

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
November 1, 2011 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Don McConathy and Supervisors Marty Shane, Carmen Battavio and Thom Clapper. Also present were Township Manager Rick Smith, Deb Beury and Brian McCool (Finance Dept), Phyllis Marron and Erich Meyer (Park & Rec), Jim McRee (Planning Commission and Deer Committee), and Kathryn Yahraes (Historical Commission).

Call to Order & Pledge of Allegiance

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

Moment of Silence

Carmen 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 25 to discuss a personnel matter.

Rick announced that the deadline to apply to FEMA for Disaster Assistance for Tropical Storm Lee is November 14. More information is available on the Township website.

Township Budget

Deb Beury and Brian McCool of the Finance Department presented information on the year-end projection for the 2011 budget and the preliminary 2012 budget.

2011 Budget

At this time there is a projected favorable budget variance for 2011 of \$452,876. This is due to revenues that were \$278,005 over expectations and expenses that were \$174,871 lower than expected.

Preliminary 2012 Budget

The preliminary 2012 budget will have \$7,550,203 in revenue and \$8,297,841 in expenses leaving a proposed deficit of \$747,638. To compensate for the deficit, reserves will be drawn from the General Fund (which has a fund balance of \$4,001,374 at this time). There will be no tax increase in 2012.

Thom asked Deb if the line item for Real Estate Tax in 2012 takes into account all the real estate reassessments that are taking place and Deb said yes.

Deb reviewed the reasons for the increases in expenses that will lead to the projected deficit in 2012.

Public Comment: Leo Sinclair, Lochwood Lane – Asked for confirmation that there is no change in administration costs for 2012. Deb said she would get detailed information to Mr. Sinclair. (Later in the meeting Deb stated that Administration costs would be not be going up in 2012 because the Township will be paying out \$70,000 less in pension costs, doing away with the printed newsletter, and EIT refunds.

Don noted that the 2011/2012 budget comparison for Park & Rec appears skewed because park maintenance costs will be taken from the Public Works budget and added to the Park & Rec budget beginning with the 2012 budget.

Marty stated that due to the state of the economy, it's difficult to project what revenues will come from EIT and real estate transfer taxes in 2012. He noted that the largest factor contributing to the projected 2012 variance is police costs. Since the bulk of expenses associated with the police are contractual in nature, there is very little the Township can do to contain them. Marty added that East Goshen's overall financial situation is very good compared to many Townships.

Don said the Township revenues and expenses are less because the pass-through accounts have been pulled out, but the bottom line is not affected. Police-related costs are expected to go up 8% next year. In addition, the Township will be paying toward post-retirement medical benefits for officers beginning in 2012.

Public Comment: Leo Sinclair, Lochwood Lane – Asked the amount the Township would be paying for post-retirement medical benefits in 2012. The Board told him \$335,891. Mr. Sinclair asked why the Township made excessive cuts to the snow removal budget for 2012 and said it should not be cut. Carmen explained that the Board reduced the budget to a realistic number and also invested in a brine solution system which will reduce snow removal costs. Mr. Sinclair asked how much money the Township received from the federal government for snow removal and Rick said East Goshen received \$35,000 from FEMA last year.

Marty moved to authorize the Township Manager to advertise the preliminary 2012 budget (General Fund only) in the *Daily Local*. Carmen seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion.

QVC Variance Application for 1365 Enterprise Drive

Greg Davis, Esq. was present for the applicant. He distributed exhibit booklets to the Supervisors which showed the proposed QVC sign. The sign will be lit with LED lights which will turn on at dusk and go off at dawn.

Public Comment: Leo Sinclair, Lochwood Lane – Asked to see copies of the renderings, and was shown a copy.

Marty told Mr. Davis that the Zoning Hearing Board will want to know the basis for QVC's variance request.

Carmen moved to recommend that the Zoning Hearing Board support the Zoning Variance requests for QVC Network, Inc. at 1365 Enterprise Drive for 1) §240-22.N for the maximum height of the proposed wall sign so long as it does not exceed 24 feet above the finished grade of the building directly beneath the sign and 2) §240-22.Q(5) for the maximum size of the sign so long as the sign does not exceed 109 square feet. The property is located in the Business Park District of the Township and the proposed relief will not pose any significant impact to the character of the Business Park nor pose an impact on the adjacent residential neighborhood. Thom seconded the motion.

Public Comment: Leo Sinclair, Lochwood Lane – Asked how this sign differs from the sign for the antique dealer on Paoli Pike that had to be changed by the owner. Rick said the antique dealer's sign is freestanding. The QVC sign is on the wall of a building.

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

HVAC System Assessment from Moore Engineering Company

Ken Kauffman of Moore Engineering said that the HVAC system at the Township building is basically in good shape, but is aging out. He briefly reviewed the System Assessment prepared by his firm, dated October 25, 2011, and the various options available to the Township.

Carmen complimented Mr. Kauffman for a well-prepared report. The Board thanked Mr. Kauffman for coming and said they would be discussing the various options and getting back to him.

Hershey Mill Dam Costs

Neil DeRiemer distributed an updated cost estimate from Risbon Excavating dated November 1 for dam restoration work. Mr. DeRiemer noted that Risbon's total estimate of \$67,510.00+/- does not include permits or undercutting of the existing spillway, nor is it based on the prevailing wage rate.

Mr. DeRiemer said he met with a stonemason who is going to give him a written estimate for reinforcing the existing spillway wall. The rough estimate he was given verbally was \$5,000 to \$15,000.

Mr. DeRiemer said he has tried numerous times to get in touch with E.B. Walsh but has not had success making contact.

Don expressed concern that more detail is needed to get to a design stage from the one-page plan drawn up by E.B. Walsh. Don asked Mr. DeRiemer to have E.B. Walsh provide an estimate to do the design work.

Senya asked Mr. DeRiemer to get a list from Risbon Excavating of their past dam projects.

Rick noted that until the Board decides what it wants to do with the dam, all the information it has so far is just estimates. No costs will be known for sure until the Board decides on a course of action and solicits bids for the work.

The Board asked Mr. DeRiemer to obtain a proposal from E.B. Walsh for all the work on the dam. Mr. DeRiemer said getting this information will take time. When pressed to provide a date estimate Mr. DeRiemer said he would aim to get information to the Township so that the Board would have it in their packet for their next meeting. Senya told Mr. DeRiemer the next meeting would be November 15.

Goshen Fire Company

Rick reported that the Township's insurance agent confirmed that volunteer fire fighters are covered under Workman's Comp insurance for medical benefits in the event they are injured at a fire, and also for lost wages if such an injury results in them losing time at work.

Thom moved to authorize Public Works employees that are certified firefighters to respond to confirmed working building fires during working hours and Mark Miller is to continue monitoring their participation in fire fighting activities as he has in the past. Carmen seconded the motion.

Public Comment: Leo Sinclair, Lochwood Lane – Asked if employees fighting fires will be paid by the Township for working at fire scenes beyond their normal working hours. Rick said no. Mr. Sinclair asked if the Township tracks how much is being paid to employees who fight fires during working hours. Senya said yes and noted that employees have been paid for a total of 20 hours in 2011 for fighting fires during working hours. Mr. Sinclair then stated that the Goshen Fire Company conducts credit checks on its volunteer applicants and he finds that highly objectionable. Senya suggested Mr. Sinclair take his concern directly to the Goshen Fire Company.

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

Neighborhood Blight Reclamation & Revitalization Act

Rick reported that per the Township Solicitor, this Act does not require the Township to adopt its own ordinance to be able to take advantage of the remedies provided in the Act. The Board agreed that no action was required on this matter.

Web Mail

Rick summarized his memo of October 24 on this topic. Apparently not everyone with a Township web mail account has accessed or received their email. An email sent to the Tax

Collector and cc'd to two Elected Auditors in August went unanswered until it was brought to Rick's attention. Senya advised Rick to make sure that all Township email accounts are set up properly by the users. Rick will then send each account a test message to make sure.

Public Comment: Leo Sinclair, Lochwood Lane – Said that when he was an Elected Auditor for the Township he never received the email in question (he was certain he was copied on it). He will be reporting this matter to the Attorney General and also consulting with his attorney. He demanded the Township provide him with copies of all emails he did not receive when he was an Elected Auditor. Mr. Sinclair then pointed out that he did not “retire” from his position as stated in Rick's memo, but instead resigned.

Liberty Towers

The Board reviewed a draft letter to the Pennsylvania State Historic Preservation Office regarding the proposed cell tower to be constructed by Liberty Towers behind the Township building. Senya had a couple of minor changes. Thom moved to approve the letter as corrected and to authorize it to be mailed to PASHPO. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Shirley Fox, 1711 East Boot Road – Request to Unify Two Subdivided Lots

Senya moved to authorize the Township Manager to prepare a letter to the Chester County Bureau of Land Records requesting that Ms. Fox's two lots be unified into one tax parcel. This letter is then to be sent to Ms. Fox with a signature line for her to indicate that she:

- 1) Is in agreement to unify the two tax parcels; and
- 2) Is aware that any future subdivision of her property must be done in accordance with the Township Subdivision Ordinance; and
- 3) Is aware that there would be a cost to subdivide her property again.

Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Any Other Matter

Mars – Senya reported that things are progressing that would allow Mars to remain in East Goshen.

Review of Minutes

The Board reviewed and corrected the draft minutes of October 25. There was no public comment. Senya said the minutes would stand approved as corrected.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for October 27, 2011. The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of October 27 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

Cell Tower – Liberty Towers is updating the agreement and site plan to reflect the agreed-upon changes. The federal and state cases are on hold. The Township is waiting for the color chip and sample of the tower skin. The letter to the PASHPO will be mailed this week.

Post-Retirement Medical Benefits – The Pension Committee will meet on Wednesday and will decide on their recommendations for a trustee and fund manager.

IT Committee – The Committee is still drafting their report.

Electronic Newsletter – An ad for the newsletter subscription will run in the winter newsletter (to be in homes early January). Staff is working on setting up a database to manage subscriptions. The current vendor will format the Spring 2012 newsletter.

TAG Recommendation Summary – The Board reviewed the updated summary.

Correspondence & Reports of Interest

Senya acknowledged receipt of Mark Miller's Monthly Report, as well as a list of the meeting schedules for comparable Townships as prepared by staff.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

Jim McRee suggested the Township post something on the website about the recent *Philadelphia Inquirer* article pertaining to real estate values in East Goshen.

Adjournment

There being no further business, the regular meeting was adjourned at 9:40pm.

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 27, 2011

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

GENERAL FUND

Real Estate Tax	\$3,770.67	Accounts Payable	\$17,149.26
Earned Income Tax	\$24,381.08	<u>Electronic Pmts:</u>	
Local Service Tax	\$1,100.00	Health Insurance	\$0.00
Transfer Tax	\$0.00	Credit Card	\$0.00
General Fund Interest Earned	\$0.00	Postage	\$0.00
Total Other Revenue	\$7,869.93	Debt Service	\$176,787.91
Total Receipts:	<u>\$37,121.68</u>	Payroll	\$44,000.00
		Total Expenditures:	<u>\$237,937.17</u>

STATE FUND

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

Interest Earned	<u>\$0.00</u>	Expenditures:	<u>\$610.00</u>
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TRANSPORTATION FUND

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

Receipts	\$127,955.80	Accounts Payable	\$10,089.06
Interest Earned	\$0.00	Debt Service	\$97,156.10
Total Sewer:	<u>\$127,955.80</u>	Total Expenditures:	<u>\$107,245.16</u>

REFUSE

Receipts	\$52,816.33	Expenditures	<u>\$3,890.89</u>
Interest Earned	\$0.00		
Total Refuse:	<u>\$52,816.33</u>		

SEWER CAPITAL RESERVE

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