

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
October 4, 2011 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Don McConathy, and Supervisors Carmen Battavio and Thom Clapper. Supervisor Marty Shane arrived at 7:55pm. Also present were Township Manager Rick Smith, Phyllis Marron, Erich Meyer and Ruth Scadding (Park & Rec), Jim McRee (Deer Committee and Planning Commission), and Kathryn Yahraes (Historical Commission). Township Solicitor Kristin Camp was present for the Public Hearings.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm. He asked Jeremy Gerrard of the *Daily Local* to lead everyone in the Pledge of Allegiance.

Moment of Silence

Carmen called for a moment of silence to remember the troops.

Recording of Meeting

No one indicated they would be recording the meeting.

Public Comment on Non-Agenda Items

None.

Chester County Day

Senya thanked Jeremy Gerrard of the *Daily Local* (present in the audience) for the recent article about Chester County Day which was quite complimentary to East Goshen. Senya noted that the photographs featured in the article were all of East Goshen properties.

Public Hearing: Conditional Use Application for QVC

The Board conducted a public hearing to consider a Conditional Use application for QVC at 1365 Enterprise Drive. Gregory Davis, Esq. was present for QVC.

Carmen moved to approve the Conditional Use application and allow QVC, Inc. to construct the four handicapped parking spaces in the front yard area of the property as depicted on the plan dated 6/17/11 located at 1365 Enterprise Drive, TPN 53-4-162, with the following conditions:

1. The applicant shall revise the Conditional Use plan to incorporate the information contained on the Grading Utilities Erosion and Sedimentation Control Drawings last revised 7/20/11.
2. The applicant shall implement the landscaping plan that was admitted into the record as Exhibit A-6, last revised 9/19/11.
3. The applicant shall install the new parking spaces in conformance with all applicable Federal, State, County and Township rules and regulations.
4. The applicant shall verify the site distance for the driveway once the landscaping is installed.

Don seconded the motion.

Mr. Davis said the conditions were acceptable, and he agreed to waive the 24-hour notification requirement.

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

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

Public Hearing: Ordinance Amendments

The Board conducted a public hearing to consider the adoption of several proposed ordinance amendments to the Township Code.

Don moved to approve the ordinance amendments modifying the following sections of the Township Code:

1. Chapter 131 – Sedimentation and Erosion
2. Chapter 205 – Subdivision and Land Development
3. Chapter 96 – Brush, Grass and Weeds
4. Chapter 240-31.C – Conditional Use Standards Pertaining to the Height of Wireless Communication Support Structures
5. Chapter 240-32.U – No-Impact Home-Based Businesses

Carmen seconded the motion.

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

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

Variance Request – Mark & Alison Galik, 41 Sherman Drive

Mark Galik was present and presented plans showing the improvements he desired to make to his property. Senya noted that Mr. Galik had five letters of support from his neighbors as well as a positive recommendation from the Historical Commission.

Carmen complemented Mr. Galik for wanting to invest in his home, because when residents improve their homes it enhances the Township. Senya thanked Mr. Galik for adding to the value of the Township.

Don moved to support the Zoning Variance request for Mark and Alison Galik of 41 Sherman Drive for 15 feet of relief from the rear yard setback as depicted in the plans drawn by Chester Valley Engineers dated 8/23/11 and the variance application dated 8/30/11, with the condition outlined below. The property has unique contours and elevations which create a hardship not created by the applicant and the proposed modifications to the property will not create an adverse impact to the character of the neighborhood.

Condition of approval:

1. The applicant agrees that the unroofed deck proposed and subject to the relief being granted from the rear yard setback shall not be covered with a roof.

Thom seconded the motion. Mr. Galik said he agreed to the condition.

Public Comment: Kathryn Yahraes (Historical Commission) – Said the Historical Commission was very pleased with the Galik’s plans and with the architectural firm they selected.

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

Hershey Mill Dam

Rick summarized his memo of September 30 which provides a list of options available for the dam and the costs involved with each. Rick noted one typographical error in his memo – the cost for the Shot Crete Secondary Spillway would be between \$508,597 and **\$520,597**.

Don asked resident Neil DeRiemer (in the audience) if he had any updates. Mr. DeRiemer said he spoke with Mr. Mabry at GAI regarding a tripod device (not on a truck) that could possibly be used to take the soil borings at a cost of \$1,500/day. Mr. DeRiemer is waiting to hear back.

Don said he would like more details from Everlast Seawall on what exactly they need to have done and what it would cost. Rick said that Mr. Hazenberg of Everlast told him he needs to have 3 to 4 test borings done on the face of the dam to a depth of 30 feet, and this will cost \$28-29K. Rick said he could ask Mr. Hazenberg if he would be okay using Todd Trotman’s plan to determine suitable locations for the borings. Rick will ask for something in writing.

Mr. DeRiemer said that GAI used to be called Valley Forge Labs, and they told him it would cost \$5,000 for onsite soil testing as well as lab testing.

Mr. DeRiemer said he would like his hard copy handout from last week to be included in the Township’s minutes for that meeting.

Thom asked if it would be prudent for the Township to spend money on borings when sheet piling has not been approved by DEP. Senya and Rick said that DEP has indicated they would consider such an approach as long as an engineer signs off on it to indicate it would be a workable solution.

Don asked Mr. DeRiemer if he had anything in writing from DEP stating that if the sheet piling is installed the trees can stay on the dam. Neil said no but he would work on it.

Public Comment: Joe Buonnano, Herron Lane – Said listening to the discussion this evening was like “deja vu all over again” and asked if there is an end in sight to the dam situation. Senya said yes. Mr. Buonnano asked where the money would come from to fix the dam. Senya told him that Mr. DeRiemer’s group plans to raise the funds.

Proposed Ordinance Amendment – Paid Firefighter Pension Plan

The Board reviewed a draft ordinance to change the vesting period for the Fire Company Pension Plan. They had no changes or comments. Rick will have Kristin Camp review it. A public hearing on the change will be scheduled for October 18.

Sharing of Services with Other Townships

Rick reviewed his memo of September 30 on this topic. Rick noted that the police force, shared with Westtown, is another shared service that was not included on the list.

Thom requested that the Board consider having Public Works share road paving services and mechanical services.

Public Comment: Neil DeRiemer, Hershey Mill Road – Asked if Public Works employees are covered by insurance when working in another township and/or when using someone else's equipment. Rick said yes.

Senya said if anyone had recommendations for additional shared services to please let the Township know.

Cut List

The Board reviewed and edited a list of items to cut from the 2012 budget. Marty noted he would like to increase the Township's contribution to the Malvern Fire Company by 10% in 2012.

During this review the Board discussed having the annual Volunteer Appreciation event at Hershey's Mill this year instead of the Fire Hall. Don asked if the Board planned to find an offset of \$7,000 to \$8,000 in the budget. This would only be fair as the other ABCs are required to find offsets when they go over budget. Carmen will check on the cost and availability for Hershey's Mill.

Marty thanked Kathryn Yahraes for her role in making Chester County Day such a success in East Goshen this year, which generated good publicity for the Township.

Public Comment: Kathryn Yahraes (Historical Commission) – Asked if the Board would consider recognizing the efforts of individual volunteers at some point. The Board indicated they would be open to this idea and would need to consider the best way to handle it.

Any Other Matter

Chili Cook-Off - Thom asked the status of the West Chester Chili Cook-Off (October 9). Senya said East Goshen will serve a turkey chili called "East Goshen Township Plank House Chili." Volunteers from the Historical Commission in period costume will help serve the chili.

Online Payments – Thom asked the status of the plan to let residents register and pay for Park & Rec programs online. Rick said there will be a cost involved in implementing the online service. He will have something in the Board's packet for the next meeting.

DVIT – Thom asked for a status update on joining the DVIT. Rick said he contacted five municipalities and received favorable feedback from all of them. The staff is now working on completing the application forms.

Netbook – Senya announced that the Township won a Toshiba Netbook in a PSATS contest.

Public Comment Period

Ruth Scadding - handed out information on a proposed partnership agreement with the YMCA for their Summer Camp program. She asked the Board to review it and provide feedback to Park & Rec as quickly as possible as the contact from the YMCA is getting ready to go on vacation. Senya told her the Board would review the packet but would be unable to have a response to her in time for her meeting with the YMCA.

Joe Buonnano, Herron Lane – Suggested the Township consider implementing E-Debit service on the website to allow him to pay his sewer and tax bills online.

Kathryn Yahraes – Updated the Board on some improvements made to the Blacksmith Shop by her husband Jack, who volunteered his services.

Review of Minutes

The Board reviewed and corrected the draft minutes of September 27. Don moved to accept the minutes as corrected. Thom seconded the motion. There was no discussion. Kathryn Yahraes had two corrections which were noted by the Recording Secretary. The Board voted and the motion passed unanimously.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for September 29, 2011. The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of September 29 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

Municipal Authority – Rick suggested the Board table a decision on disbanding the Municipal Authority until the pump station projects have been completed. The Board agreed to table the matter.

Cell Tower – The revised agreement and exhibits are under review by the subcommittee.

Post-Retirement Medical Benefits for WEGO – Rick suggested the Board seek recommendations from the Pension Committee on appointing Trustees, entering an agreement with the Trustees, and hiring a fund manager. The Board agreed to do this.

IT Committee – The Committee is preparing a report for the Board of Supervisors.

TAG Action List – The Board reviewed the current TAG Action List.

Correspondence & Reports of Interest

Senya acknowledged receipt of an invitation to the CCATO Fall County Convention to take place November 10 at the Mendenhall Inn. Senya moved for the Supervisors and Rick to attend this event. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously. Rick will take care of the registrations and meal selections.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Adjournment

There being no further business, the regular meeting was adjourned at 9:15pm.

Executive Session

The Board met in Executive Session until 11:00pm to discuss a personnel matter.

Anne Meddings

Recording Secretary

Attachment - Treasurer's Report

September 29, 2011

TREASURER'S REPORT
2011 RECEIPTS AND BILLS

GENERAL FUND

Real Estate Tax	\$516.25
Earned Income Tax	\$25,100.89
Local Service Tax	\$20,000.00
Transfer Tax	\$0.00
General Fund Interest Earned	\$0.00
Total Other Revenue	\$6,113.09
Total Receipts:	<u>\$51,730.23</u>

Accounts Payable	\$31,960.25
<u>Electronic Pmts:</u>	
Health Insurance	
Credit Card	
Postage	
Debt Service	
Payroll	\$42,000.00
Total Expenditures:	<u>\$73,960.25</u>

STATE FUND

Interest Earned	<u>\$0.00</u>
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Expenditures:	_____
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CAPITAL RESERVE

Interest Earned	<u>\$0.00</u>
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Expenditures:	_____
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TRANSPORTATION FUND

Interest Earned	<u>\$0.00</u>
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Expenditures:	_____
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SEWER OPERATING

Receipts	\$8,487.52
Interest Earned	\$0.00
Total Sewer:	<u>\$8,487.52</u>

Accounts Payable	\$96,045.82
Debt Service	
Total Expenditures:	<u>\$96,045.82</u>

REFUSE

Receipts	\$5,712.96
Interest Earned	\$0.00
Total Refuse:	<u>\$5,712.96</u>

Expenditures	<u>\$8,175.42</u>
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SEWER CAPITAL RESERVE

Interest Earned	<u>\$0.00</u>
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Expenditures	_____
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