing and duration of benefits. The stream of expected projected benefits is discounted to a present value as of the valuation date. The present value is then spread over past service (actuarial accrued liability), and service for the current year (normal cost) based on the chosen cost method.

Measurement Date – January 1, 2008

Actuarial Cost Method – Actuarial costs can be developed using any one of six different methods. The results in this report are based on the Entry Age Normal Cost Method. This cost method effectively spreads liabilities over the future working lifetime of active participants as a level percentage of payroll.

Discount Rate – The discount rate is based upon the funding method that the sponsor employs. When a pay-as-you-go method is used, benefits are expected to be paid out of the general fund of the Commission, which is expected to earn approximately 4.5% on short-term investments. Under a partial funding scenario, it is assumed that the Commission will contribute 50% of the excess of the full funding ARC over the pay-as-you-go costs, resulting in a discount rate of approximately 6.125%. This can be achieved only if a separate trust is developed that is earmarked solely for retiree healthcare benefits. In a fully funded plan, this trust would have sufficient assets to invest in an equity-fixed income diversified portfolio and is assumed to earn approximately 7.75%. We have provided results under all three scenarios.

Healthcare Cost Trend – The annual healthcare cost trend rate for under age 65 retirees is assumed to be 9.5% in 2008 decreasing by 0.5% per year to 5% in 2017 and thereafter.

Mortality – The 1992 Railroad Board Mortality Table for Males with Female lives set back 5 years.

SECTION 2 (CONTINUED)

ACTUARIAL ASSUMPTIONS & METHODS

Retirement Age – Due to the DROP feature of the pension plan, retirement is assumed at age 53 with 28 years of service. If 28 years of service is not attained by age 53, then retirement is assumed when the employee attains 28 years of service after age 53.

<u>Disability</u>	<u>Age</u>	<u>Rate</u>
	50 - 59	20%
	60	100%

Salary Scale – 5% per annum for wage inflation and merit increases.

Participation – 100% of retirees and spouses are assumed to participate in retiree medical and prescription drug coverages.

Healthcare Benefits – Under Age 65 retiree medical and prescription drug benefits are provided through a fully insured product known as Personal Choice Flex PPO. All medical and prescription drug coverage ends at the attainment of age 65 or upon eligibility for Medicare, whichever occurs first. These benefits are provided to all retirees and their spouses at no cost to the retiree. Benefits continue for the spouse after the death of the retiree until Medicare eligible.

Life Insurance Benefit – A life insurance benefit of \$62,500 is provided to all retirees at no cost to the retiree. This benefit is provided for the life of the retiree.



SECTION 3

SUMMARY OF PARTICIPANT DATA AS OF JANUARY 1, 2008

A. Summary of Lives

1. Retired Lives	2
2. Active Lives	
a. Fully Eligible	0
b. Not Fully Eligible	<u>30</u>
c. Total Active Lives	30
3. Total Lives	32

B. Other Participant Data

1. Avg. Svc. to Full Eligibility	8.2 yrs.
2. Avg. Svc. to Assumed Retirement Age	12.1 yrs.

SECTION 4

SALIENT FEATURES OF THE
WESTTOWN EAST GOSHEN REGIONAL POLICE COMMISSION
HEALTH & WELFARE FUND
POSTRETIREMENT BENEFIT PROVISIONS

The attached exhibit of salient features of the substantive plan reflects our understanding of the eligibility and benefit features offered to retired employees via the postretirement health and welfare benefit provisions. Our understanding of plan features is based on documents provided by the Commission.



WESTTOWN EAST GOSHEN REGIONAL POLICE COMMISSION
SALIENT FEATURES OF POST-EMPLOYMENT BENEFITS & ELIGIBILITY
AS OF JANUARY 1, 2008

Eligibility	Minimum of age 50 and 25 years of service.
Coverage	Medical and Rx coverage same as active for the retiree and spouse. No dental or vision. Coverage ends at age 65 or Medicare eligibility, whichever comes first. Medical and prescription drug coverage is defined as Personal Choice Flex PPO.
Other Available Coverage	If the retiree has coverage available through an alternate source (i.e. other employment or through a spouse), the retiree is required to accept such coverage. However, Westtown East Goshen shall reimburse any out-of-pocket expenses realized that would not have been realized had the retiree or spouse been a recipient of the Westtown East Goshen medical and Rx benefits.
Retiree Contribution	None
Spousal Coverage	Yes
Dependent Child Coverage	Westtown East Goshen does not pay for retiree dependent coverage. However, if the retiree wishes, he may purchase dependent coverage through Westtown East Goshen.
Retiree Survivor Benefits	Yes
Active Survivor Benefits	If an Active police officer dies while on duty, medical, Rx, dental and vision coverage will be provided to the spouse until remarriage, death or Medicare eligibility, whichever comes first. Dependent children of the deceased officer shall receive benefits until age 18 or 23, if the child is a full-time student.
Life Insurance	\$62,500 for Life

**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
3/1/2011	No change from summmary issued for 2/22/11 meeting
3/15/2011	Updated summary is attached (report has been reformatted)
4/5/2011	Updated summary is attached
4/19/2011	Updated summary is attached
5/3/2011	Updated summary is attached
5/24/2011	Updated summary is attached
6/7/2011	Updated summary is attached

ID	Item	Votes	Board Member	Staff Member	Due Date	Comments
9	Implement a Fully Integrated Cost Accounting System (108)	2	Don	Deb	3/31/2011	List approved 3/1/11. 1st draft of allocation under review by FC.
2	Merit Compensation	1		Rick	6/30/2011	Study
38	Reduce Frequency of Grounds Maintenance & Moving	1	P&R/Cons	Mark M.	6/30/2011	Do less mowing.
15	Assess/Replace HVAC System (95)	4	Carmen	Rick	6/30/2011	Waiting on report from HVAC contractor
29	Reevaluate Support of Fire Companies (23)	4	Carmen	Mark M.	6/30/2011	Info received 5/24
18	Work with Adjoining Townships for IT Support (116)		Don	Rick	6/30/2011	East Goshen and Westtown use Burt
30	Self Sustaining Park & Recreation Programs (104) (#30-37)	2	Thom	Frank	6/30/2011	30 - 37 require P & R input
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	We have a formal agreement with the YMCA.
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
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
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.
3	Minimize Community Vacancy		Senya	Mark G.		Healthy real estate is important
						Completed items have been removed

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:	Hershey's Mill Dam					No:	DPW 07-02
List Date:	5/22/2007		Completed Date:				
Description:	Bring Dam into compliance with DEP requirements or dispose of dam						
Date	Action						
	Grant declined. Committee formed to determine best option. Classification probably not changing. Hydrologic Study by advanced Geo Services.						
4/6/2010	Groups met 4/5. Board to discuss 4/13/10						
4/13/2010	Should we proceed with AGS or rebid work. What should be included in next phase of engineering work?						
5/4/2010	Advanced GEO Proposal for breach analysis and potential solutions.						
6/1/2010	Awaiting comments from Save the Dam group before taking action on GEO proposal.						
	Phase 1 approved.						
7/6/2010	Impoundment drained 6/30. Conceptual plans due for 7/20 meeting. Cost estimates due for 8/17.						
7/13/2010	Solicitor OK with sale of Dam property. Checking with DEP.						
7/20/2010	Options presented by Adv Geo. Pipe option out. Will price weir, breach, silt removal, ongoing maintenance, and check if required to remove silt under any scenario.						
8/10/2010	Accepted proposal to have an appraisal done.						
	Tentative award of \$15,000 grant						
8/17/2010	Authorized applying for grants to breach the dam						
8/24/2010	Review cost estimates						
9/7/2010	Received appraisal. Discuss conditions of sale with solicitor						
9/14/2010	Board to approve conditions of sale and the process						
10/5/2010	Bid Opening scheduled for 10/5. Received grant for \$15,000. Working on NOAA Grant						
10/12/2010	Bid Opening on 10/5. No bids received.						
	National Fish and Wildlife Association grant denied						
	Update from Don and Senya about meeting with Save the Dam Committee						
11/3/2010	Update from Joe and Neil about Save the Dam Committee						
	Linda G is researching two grants to beach the dam						
	Engineering cost estimate to breach has been received						
12/7/2010	The grant for funding the engineering for the dam breach has been completed and it will be submitted by 12/8 - Neil DeReimer updated BoS on HM Dam Committee actions						
1/3/2011	Update from Neil DeReimer						
2/1/2011	Update from Neil DeReimer						
3/1/2011	Update tabled to 3/8						
3/8/2011	Update from Neil DeReimer						
3/24/2011	American Rivers/NOAH grant denied						
4/5/2011	Update from Neil DeReimer						
5/10/2011	Update from Neil DeReimer						
6/7/2011	Update from Neil DeReimer						

EAST GOSHEN TOWNSHIP ACTION ITEM

Item: **Parking for Multi-Use Space in IP/BP District**

No: **PCZ 06-01**

List Date: **8/2/2006**

Completed Date:

Description:

Date	Action
	PC to review and recommend changes/No formal recommendation yet.
3/16/2010	Memo from Mark Gordon: Planning Commission has resurrected topic and will discuss at their April 7 Meeting.
4/22/2010	MG: No update from PC
6/2/2010	MG: PC to review draft ordinance revision
7/13/2010	August Planning Commission item.
7/22/2010	MG: PC discussed this item at length during their 7/21 WS and will forward a draft recommendation to the Board of Supervisors in August.
8/31/2010	MG: PC asked for some more information, still working on this item.
9/21/2010	will be on 10/6 PC agenda for discussion
10/12/2010	PC discussed on 10/6. PC requested that Mark obtain additional information.
11/9/2010	PC discussed on 11/4
12/14/2010	BoS ok with PC recommendation on 12/7. Set back to PC to address definition of multi-principal use
2/8/2011	PC recommended approval of revised ordinance
3/1/2011	Revised ordinance is attached
6/7/2011	BOS to adopt on 6/7/11

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
3/17/2011	Waiting on one carrier (Clearwire) to complete the process for 2011. Clearwire is going through a financial reconstruction and possible merger so there has been some challenges on their part to address this matter. A contractor has been selected and check requests made to pay said contractor to conduct the work required.
6/7/2011	Still no response from Clearwire. We intend to begin enforcement proceedings against property owner.

**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
3/17/2011	Sent to County PC For review
5/3/2011	Draft Ordinance attached
6/7/2011	Hearing to be held on 6/7/11

**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 Ordinances**

Date	Action
5/3/2011	Review is on going. The most significant impact is the requirement for a 150' riparian buffer in the Ridley Creek Watershed.
6/7/2011	Review is still ongoing

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Sign Ordinance

No:

PZC 11-6

List Date:

3/24/2011

Completed Date:

Description:

Review ordinance to consider effect of electronic signs

Date	Action
4/5/2011	PC is still reviewing
5/10/2011	PC is still reviewing
6/7/2011	PC is still reviewing

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Item:

Archery

No:

PZC 11-7

List Date:

2/17/2011

Completed Date:

Description:

Consider if Park Ordinance should be changed to allow for archery in the Township Park.

Date	Action
6/7/2011	We have not received a recommendation form the Park and Rec Board



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PENNSYLVANIA

OFFICE OF
SECRETARY OF TRANSPORTATION

May 27, 2011

RECEIVED
BY: _____

1111 1111

Mr. Martin E. Shane
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Dear Mr. Shane:

The next meeting of the US 202 Executive Committee will be held on Friday, June 17, 2011. The Executive Committee meeting will begin at 10:30 a.m. and will be devoted to the status of improvement projects in the entire US 202 Corridor.

The meeting will be at the Pennsylvania Department of Transportation's District 6-0 Office which is located at 7000 Geerdes Boulevard in King of Prussia, PA. The Executive Committee meeting is expected to last until approximately 12:00 p.m.

An agenda for the Executive Committee Meeting and related material are enclosed. Please contact Mr. James Mosca, of my staff, at (717) 787-1250 with any questions.

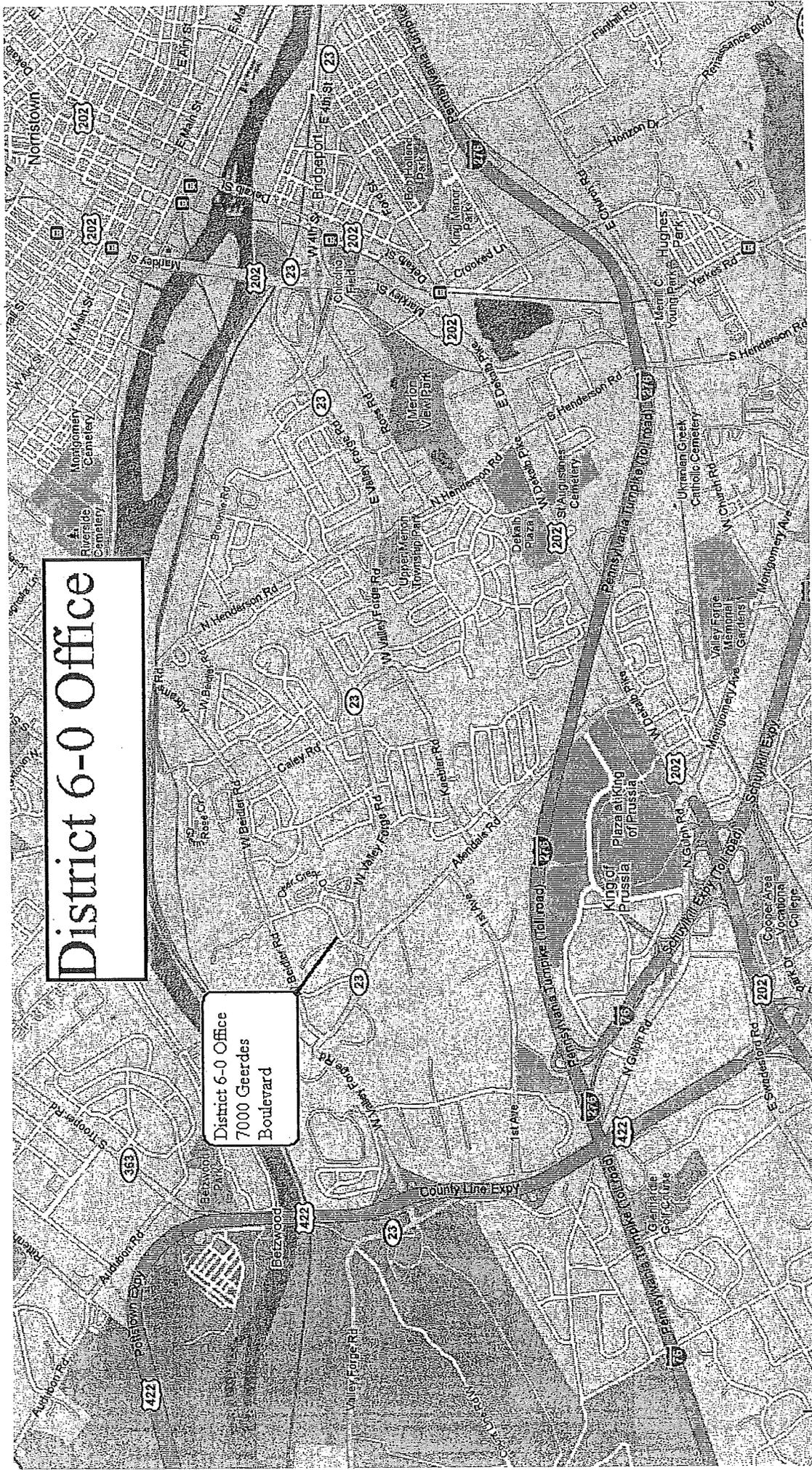
Sincerely,

James D. Ritzman, P.E.
Deputy Secretary for Planning

Enclosures

District 6-0 Office

District 6-0 Office
7000 Geerdes
Boulevard



US 202
EXECUTIVE COMMITTEE

STATEMENT OF PURPOSE

To coordinate projects and programs which provide opportunities for modal integration toward a safer, cleaner, quieter, more comfortable, more efficient, and more effective transportation system in the US 202 Corridor serving the Suburban Philadelphia area.

GOAL

Freer movement of people and goods about the Philadelphia Suburban area to improve the quality of life for people living working and visiting the Philadelphia Metropolitan area.

OBJECTIVES

- * Alleviate Congestion in a Suburban Corridor.
- * Reduce Frequency & Severity of Accidents.
- * Integrate Mass Transit and Automobile Travel.
- * Improve Air Quality and Reduce Noise.
- * Showcase Advanced Transportation Technology.

US 202
EXECUTIVE COMMITTEE
MEETING AGENDA
June 17, 2011

10:30 AM I. **CALL TO ORDER:**

10:35 AM II. **REVIEW OF MINUTES/FOLLOW-UPS:** December 10, 2010 Meeting

10:40 AM III. **ONE-MINUTE REPORTS:**

A. PennDOT - District Office

- Section 100/ES1: Delaware State Line to Matlack St.
- Section 200: Matlack St. to Exton Bypass
- Section 300: Exton Bypass to North Valley Road
- Section 500: Markley St. Reconstruction
- Section 600: Johnson Hwy. to PA 309
- Section 700: Montgomeryville to Doylestown

B. Bucks County

C. Chester County

D. Delaware County

E. Montgomery County

F. Greater Valley Forge TMA

G. The Partnership TMA

H. Transportation Management Association of Chester Co.

I. Delaware County TMA

J. Bucks County TMA

K. SEPTA

L. DVRPC

M. PENJERDEL

N. Federal Highway Administration

O. PennDOT - Central Office

P. Other Agency Reports

11:15 AM IV. **PRESENTATION:**

A. US 202 Section 700 Construction Mr. Brian Early

11:45 PM VI. **NEW ACTION ITEMS/OTHER ISSUES:**

VII. **NEXT MEETING DATE:**

12:00 PM VIII. **ADJOURN:**

US 202
EXECUTIVE COMMITTEE
DECEMBER 10, 2010

<u>ATTENDEES</u>	<u>REPRESENTING</u>	<u>E-MAIL ADDRESS</u>	<u>PHONE #</u>
Carmine Fiscina	Federal Highway Administration	carmine.p.fiscina@dot.gov	(215) 656-7111
Camille Otto	Federal Highway Administration	camille.otto@dot.gov	(717) 221-2238
Jim Mosca	PennDOT Central Office	jmosca@state.pa.us	(717) 787-1250
Keith Highlands	PennDOT Central Office	khighlands@state.pa.us	(717) 772-2238
Josefina Brown	PennDOT District 6-0	josefbrown@state.pa.us	(610) 205-6971
Chuck Davies	PennDOT District 6-0	cdavies@state.pa.us	(610) 205-6670
Madeleine Fausto	PennDOT District 6-0	mfausto@state.pa.us	(610) 205-6848
Tim Stevenson	PennDOT District 6-0	tstevenson@state.pa.us	(610) 205-6820
Les Toaso	PennDOT District 6-0	ltoaso@state.pa.us	(610) 205-6660
Don Steele	PA Turnpike Commission	dsteeler@paturndpike.com	(610) 292-3795
John Calnan	SEPTA Service Planning	jcalnan@septa.org	(215) 580-7947
Mark Cassel	SEPTA Service Planning	mcassel@septa.org	(215) 580-7238
Richard Bickel	DVRPC	rbickel@dvrpc.org	(215) 238-2830
Ronald Bailey	Chester Co. Planning Commission	rbailey@chesco.org	(717) 951-9435
Tom Shaffert	Delaware Co. Planning Commission	shaffert@co.delaware.pa.us	(610) 891-5217
Leo Bagley	Montgomery Co. Planning Commission	lbagley@montcopa.org	(610) 278-3746
Larry Comunale	Lower Gwynedd Township	lcomunale@lowergwynedd.org	(215) 646-5302
Craig McAnally	Lower Gwynedd Township	cmcanally@lowergwynedd.org	(215) 646-5302
Jeff Seagraves	Thornbury Township	Jeff@Thornbury.org	(610) 399-8383
Brody Bovero	Thornbury Township	bbovero@Thornburytp.com	(610) 399-1425
Joe Barakat	Chadds Ford Township	JB@ChaddsfordPA.gov	(610) 692-1930
Roman Pronczak	Whitpain Township	rpronczak@whitpaintedtownship.org	(610) 277-2400
Doug Jones	East Norriton Township	djones@eastnorritontwp.org	(610) 275-2800
Donald Delamater	East Norriton Township	ddelamater@eastnorritontwp.org	(610) 275-2800
Eileen Bradley	New Britain Township	ebradley@newbritaintownship.org	(215) 822-1391
Bob Cotton	New Britain Township	bobvcotton1@aol.com	(215) 858-4085
Beth Zenuk	PA Rep. Steve Barrar's Office	bzenuk@pahousegop.com	(610) 675-8005
Mark Fetzko	PA Sen. Dominic Pileggi	mfetzko@pasenate.com	(610) 358-5183
Gail Humphrey	PA. Rep Matthew Bradford's Office	ghumphre@pahouse.net	(610) 270-1150
Rebecca Wilson	PA Rep. Mike Gerber's Office	rwilson@pahouse.net	(610) 832-1679
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US 202 EXECUTIVE COMMITTEE
DECEMBER 10, 2010 MEETING MINUTES

CALL TO ORDER:

Jim Mosca called the meeting to order at 10:35 a.m., and thanked everyone for attending. Les Toaso then asked that all attendees introduce themselves.

REVIEW OF MEETING MINUTES/FOLLOW-UP ITEMS:

Corrections to the minutes of the May 14, 2010 meeting and follow-up activities:

- No comments were received; therefore no revisions were made to the May 14, 2010 meeting minutes.
- Les Toaso stated that there were no follow-up items from the May 14, 2010 meeting. He announced that Dilip Radadia of Jacobs Engineering Group will give a presentation on the US 202, Section 300 Congestion Management System (CMS) at the end of this meeting.

ONE-MINUTE REPORTS:

Copies for the PennDOT One-Minute Reports were provided for all attendees prior to the start of the meeting.

- **Section 100 (ES1) – PA/DE State Line to Matlack Street**

Vito Genua, P.E., (PennDOT District 6-0 Consultant PM) – Vito Genua reported that the portion of the US 202 corridor extends from Matlack Street to the Delaware State Line in Chester and Delaware counties. PennDOT has developed Smart Transportation approaches following an internal evaluation that the original alternatives presented in the Draft Environmental Impact Statement (EIS) circulated in 2004 would not conform to the current regional funding constraints. These new lower cost alternatives continue to meet the original project needs which included:

- Deficiencies in the Regional Transportation Network
- Current and Future Land Use and Growth Planning
- Existing and Future Traffic Congestion.

The goal is to find a “best-fit” solution that would meet the needs of the traveling public, is environmentally sensitive to the surrounding community, minimizes both residential and commercial displacements, improves pedestrian, bike, and bus access, and is financially viable. During the past year the Department’s Team collected and analyzed traffic and accident data, developed a traffic simulation model, prepared a range of alternatives, and tested these alternatives utilizing the traffic simulation model.

Based on continuing funding uncertainties and the fiscally constrained TIP, a Planning Report will be prepared to serve as a basis for future project programming of affordable localized improvements. The document is expected to be completed by the 1st quarter of 2011.

Coordination with stakeholders will continue and a public meeting to present an update on the project will be scheduled.

Anticipated NEPA – To be determined with project programming.

- **Section 200 – Matlack Street to Exton Bypass**
No updates were provided.
- **Section 300 – Exton Bypass to North Valley Road**
Madeleine Fausto (PennDOT District 6-0) – Madeleine Fausto reported on the following recent/upcoming activities:
 - Section 311 – construction was completed in August 2010.
 - Section 320 – Project was advertised on 10/21/2010 and bids opened on 12/9/2010. The apparent low bidder is Richard E. Pierson Construction Co., Inc. in the amount of \$105,415,093.55.
 - Final design and right of way acquisitions for Section 330 are progressing.
 - Continuing CMS and IM Committee meetings. Next meeting is scheduled for 12/14/2010.
 - Continuing to monitor and coordinate project updates on the project website www.us202.com.
 - Project status meeting was held on 12/7/2010. Next project status meeting is scheduled for 3/8/2011.
 - Continuing to provide updates to Project Stakeholders on a bi-monthly basis. Last update was in October 2010.

Anticipated Construction Schedule:

Section 3IT – ITS Construction..... Complete
Section 310 – 3 Overhead Bridges (south end), 2 OS Imp..... Complete
Section 311 – 4 Overhead Bridges Complete
Section 320 – Northern mainline sect. (Mill Lane to N. Valley Rd.)... Let on 12/9/2010.
Section 330 – Southern mainline sect. (Exton Bypass to Mill Lane)... Anticipate Letting in October 2012.

- **Section 500 – Markley Street Reconstruction**
Josefina Brown (PennDOT District 6-0) – Josefina Brown reported that the proposed project consists of the three following typical roadway sections for improving the existing two-lane Markley Street from Main Street to Johnson Highway (1.6 miles), and along Johnson Highway to Powell Street (0.7 miles). Johnson Highway (to Powell Street) – 12’ center lane with 13’ travel lanes, no on-street parking. Northern Markley Street – 10’ center lane with 13’ travel lanes, 8’ parking area in selected areas. Southern Markley Street (south of James Street) – 11’ turn lane with 2 southbound travel lanes (10’ and 13’) and 1 northbound travel lane (13’). The project has been broken into the following two construction sections:
 1. Section 510 – Main Street to Elm Street. Includes improvements to Main Street
 2. Section 520 – Elm Street to Johnson Highway. Includes improvements to Johnson Highway and Main Street.

Background:

Orth-Rodgers & Associates is advancing the project design. Act 120 Compliance for the Level 2 Categorical Exclusion Evaluation / Section 4(f) evaluation was received on December 19, 2007. Design Field View approval has been issued for both sections and the consultant team is proceeding with final plans.

Norristown Borough owns Markley Street (US 202 South). The Department agreed to accept ownership of Markley Street from Norristown in exchange for Norristown accepting ownership of Airy Street in the Borough. Norristown has requested that Markley Street remain a two-way street and the Department has agreed to this request and an agreement has been executed.

Recent Activities (Since last Executive Meeting):

- Continued final design activities, focusing on Section 520, which is scheduled to go into construction first. The current/recent design activities include final drainage design, E&S, traffic control plans, utility coordination, and traffic signal design.
- Continued right-of-way acquisition activities for Section 520.
- A pre-application meeting for the waterway permit was held with the PADEP on June 10, 2010.
- Pre-final bridge plans for the Main Street bridge were submitted on September 13, 2010.
- NPDES pre-application meetings for Section 520 were held with Montgomery County Conservation District and the PADEP on September 14, 2010 and November 3, 2010.
- Conducted two coordination meetings (June 9, 2010 and November 2, 2010) with stakeholders to discuss maintenance and protection of traffic issues associated during construction of Section 520, including the one-way detour.
- Started design of ITS facilities that will be used for incident management during construction of Section 520.
- A Section 106 Consulting Parties was held on May 24, 2010 to review parking layout in the historic districts. This meeting addressed stipulations in the Memorandum of Agreement.
- Continued work on environmental activities, including: Categorical Exclusion re-evaluation, Phase II & III Environmental Site Assessment (submitted August 25, 2010), and preparation of the Determination of Effect Addendum Report (submitted August 12, 2010).
- Continued coordination with Norristown Municipal Waste Authority (NMWA) regarding the design of the relocated sanitary line along Markley Street in conjunction with the storm sewer design.
- The final pavement design report was submitted for Section 520 on November 2, 2010.
- The final structure foundation report for the Markley Street bridge over Stony Creek was submitted on November 8, 2010.
- The final roadway geotechnical engineering report for Sections 510 and 520 was submitted on November 8, 2010.

- Continued coordination with developer of the Studio Centre site (previously Logan Square) regarding project schedules, access management, right-of-way dedication, and responsibility of work for roadway improvements along the site frontage.
- Project status meetings were held on June 14, 2010 and September 14, 2010.

Anticipated Schedule:

Next project status meeting – December 13, 2010.

Final Design Office Meeting for Section 520 – March 2011

Section 520 letting – December 2011

Section 510 letting – January 2014

- **Section 600 – Norristown to Montgomeryville**
Madeleine Fausto (PennDOT District 6-0) – Madeleine Fausto reported that the Record of Decision was issued 3/28/2000. Parsons Brinckerhoff (Section 650- Morris Road to PA 309) and URS (Section 610- Johnson Highway to Morris Road) are preparing designs. Design Field Views have been held for each of the sections and the consultant teams are proceeding with final plans preparation.

Construction of the corridor has been split into four mainline sections: Section 61S: from Johnson Highway to Township Line Rd., Section 61N: from Township Line Rd. to Morris Rd., Section 65S: Morris Road to Hancock Rd., and Section 65N: from Hancock Rd. to Route 309, which is currently under construction. Work is continuing with the development of final plans and right of way acquisitions for the remaining sections. Right of way acquisition is complete for the wetland mitigation site for the project.

The approved comprehensive traffic management plan which identified seven (7) off-line intersection improvements to facilitate mobility during construction continues to be reviewed for updates. The seven off-line intersections are being incorporated into the final construction plans as follows: Section 61N: 1) Arch Rd. and Township Line Rd., and 2) North Wales Rd. and Township Line Rd.; S.R. 2016, Section OFF: 3) Plymouth Rd. and Grasshopper Ln., 4) Evans Rd. and Gypsy Hill Rd., 5) Evans Rd. and Sumneytown Pk., 6) Evans Rd. and Tanglewood Dr., and 7) Evans Rd. and Welsh Road. S.R. 2016, Section OFF is currently under construction.

Noise meetings have been held, and the community voting is complete. All community side finishes have been selected in Section 61N, 61S, 65N, and 65S. As part of Section 106 mitigation, landscaping plans, in coordination with impacted property owners have been developed. The plans have been reviewed and approved by the PHMC. In consultation with agencies, it has been determined that the stream mitigation for the 600 section will consist of a failed dam removal on Wissahickon Creek near Butler Pike and Morris Road intersection. Dam Removal plans have been submitted to property owners (Wissahickon Valley

Watershed Association & Montgomery County) for concurrence, and additional permitting is being determined with the agencies due to revised requirements.

Coordination activities continue with the various municipalities, agencies, affected residents, communities, and groups.

Recent Activities (Since the last Executive Meeting):

- Section 65N construction is ongoing. Construction updates and pictures are available at the following link: <http://www.us202-700.com/Construction65N.aspx>.
- S.R. 2016-OFF was let on 7/22/2010. The low bidder was James D. Morrissey, Inc. in the amount of \$2,027,521.09. Notice to proceed was issued on 9/8/2010.
- Project Status meeting for the corridor was held on 6/10/2010. Next meeting will be scheduled for early next year.
- Final design, right of way acquisitions, & utility coordination for 61S, 61N, & 65S are ongoing.

Anticipated Project Schedule:

- Section 61S–Earliest Anticipated Let Date – February, 2018*. Construction cost estimate - \$40.4 million.
- Section 61N–Earliest Anticipated Let Date - April, 2015*. Construction cost estimate – \$47.1 million.
- Section 65S– Earliest Anticipated Let Date – April 2017*. Construction cost estimate - \$50.8 million.
- Section 65N- Under Construction. Anticipated completion in mid-2012
- S.R. 2016, Section OFF- Under construction. Anticipated completion fall of 2011.

**Based on the 2011 TIP.*

Leo Bagley recommended scheduling Section 600 status meeting as early as possible in 2011 as it has been six months since the last one. He understands that the right-of-way is on the TIP, and we do not want to lose track of the project. He also asked that the remaining right of way be secured as there isn't much left to acquire.

- **Section 700 – Montgomeryville to Doylestown**
Les Toaso – Les Toaso reported that construction of Section 701 is complete, and a Final Inspection meeting is scheduled for January 4, 2011. The Parkway will be open all at one time. Construction work is ongoing in the two remaining sections with Section 721 to be completed in December 2011 and Section 711 will open in late 2012. Community Task Force meetings are scheduled bimonthly. Complaints have been received on the Route 202 Parkway website due to off-line roadway construction (adjacent project: County Line Road).

- **Chester County Planning Commission**

Ronald Bailey – Ronald Bailey reported that Phase I of the Chester Valley Trail (CVT) opened September 1, 2010, and is very popular with the public. Phase I of the CVT is four miles long and extends from Route 29 to Exton. Working on design of Phase II, which is part of Section 300 Congestion Management System (CMS). Completed CMS evaluation study, and this will result in some changes to bus routes and schedule changes, etc.

- **Delaware County Planning Commission**

Tom Shaffer – Tom Shaffer reported that a land use study was done for Section 100 looking at access controls and transit oriented development. In August, an access management plan was sent to Chaddsford, Thornbury, and Concord Townships for review. Preparation of an official map of loop roads for the Route 1/Route 202 intersection is being prepared.

- **Montgomery County Planning Commission**

Leo Bagley – Leo Bagley raised concerns in connection with Section 600 that Montgomery County and the townships requested that we not lose track of this project even though the let date is mid-decade for the first section. MCPC completed a traffic study to make the one-way section of Route 202 a two-way section. This would depend on what happens with the Section 600 project. Any changes to 202 would be part of a future project.

- **Greater Valley Forge TMA**

Robert Henry – Robert Henry reported that from the June 2010 until the end of November 2010, the US202.com website had a total of 58,322 visitors. The monthly breakdown on visitors is as follows:

June 2010 – 9,312

July 2010 – 8,672

August 2010 – 10,038

September 2010 – 10,077

October 2010 – 9,578

November 2010 – 10,645

For 2009, US202.com had roughly 78,000 visitors. If the current trend for website visits holds, we are projecting that by the end of 2010 there will have been roughly 105,000 visitors to the US202.com website. The website was updated with 52 PennDOT press releases over this same time period detailing construction projects along Sections 300, 700, and the ARRA project as well as maintenance projects. Also, 71 queries were sent in through the “Contact Us” portion of the US202.com website, related to all projects along the US 202 Reconstruction. These queries were answered in a timely manner with the assistance of PennDOT staff and their consultants. The website was updated twice over these six months: first with a new project narrative for the Section 100 page provided by Urban Engineers and secondly when an electronic copy of the newly restructured US 202 – Great Valley Commuter Area Options (Section 300 CMS) Brochure was added to the website in August 2010. We have also continued to work with the PennDOT Project Manager and consultants on the Section 500 project to maintain the most accurate information on the Section 500 portion of US202.com.

The Cruiseline East had a total of 3,404 riders between June and November. The monthly ridership breakdown is as follows:

June 2010 – 447
July 2010 – 482
August 2010 – 644
September 2010 – 719
October 2010 – 574
November 2010 – 538

All of these riders emanated from Vanguard.

GVF has continued to work with East Norriton, Whitpain, and Lower Gwynedd Township's, in addition to Montgomery County, to advocate for the US 202 Section 600 Project. As part of this advocacy, GVF staff put together the US 202 Section 600 Economic Impact Study, which is an effort to document the economic impact, particularly abandoned properties and vacant lots that the current traffic congestion and delay of the US 202 Section 600 project is causing to these townships. A draft copy of this report was circulated in October, and GVF staff is currently tweaking the final copy based upon commentary received from the stakeholders. We hope to have the study finalized and distributed to elected officials in the region next week.

- **Chester County TMA**

Michael Herron/Derrick Stokes – Mike Herron thanked Madeleine Fausto for getting Section 320 to construction. The Congestion Management System (CMS) involved an outreach to 25 businesses in the area. Beginning on January 12, 2011, Les Toaso and Jeff Davis (PTC) will talk to local business leaders, followed by one on January 19, and one in the evening in March at Great Valley Middle School. The last session is planned so residents may be informed as to what is going on in their area.

Derrick Stokes reported that effective Monday, December 13, 2010, the following changes will be implemented:

Beeline Route

The route, which currently operates only partially along Business Route 30 between Coatesville and Exton, will now continue along Business Route 30 until it intersects with Route 29 in Great Valley. The Beeline will then circulate through the Great Valley employment center before returning to Coatesville. It is anticipated that ridership will increase by 25%.

Fare

The Beeline's current zone-based fare assessment will be eliminated in favor of a single base fare of \$2.00. TMACC's summer promotional fare of \$1.00 was successful not only because the fare was reduced to \$1, but also because the base fare was easy to administer for drivers and for passengers to produce without need for change.

Schedule

With the eastern portion of the Beeline route changing, the Beeline's schedule will change slightly as well. Morning service will continue to depart Coatesville at 5:30, 6:00, 7:00, and 7:44 a.m. Evening service will depart the Great Valley Corporate Center at 3:30, 4:10, 5:10 and 6:05 p.m. Passengers can be Picked-up or dropped-off at most major destinations along the length of the route.

- **The Partnership TMA**

Peggy Schmidt – Peggy Schmidt reported that their construction coordination interactive website has been updated and is in full operation. Municipal Bike Rack Program will continue in 2011. All member municipalities who have pedestrian/bicycle programs in place are eligible to receive a free bike rack. Since 2009, 22 bike racks have been placed in the PTMA's area. Racks can be used along trails or at connections to mass transit.

- **SEPTA**

John Calnan – John Calnan reported that the Malvern Station project is under construction and is anticipated to be completed in fall 2011. Once completed, this project will provide an additional 50 spaces to better accommodate disabled customers. Exton Station new fare collection system is in operation and parking expansion improvements were completed last year. Modifications have been made to the Route 206 bus route. SEPTA worked with Chester County on revising transit route maps. SEPTA staff Mark Cassel is continuing to work with the project teams for Sections 100 and 500.

- **DVRPC**

Rich Bickel – Rich Bickel reported that DVRPC's Draft Fiscal Year 2012 Work Program has been released on their website for review.

- **Federal Highway Administration (FHWA)**

Carmine Fiscina – Carmine Fiscina reported that the Intelligent Transportation Systems (ITS) project on the Route 202 Parkway is going Design Build, and needs to be in operation by the 2012 opening.

- **PennDOT Central Office**

Jim Mosca – Jim Mosca reported that the Department is preparing to transition to the new administration.

- **Pennsylvania Turnpike Commission**

Don Steele – Don Steele reported that the construction on the US 202 bridge over the Northeast Extension is approximately 99% complete. PTC opened bids for the reconstruction and widening of the northeast extension on December 1st. Construction should start around March 1, 2011 and finish around December 2013. Bids for the Route 29 Interchange will be opened December 22nd and construction should start in March 2011 and run through December 2012. The first two advance bridges (Bristol Oxford Valley and Galloway Roads) on the I-95 Interchange project are under construction. PTC opened the Street Road slip ramps in Bensalem in December.

PRESENTATION: US 202 SECTION 300 (CMS)

Dilip Radadia (Route 202, Section 300 Design Team) – Dilip Radadia provided an overview of the Section 300 Congestion Management System. The Categorical Exclusion Evaluation (CEE) document for SR 0202, Section 300 project included 16 Congestion Management System (CMS) commitments. PennDOT formed a CMS Committee to implement, monitor, and evaluate effectiveness of these Section 300 project specific commitments. A description of the commitments and status of each commitment was reviewed.

A question was asked regarding the utilization rate of the various Park-and-Ride Lots associated with the CMS Program. It was noted that although the lot near the intersection of Route 202 and Route 30 has seen an increase in usage, other lots have not.

NEW ACTION ITEMS/OTHER ISSUES

There were no new action items or other issues at this time.

NEXT MEETING:

The next Executive Committee Meeting is scheduled for Friday, June 17, 2011.

ADJOURN:

Les Toaso adjourned the meeting at 11:30 am.

NEW ADDRESS, PHONE #, ETC.?

*Please contact James Mosca
at the Pennsylvania Department of Transportation
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