

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
August 19, 2014 – 7:00pm
Final Minutes**

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

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:30pm and asked Chuck Proctor to lead the Pledge of Allegiance.

Moment of Silence

Senya called for a moment of silence to honor the troops and all those in uniform who keep us safe. Senya also asked that we remember Doctor Robert White, a member of the West Goshen Board of Supervisors who was tragically killed last week.

Recording of Meeting

No one indicated they would be recording the meeting.

Chairman's Report

Senya reminded everyone that all votes taken would have to be unanimous in order for a motion to pass since only three members of the Board were present.

Senya reported that the Township has requested a six month extension with the Chester County Planning Commission for the Comp Plan Update.

Senya also announced that the Township's 2015 minimum municipal obligations were as follows:

- \$53,364 for the Fire Pension Plan;
- \$0 for the Township Non-Uniformed Pension Plan;
- \$83,037 for the Township Non-Uniformed Defined Contribution Pension Plan; and
- \$9,500 for the Police Commission Non-Uniformed Defined Contribution Pension Plan.

Police/EMS Report

Chief Bernot noted that WEGO is still accepting applications for the Citizen's Academy. She also warned residents about the following scams that are occurring:

1. A person will call to tell you there is a problem with your computer. They will get into your computer system, retrieve personal information then lock you out of it. Eventually, they usually ask for a fee to unlock your system.

2. The Granny Scam – a person will call pretending to be your grandchild or a police officer holding your grandchild. That person will ask for money for bail.
3. Lottery winner scam where the person is asking for money up front to collect your winnings.
4. Someone pretending to be from the IRS calling about back taxes over the phone.
5. Someone calling from “Out-of-State” telling you that they believe someone has stolen your identify and to confirm your Social Security number.

Chief Bernot urges everyone to share this information.

She also noted that thefts from autos have become more prevalent and urged residents to keep car doors locked.

PECO Goshen Substation Landscaping

Senya apologized for the fact that Greg Cary from PECO would not be present due to a death in the family to discuss the concerns originally raised by Ed Davidson in January. Senya noted that this issue will have to be postponed until the September 2nd meeting.

Mr. Ed Davidson, 9 Oak Tree Lane, Malvern, who owns the property at 1603 East Strasburg Road, reviewed the promises made by PECO 25 years ago. He said that PECO said that the substation would not have an adverse effect on the homes on Strasburg Rd. and that there would be absolutely no impact on the value of the homes in the area. They also said that the control building will be out of sight of the road. Mr. Davidson asked the Board to push PECO to keep its promises.

Fast Food Restaurant with Drive-Through Service Zoning Amendment

Patrick McKenna, Gawthrop Greenwood, PC, represented Abjibapa Enterprises LLC, which would like to open a Dunkin Donuts with a drive-thru window at the site of the old Citadel Bank in the Goshen Village Shopping Center. Mr. McKenna handed out the revised plans for the garbage area and discussed the landscaping around the proposed menu board.

Given the absence of Messrs. Shane and Battavio who were out of town, Senya suggested that Mr. McKenna may want to consider postponing his presentation until the full Board was present. Senya was concerned for the Applicant and did not wish for him to take any direction or incur any costs in the absence of a public discussion before the full Board. He also stressed that any decision the three members of the Board may make tonight should not be construed as an endorsement or rejection of the proposed Dunkin Donuts in the Goshen Village Shopping Center. Senya also shared this concern with the Applicant who arrived a little later. Mr. McKenna and the Applicant both expressed appreciation for the consideration and chose to continue.

Mr. McKenna discussed his client’s petition to amend the Zoning Ordinance to permit a fast food restaurant with drive-through service as conditional use. The amendment would permit Abjibapa Enterprises to submit a conditional use application for a Dunkin Donuts in the shopping center. Mr. McKenna also has requested an increase in the size of the signs and to allow signs to be on both sides of the building instead of just one. Senya asked about the size of the signs. Mr.

McKenna said that they would like to be able to increase the sign size by 2 square feet. He also mentioned that all signs will be turned off after business hours.

Chuck had concerns about five parking spaces in the top right corner of the plans that should be eliminated for traffic safety reasons. Mr. McKenna said that it should not be a problem to eliminate those spaces.

Chris Williams, McMahon, Transportation & Planners discussed a traffic impact study prepared on behalf of Abjipapa Enterprises, LLC regarding the possible impact of traffic on the shopping center and the adjoining streets. Mr. Williams mentioned that the study does not take into account the traffic when school is in session.

Mr. Williams compared the different intersections into the shopping center as well as traffic in the shopping center itself. These flows were studied during peak and non-peak hours. He also estimated the quantity of pass-by trips and new trips to the proposed store and their effect on the traffic in the area.

The study showed that safe and efficient access to and from the proposed Dunkin Donuts can be provided and the traffic can be accommodated.

Mr. McKenna also noted that several tenants of the shopping plaza had informally voiced their support for the Dunkin Donuts, as it would likely result in more sales at their businesses. Chuck asked Mr. McKenna if these businesses could provide letters of support for the project. Mr. McKenna indicated that this shouldn't be a problem.

Chuck motioned to accept the petition and directed Rick to ask our solicitor to review the proposed ordinance. Janet seconded the motion. The motion passed unanimously.

Consider recommendation to close out the Applebrook Preserve Escrow

Rick explained that our engineer recommended that we release the Pulte Group's performance bond for Applebrook Preserve. Rick said that he and Mark Miller agreed with Pennoni's assessment.

Senya noted that the Homeowner's Association had not been copied on Pennoni's recommendation and asked whether the Township had received any assurance from homeowners that Pulte's work at the development was completed to their satisfaction.

Bill Creeger, representing the Pulte Group, said he has worked very closely with Jim DeHaven, the President of the Applebrook Preserve Homeowners' Association.

Senya asked Mr. Creeger to provide some form of documentation or letter from the HOA attesting to its position on the matter before the Board would vote to release the performance bond, which Mr. Creeger stated he would do.

Financial Report

Jon Altshul reviewed the July financial report. As of July 31, 2014, the general fund had year-to-date revenues of \$6,198,536 compared to expenses of \$5,570,846 for a positive variance of \$627,690, excluding pass through accounts. Compared to the YTD budget, revenues were \$156,838 over-budget, while expenses were \$251,918 over-budget for a negative budget variance of \$95,080. He also explained that the general fund is on track to end the year with a slight deficit of \$9,757.

Jon also mentioned that Community Day was under funded by over \$19,000 due to low fund raising by Friends of East Goshen.

Review draft burning ordinance

Chuck moved to accept the changes to the draft burning ordinance. Janet seconded the motion. The motion passed unanimously. A public hearing to amend the ordinance will be held on September 16.

Consider adoption of Resolution 2014-121 approving Act 537 Plan Amendment for the Reservoir Road Pump Station

Rick explained that this resolution will allow us to begin the planning process for constructing a new pump station at the intersection of Reservoir and Strasburg Roads to divert 300,000 gallons a day to the Ridley Creek sewer plant. Rick explained that when average daily flows to the Chester Creek plant exceed 1,000,000 gallons, our sewage agreement with West Goshen allows for an additional surcharge on our flows. As a result, Rick explained that the bidding and construction for the project will not start until the daily flow to the Chester Creek plant increase from their current level of about 800,000 gallons per day.

Chuck made a motion to adopt the resolution to amend the Township's Act 537 plan in order to allow for the Reservoir Road Pump Station. Janet seconded the motion. The motion passed unanimously.

Consider recommendation to award bid for the Milltown Dam Valve Replacement

Rick noted that bids were opened on August 12th to replace the gate valves at the Milltown Dam. The lowest bid was by Marine Solutions for \$70,260. The other bids were from NuPump Corporation for \$84,690 & Hohl Industrial Services for \$113,400.

However, he also noted that the Township was recently notified that the dam did not meet DEP standards for a major storm and would have to be substantially rehabilitated. Accordingly, he suggested that the Board delay a decision on the valve replacement until the full board had an opportunity to discuss the dam more generally,

Consider recommendation to hire part-time police officers

Chuck informed the Board that the Police Dept. has recently lost two part-time officers and that Chief Bernot has been having trouble staffing shifts. Senya asked if we should be hiring full-time officers instead of part-time officers. Rick said that this issue needs to be discussed, but in the meantime, WEGO needs authority to at least bring two part timers on board. Chuck moved that we authorize the hiring of two additional part time officers. Janet seconded the motion. The motion passed unanimously.

Review Chapter 4 Natural Resources

Senya suggested we postpone reviewing Chapter 4 of the Comp Plan until the full Board is present.

Any Other Matter

None

Review of Minutes and Corrections

Senya suggested we table reviewing the minutes until the full Board is present.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for August 14, 2014. The Board reviewed the Treasurer's Report and the current invoices. Senya asked Jon Altshul to invoice the Fire Company for the amount that East Goshen paid the Police Department for the special police detail at the Goshen Fair. Chuck 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.

Review Action List

Rick noted that the draft Comcast franchise agreement will be available for comment at the September 2nd meeting. He also noted that there has been no activity with the Bicentennial Committee.

Correspondence & Reports of Interest

Chuck mentioned a letter from Attorney General Pasquale, stating the police pension plan is in moderate distress status. Rick noted that the plan is now 63.3% funded, which is a slight improvement from two years ago.

Public Comment

None

Adjournment

There being no further business, the meeting was adjourned at 9:10pm.

Barbara Phillips

Recording Secretary

Attachments: Treasurer's Report

August 14, 2014

TREASURER'S REPORT
2014 RECEIPTS AND BILLS

GENERAL FUND

			Accounts Payable	\$476,861.76
Real Estate Tax	\$2,057.40		Electronic Pmts:	
Earned Income Tax	\$626,918.82		Health Insurance	\$41,655.90
Local Service Tax	\$38,846.68		Credit Card	\$0.00
Transfer Tax	\$92,258.67		Postage	\$1,000.00
<i>General Fund Interest Earned</i>	\$670.57		Debt Service	\$16,494.05
Total Other Revenue	\$47,041.09		Payroll	\$55,170.71
Total Receipts:	\$807,793.23		Total Expenditures:	\$591,182.42

STATE LIQUID FUELS FUND

Receipts	\$0.00			
<i>Interest Earned</i>	\$50.31			
Total State Liquid Fuels:	\$50.31		Expenditures:	\$0.00

SINKING FUND

<i>Interest Earned</i>	\$502.17		Expenditures:	\$526.40
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TRANSPORTATION FUND

<i>Interest Earned</i>	\$192.51		Expenditures:	\$4,924.09
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SEWER OPERATING FUND

Receipts	\$152,665.34		Accounts Payable	\$80,493.47
<i>Interest Earned</i>	\$66.07		Debt Service	\$33,951.29
Total Sewer:	\$152,731.41		Credit Card	\$0.00
			Total Expenditures:	\$114,444.76

REFUSE FUND

Receipts	\$62,286.18			
<i>Interest Earned</i>	\$23.09			
Total Refuse:	\$62,309.27		Expenditures	\$63,501.08

SEWER SINKING FUND

<i>Interest Earned</i>	\$218.12		Expenditures	\$0.00
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OPERATING RESERVE FUND

Receipts	\$127.46		Expenditures	\$0.00
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Events Fund

Receipts	\$0.58		Expenditures	\$0.00
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