

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
April 22, 2014 – 6:30pm  
Final Approved Minutes**

**Present:** Chairman Marty Shane, Vice-Chairman Senya D. Isayeff, and Supervisors Carmen Battavio, Chuck Proctor and Janet Emanuel. Also present were Township Manager Rick Smith, CFO Jon Altshul, and ABC member Erich Meyer (Conservancy Board). Township Solicitor Kristin Camp was present for the public hearings.

**Executive Session**

The Board met in Executive Session from 6:30pm to 7:15pm to discuss a legal matter.

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:17pm. Rick Smith led everyone in the Pledge of Allegiance.

**Moment of Silence**

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

**Recording of Meeting**

No one indicated they would be recording the meeting.

**Public Comment on Non-Agenda Items**

*Dr. Vassilios Theodorides, Herron Lane* – He has noticed that the Township has numerous Deer Crossing signs, but no Pedestrian Crossing signs. Paoli Pike between the Township Park and Applebrook Park is heavily used by pedestrians and he would like the Township to consider adding signage to encourage motorists to slow down in this area. Doing so might help to prevent a tragedy similar to the accident that killed his friend Helen Athanas on April 6.

Carmen said he would personally prefer using “Do Not Cross” signs in that vicinity to encourage pedestrians to cross only at the designated crosswalk.

Senya offered his condolences to Dr. Theodorides on the loss of his friend. He said the Township had a traffic study done years ago and due to the curvature of the road only one crosswalk was recommended. Thankfully there have been no other such accidents in the 17 years he has lived in East Goshen. Senya added that the Township is sensitive to the issue of having too many signs along roadways. Dr. Theodorides said that something needs to be done to prevent future tragedies.

Erich Meyer said the Conservancy Board walked that stretch of road recently to consider various options for installing plant barriers.

Janet assured Mr. Theodorides that the Township is looking into this issue.

Rick said the Township can send a letter PennDOT again asking if the speed limit can be reduced in that location. The Township has requested this in the past with no success. Marty suggested that Rick also reach out to State Sen. Dominic Pileggi.

Marty said the Township tried at one point to get permission to install a traffic signal with a push button for pedestrians, but the traffic warrants aren't there. Rick agreed and noted it's not a political decision, but an engineering decision. Marty told Dr. Theodorides this is a serious matter, and the Township Supervisors are just as frustrated as he must be. Marty assured him the Township understands the problem, but unfortunately it does not have the power or authority to tell PennDOT what to do.

Dr. Theodorides asked if the Township is liable for this accident or for any future accidents at this location. Marty said he was unable to answer that question.

*Public Comment: Arthur Jones* – Said he was told by a police officer that speed was not a factor in this accident. In his opinion, however, a 45mph speed limit for that area is excessive.

Mr. Jones requested if the Board could offer guidance to those who run the Farmers' Market and advise them to take better care of the grass when they're there. He has noticed bare spots in the grass where the market is held, and he regularly sees vendors parking on the grass when unloading and loading their trucks. The vendors feel no responsibility to the Township, and their presence interferes with the regular activities of residents at the park. He would like the Township to consider moving the Market to another section of the park where it can be conducted on the macadam. Senya stated that the farmers attend the market at the invitation of the Township, provide a service to the residents, and they are welcome in East Goshen. However, he told Mr. Jones the Board would take his recommendation into consideration.

### **Chairman's Report**

Friends of East Goshen Update – Chuck reported that the group has interviewed three individuals who wish to join the Board. The group will have another meeting next week.

### **Public Hearings**

#### Amendment of Chapter 188 of Township Code

The Board conducted a public hearing to consider amending Chapter 188 of the East Goshen Township Code titled "Sewers." Senya moved to amend Chapter 188 as described by the Township Solicitor. Carmen seconded the motion. 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.

#### Amendment of Chapter 194 of Township Code

The Board conducted a public hearing to consider amending Chapter 194 of the East Goshen Township Code titled "Solid Waste." Senya moved to amend Chapter 194 as described by the Township Solicitor. Carmen seconded the motion. 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.

### **Police Report**

Chief Brenda Bernot reported that WEGO has had a very busy month. A 44-year-old resident died of a heroin overdose. There are ongoing drug investigations. There have been several burglaries. A young man was arrested for attacking members of his family with a knife. There was a rape in the Township where the victim knew her attacker. There has been an increase in the number of DUI arrests, and not just for alcohol but also drugs. There are still numerous frauds and scams - please check the WEGO website at <http://westtownpolice.org> for more details on these. There has been an increase in thefts from vehicles. The Chief urged residents to store their valuables out of sight and to keep their vehicles locked.

### **Malvern Fire Company Report**

Malvern responded to a structural fire in East Goshen in March.

### **Fire Marshal Report**

Carmen met with 45 Bellingham residents on April 15 to discuss fire safety issues.

### **Callaghan Variance, 1131 N. Chester Road**

The applicant, James J. Callaghan, Jr. was present along with his attorney Tom Mohr. Mr. Mohr summarized the applicant's dimensional variance request.

Janet moved to support the applicant's variance request from the Lot Area requirement in §240-9.G of the Zoning Ordinance so that Lot 2 can be developed with a single family home with a lot area of 0.989 acres as depicted on the sketch plan dated November 27, 2013 because the hardship was not created by the applicant and granting such a variance will not alter the essential character of the neighborhood, with one condition:

1. To the extent possible, the title issues identified on the sketch plan should be resolved prior to the submission of a subdivision application.

Mr. Mohr indicated his client would be unable to comply with the condition.

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

### **Financial Report for March**

Jon Altshul reported that as of March 31, the General Fund had year-to-date revenues of \$3,469,443 compared to expenses of \$2,596,357 for a positive variance of \$873,085 excluding pass-through accounts. Compared to the year-to-date budget, revenues were \$21,003 under budget while expenses were \$259,054 over budget for a negative budget variance of \$280,057. The General Fund balance was \$7,030,027. The budget deficit is due to three factors - the snowy winter, a January 8 flood in the Township building, and reduced Earned Income Tax receipts.

Marty noted that on May 19 the Board will have its Annual Planning Session where financial matters will be discussed in detail. The meeting will begin at 10:00am and is open to the public.

**Utility Collections Resolution**

This matter was tabled and will be discussed at a future meeting.

**Social Media Initiatives**

Jon summarized his memo of April 9 on this topic. The Board agreed to have the newly formed Web Page Committee discuss most of these initiatives when they convene, with the exception of Blackboard. The Board will discuss Blackboard at one of their meetings in May. Janet would like Jon to provide a copy of a proposal from Blackboard. Carmen said he would like the Facebook page to be promoted now without waiting for a recommendation from the Web Page Committee. Marty directed Jon to see if he can determine the number of Township households that are on Constant Contact.

**Cornwallis Drive Addressing**

Rick summarized Mark Gordon’s April 14 memo on this topic. After discussion, the Board agreed to leave the addresses on Cornwallis Drive as they are. There has only been one reported issue of mail being delivered to the wrong home, and that could have been simple human error that can happen in any neighborhood. Chief Bernot stated that she was not aware of WEGO having any problems finding addresses on Cornwallis Drive. No action was taken on this issue.

**Ashleybrooke Escrow Release**

Carmen moved to authorize escrow release #8 for the Ashleybrooke development in the amount of \$3,200.00 for 6-inch sanitary sewer pipe. The amount remaining in escrow will be \$54,313.10. Senya seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

**Carpet for Township Building**

Rick reported that three bids were received for new Shaw carpet and cove molding for the Township building (excluding the Board Room, which has already been recarpeted since the flood). The bids were as follows:

Bob Wagner’s Flooring America .....	\$13,316.00
Belfor Philadelphia .....	\$14,784.00
American Floors, Inc. ....	\$20,925.00

Carmen moved to award the bid for new carpet and cove molding to Bob Wagner’s Flooring American in the amount of \$13,316.00, with swatches to be reviewed by the Board. Chuck seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

**Land Development Plan, 1637 Manley Road, Lot 1**

No one was present to represent the applicant.

Carmen moved to approve the Land Development Plan for 1637 Manley Road, Lot 1, with the following conditions:

1. All remaining items from the Township Engineer’s review letter shall be addressed to the satisfaction of the Township staff and Township Engineer prior to recording.

2. The Tree Protection Zone waiver will be granted in order to preserve trees on the lot so long as the applicant has a certified arborist establish the Tree Protection Zones and they are inspected and approved by the Township Zoning Officer once they are installed, and prior to any earth disturbance on the lot.
3. A waiver of the three-inch caliper requirement for replacement trees is granted so long as all replacement trees have a minimum of caliper of 2 inches.
4. A table shall be provided on the plan which identifies the dbh (Diameter at Breast Height) of trees being removed over the 20% threshold, those trees to be replaced on the lot (number, caliper, size and species) and those to be replaced elsewhere.
5. Replacement trees shall be located and identified on the landscape plan and any replacement trees that cannot be planted on the lot shall be offered to the Township.

Marty seconded the motion.

Senya said it's a little heavy handed to require the applicant to plant so many replacement trees. This requirement is not what was intended by the Township ordinance. Marty said if the applicant had attended the meeting, he could have presented his case to the Board for consideration.

There was no public comment. The Board voted and the motion passed with a 3:2 vote. Senya and Janet were opposed.

Marty noted that because the applicant was not present, the Township will send him a letter informing him of the Board's decision. If the applicant disagrees with the conditions he will need to contact the Township.

#### **Any Other Matter**

Local visit by Pennsylvania Lt. Gov. Jim Cawley – Senya requested that the Chairman attend a luncheon on May 1 at the Peoples Light & Theatre Company in Malvern, where Lt. Governor Jim Cawley is scheduled to hold a Q&A session, hosted by the Chester County Chamber of Business and Industry. Senya suggested that Marty ask the Lt. Governor about the Corbett administration's position on the Marcellus Shale issue.

Radio Pioneer – Senya reported that Arno Meyer (father to resident Erich Meyer), a radio industry innovator, founded his company Belar Electronics 50 years ago.

#### **Review of Minutes**

The Board reviewed and corrected the draft minutes of April 1. Marty stated that the minutes would stand approved as corrected.

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

*See attached Treasurer's Report for April 17, 2014.* The Board reviewed the Treasurer's Report and the current invoices. Carmen 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. Janet seconded the motion. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

### **Action List**

Bicentennial Committee – Interviews are scheduled.

Workforce Development Committee – The Williamson Free School of Mechanical Trades was visited.

Comcast Franchise – The staff is reviewing the first draft.

Comp Plan Goals for ABCs – Copies were distributed to the Supervisors.

Quarterly Report on Municipal Authority Projects – Lochwood has been completed except for fence removal. Pipe work was completed at The Reserve pump station and at the Reservoir Road pump station, and submissions will be made to PMHC and PACNR. Submissions will be made to the planning agencies this week.

Quarterly Report on I&I – Copies were distributed to the Supervisors.

Quarterly Review of Right-to-Know Requests – Copies were distributed to the Supervisors.

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

Marty acknowledged receipt of the following:

- An April 7 letter from PPL Interstate Energy Company providing notification about their upcoming vegetation clearing project along their pipeline easements in Chester, Delaware, and Montgomery counties.
- An April 11 letter written by State Rep. Dan Truitt to the Chairman of the PUC expressing concerns about Sunoco's pipeline project.
- A resignation letter from William Schultz of the Historical Commission effective April 13, 2014. Rick will send Mr. Schultz a letter of appreciation for his service to East Goshen.

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

Marty noted the upcoming meetings as listed in the agenda. The Board will meet on May 6 and May 13.

### **Public Comment Period**

None.

### **Adjournment**

There being no further business, the regular meeting was adjourned at 9:08pm.

Anne Meddings

Recording Secretary

*Attachments: Treasurer's Report*

April 17, 2014

**TREASURER'S REPORT  
2014 RECEIPTS AND BILLS**

**GENERAL FUND**

Real Estate Tax	\$216,882.80
Earned Income Tax	\$109,851.76
Local Service Tax	\$4,433.30
Transfer Tax	\$26,044.24
General Fund Interest Earned	\$681.98
Total Other Revenue	\$413,671.58
<b>Total Receipts:</b>	<b>\$771,565.66</b>

Accounts Payable	\$358,956.24
<b>Electronic Pmts:</b>	
Health Insurance	\$32,430.26
Credit Card	\$1,558.72
Postage	\$0.00
Debt Service	\$33,552.98
Payroll	\$135,785.14
<b>Total Expenditures:</b>	<b>\$562,283.34</b>

**STATE LIQUID FUELS FUND**

Receipts	\$0.00
Interest Earned	\$62.51
<b>Total State Liquid Fuels:</b>	<b>\$62.51</b>

Expenditures:	<b>\$0.00</b>
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**SINKING FUND**

Interest Earned	\$514.69
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Expenditures:	<b>\$15,580.93</b>
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**TRANSPORTATION FUND**

Interest Earned	\$213.82
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Expenditures:	<b>\$0.00</b>
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**SEWER OPERATING FUND**

Receipts	\$26,603.58
Interest Earned	\$97.66
<b>Total Sewer:</b>	<b>\$26,701.24</b>

Accounts Payable	\$272,776.81
Debt Service	\$34,928.09
Credit Card	\$49.99
<b>Total Expenditures:</b>	<b>\$307,754.89</b>

**REFUSE FUND**

Receipts	\$8,615.74
Interest Earned	\$37.03
<b>Total Refuse:</b>	<b>\$8,652.77</b>

Expenditures	<b>\$83,921.11</b>
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**SEWER SINKING FUND**

Interest Earned	\$218.95
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Expenditures	<b>\$2,651.00</b>
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**OPERATING RESERVE FUND**

Receipts	\$19.11
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Expenditures	<b>\$0.00</b>
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**Events Fund**

Receipts	\$0.57
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Expenditures	<b>\$0.00</b>
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