

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
October 11, 2011 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Don McConathy and Supervisors Marty Shane and Thom Clapper. Supervisor Carmen Battavio was absent. Also present were Township Manager Rick Smith, Phyllis Marron and Erich Meyer (Park & Rec), Jim McRee (Planning Commission & Deer Committee), Kathryn Yahraes (Historical Commission), and Giulio Perillo (Pension Committee). Township Solicitor Skip Brion was present for the Public Hearing.

Call to Order & Pledge of Allegiance

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

Moment of Silence

Rick called for a moment of silence to honor the troops.

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 October 4 to discuss a personnel matter. The Board met in Executive Session on October 10 with the Westtown Supervisors to discuss a personnel matter. The Board will meet again in Executive Session tonight after the regular meeting to discuss a personnel matter.

Public Hearing – Acero Precision, 1340 Enterprise Drive – Conditional Use Application

The Board conducted a public hearing to consider a Conditional Use application from Acero Precision to allow a precision manufacturing use of the existing building and property at 1340 Enterprise Drive. Brian Nagle, Esq. was present for the applicant along with Michael Fitzgerald of Acero, John Caruolo of Caruolo Associates, and Paul Lepard, Jr. of Nave Newell.

Don moved to approve the Application for Conditional Use of Acero Holdings, LLC for a manufacturing facility use located at 1340 Enterprise Drive, Tax Parcel Nos. 53-4-168 and 53-4-169, as permitted in the East Goshen Township Ordinance, Sections 240-21.C.9 and 240-31, subject to the following conditions:

1. The proposed use shall be in accord with the testimony and exhibits as presented by Applicant at the hearing on October 11, 2011, in particular the conditional use plan dated September 6, 2011, last revised September 14, 2011.

2. Applicant shall satisfactorily comply, as feasible, with comment 5 in the Township Engineer's review letter dated September 27, 2011 (Exhibit B-9) and provide sufficient lighting to insure that the property is safely illuminated. Furthermore, proper and necessary security lighting shall be installed in the existing parking lot at the time of renovation of the building which would include but not be limited to the performance of any maintenance and lighting improvements necessary to the existing infrastructure of the property as required by the Township Zoning Officer. All lighting improvements and renovations shall be completed within one (1) year of occupancy and approved by the Township Zoning Officer.
3. Applicant shall comply with comment 11 in the Township Engineer's review letter dated September 27, 2011 (Exhibit B-9) prior to the issuance of a Certificate of Occupancy; and, further, shall enter into an agreement with the Township in a form satisfactory to the Township Solicitor to insure that stormwater best management practices, operations and maintenance occur on the property in accord with Township requirements.
4. All fencing that traverses the parking lot area shall be removed and all landscaping maintenance required to address the Fire Marshal's comments shall be completed on the entire property prior to the issuance of a Certificate of Occupancy.
5. The parking lot must be re-stripped and cleaned prior to the issuance of a Certificate of Occupancy.
6. Applicant shall, prior to planting any additional trees or shrubs, submit to the Township a landscape plan of the property for approval by the Zoning Officer in concert with recommendations of the Township Conservancy Board.
7. Applicant shall provide sufficient documentation to the Township Municipal Authority to establish to its satisfaction the estimated wastewater flow per day of the proposed use in accord with comment 2 of the Township Engineer's letter of September 27, 2011 (Exhibit B-9).
8. Applicant shall provide to the Township Zoning Officer a plan, if feasible based on topography, depicting an emergency access for employees and emergency vehicles from the site.
9. The manufacturing use shall be operated in conformance with all applicable Federal, State, County and Township rules, regulations, statutes and ordinances.

Marty seconded the motion.

The applicant agreed to the conditions and agreed to waive the 24-hour notification requirement from the Township.

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.

Updated Cost Information for Hershey Mill Dam

Rick summarized his memo of October 7 on this subject.

Rick is waiting for Mr. Hazenberg of Everlast Seawall to give him an estimate on the cost for the sheet piling.

Rick was asked to have Todd Trotman update his proposal with current numbers for the Township's review.

Public Comment: Neil DeRiemer, Hershey Mill Road – Inquired if Mr. Hazenberg was asked about the locations for the test bores. Rick said yes, and Mr. Hazenberg indicated he was fine with the locations indicated by Mr. Trotman. Mr. DeRiemer then had some questions about the cost for the sheet piling. Rick explained that he got his numbers by extrapolating numbers that Mr. DeRiemer had previously obtained. Mr. DeRiemer reported that he asked Mr. Reisinger that if the sheet piling option is approved by DEP, does that mean the trees on the dam can stay. He is waiting to hear back. Neil also said he contacted GAI Consultants regarding the soil testing.

Marty noted that the cost for Mr. DeRiemer's proposal is quickly escalating and is now in the same ballpark as the costs for the other options. Don said the shot crete spillway option, at an estimated \$500K, is still more expensive than the other options at this point.

Marty encouraged Mr. DeRiemer to have his Friends of the Dam group put together a plan for fundraising now that it is very clear the cost for the fix will be at least \$300K. (Mr. DeRiemer previously stated that they could not raise money without knowing the amount needed.) Marty said \$300K would be a good starting point and the group can raise the additional funds once the final cost is known.

Mr. DeRiemer asked if the Township was able to get information on obtaining a grant to breach the dam. Thom said the Township had not applied for any grants yet. He has been very busy.

Don asked Rick to inform Todd Trotman that the Township would like him to communicate directly with Mr. Hazenberg at Everlast Seawall on this project. Don would also like Rick to ask the boring contractor to make a determination ahead of time on which rig would be required based on current conditions. Now that the dam has been mostly dry for some time this may make the most sense, and potentially save the Township \$7,300.

Public Comment: Jim McRee, Bowen Way – Suggested that in lieu of taking core borings the Township ask the engineer to provide best-case and worst-case scenarios for the different soil types likely to be found at the site.

Public Comment: Joe Buonnano, Herron Lane – Suggested the Township consider making the dam area into active open space so that it might qualify for some kind of grant or funding to help cover all the costs of the dam work. Senya said unfortunately the location is not appropriate for active recreation as it is difficult to access and there is no area to put public parking.

Amendment to Contract with Pennsylvania Department of Community & Economic Development for Hershey Mill Dam

Don moved to authorize the Chairman to accept an amendment to Contract No. C000049282 with the Pennsylvania DEP. The amendment will allow the \$15,000 grant for the Hershey Mill Dam to be used for engineering costs instead of actual renovations. Thom seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Milltown Dam

Rick reported that DEP has advised the Township it is necessary to correct cracking and spalling on the primary spillway at the Milltown Dam on Reservoir Road. Rick recommended putting the project out to bid. The Board agreed with his recommendation. Rick will prepare a bid package.

Resolution Amending the Defined Contribution Pension Plan

Rick summarized his memo of October 7 regarding the need for a resolution amending the contribution rate for the Defined Contribution Pension Plan due to a one-time increase in revenue received from the State this year.

Marty moved to authorize execution of a resolution amending the contribution rate for this year from 5% to 8.5% for the Defined Contribution Pension Plan. Don seconded the motion.

Rick noted that the Pension Committee agreed to distribute the funds as follows:

\$24,187 to the prior Defined Benefit Plan

\$71,689 to the Firefighters' Plan

\$129,253 to the new Defined Contribution Plan

Mr. Perillo, Chairman of the Pension Committee, spoke to the urgency of the Board executing this resolution and said that Rick summarized the issue accurately. Senya thanked Mr. Perillo for his service to the Township.

There was no further discussion and no public comment. The Board voted and the motion passed unanimously.

TAG Recommendations for Park & Rec

Rick summarized his memo of October 6 on this topic. The Board briefly discussed this matter but no action was taken regarding the projected deficit in the Park & Rec budget for 2012.

Marty moved to have the 2012 Township budget updated to move the line showing the cost of having Public Works maintain the fields, etc. for Park & Rec over to Park & Rec instead of having it listed under Public Works. Don seconded the motion.

The board discussed this budget matter briefly and then voted unanimously to approve the motion.

Public Comment: Kathryn Yahraes, Vista Drive - Suggested the Township consider approaching Philadelphia Union about having a soccer camp for East Goshen children.

Computer and Software for Sewer Camera

The Board reviewed an October 5 memo from Mark Miller requesting authorization to replace the computer and software used in conjunction with the sewer camera per the recommendation of Burt Denenstein.

Thom moved to authorize Mark Miller to replace the computer and software for the sewer camera in the amount of \$12,000. Don seconded the motion.

Public Comment: Jim McRee, Bowen Way – Wanted to know the breakdown of the \$12,000. The Board told him they did not have a breakdown but the majority of the cost was for the software.

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

Senya told Rick that in future he would like Mark Miller to break down the costs for items in his memos, and to attach any proposals or associated paperwork he might have pertaining to his requests.

Coffee Service

Senya asked that the Board table discussion of this matter for a week or two. He asked Rick to thank Tia Piccolo for her research on this matter.

Review of Minutes

The Board reviewed and corrected the draft minutes of October 4. Don moved to accept the minutes as corrected. Thom seconded the motion.

Public Comment: Kathryn Yahraes, Vista Drive – Had some changes which were noted by the Recording Secretary for inclusion in the final minutes.

There was no discussion and no further public comment. The motion passed unanimously.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for October 6, 2011. The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of October 6 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.

Any Other Matter

Senya noted that East Goshen did not place in the 2011 West Chester Chili Cook-Off held October 9, but the Township representatives learned a lot that will help in future competitions. East Goshen was the only municipality entered in the event. Next year the contest will have a municipality division. He thanked Jim McRee and Linda Gordon for volunteering at the event.

Action List

Right-To-Know Requests – The Board reviewed the current report of Right-To-Know Requests and had no comments.

Sign Ordinance – Rick reported that the Planning Commission has a workshop scheduled to discuss the sign ordinance.

Correspondence & Reports of Interest

Senya acknowledged receipt of a letter from resident David Kohler commending Mark Miller and the Public Works crew for a job well done.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

Linda Gordon was present to say goodbye to the Board before moving to Florida. Senya thanked Linda for all the hard work and valuable service she rendered to the Township over the many years. Marty said that Linda has been an important part of the Township for many years, and he will most remember the role she played in making the Board more sensitive to environmental matters. Rick thanked Linda for her service, her generosity, and for being a person who didn't just "talk the talk" but took concrete action as well.

Adjournment

There being no further business, the regular meeting was adjourned at 9:53pm.

Executive Session

The Board met in Executive Session until 10:30pm to discuss a personnel matter.

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

October 6, 2011

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

GENERAL FUND

Real Estate Tax	\$866.15
Earned Income Tax	\$1,472.90
Local Service Tax	\$3,369.96
Transfer Tax	\$0.00
General Fund Interest Earned	\$566.64
***** Total Other Revenue (see below)	\$380,565.13
Total Receipts:	<u>\$386,840.78</u>

Accounts Payable	\$240,415.78
<u>Electronic Pmts:</u>	
Health Insurance	\$0.00
Credit Card	\$0.00
Postage	\$0.00
Debt Service	\$0.00
Payroll	\$42,000.00
Total Expenditures:	<u>\$282,415.78</u>

STATE FUND

Interest Earned	<u>\$88.06</u>
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Expenditures:	<u>\$0.00</u>
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CAPITAL RESERVE

Interest Earned	<u>\$413.09</u>
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Expenditures:	<u>\$0.00</u>
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TRANSPORTATION FUND

Interest Earned	<u>\$327.28</u>
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Expenditures:	<u>\$0.00</u>
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SEWER OPERATING

Receipts	\$3,769.24
Interest Earned	\$48.22
Total Sewer:	<u>\$3,817.46</u>

Accounts Payable	\$17,478.74
Debt Service	\$0.00
Total Expenditures:	<u>\$17,478.74</u>

REFUSE

Receipts	\$1,809.95
Interest Earned	\$22.55
Total Refuse:	<u>\$1,832.50</u>

Expenditures	<u>\$6,930.25</u>
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SEWER CAPITAL RESERVE

Interest Earned	<u>\$347.38</u>
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Expenditures	<u>\$0.00</u>
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****Note, of the \$380,565.13
received in General Fund
\$225,129 is pension
state aid