

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
July 2, 2013
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Carmen Battavio, Supervisors Marty Shane and Janet Emanuel. Supervisor Chuck Proctor was absent. Also present were Township Manager Rick Smith and CFO Jon Altshul. ABC members in attendance were Erich Meyer (Park & Rec), Kathryn Yahraes (Historical Commission) and Susan Carty (Planning Commission).

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm and asked Janet Emanuel to lead everyone in the Pledge of Allegiance.

Moment of Silence

Carmen called for a moment of silence to remember the troops and all those in uniform who help keep us safe.

Recording of Meeting

No one recorded the meeting.

Public Comment on Non-Agenda Items

Kathryn Yahraes reminded everyone that the East Goshen Town Tour & Village Walk event is scheduled for July 25. The event is free and will have a Civil War theme. More information is available on the Township website and in the online newsletter.

Chairman's Report

Senya announced that the next meeting of the Comprehensive Plan Task Force (CPTF) is scheduled for July 22. Senya asked John Theilacker of the Brandywine Conservancy (BC) to give a brief overview of the Comprehensive Plan. Mr. Theilacker said the BC is working on developing a more implementable, issue-driven Comprehensive Plan. The BC is working with the CPTF to identify specific issues.

Swearing in of Supervisor Janet Emanuel

Judge William D. Kraut arrived and administered the Oath of Office to new Supervisor Janet Emanuel, who was appointed by the Board on June 25 to fill the unexpired term of Dr. Thom Clapper.

Financial Report

Jon Altshul reported on several issues the staff was asked to address following the June 5 Annual Planning Session. These included determining the appropriate funding level for the Capital Reserve and the Sewer Capital Reserve Funds. Staff was also asked to look into issuing a multi-year, inter-fund loan between the General Fund and the Sewer Capital Reserve Fund to reimburse costs incurred by the Municipal Authority for various diversion projects.

As a bit of housekeeping, Jon noted that the Municipal Authority recently amended its 2013 budget to reflect the results of The Reserve Pump Station project bid. Because the cost of this increase will be borne by the Sewer Capital Reserve Fund, the Board would need to approve an offsetting increase in the transfer to the Municipal Authority.

Marty moved to amend the 2013 Sewer Capital Reserve Fund budget to increase the transfer to the Municipal Authority (09492-0700) by \$43,000 from \$786,769 to \$829,769. Carmen seconded the motion. There was no discussion or public comment. The Board voted and the motion passed unanimously.

Jon told the Board that after doing research, the staff recommends the Township borrow \$2.25M from DelVal a) to reimburse the Sewer Capital Reserve Fund for costs incurred in the four diversion projects and b) to pay for future costs of the Reservoir Road diversion project.

Marty moved to authorize staff to start the process to borrow \$2.5M from DelVal for the purposes stated by Jon. Marty said it would be prudent to borrow \$2.5M instead of \$2.25M because the costs for projects are inevitably higher than the original estimates. Carmen seconded the motion. Rick noted for the audience that the staff will go ahead and apply for the loan, but there will be a public hearing on this matter before anything is finalized. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

Regarding the possibility of whether the nine "new" capital projects (as listed in Jon's June 25 memo to the Board) should be paid out of the Capital Reserve Fund instead of the General Fund (as originally budgeted), with the Township then transferring from the General Fund to the Capital Reserve Fund an amount equal to the purchase price of those assets to reimburse the Capital Reserve, the consensus of the Board was that this matter should be referred to the Finance Committee.

Comprehensive Plan Update – Sustainable Communities Assessment

John Theilacker of the Brandywine Conservancy (BC) was present to discuss the Sustainable Communities Assessment (SCA), a Conservancy tool designed to analyze a municipality's land-use decision framework through the lens of sustainability. Mr. Theilacker noted that the SCA provided to the Township is the result of the BC's efforts in reviewing existing Township ordinances. He stated that the SCA was reviewed by Rick Smith, Mark Gordon, the Township Engineer, Township Traffic Engineer and the Municipal Authority Engineer. Their comments were incorporated into the final draft, which was then reviewed by the Planning Commission.

Referring to page 25 of the SCA, Carmen questioned the need for the Township to spend money redoing the Act 537 Plan. He said he would rather see the money spent elsewhere on sustainability efforts, such as on stormwater issues. Carmen said he believes the Township has done its due diligence regarding the Act 537 Plan, and he differs with the SCA's characterization that the Township has gone about it in a "piece-meal" fashion. He thinks the Township has done a good job keeping up with the Act 537 Plan and would not deem East Goshen deficient in this regard.

Mr. Theilacker pointed out that the Comprehensive Plan is going to cover the next 20 years, and during that time the Township may undergo some redevelopment which would alter the sewer requirements.

Marty said he could see where both Carmen and the BC were coming from in this regard, and suggested the wording on Page 25 be tweaked to indicate that a revision to the Act 537 Plan is not something that *must* be done, but rather *may need to be* done.

Marty cautioned that if something is mentioned in the SCA, everyone will expect it to be fulfilled. For that reason he questioned the recommendation to install sidewalks throughout the Township. He noted this would be a "monumental" expense and would involve property taking. Sidewalks are a wonderful amenity and would be a good idea if the Township was starting over from scratch. However, for a Township that's already built out the idea is impractical and certainly not affordable. He said he did not see how this recommendation could possibly be accomplished.

Mr. Theilacker said if the sidewalk issue makes it into the Comp Plan it would be in an attempt to establish some linkages within the Township. The Township would not be expected to install sidewalks everywhere at once, but to consider doing so in small, incremental steps -- such as during a redevelopment project when the cost could be pushed onto the developer, or as other opportunities present themselves.

Janet asked about the composition of the sidewalks being recommended. Mr. Theilacker said they did not have to be asphalt or concrete; they could be made using stone dust. Janet pointed out that paved sidewalks would add to the impervious cover in the Township, and Mr. Theilacker said that would be a trade-off the Township would have to take into consideration. He then stated that he is not suggesting the Township engage in any property takings to add sidewalks.

Carmen said the Planning Commission will have to be careful not to put too many "wish list" items in the final plan as folks will read it and expect that everything listed is definitely going to be accomplished.

Public Comment: Susan Carty (Planning Commission) – Said the sidewalks are a vision or concept for the future of the Township, just like having a Town Center. A Town Center accessible by sidewalks would be an amenity to attract new residents and retain existing residents. Of course the Commerce Commission would have to be involved.

Janet questioned whether the goals in the SCA are appropriate for East Goshen. She observed that it might not actually be a good thing for residents to raise chickens on small lots, and she noted that many young couples with children actually like cul-de-sacs for reasons of safety. Mr. Theilacker stated that there are still tracts within East Goshen which may get developed in the future and the SCA provides a vision for how it may be done in a sustainable manner. The Board told him that actually, the only large undeveloped tract with the potential for development is the Price farm..

Senya told Mr. Theilacker that each municipality in Chester County has its own flavor, and they cannot all be expected to be the same nor should they be. For this reason it seems to him the "boilerplate" SCA text should not have been used. He noted for example that if someone wants to raise chickens, perhaps they should move to a more rural area like Honey Brook instead of East Goshen. Senya pointed out the East Goshen banner hanging in the Board Room which reflects the core goals of the Board which are: Preserving the Past/Serving the Present/Protecting the Future. This banner also represents how the Board strives to make all decisions, which are whether they are 1) Environmentally Sound, 2) Fiscally Responsible and 3) Socially Equitable.

Senya stated that East Goshen will never have a Town Center, as the area is not large enough, and "it's not who we are." Instead, the Township should highlight the strengths it does have and not try to be something different, or aspire to incorporate things such as chickens or Town Centers that may have worked elsewhere, just because those things were included in the boilerplate. Mr. Theilacker said the suggestions are not boilerplate; instead, they are common markers of sustainability.

Rick noted that when the BC drafted the SCA, they used a process similar to a medical office in which the same basic measurements (height, weight, blood pressure) are performed on every patient regardless of whether they presented for treatment of a cut finger or cancer.

Senya asked if the BC made any effort to determine East Goshen's strengths and highlight them instead of attempting to impose new ideas on this Township just because those same ideas may have worked elsewhere. Senya said he's sure a lot of work and effort went into the SCA, but he would prefer that it highlight the strengths of East Goshen and provide some polish to those strengths.

Public Comment: Art Polishuk, Grand Oaks – Said he agreed with Senya that this SCA is "just not us." He also expressed disappointment that the BC did not take any comments from residents into consideration when developing the SCA. In his opinion the Community Visioning Session was nothing but an effort for the BC to impose their ideas on the residents. They came in with pre-scripted comments and didn't want to hear anything else. Mr. Polishuk said he found that extremely offensive as a resident. Mr. Polishuk said he worked on the past two Comprehensive Plans and has some knowledge of the process. Senya noted that public comment was accepted at the four Comprehensive Plan Task Force meetings that have been held to date. Mr. Polishuk replied that those meetings were not advertised specifically as meetings where residents could provide input, as the Visioning Session was. Marty stated that the BC did capture the comments made at the Visioning Session and they have 10-12 pages of comments he has seen; however that meeting was held after the SCA draft was already complete. He trusts that the comments made at the Visioning Event will be incorporated into future documents. Marty also noted it was unfortunate the Visioning Event only attracted 4-6 residents who are not already involved with the Township.

Marty stated that while there are good things in the SCA, East Goshen is a distinct and desirable community and wants to stay that way. He noted an error within the report which indicates there are available commercial properties in the Township. He asked Mr. Theilacker to correct that because at present there is only one vacant property.

Carmen stated that just because the Township does not have something another municipality has (such as chickens), it doesn't make East Goshen deficient.

The Board then apologized to Mr. Theilacker because it seemed like everyone was ganging up on him this evening. Senya said perhaps the Board had been remiss in not letting the BC know about the areas in which they feel the Township excels and suggesting this exercise be used an opportunity for improving those strengths.

Public Comment: Kathryn Yahraes – Suggested it might be appropriate to do an old-fashioned T-square of the “Pros” and “Cons” of the Township and then feed this information to the BC. Susan Carty said that has already been done.

Public Comment: Susan Carty – Told the Board it sounds like they don't want a vision for the future but instead are looking to preserve what already exists. She wondered about the Board's objections to the SCA, noting that this document has been out since the first meeting of the CPTF, so why was the Board was only now voicing their concerns. Senya stated that he disagrees that chicken farming represents a “vision” and objected to the suggestion that because members of the Board are not necessarily in favor of mass chicken farming in East Goshen they are not visionary. Ms. Carty said perhaps using chicken farming was a bad example.

Public Comment: Art Polishuk, Grand Oaks – Said that during the Visioning Event, representatives of the BC came to the various tables where residents were seated and provided them with a set list of questions. They did not take other input or solicit ideas. They were only looking for confirmation of their own ideas. He said the BC should consider changing their methodology and way of interacting with East Goshen.

Public Comment: Erich Meyer – Said he also attended the Visioning Event and in his opinion the questions posed by the BC were intended to facilitate discussion. He did not get the feeling that anyone was stifled or discouraged from providing input. He observed that the BC had to come prepared with something for the meeting and they had no idea who would show up or how many people would turn out. Also, the BC had an open comment period at the end of the meeting.

Marty told Mr. Polishuk that the Visioning Event did go according to the way the BC had outlined it to the CPTF ahead of time. He reiterated his knowledge that the public comments were indeed captured.

Senya told Mr. Theilacker that the Board would need to do some homework and get back to him. Marty said the BC developed the SCA by reviewing four Township documents and scoring them. He said tonight's discussion should have taken place much earlier in the Comprehensive Plan process.

Mr. Theilacker stated that the SCA was never intended to try and make East Goshen like everyone else. He stated that he heard the Board load and clear and would not need additional information from them to prepare for the next CPTF meeting, where the SCA will be discussed.

The Board agreed that no action was necessary on the SCA this evening beyond acknowledging receipt of the report.

PECO Natural Gas Service to Cell Tower

The Board reviewed a request from Mark Gordon to authorize a resolution granting a right-of-way to PECO for the installation and maintenance of a natural gas line to the cell tower located in the Township complex. This gas line will be used by AT&T and Verizon to fuel their emergency generators. Carmen moved to approve Resolution 2013-71. Marty seconded the motion.

Public Comment: Art Polishuk, Grand Oaks – Brought up the recent cell tower fire in Bensalem and said he thinks fire suppression will be needed for the generators. Also, he would like there to be a cutoff for the gas located far enough away from the tower for the Fire Company to shut it off in the event of emergency. Carmen stated that the NFPA mandates a shutoff valve be located at the curb. Furthermore PECO is actually very quick to respond to that type of emergency and would be the ones to shut off the gas. Carmen said he understood Mr. Polishuk's concerns but said the gas line is not actually the issue – in the Bensalem incident the fire resulted from welders not knowing what they were doing. Regarding the fire suppression for the generators, Carmen said in the event of a gas fire it's actually safer to let it burn than to try and suppress it before it's turned off.

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

Any Other Matter

Applebrook Golf Agreement – Rick reported that one sticking point remains, which is East Goshen residents with a doctor's note getting to borrow a golf cart for free while Applebrook members must pay a \$30 rental. The Board concurred it would not accept a condition whereby East Goshen residents would have to pay the \$30 cart rental fee.

Vacancy Board – Rick informed the Board that next week they would be interviewing candidates for the Vacancy Board. The consensus of the Board was that they could start the Executive Session at 6:30 if necessary.

Zoning Hearing Board – The Board authorized Rick to advertise the vacancy on the Zoning Hearing Board.

Review of Minutes

The Board reviewed and corrected the draft minutes of June 5 and June 18. Senya stated the minutes would stand as corrected. The June 4 minutes will be put on the next agenda.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for June 27, 2013.

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

Action List

Hershey Mill Dam – Per Adam Brower, the revised plans were sent to DEP this morning.

Correspondence & Reports of Interest

Senya acknowledged receipt of the following:

- 2013 Goals from the Planning Commission.
- Letter from Dr. Leslie Partem dated June 18 regarding property concerns and safety violations at Rose Hill Estates Luxury Condominiums.
- Response letter to Dr. Leslie Partem dated June 26 from the Township regarding property concerns and safety violations at Rose Hill Estates Luxury Condominiums.
- Letter from Janet Emanuel tendering her resignation from the Zoning Hearing Board effective June 25 due to her appointment as Township Supervisor.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Adjournment

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

Anne Meddings

Recording Secretary

Attachments: Treasurer's Report

June 27, 2013

TREASURER'S REPORT
2013 RECEIPTS AND BILLS

GENERAL FUND

Real Estate Tax	\$26,684.27
Earned Income Tax	\$206,676.53
Local Service Tax	\$41,235.52
Transfer Tax	\$57,327.06
General Fund Interest Earned	\$0.00
Total Other Revenue	\$67,905.53
Total Receipts:	<u>\$399,828.91</u>

STATE LIQUID FUELS FUND

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

CAPITAL RESERVE

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

TRANSPORTATION FUND

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

SEWER OPERATING

Receipts	\$29,346.73
Interest Earned	\$0.00
Total Sewer:	<u>\$29,346.73</u>

REFUSE

Receipts	\$9,802.60
Interest Earned	\$0.00
Total Refuse:	<u>\$9,802.60</u>

SEWER CAPITAL RESERVE

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

Accounts Payable	\$67,532.89
Electronic Pmts:	
Health Insurance	\$0.00
Credit Card	\$2,750.37
Postage	\$0.00
Debt Service	\$0.00
Payroll	\$92,000.00
Total Expenditures:	<u>\$162,283.26</u>

Expenditures:	<u>\$0.00</u>
---------------	---------------

Expenditures:	<u>\$33,293.60</u>
---------------	--------------------

Expenditures:	<u>\$0.00</u>
---------------	---------------

Accounts Payable	\$19,479.02
Debt Service	\$0.00
Total Expenditures:	<u>\$19,479.02</u>

Expenditures	<u>\$8,410.32</u>
--------------	-------------------

Expenditures	<u>\$0.00</u>
--------------	---------------