

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
AND POLICE SERVICES OPTIONS WORKSHOP  
1580 PAOLI PIKE  
September 25, 2012  
Final Approved Minutes**

**Present:** Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper, Supervisors Carmen Battavio, Marty Shane and Chuck Proctor. Also present were Township Manager Rick Smith, CFO Jon Altshul, Interim WEGO Police Chief Gene Dooley, Kathryn Yahraes (Historical Commission), Erich Meyer (Park & Rec), and Ginnie Newlin (Conservancy Board). Township Solicitor Kristin Camp was present for the Public Hearings. Reporters Jeremy Gerrard and Michael Price from the *Daily Local* were also present.

**Executive Session**

The Board met in Executive Session with Westtown Township and their respective attorneys from 5:30pm until 7:32pm to discuss police contract matters. [Note: Rick Smith came out at 7:05pm and told the audience the Board was tied up in Executive Session and he could not say how much longer they would be.]

**Call to Order & Pledge of Allegiance**

Senya called the meeting to order at 7:34pm and asked Chief Dooley and his staff to lead everyone in the Pledge of Allegiance.

**Moment of Silence**

Carmen Battavio called for a moment of silence to honor the troops, EMS and police, as well as Ambassador Chris Stevens and his staff who were killed in Libya on September 11.

**Recording of Meeting**

Michael Price of the *Daily Local* said he would record the meeting.

**Public Comment on Non-Agenda Items**

*Art Polishuk- Grand Oak Lane* – Noted that the Board was 16 minutes late for the September 11 meeting because they chose to meet with Westtown Township instead of East Goshen constituents, and this evening the Board was over 30 minutes late for the same reason. This shows a lack of respect for the public who come to the meetings.

Senya said the time in the Executive Session was spent getting reports from Police Commissioners Carol DeWolf (Westtown) and Carmen Battavio (East Goshen) who were reporting on their 12-hours meeting yesterday. The Board wanted to get the Commissioners' reports so they would have something to tell the public in the meeting this evening. Senya apologized for the inconvenience but said the delay was a good and necessary use of time.

*Public Comment: Carol DeWolf, Westtown Township* – Stated that the two Boards were tied up discussing the future of 30 police officers and the safety of the two Townships, and she would think Mr. Polishuk would be grateful that the Boards are taking the time to thoughtfully consider

these very important issues. Mr. Polishuk said he did appreciate the thoughtful consideration of the issues but he does not find it appropriate for the East Goshen Board to schedule overlapping meetings.

#### **Chairman's Report**

- The September 18 meeting was cancelled due to a power outage at the Township building.
- The Board met in Executive Session on September 7, and again on September 11 prior to the meeting to discuss personnel and police contract matters.
- East Goshen Township's Neighborhood University program will be held October 29 from 6:00pm to 9:30pm. Details are on the website and in the newsletter, or residents may call the Township for more information.
- There will be an electronics recycling event on Thursday, October 11 from 7:30am to 2:00pm at CTDI, 1373 Enterprise Drive, West Chester.
- The DEA National Prescription Drug Take Back Initiative is scheduled for Saturday, September 29 from 10:00am to 2:00pm at the Thornbury Township Giant store located at 1393 Dilworthtown Crossing.

#### **Public Hearing – Contractor Establishments and Height for Wireless Communications Facilities**

The Board held a public hearing to consider amending the Zoning Ordinance to allow "Contractor Establishments" in the C-1 Zoning District and to increase the height limit for wireless communications facilities.

Senya apologized to the applicants who came out last week only to learn the meeting was cancelled due to a power outage.

Chuck moved to adopt the amendments to the Zoning Ordinance to 1) add "Contractor Establishments" to the uses permitted by right in the C-1 Zoning District and 2) to modify the permitted height for equipment and equipment shelters within wireless communications facilities to a maximum of 12 feet tall as outlined by the Township Solicitor. Marty seconded the motion. There was no public comment. The Board voted unanimously to approve the motion.

Chuck then moved to amend the current lease agreement with Liberty Towers to allow them to build their wireless communications facility to a maximum height of 12 feet. Carmen seconded the motion. There was no public comment. The motion passed unanimously.

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

#### **Public Hearing – Billboard Ordinance Amendment**

The Board held a public hearing to consider amending the section of the Zoning Ordinance that regulates billboards.

Chuck moved to approve the ordinance amendment titled "Zoning" amending various sections of the sign ordinance pertaining to temporary and freestanding signs as outlined by the Township Solicitor. Carmen seconded the motion. Thom said he objected to the change, because in his

opinion 120 square feet is just too large. He also stated there are way too many sandwich-board signs throughout the Township advertising Township events.

Public comments were made by residents Ginnie Newlin of Devon Lane and Art Polishuk of Grand Oak Lane.

The Board voted 4:1 and the motion carried. (Thom was opposed.) A court reporter was present and will provide a complete transcript of the proceedings.

[At this point Jack Barber of WPVI (ABC news), 4100 City Avenue, began recording the meeting, as did resident Leo Sinclair of Lochwood Lane.]

#### **Police Report**

The police responded to 501 calls for service in East Goshen in August.

Carmen introduced WEGO Interim Police Chief Gene Dooley. Chief Dooley introduced Detective Sergeant William Cahill and Sergeant Jim DiCave who were both promoted to Lieutenant at the Police Commission meeting on Monday September 24, as well as Detective Glenn Bretz who was promoted to Detective Sergeant on September 24. Bill Cahill and Glenn Bretz introduced members of their families who were with them. Carmen told the officers that the Police Commission is here to back them and wished them the best of luck.

#### **Goshen Fire Company Report**

None.

#### **Malvern Fire Company Report**

Malvern responded to two calls from East Goshen in August.

#### **Financial Report**

Jon Altshul requested that his report be tabled until the next meeting.

#### **Plank House Roof Replacement**

Three quotes were received to replace the roof on the Plank House as follows:

Stoltzfus Roofing	\$4,700
Springer Brothers, Inc.	\$5,400
A. Poletto, Inc.	\$7,500

Carmen moved to accept the September 14 recommendation of Public Works Director Mark Miller to award the roof replacement contract for the Plank House to Stoltzfus Roofing in the amount of \$4,700. Chuck seconded the motion.

Senya asked Kathryn Yahraes if she had any comments and she said she could not comment as the Historical Commission had not received any of the bid information.

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

**Zoning Variance Request, Christopher Hagman, 440 Gateswood Drive**

Mr. Hagman was present and gave a summary of the layout of his property and the garage he would like to build. Carmen said he was pleased to see that Mr. Hagman checked with a number of neighbors to see if they had any issues with him adding a garage on his property.

Marty said it would be possible for Mr. Hagman to install a structure that conforms with the zoning ordinance although it might not be ideal for Mr. Hagman. Marty recommended the Board take no position in regard to the zoning variance request of Mr. Hagman, and let the Zoning Hearing Board make a decision. Carmen seconded the motion.

Thom asked Mr. Hagman if he considered turning the garage to make it conform. Mr. Hagman said he is not interested in turning it as it would disrupt his new patio, require the removal of another tree, and put a barrier up between the house and the back yard, which would hinder him from keeping an eye on his young children playing out back. Carmen asked Mr. Hagman if he planned on using power tools late in the evening as part of his automotive and boat restoration hobbies that would be housed in the new garage. Mr. Hagman said no.

Chuck asked Mr. Hagman if the new garage would have electricity and Mr. Hagman said yes. He asked if it would have plumbing and Mr. Hagman said no. He asked if it would have a front and side door and Mr. Hagman said yes. He asked the height of the roof line and Mr. Hagman said 18 feet. Chuck asked if the rafter area would be used for storage and Mr. Hagman said yes.

*Public Comment: Art Polishuk, Grand Oak Lane* – Asked Mr. Hagman what hardship he was claiming. Mr. Hagman said the setback requirements would prevent his family from using their yard to its fullest potential. Art recommended the Supervisors deny the application or take “no position.”

*Public Comment: Mark Semanko, Gateswood Drive* – Said the applicant had no professional site survey done, and it should be a requirement. He stated that Mr. Hagman already has a two-car garage and said he does not understand what the hardship is. He said he did not want the Board to approve this application and start setting a precedent that would lead to a disregard for the zoning ordinance in the Township. Senya stated that although the Board of Supervisors can make recommendations to the Zoning Hearing Board, that body makes its own decisions. Senya encouraged Mr. Hagman to consider the points made by his neighbor Mr. Semanko as he prepares to go before the Zoning Hearing Board.

There was no further discussion or public comment. The Board voted 4:1 and the motion to take “no position” carried. (Chuck was opposed.)

**Zoning Variance Request, Louis Voigt, 437 Gateswood Drive**

Mr. Voigt was present and gave a summary of the layout of his property and the attached garage he would like to install.

Thom asked him why couldn't he turn the garage so the entrance is behind the house. Mr. Voight said that could probably work but that layout was not desirable to him. If he did that he would lose the connection to the back yard from the house.

Marty asked him why he wanted to build another garage and Mr. Voight stated the one he has is too small. He would like to renovate the old garage into livable space with a full bath on the first level for use by himself and his wife as they age and begin to have difficulty with stairs. Marty said he empathized, but while sometimes an idea is great it's just not appropriate. Marty said he is not sure there is a hardship in this case, and that Mr. Voight knew the constraints of the property when he purchased the home.

Marty recommended the Board take no position in regard to the zoning variance request of Mr. Voight, and let the Zoning Hearing Board make a decision. Carmen seconded the motion.

*Public Comment: Mark Semanko, Gateswood Drive* – Said the drawings provided by the applicant show no context, and do not reveal how close he will come to the property line. He wondered why Mr. Voight cannot simply add on to his existing garage.

*Public Comment: Art Polishuk, Grand Oak Lane* – Stated that he agreed with Marty that the Zoning Hearing Board should make the decision on this application.

Senya recommended that Mr. Voight take Mr. Semanko's concerns into consideration as he prepares to go before the Zoning Hearing Board.

There was no further discussion or public comment. The Board voted 4:1 and the motion passed. (Chuck was opposed.)

### **Cleaning Contract**

Four bids were received for the routine cleaning of the Administration, Public Works, Blacksmith Shop, District Court and Police substation as follows:

	Admin/Public Works	District Court/Police	Blacksmith Shop	Monthly Total
CNS Cleaning	\$820.00	\$255.00	\$50.00	\$1,125.00
Eastern Janitorial Services	\$735.34	\$441.13	\$25.53	\$1,200.00
Clean Right Building Services	\$810.00	\$498.00	\$40.00	\$1,348.00
MKH Services/ Clean Net	\$970.00	\$400.00	\$75.00	\$1,445.00

Carmen moved to award the cleaning bid to CNS Cleaning of Bensalem in the amount of \$1,125 per month per the September 12 recommendation of Public Works Director Mark Miller. Thom seconded the motion. Carmen noted that the Township did check CNS's references.

*Public Comment: Art Polishuk, Grand Oak Lane* – Asked if the fact that CNS is located in Bensalem would present any issues. Carmen said the Township is obligated to accept the lowest

responsible bid; however, there will be a termination clause in the contract in case there is a problem.

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

#### **Any Other Matter**

None.

#### **Review of Minutes**

The Board reviewed the draft minutes of September 4 and had no changes or corrections. Senya announced that the minutes would stand approved as submitted. The Board agreed to table the September 11 minutes until the following meeting.

#### **Treasurer's Report & Expenditure Register Report**

*See attached Treasurer's Report for September 13, 2012.*

The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of September 13 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**

Comprehensive Plan – Rick reported that the Township received a \$40K grant from the county. Senya thanked everyone that worked to apply for the grant.

Telecom Registration and Reporting – T-Mobile contacted Mark Gordon and will be submitting information.

#### **Correspondence & Reports of Interest**

Senya acknowledged receipt of the Chester County Solid Waste Management Plan Revision.

#### **Meetings & Dates of Importance**

Senya noted the upcoming meetings as listed in the agenda. Thom reminded everyone that the Pumpkin Fest will be held October 13. Resident Art Polishuk again requested that Police Commission meetings be added to the list in future. Rick said he will make sure they get added.

#### **Public Comment Period**

*Ginnie Newlin, Devon Lane* – Said she hopes the Township is not planning to put a cedar shake roof on the Plank House.

#### **Update on WEGO Negotiations**

Senya stated that the East Goshen and Westtown Boards of Supervisors provided a proposal to the Police Association on September 7 with the request that they review and respond. On September 11 the Boards were informed that the proposal was declined and that Mr. Chupein had been appointed the spokesman for the Police Association.

On September 21 and over this past weekend the Township's attorney stayed in contact with Mr. Chupein and expressed to him the urgency of having an agreement in place before the Police Commission meeting on September 24. The Police Commission met on September 24 from 7:00am to early evening. Senya noted that the Commission's attorney, Pat Harvey, is currently out of state. At 4:00pm this afternoon the Boards received a copy of a proposal that is a "hybrid" of the Police Commission's proposal and the Police Association counterproposal. Senya stated that tonight, we are almost there, but not quite. Senya thanked Carol DeWolf and Carmen Battavio for putting in a long day on negotiations yesterday.

Senya stated the hybrid proposal extends the contract through 2018, which is something he believes both sides like. He said that attorney Joe Rudolph was currently reaching out to Mr. Chupein.

*Public Comment: Art Polishuk, Grand Oak Lane* – Asked if the deal will still be on the table if Thornbury drops out. Senya said Thornbury is a complicating factor. There is always hope but the Board of Thornbury has a responsibility to its own residents. Senya stated if an agreement had been reached by this evening the first call East Goshen and Westtown would make would be to Thornbury to ask if there is a chance they would join WEGO again.

Carmen stated there probably won't be an answer until tomorrow. He reported that Joe Rudolph had just reached out to Joe Chupein regarding the agreement on the table; however, when Mr. Chupein in turn spoke with Tony Ruggerio, Tony indicated he could not get together enough of his members together to review the document & make a decision this evening. Carmen stated that he truly believes real savings were achieved in the agreement on the table, and that if the Police Association had been able to make a decision tonight in his opinion it would still have been possible to keep Thornbury. However, after tonight there is no chance of that. Carmen stated that WEGO asked for 100% and got a concession from the police of 92%, and in his opinion it's simply unacceptable that WEGO turned that down.

Chuck stated that he took exception to Carmen's characterization because the 92% number is not quantifiable.

*Public Comment: Leo Sinclair, Lochwood Lane* – Asked for confirmation that the newly promoted lieutenants would not be part of the bargaining as reported in the newspaper. This was confirmed. He then asked what firms the various attorneys mentioned by Senya and Carmen are affiliated with. The information was provided to him. He asked the average salary increase of a Township employee last year and was told by Jon Altshul it was approximately 4.2% which included non-management employees, and that 3.6% of that rate was a COLA tied to the Social Security rate of increase. Jon said the average Township employee W-2 salary was about \$60,000 in 2010. The average police officer W-2 salary was \$103,000 in 2010. Leo said the number for the police officers was not correct and that Jon was giving out a very misleading number.

Marty stated that the salary increases are approved at the discretion of the Supervisors. Chuck noted that the Township made a significant reduction in the cost of health insurance for Township employees this year.

Rick was asked about raises for Township employees in 2009 and 2010. Rick said one year no one received any raise, and the other year only "step" employees (non-management) received increases.

Mr. Sinclair asked how much the Township pays to the Goshen Fire Company per year. Thom said approximately \$250,000. Rick noted the exact figure is posted in the budget information on the Township webpage.

Senya said the discussion about the police issue would be ongoing. Marty stated that the Township may need to schedule a last-minute special meeting if something develops. He advised everyone to keep an eye on the Township website or subscribe to Constant Contact for updates.

### **Adjournment**

There being no further business, the meeting was adjourned at 9:50pm.

### **Executive Session**

The Board recessed into Executive Session until 11:15pm to discuss police contract matters.

Anne Meddings  
Recording Secretary

*Attachment: Treasurer's Report*



September 13, 2012

**TREASURER'S REPORT  
2012 RECEIPTS AND BILLS**

**GENERAL FUND**

Real Estate Tax	\$1,105.91	Accounts Payable	320,035.68
Earned Income Tax	\$58,861.95	<u>Electronic Pmts:</u>	
Local Service Tax	\$10,838.76	Health Insurance	\$52,239.67
Transfer Tax	\$0.00	Credit Card	\$1,665.13
General Fund Interest Earned	\$774.61	Postage	\$0.00
Total Other Revenue	\$52,993.69	Debt Service	\$19,601.93
Total Receipts:	<u>\$124,574.92</u>	Payroll	\$61,000.00
		Total Expenditures:	<u>\$454,542.41</u>

(2 Weeks)

**STATE LIQUID FUELS FUND**

Receipts	\$0.00
Interest Earned	\$29.87
Total State Liquid Fuels:	<u>\$29.87</u>

Expenditures:	<u>\$0.00</u>
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**CAPITAL RESERVE**

Interest Earned	<u>\$1,007.28</u>
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Expenditures:	<u>\$6,199.19</u>
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**TRANSPORTATION FUND**

Interest Earned	<u>\$218.33</u>
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Expenditures:	<u>\$0.00</u>
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**SEWER OPERATING**

Receipts	\$86,941.01
Interest Earned	\$101.89
Total Sewer:	<u>\$87,042.90</u>

Accounts Payable	\$24,378.95
Debt Service	\$30,022.00
Total Expenditures:	<u>\$54,400.95</u>

**REFUSE**

Receipts	\$34,206.80
Interest Earned	\$117.40
Total Refuse:	<u>\$34,324.20</u>

Expenditures	<u>\$66,085.12</u>
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**SEWER CAPITAL RESERVE**

Interest Earned	<u>\$217.19</u>
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Expenditures	<u>\$0.00</u>
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