

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
August 5, 2014 – 7:00pm**

**Present:** Chairman Marty Shane, Vice-Chairman Senya D. Isayeff, and Supervisors Chuck Proctor and Carmen Battavio. Also present were Township Manager Rick Smith, CFO Jon Altshul, and ABC member Erich Meyer (Conservancy Board). Supervisor Janet Emanuel was not present.

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:00pm and asked Jon Altshul to lead the Pledge of Allegiance.

**Moment of Silence**

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

**Recording of Meeting**

No one indicated they would be recording the meeting.

**Public Comments on Non-Agenda Items**

Resident *Meredith Baird of 929 St. Andrews Drive, Malvern* was welcomed to the meeting by Marty.

*Pauline Johnson, 1608 Highland Avenue* updated the Board on her situation with her neighbor's debris on her property. She told the Board that she had six to seven truck loads removed. Senya recommended that she keep her receipts. She has to push the debris on the other side away from her fence and is intending on pursuing the issue in civil court. She thanked the Board for all that it has done.

*Dave and Gwen Alexander, 1408 Grand Oak Lane* asked the Board to include their problem with groundwater on their property on the September 2<sup>nd</sup> agenda. According to the Alexanders' engineer, their property retains water for the whole neighborhood, due to the repaving in the Grand Oaks development, and not due to a natural spring in their yard.

Rick stated that the Aqua well and chlorine station have been inactive over the past few years, so that may contribute to the water problem on their property. Marty noted that recent storm events have been much more severe than in the past, which may contribute to ground saturation. Senya suggested that the floodplains may have shifted and noted that Temple University's recent remapping of its floodplains revealed significant changes.

The Board agreed to add the Alexanders' water issue to the agenda for September 2<sup>nd</sup>.

## **Chairman's Report**

### **Comp Plan Task Force Update**

Marty stated that Janet informed him the Task Force has updated its schedule.

### **Westtown-East Goshen Police Dept.'s Citizen's Police Academy**

Marty reminded everyone that WEGO is taking applications for the Citizens Police Academy in September. The classes start on Sept. 4<sup>th</sup> and continue for 12 weeks. The fee is \$27.00

### **Bryan Delmonte**

Marty mentioned that Bryan Delmonte has been very ill and has resigned from the Conservancy Board. He praised Bryan for his dedication to the Township over the past 30 years and asked Rick to write him a letter thanking him on behalf of the Township.

## **Police/EMS Report**

Carmen stated that between July 10<sup>th</sup> and 18<sup>th</sup>, he and Mark Gordon met with a homeowner on the 1600 block of Manley Rd. There is a concern for the safety of the elderly couple who lives there. At the time, the homeowner was unwilling to allow Carmen inside for an inspection. Her husband is currently in a nursing home recovering from a fall. On 7/30/14 three smoke detectors were installed at the home and the homeowner was advised on the procedures if the alarms should go off.

On July 11<sup>th</sup>, Carmen called the sprinkler contractor for Metropolitan Properties. The contractor had requested a change in a fire department fitting. Carmen advised him that without Code Enforcement approval, the contractor can only install the type of fitting stated in the plan.

Carmen commented on the fireworks display at 961 Cornwallis Drive, for which a fireworks permit was issued. He visited the site on the evening of the display and all things were in order. He suggested that the Planning Commission begin drafting a Fireworks ordinance.

## **Old Business**

### **Consider Kirby, 205 Line Rd. – Pipe Replacement**

As was previously discussed at the May 6 meeting, Mr. Kirby is requesting to replace a single 36" pipe with two 48" pipes below Line Road from his property in Willistown, at his expense. However, doing so will increase stormwater runoff on the East Goshen side of Line Road. Rick referred to an email from Nathan Cline of Pennoni recommending that Mr. Kirby apply for a road permit through PennDOT. During the permitting process, the impact of potentially detrimental stormwater runoff on the East Goshen side of the road would be measured.

Marty, Carmen and Senya all indicated that they were resistant to allowing Mr. Kirby to apply for a PennDOT permit prior to knowing what the extent of the potential erosion might be. They directed Rick to follow up with Nathan Cline and Denny Howell (Mr. Kirby's engineer) to identify the potential impact prior to taking further action.

### **Consider amending Township Code to allow open burning.**

The Board reviewed the proposed amendments to the burning ordinance that Rick had drafted.

Senya asked that there be clarity regarding whether multiple adjacent property owners who collectively own over 5 acres could have an open burn together. Marty indicated that there should be a limit on the number of adjacent property owners who can have an open burn together (e.g. 2 or 3), as there is a big difference between developments with larger lots and those with lot sizes of an acre or less.

Senya asked for clarification about the definition of “clean wood” in the ordinance. Rick explained that the category does not include pre-treated or composite lumber or wood that has been painted or varnished, any of which may become toxic when burned.

Senya noted that the proposed amendments would prohibit campfires after midnight and indicated that midnight is typically the time when outdoor parties are most festive. Rick indicated that he would revise the time to 2:00am.

As a resident of a development with smaller lots, Chuck expressed concern about possible smoke problems from campfires and patio wood-burning units. He indicated that fires in his neighborhood can create a nuisance if he leaves his windows open at night. Carmen noted that regardless of any other provisions in the burning ordinance, any fire that causes a nuisance to residents is prohibited. Chuck indicated that allowing campfires or patio wood burning units to be 20 feet from a property line was probably not far enough from neighboring houses. Rick indicated that he would amend the distance to 40 feet.

The Board discussed whether there should be a minimum lot size for campfires and patio wood burning units. A consensus was reached that provided that the 40 foot setback provision was followed, no minimum acreage requirement was necessary.

### **Consider PECO substation in East Goshen Township**

Marty was concerned that we have not yet heard back from PECO regarding the landscaping at the PECO substation at North Chester and Strasburg Roads. Senya recommended that Marty contact Greg Cary at PECO to discuss the issue before any further action is taken on the matter. Marty said he will make the call.

### **New Business**

#### **Consider recommendation for award of Post and Rail Fence Bid**

One bid for post and rail fence to go along Paoli Pike by the old Park entrance was submitted in the amount of \$12,000 by Pro Max Fence Systems.

Senya stated that although the fatal accident that occurred along Paoli Pike earlier this year was very tragic, installing a fence to prevent future accidents was an overreaction typical of government. He estimated that 55 million passenger trips had been taken along this stretch of Paoli Pike without incident since the Park was opened prior to this accident. Chuck indicated that it would be much less expensive and just as effective to install a few signs indicating “Please Cross at Crosswalk” or “Do Not Cross” in the area just west of the old entrance.

Senya made a motion to reject the bid and put up signs instead. Chuck seconded the motion. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

### **Consider WEGO Accreditation**

Marty noted that there are two components to the request from Chief Bernot regarding the accreditation of WEGO by the Pennsylvania Law Enforcement Accreditation Commission (PLEAC): 1) the actual accreditation and 2) the updating of all operating procedures for WEGO’s 125+ policies.

Senya had concerns that this arrangement presented a conflict of interest for Joseph Blackburn, whose firm (Blackburn Strategies) was coordinating with the accreditation consulting firm (the Rodgers Group), while simultaneously serving as the Accreditation and Training Coordinator for The Pennsylvania Chiefs of Police Association. While Senya agreed that the policies needed to be updated, he did not feel comfortable with WEGO contracting with the Rodgers Group if Blackburn Strategies was part of the newly formed company. Chuck indicated that he did not think that this relationship created a conflict of interest.

Carmen mentioned that Chief Bernot was going to ask Chief Blackburn not to participate. He also indicated that he was in favor of WEGO getting accredited to potentially lower insurance premiums and because becoming accredited may become even more difficult in the future.

Marty noted that there were four options before the Board: 1) doing nothing; 2) updating the policies and procedures, but not pursuing accreditation; 3) updating the policies and pursuing accreditation through PLEAC; or 4) updating the policies and pursuing accreditation through the national Commission on Accreditation for Law Enforcement Agencies, which would be much more expensive than accreditation through PLEAC.

Carmen suggested that the Board vote on two separate issues: 1) authorizing WEGO to contract with PowerDMS for a system that will allow WEGO to electronically manage its policies and 2) authorizing the Rodgers Group to assist with the accreditation process. However, Senya indicated that the system offered by PowerDMS was just a document management system and that it wouldn’t automatically update WEGO’s policies and procedures.

Carmen made a motion that the Board accept the recommendation of Chief Bernot and the two Township Managers and to authorize WEGO to proceed with accreditation. Chuck seconded the motion. There was no further discussion or public comment. The motion passed 3-1. Senya voted nay, noting his reservations about the conflict of interest with Joseph Blackburn.

### **Consider amending Township Code to regulate drones.**

Senya referenced a number of recent news stories regarding safety and privacy concerns that the use of non-military aerial drones have raised in communities throughout the country. He indicated that drones operating in the Township should be registered with the Township and insured in the event of an accident. Senya then made a motion to direct Township staff to research the subject matter and make a recommendation on the regulation of drones. Carmen seconded the motion. Chuck suggested that we carefully define what we mean by a “drone” and noted that there is likely to be some FAA regulations regarding municipal jurisdiction over drones. Resident Meredith Baird indicated that she would like the ordinance to address noise and privacy concerns. The motion passed 4-0.

### **Any Other Matter**

None

### **Review of Minutes and Corrections**

The Board reviewed the draft minutes of July 15. Marty stated that the minutes would stand approved as corrected.

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

*See attached Treasurer’s Report for July 31, 2014.* The Board reviewed the Treasurer’s Report and the current invoices. Carmen moved to graciously 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. Chuck seconded the motion. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

### **Review Action List**

**The Comp Plan**—Rick noted that the Board would review Chapter 3 (Land Use) later in the meeting. He also noted that the Planning Commission is or soon will be working on the following:

1. LED sign regulations
2. Fireworks regulations
3. Township regulation of pipelines
4. Drones (in the event that we have jurisdiction)

**Open Space Plan**—Rick indicated that there is no update on the Open Space Plan since the last update.

**Hershey Mill Dam**—Rick noted that we have now received the permit from the Department of Environmental Protection for the modification of Hershey’s Mill Dam.

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

Marty acknowledged the following letters and reports:

- 1) Letter from Applebrook Golf Club Board of Directors and employees thanking East Goshen for the fantastic fireworks display.
- 2) Letter from DA DEP regarding the Hershey Mill Dam Permit. Carmen asked whether Neil DeReimer's Friends of Hershey Mill Dam group would now begin to fundraise. Rick suggested they wait until after construction bids have been received so they know exactly how much money they should try to raise.
- 3) Sunoco Remedial Action Progress Report on July 16, 2014..
- 4) Letter from Leanne Corba regarding 1423 Garrett Lane, and Mark Gordon's response.

### **Public Comment**

None

### **Review Chapter 3 (Land Use) of the Updated Comprehensive Plan**

The Board reviewed the draft of Chapter 3 Land Use of the Comprehensive Plan. Senya expressed dissatisfaction with how the chapter was written and suggested that we may want to engage another consultant. He noted that parts of the narrative for Objective 3.2 were not applicable to East Goshen. Carmen stated that the first sentence of the narrative for Goal 3 was poorly written. The Board discussed the pros and cons of terminating the contract with Brandywine and hiring a new consultant. It was the consensus of the Board continue the current process and to defer a decision until the full Board was present.

### **Adjournment**

There being no further business, the regular meeting was adjourned at 10:00pm.

Barbara Phillips

Recording Secretary

*Attachments: Treasurer's Report*

July 31, 2014

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

**GENERAL FUND**

Real Estate Tax	\$2,179.11
Earned Income Tax	\$61,700.00
Local Service Tax	\$5,900.00
Transfer Tax	\$59,453.17
General Fund Interest Earned	\$2,493.20
Total Other Revenue	\$56,284.55
Total Receipts:	<u>\$188,010.03</u>

Accounts Payable	\$106,140.64
<u>Electronic Pmts:</u>	
Health Insurance	\$42,169.02
Credit Card	\$2,286.63
Postage	\$0.00
Debt Service	\$16,494.05
Payroll	\$154,673.08
Total Expenditures:	<u>\$321,763.42</u>

**STATE LIQUID FUELS FUND**

Receipts	\$4,396.01
Interest Earned	\$0.00
Total State Liquid Fuels:	<u>\$4,396.01</u>

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

Interest Earned	<u>\$5,005.24</u>
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Expenditures:	<u>\$6,917.98</u>
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**TRANSPORTATION FUND**

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

Receipts	\$180,161.50
Interest Earned	\$0.00
Total Sewer:	<u>\$180,161.50</u>

Accounts Payable	\$269,576.98
Debt Service	\$33,951.29
Credit Card	\$0.00
Total Expenditures:	<u>\$303,528.27</u>

**REFUSE FUND**

Receipts	\$64,915.73
Interest Earned	\$0.00
Total Refuse:	<u>\$64,915.73</u>

Expenditures	<u>\$24,805.81</u>
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**SEWER SINKING FUND**

Interest Earned	<u>\$0.00</u>
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Expenditures	<u>\$0.00</u>
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**OPERATING RESERVE FUND**

Receipts	<u>\$0.00</u>
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Expenditures	<u>\$0.00</u>
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**Events Fund**

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