

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
July 17, 2012 – 6:30pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper and Supervisors Marty Shane, Carmen Battavio and Chuck Proctor. Also present were Township Manager Rick Smith, Zoning Officer Mark Gordon, CFO Jon Altshul, Erich Meyer (Park & Rec), Ginnie Newlin (Conservancy Board), Kathryn Yahraes (Historical Commission), Al Zuccarello (Planning Commission and Commerce Development Commission), and Township Solicitor Kristin Camp.

Executive Session

The Board met in Executive Session from 6:30pm to 7:00pm for a strategy session on the police labor contract.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:02pm. Kristin Camp led everyone in the Pledge of Allegiance.

Moment of Silence

Carmen Battavio 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.

Police Report

Sgt. Rick Gorman reported there were 446 calls for service from East Goshen during June. Resident Art Polishuk asked why the report was not included in the Supervisors' packets and Rick Smith said the Township just got the report today from the police.

Chairman's Report

Senya announced that the Board met in Executive Session on July 5, July 12, and earlier this evening for strategy sessions on the police labor contract.

Senya acknowledged receipt of Matthew Burns' resignation from the Conservancy Board, and Robert Madonna's resignation from the Commerce Development Commission.

Conditional Use Hearing – Goshen Meadows Apartment Project, West Chester Pike

The Board held a public hearing to consider a Conditional Use application for Goshen Meadows, L.P. to build additional apartments and adaptively reuse a historic building on their property at 1325 West Chester Pike.

Mark Thompson, Esq. was present for the applicant, along with witnesses Scott Fagan (President of Goshen Meadows Investors), civil engineer Dennis O'Neill, and architect David Polatnick.

After testimony and discussion, the Board requested that the hearing be continued to August 21 due to the absence of the Township Engineer's response to the traffic report. In addition, more information is needed regarding the buffer zone, landscape plan, and concerns raised by the neighbors. The applicant agreed to the continuance.

Several residents made public comments. A court reporter was present and will provide a complete transcript of the proceedings.

Malvern Fire Company Report

Rick Smith reported that Malvern responded to two accidents in East Goshen during June.

Goshen Fire Company Report

Carmen Battavio reported that the Goshen Fire Company responded to 23 fire calls in June, the Fire Police responded to 45 calls, and the EMS crew responded to 256 calls -- more than half of which came from Wellington, Bellingham, and Hershey's Mill.

Resident Art Polishuk asked if the Goshen report included time spent at Community Day, and Carmen said he was not sure.

Financial Report for 2nd Quarter

CFO Jon Altshul reported that as of June 30 the General Fund has a positive variance of \$928,554 relative to the budget. The Township is \$173,331 under budget on the expense side, mostly due to the mild winter. He then reviewed the year-end projections.

Police Commission Offer to Provide Services to Thornbury Township

Rick read aloud the motion approved by the Police Commission on Monday, July 9 as reflected in the Commission's July 9 letter to Thornbury Township:

I move, subject to the approval of our respective Boards, that the Police Commission will provide police services to Thornbury Township, Chester County for 2013, in the same manner in which they are currently provided, for the sum of \$786,000, and with the condition that Thornbury agrees to indemnify the Police Commission for the increase in disability pension and post-employment medical costs in the event an officer is injured in Thornbury and subsequently retires on a service-related disability pension.

Carmen moved to accept the recommendation from the Police Commission in regard to police services for Thornbury. Chuck seconded the motion. Carmen noted that when he made the original motion at the Police Commission meeting he used the word "any" instead of "the" before the phrase "increase in disability pension."

Public Comment: Art Polishuk, Grand Oak Lane – Questioned what the Board was voting on this evening, and Rick explained.

Public Comment: Joe Buonnano, Herron Lane – Asked if the stipulation about indemnification was in the original contract with Thornbury, and Senya said no. Mr. Buonnano asked if Thornbury is obligated from past contracts to contribute to future medical bills, and Senya said no.

Public Comment: Mike Ragni, Larch Lane – Asked if the Board has discussed presenting another proposal to Thornbury if this is declined and Senya said no. Mr. Ragni asked if the Board is open to negotiating with Thornbury. Senya said Thornbury would have to negotiate with WEGO, not directly with East Goshen. Mr. Ragni asked if East Goshen is willing to lose the contribution of Thornbury over this issue. Senya noted that the sum of \$786,000 pales in comparison to the costs East Goshen taxpayers would incur over the long term for health care and disability should a WEGO officer get injured in Thornbury. The estimate for those costs ranges from \$2.5M to over \$7M. Mr. Ragni asked if Thornbury pays a percentage into the police budget. Senya said it depends on the year and the PPU's. Mr. Ragni asked why the Township has not done something about this issue for the past 20 years. Senya said that previous Boards should have addressed the issue but noted that the true long-term impact of medical and disability payments is only now becoming apparent.

Public Comment: Art Polishuk, Grand Oak Lane – Said he applauds the stance of the Police Commission on this issue. If an officer is injured in Thornbury, then Thornbury's residents should bear the cost, not the residents of East Goshen and Westtown.

Public Comment: Anthony Ruggieri, President of the Westtown-East Goshen Police Assoc. – Questioned the numbers Senya cited for long-term healthcare and disability payment costs that would result from an officer being injured on the job. Senya said he got them from the 2011 actuarial study, and the Police Association should have a copy. Mr. Ruggieri said that Thornbury already turned down the WEGO offer before East Goshen voted this evening. He asked if the Board has met to discuss other options. For instance why not set aside the \$184K payment from WEGO in a special account to help pay for future contingencies.

Senya said the Board spent a lot of time investigating whether or not an insurance policy would be available for this type of situation and learned there is no such policy. However, the Township will be meeting with underwriters soon in the hope they can craft a custom policy for East Goshen.

Carmen noted that at the Police Commission meeting he asked all parties (not just the Boards of East Goshen and Westtown) to go back to the drawing board and reopen negotiations.

Senya then read verbatim from a July 10 article in the *Daily Local*:

He [Carmen Battavio] asked the boards of East Goshen and Westtown to revisit the proposed disability requirement for Thornbury "in earnest," and also urged all four parties involved in the ongoing contract negotiations to work together to find an acceptable solution to keep the police department intact.

"Our vision with this commission is to keep WEGO a regional police department covering all three townships, and maybe more in the future," Battavio said, though he did add that all options are being considered."

Chuck, in response to Mr. Ruggieri's statement about the \$184K payment from WEGO, noted that the \$184K payment was not received as a check written to East Goshen. Instead, it was issued as a credit on account.

Public Comment: Pete Keegan (WEGO officer) – Stated that Thornbury tried many years ago to come on board with WEGO as a full member but was denied by the Police Commission. Carmen said that Thornbury was given the opportunity more than once to join as a full member but declined when they saw the cost.

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

Cloud Computing

The Board briefly discussed Rick's July 11 memo on this topic. They agreed to table this matter until it's time to replace the Township's server (approximately 2015).

Friends of East Goshen

Senya said that while the original Friends have disbanded, the Board of Supervisors wants to keep the effort moving forward, and to that end would like to appoint four individuals to get this effort off the ground and get the Friends incorporated into 501(c)3 status.

Public Comment: Art Polishuk, Grand Oak Lane – Asked whether previous contributions to the Friends were tax-deductible. Senya explained that they operated as a 501(c)3 under the umbrella of the Chester Community Foundation, and that all contributions are tax-deductible from an IRS perspective.

Marty moved to appoint Chuck Proctor, Thom Clapper, Jon Altshul, and Resident Hal Zuber to serve as a Steering Committee for the Friends of East Goshen. Carmen seconded the motion.

Public Comment: Kathryn Yahraes – Said the Historical Commission has been concerned that there has been no vehicle for giving them tax-deductible donations.

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

Any Other Matter

Brian Hoover – Senya reported that Brian Hoover, one of the Township's approved deer hunters, was nominated by Governor Corbett to serve as a member of the Pennsylvania Board of Game Commissioners. Rick will send Mr. Hoover a congratulatory letter from the Township.

Commerce Development Commission – Marty reported that the Commerce Development Commission is ready to embark on Phase II of their activities, contacting all the local businesses.

Delinquent Utility Accounts - Jon Altshul noted that Tia Piccolo has compiled a list of 19 delinquent utility accounts worth approximately \$60K. Marty moved to have Tia proceed with pursuing these delinquent accounts through the District Court. Thom seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Greenhill Road S-Curve – Marty moved to direct the Township Manager to send a letter to PennDOT in support of a resident who is concerned about safety on Greenhill Road at the S-curve. Carmen seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Review of Minutes

The Board reviewed and corrected the draft minutes of July 3. Senya announced that the minutes would stand approved as corrected.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for July 12, 2012.

The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of July 12 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Chuck seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Action List

Billboard Ordinance – Public Hearing to take place in August.

Sign Ordinance – Revised ordinance has been sent to CCPC for comments.

Comprehensive Plan – Staff is working on a grant application due August 15.

Telecom Registration & Reporting – Mark Gordon reported that money was received today from T-Mobile.

Municipal Authority Projects – Rick reported that work is still being done on Lockwood. The Marydell, Reserve, and Hershey's Mill pump stations are in the final design stage.

Quarterly Financial Reports – The Board had no comments.

Quarterly I&I report – Mark Miller's crew televised 8,000 feet in the Ridley Creek system and repaired four leaks. They made multiple lateral repairs in both systems, repaired a broken lateral in Ashbridge and continued monitoring with portable flow meters.

Quarterly Report of Right-to-Know Requests – 30 requests were received this quarter.

Correspondence & Reports of Interest

Senya acknowledged receipt of the 2011 Berkheimer Earned Income Tax Audit. Resident Art Polishuk said it should not be accepted because the information in the report is insufficient and it was not prepared professionally. Senya asked Jon Altshul to request a corrected copy from Berkheimer.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

Kathryn Yahraes – Reported that the American Battlefield Protection Program (ABPP) has approved a grant to Chester County in the amount of \$58,073 for the Battle of the Clouds.

Art Polishuk, Grand Oak Lane – Said the Farmers' Market is a great asset to the Township, and he would hate to see anything happen to it now that the original Friends of East Goshen have disbanded. Senya agreed and said he hopes to have the new Park & Rec take over management of the market as a function.

Adjournment

There being no further business, the regular meeting adjourned at 9:59pm.

Executive Session

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

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

July 12, 2012

TREASURER'S REPORT
2012 RECEIPTS AND BILLS

GENERAL FUND

Real Estate Tax	\$8,099.76	Accounts Payable	\$545,615.99
Earned Income Tax	\$32,209.47	<u>Electronic Pmts:</u>	
Local Service Tax	\$3,555.74	Health Insurance	\$0.00
Transfer Tax	\$0.00	Credit Card	\$0.00
<i>General Fund Interest Earned</i>	\$10,554.92	Postage	\$0.00
Total Other Revenue	\$380,426.79	Debt Service	\$0.00
Total Receipts:	<u>\$434,846.68</u>	Payroll	\$95,000.00
		Total Expenditures:	<u>\$640,615.99</u> (2 Weeks)

STATE LIQUID FUELS FUND

Receipts	\$0.00	Expenditures:	<u>\$0.00</u>
<i>Interest Earned</i>	\$104.42		
Total State Liquid Fuels:	<u>\$104.42</u>		

CAPITAL RESERVE

<i>Interest Earned</i>	<u>\$9,219.36</u>	Expenditures:	<u>\$1,315.00</u>
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TRANSPORTATION FUND

<i>Interest Earned</i>	<u>\$324.93</u>	Expenditures:	<u></u>
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SEWER OPERATING

Receipts	\$11,709.56	Accounts Payable	\$21,024.72
<i>Interest Earned</i>	\$84.51	<i>Debt Service</i>	\$0.00
Total Sewer:	<u>\$11,794.07</u>	Total Expenditures:	<u>\$21,024.72</u>

REFUSE

Receipts	\$2,086.63	Expenditures	<u>\$63,059.40</u>
<i>Interest Earned</i>	\$68.23		
Total Refuse:	<u>\$2,154.86</u>		

SEWER CAPITAL RESERVE

<i>Interest Earned</i>	<u>\$356.55</u>	Expenditures	<u>\$3,417.18</u>
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