

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
September 6, 2011 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff and Supervisors Marty Shane and Thom Clapper. Supervisors Don McConathy and Carmen Battavio were absent. Also present were Township Manager Rick Smith, Kathryn Yahraes (Historical Commission), Erich Meyer (Park & Rec), Jim McRee (Planning Commission & Deer Committee), Bryan DelMonte (Conservancy Board), and Township Solicitor Kristin Camp.

Call to Order & Pledge of Allegiance

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

Moment of Silence

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

Recording of Meeting

No one indicated they would be recording the meeting.

Public Comment on Non-Agenda Items

None.

Chairman's Report

Senya announced that the Board met in Executive Session on August 30 to discuss a personnel matter.

Auditor Vacancy

Thom moved to appoint Joseph Zug, Jr. to the position of Auditor for East Goshen Township to fill a vacancy. Joe was formerly on the Historical Commission and now serves on the 501(c)(3). Marty seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion. Rick will inform Joe Zug of his appointment.

Historical Commission Vacancy

Marty moved to appoint Monica Close to serve on the Historical Commission. Monica was formerly on the Historical Commission and currently serves as an active volunteer. She is now able to resume duties again as a regular Board member. Thom seconded the motion. There was no discussion or public comment. The motion passed unanimously. Rick will inform Monica of her appointment.

Revised 2012 MMO for Non-Uniformed Defined Benefits Pension Plan

The Board reviewed the revised 2012 Minimum Municipal Obligation for East Goshen's Non-Uniformed Defined Benefit Pension Plan as provided by Thomas J. Anderson & Associates on August 29, 2011. A copy is attached to these minutes.

PUBLIC HEARING – Tru-Team, Inc., 1422 Paoli Pike, Conditional Use Application

No one was present for the applicant.

Thom moved to deny the Conditional Use Application of Tru-Team, Inc. for the adaptive reuse of the historic resource located at 1422 Paoli Pike, West Chester, PA 19380 for the following reasons:

1. Applicant has not provided the Township with the required information supporting the Conditional Use Application to adaptively reuse the current residential use as an office use. Specifically, Applicant has not provided the information required by §240-38.8 of the Zoning Ordinance or the information requested in a letter dated May 9, 2011 from the Township's Zoning Officer, Mark A. Gordon, to the Applicant.
2. Applicant has not complied with the outstanding comments in the Township Engineer's review letter dated April 29, 2011.
3. As referenced in the Township Engineer's review letter dated April 29, 2011, the plan submitted with the application does not comply with the following sections of the East Goshen Township Zoning Ordinance:
 - a. §240-31.C(3)(qq) - the proposed parking area encroaches into the required front yard;
 - b. §240-33.B(7) – the handicapped space is not 11 feet wide.
 - c. §240-33.C(8) – which requires any parking or off-street loading area of five or more spaces which abuts a lot in a residential district to have an appropriate screen;
 - d. §240-33.C(3) – which requires a minimum of 5% of a parking area to be landscaped.
 - e. §240-33.C(7) – which requires all parking areas for uses other than single-family dwellings to be physically separated from any public street by a concrete curb and planting strip of at least 10 feet;
 - f. §240-33.C(9) – which requires parking areas to be illuminated after dusk;
 - g. §240-33.D(1) – which requires an off-street loading space;
 - h. §240-24.E – which requires a refuse storage area.
4. Applicant has not proven that its plan complies with the applicable area and bulk requirements for lots in the R-2 District. If Applicant seeks a modification of any of the area and bulk requirements pursuant to §240-38.6, it has not identified the modification that it seeks the Board to approve by Conditional Use.
5. Applicant has not proven the applicable criteria in §240-38.7. Namely, Applicant has not demonstrated that the granting of Conditional Use approval is necessary for the preservation of the historic resource, that the proposal will not be destructive to the integrity of the historic resource and that the proposed modifications will not be out of character with the existing uses in the immediate neighborhood.

6. Applicant has not proven compliance with the standards for Conditional Use in §240-31.C of the Zoning Ordinance. Specifically, it has not demonstrated that the proposed adaptive reuse shall not be detrimental to other property in the vicinity and that the use will not create significant traffic safety hazards or cause serious traffic congestion.

Marty seconded the motion. There was no discussion or public comment. The motion passed unanimously. Rick will notify the applicant. A court reporter was present and will provide a complete transcript of the proceedings.

PUBLIC HEARING – OPEB Trust Agreement

The Board conducted a public hearing to consider the adoption of an ordinance authorizing the Township to enter into the Other Post-Employment Benefits Trust Agreement (OPEB). The purpose of entering into this agreement is to set aside additional money in a separate trust fund to be used to satisfy all or a portion of the Township's contractual obligation to contribute a *pro-rata* share of the cost of funding the Westtown-East Goshen Police Commission Other Post-Employment Benefits (OPEB).

Marty moved to adopt the ordinance. Thom seconded the motion. Public comments were made by residents Jim McRee and Neil DeRiemer. The Board voted unanimously to pass the motion. A court reporter was present and will provide a complete transcript of the proceedings.

Conservancy Board Response to NLT Recommendations on Invasive Plants

Bryan DelMonte reviewed the Conservancy Board's notes in response to the Natural Lands Trust Recommendations for handling the invasive species in the Township.

Thom asked if the DCNR Mowing to Meadows grant that Ruth Scadding spoke of at the last meeting would help reduce the costs for dealing with invasive species. Bryan said no, not that he was aware of. Thom asked if the \$5,000 in the Park & Rec budget for invasive species control could be used toward the NLT recommendations. Bryan said the Park & Rec has not offered any of its budget funds to the Conservancy Board. Furthermore, he believes the Park & Rec money is used by the Public Works department for invasive species in areas of the Township other than those covered by the NLT recommendations.

Public Comment: Erich Meyer, Monte Vista Drive – Asked about the survival rates for Conservancy Board plantings. Bryan said survival rates are getting better, especially if the plants are caged for protection.

Marty complimented Bryan on the thoroughness of the information he provided, including the budget information.

Dump Truck

Rick reported that the Township's old dump truck was scheduled to be traded in for a \$15,000 credit toward the cost of a new dump truck. However, Upper Uwchlan Township would like to purchase the truck instead.

Marty moved to authorize the sale of the Township dump truck to Upper Uwchlan Township in the amount of \$15,000. The price paid to the seller of the new dump truck will increase by \$15,000. Thom seconded the motion.

Marty said that if something like this happens again it would behoove the Township to negotiate a sale price higher than the trade-in price.

Public Comment: Jim McRee, Bowen Way – Asked if this has to be bid out. Rick said no.

Public Comment: Bryan DeMonte, Clocktower Drive – Asked if this would be a cash transaction with Upper Uwchlan, and Rick said yes.

Hershey Mill Dam

Resident Neil DeRiemer gave a status report on the Hershey Mill Dam. Senya told Neil he would like to attend the meeting Neil plans to have with Adam Brower of E.B. Walsh Engineers.

Rick noted that the trees at the dam are a liability and the Township should again consider having them removed. DEP has been requesting their removal for some time. The Board agreed to send out a letter to residents with 1,000 ft of the dam and let them know the matter of the trees will be discussed at the September 20 Board meeting.

Review of Minutes

The Board reviewed the draft minutes of August 30 and had no changes. Marty moved to accept the minutes. Thom seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for September 2, 2011. The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of September 2 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the motion.

Action List

Elimination of the Municipal Authority – Rick is still working on this.

Cell Tower at Township Building – The Township is still waiting on a revised agreement and exhibits from Liberty Towers.

Post-Retirement Medical Benefits – Now that the ordinance has been adopted, the Board needs to select trustees, execute the agreement and hire a fund manager.

IT Committee – Rick is working on setting up the group's first meeting.

TAG Action List – The Board reviewed the updated list.

Any Other Matter

Park & Rec – Rick volunteered to work with Frank Vattilano on creating a Five-Year Plan for Park & Rec, and will plan to have it to the Board by October 11.

Public Comment: Kathryn Yahraes, Vista Drive – Asked how much income the Farmers' Market is generating, and Senya told her the Park & Rec expects to take in approximately \$7,500 for the year.

Community Development – Senya said he is interested in creating a committee to address community development.

Signage Issues – Senya wants the Planning Commission to address the issue of signs at the Hershey Mill Shopping Center and the East Goshen Shopping Center. Rick said he will send a memo to the Planning Commission.

Certificate for Boy Scout – Senya shared that he sent Scout Mark Zibinski a Certificate of Appreciation for his attendance at the Board's meeting on July 26.

Correspondence & Reports of Interest

Senya acknowledged receipt of the following:

- Letter informing the Board that Mark Galik of Malvern has submitted a Zoning Hearing Board application for his property at 41 Sherman Drive.
- Letter informing the Board that Acero Holdings, LLC has submitted an application for Conditional Use for their property at 1340 Enterprise Drive.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda. Kathryn Yahraes reminded everyone that the Historical Commission will give a slide presentation on September 22 at the Township Building as part of Chester County Day.

Public Comment Period

Kathryn Yahraes said the Chester County Historic Preservation Network had a meeting on Section 106 this spring. They will have a fall mini-workshop focusing on transportation issues. She will be sending the Board more details.

Adjournment

There being no further business, the meeting was adjourned at 8:53pm.

Anne Meddings
Recording Secretary

Attachments:

*Treasurer's Report
Revised 2012 MMO*

September 2, 2011

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

GENERAL FUND

Real Estate Tax	\$631.85
Earned Income Tax	\$51,419.80
Local Service Tax	\$7,000.00
Transfer Tax	\$0.00
General Fund Interest Earned	\$0.00
Total Other Revenue	\$56,569.51
Total Receipts:	\$115,621.16

Accounts Payable	\$238,398.04
Electronic Pmts:	
Health Insurance	\$0.00
Credit Card	\$0.00
Postage	\$0.00
Debt Service	\$0.00
Payroll	\$50,000.00
Total Expenditures:	\$288,398.04

STATE FUND

Interest Earned	\$0.00
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Expenditures:	\$0.00
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CAPITAL RESERVE

Interest Earned	\$0.00
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Expenditures:	\$0.00
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TRANSPORTATION FUND

Interest Earned	\$0.00
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Expenditures:	\$0.00
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SEWER OPERATING

Receipts	\$109,830.81
Interest Earned	\$0.00
Total Sewer:	\$109,830.81

Accounts Payable	\$992.97
Debt Service	\$0.00
Total Expenditures:	\$992.97

REFUSE

Receipts	\$42,388.21
Interest Earned	\$0.00
Total Refuse:	\$42,388.21

Expenditures	\$0.00
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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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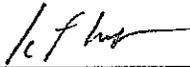
**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL
OBLIGATION BUDGET FOR 2012**

NAME OF MUNICIPALITY:
COUNTY:

EAST GOSHEN TOWNSHIP
CHESTER

FIRE
PENSION PLAN

1 ACT 44 DISTRESS LEVEL	0
2 TOTAL ANNUAL PAYROLL Estimated Payroll	\$550,666
3 NORMAL COST AS A PERCENTAGE OF PAYROLL (Derived from latest actuarial valuation) 1/1/11	9.02%
4 TOTAL NORMAL COST (Item 2 x Item 3)	\$49,670
5 AMORTIZATION REQUIREMENT (Derived from latest actuarial valuation)	\$10,147
6 TOTAL ADMINISTRATIVE EXPENSES (Derived from latest actuarial valuation)	\$3,985
7 FINANCIAL REQUIREMENT (+ Item 4 + Item 5 + Item 6)	\$63,802
8 TOTAL MEMBERS CONTRIBUTIONS	\$12,390
9 FUNDING ADJUSTMENT (Derived from latest actuarial valuation)	\$0
10 MINIMUM MUNICIPAL OBLIGATION (+ Item 7 - Item 8 - Item 9)	\$51,412
11 ACT 44 AMORTIZATION REDUCTION (+ Item 5 times 25%)	\$0
12 ACT 44 MINIMUM REDUCED MUNICIPAL OBLIGATION (+ Item 10 - Item 11)	\$51,412



Signature of Chief Administrative Officer

8-23-11

Date Certified to Governing Body

NOTE:

Minimum Municipal Obligation Based Upon Market Value of Assets \$51,412

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL
OBLIGATION BUDGET FOR 2012**

NAME OF MUNICIPALITY: EAST GOSHEN TOWNSHIP
COUNTY: CHESTER

	NON-UNIFORMED DEF. CONT. Commission
1. TOTAL ANNUAL PAYROLL (Estimated payroll)	175,078
2. RATE OF CONTRIBUTION AS A % OF PAYROLL (Derived from latest actuarial valuation) 1/1/11	5.00%
3. TOTAL CONTRIBUTION COST (Item 1 times Item 2)	8,754
4. TOTAL ADMINISTRATIVE EXPENSES	0
5. TOTAL FINANCIAL REQUIREMENT (+Item 3 +Item 4)	8,754
6. MINIMUM MUNICIPAL OBLIGATION	8,754



Signature of Chief Administrative Officer

8-23-11

Date Certified to Governing Body

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL
OBLIGATION BUDGET FOR 2012**

<i>NAME OF MUNICIPALITY:</i>	EAST GOSHEN TOWNSHIP	
<i>COUNTY:</i>	CHESTER	NON-UNIFORMED PENSION PLAN
1 ACT 44 DISTRESS LEVEL		0
2 TOTAL ANNUAL PAYROLL		\$1,612,450
Estimated Payroll		
3 NORMAL COST AS A PERCENTAGE OF PAYROLL		0.00%
(Derived from latest actuarial valuation) 1/1/11		
4 TOTAL NORMAL COST		\$0
(Item 2 x Item 3)		
5 AMORTIZATION REQUIREMENT		\$0
(Derived from latest actuarial valuation)		
6 TOTAL ADMINISTRATIVE EXPENSES		\$7,070
(Derived from latest actuarial valuation)		
7 FINANCIAL REQUIREMENT		\$7,070
(+ Item 4 + Item 5 + Item 6)		
8 TOTAL MEMBERS CONTRIBUTIONS		\$0
9 FUNDING ADJUSTMENT		\$0
(Derived from latest actuarial valuation)		
10 MINIMUM MUNICIPAL OBLIGATION		\$0
(+ Item 7 - Item 8 - Item 9)		
11 ACT 44 AMORTIZATION REDUCTION		\$0
(+ Item 5 times 25%)		
12 ACT 44 MINIMUM REDUCED MUNICIPAL OBLIGATION		\$0
(+ Item 10 - Item 11)		
	<u>8-23-11</u>	
Signature of Chief Administrative Officer	Date Certified to Governing Body	
NOTE:		
Actuarial Value of Assets Exceed Future Benefits		\$0

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL
OBLIGATION BUDGET FOR 2012**

NAME OF MUNICIPALITY: EAST GOSHEN TOWNSHIP
COUNTY: CHESTER

	NON-UNIFORMED DEF. CONT.
1. TOTAL ANNUAL PAYROLL (Estimated payroll)	1,612,450
2. RATE OF CONTRIBUTION AS A % OF PAYROLL (Derived from latest actuarial valuation) 1/1/11	5.00%
3. TOTAL CONTRIBUTION COST (Item 1 times Item 2)	80,623
4. TOTAL ADMINISTRATIVE EXPENSES	3,800
5. TOTAL FINANCIAL REQUIREMENT (+Item 3 +Item 4)	84,423
6. MINIMUM MUNICIPAL OBLIGATION	84,423



Signature of Chief Administrative Officer

8-23-11

Date Certified to Governing Body