

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
January 5, 2015—7:00 pm
Final Minutes**

Present: Chairman Marty Shane, Vice-Chairman Senya D. Isayeff, and Supervisors Carmen Battavio, Chuck Proctor, and Janet Emanuel, CFO Jon Altshul, Township Manager Rick Smith, and ABC member Erich Meyer (Conservancy Board).

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 7:02 pm and asked Janet 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, especially those who have given their lives.

Recording of Meeting

Leo Sinclair, 217 Lochwood Lane, indicated that he was recording the meeting.

Elect Chairman (Resolution 2015-1)

Carmen nominated Marty for the position of Chairman for 2015. Chuck seconded the motion. The Board voted unanimously to approve the motion.

Elect Vice-Chairman (Resolution 2015-2)

Carmen nominated Senya for the position of Vice-Chairman for 2015. Chuck seconded the motion. The Board voted unanimously to approve the motion.

Appoint Police Commissioner (Resolution 2015-3)

Carmen nominated Chuck for the position of Police Commissioner for 2015. Janet seconded the motion. The Board voted unanimously to approve the motion.

Appoint Township Officials (Resolution 2015-4)

Marty moved to nominate the following Township Officials for 2015.

1. Township Manager/Secretary – Louis F. (Rick) Smith, Jr.
2. Chief Financial Officer/Treasurer – Jon Altshul
3. Director of Public Works – Mark Miller
4. Zoning Officer – Mark Gordon
5. Assistant Zoning Officer – Louis F. (Rick) Smith, Jr.
6. Building Inspectors – Gary Althouse & Vincent DiMartini
7. Fire Marshal – Carmen R. Battavio
8. Assistant Fire Marshals – Mark Miller, Gary Althouse & Vincent DiMartini

9. Solicitor – Buckley, Brion, McGuire, & Morris
10. Engineer – Pennoni Associates
11. Back-Up Engineer - Chester Valley Engineers
12. Emergency Management Coordinator – Mark Miller
13. Assistant Emergency Management Coordinator – Kevin Miller
14. Delegate to the Chester County Tax Collection Committee – Jon Altshul
15. Alternate Delegate to the Chester County Tax Collection Committee – Brian McCool
16. Deputy Tax Collector – Jon Altshul

Senya seconded the motion. The Board voted unanimously to approve the motion.

Re-Appoint Township Employees (Resolution 2015-5)

Marty moved to re-appoint the Township employees. Senya seconded the motion. The Board voted unanimously to approve the motion.

Appoint Depositories for Township Funds (Resolution 2015-6)

Marty moved to appoint the following depositories for Township funds:

1. DNB First
2. National Bank of Malvern
3. National Penn Bank
4. Susquehanna Bank
5. Penn Liberty Bank
6. PLGIT-PA Local Government Trust and Plus
7. TD Bank
8. M&T Bank
9. Meridian Bank

And to authorize the Chief Financial Officer/Treasurer to make investments at banks paying the best rate of interest and with the best terms.

Because of the impending acquisition of Susquehanna Bank, Carmen amended the motion to allow for a successor bank to Susquehanna Bank to accept Township funds as well. Senya seconded the amended motion. The Board voted unanimously to approve the amended motion.

Certify Delegates to the PSATS Convention (Resolution 2015-7)

Marty moved to certify the Five Supervisors, Township Manager and Chief Financial Officer/Treasurer as delegates; for Rick Smith to be the Voting Delegate and for Jon Altshul to be the Alternate Voting Delegate. Senya seconded the motion. The Board voted unanimously to approve the motion.

Confirm 2015 Holiday Schedule (Resolution 2015-8)

Marty moved to adopt the 2015 Holiday Schedule listed in Resolution 2015-8. Senya seconded the motion. The Board voted unanimously to approve the motion.

Confirm 2015 Meeting Schedule (Resolution 2015-9)

Marty moved to adopt the 2015 Meeting Schedule listed in Resolution 2015-9. The Board of Supervisors will meet on the 1st and 3rd Tuesday of every month and only meet on the 2nd, 4th and 5th Tuesday as needed. Senya seconded the motion. The Board voted unanimously to approve the motion.

Confirm Keystone Collections Agency as the Earned Income and Local Services Tax Collector for the Township (Resolution 2015-10)

Marty moved to confirm Keystone Collections Agency as the Earned Income and Local Services Tax Collector for the Township in 2015. Senya seconded the motion. The Board voted unanimously to approve the motion.

Consider Maillie LLP as independent auditors for the Township (Resolution 2015-11)

Marty moved to confirm Maillie LLP as the independent auditors for the Township in 2015. Senya seconded the motion. The Board voted unanimously to approve the motion.

Establish the 2015 Fee Schedule (Resolution 2015-34)

Janet moved to establish the 2015 Fee Schedule as corrected, with the references to “satellite parks” changed to “passive parks”. Senya seconded the motion. The Board voted unanimously to approve the motion.

Leo Sinclair asked whether there were any increases to the fees. Rick said they were the same as last year.

Joe Buonanno, 1606 Herron Lane, asked where he could find a copy of the fee schedule. Rick informed him that it was available on the website. Mr. Buonanno asked whether the component line items for fixed and variable sewer rates were on the fee schedule. Jon responded that that level of detail was available on the website.

Authorize participation in the Municipal Risk Management Workers’ Compensation Pooled Trust (Resolution 2015-65)

Marty moved to authorize participation in the Municipal Risk Management Workers’ Compensation Pooled Trust. Senya seconded the motion. The Board voted unanimously to approve the motion.

Mr. Buonanno asked whether the Township had received a dividend from MRM in the past two years. Jon responded that we had.

Announce the continuance of all other applicable resolutions that were previously adopted

Marty moved to continue all other applicable resolutions that were previously adopted. Senya seconded the motion.

Mr. Sinclair asked whether the Board had adopted a resolution about the Sunoco pump station. Marty responded that the Board hadn't formally adopted a resolution, but that we are actively monitoring the situation and will provide any information we obtain to West Goshen to assist them in their legal efforts.

Mr. Buonanno asked whether the Township plans to question Sunoco's status as a public utility before the PUC. Marty explained that we are working with our attorney, Margie Morris, on determining what the best strategy is. Chuck noted that we have been granted party status before the Public Utility Commission. Marty added the Board is concerned about the route of the Mariner 2 pipeline and the impact of that route on residents' property.

Lori Kier, 619 Marydell Drive, informed the Board that the Concerned Citizens of West Goshen Township's complaint against Sunoco can move forward due to Sunoco's preliminary objections being denied. She also asked whether the Board of Supervisors had any conflicts of interest that would force them to recuse themselves from any deliberations about Sunoco.

Senya stated that his firm is a subcontractor for a firm that has a contract to demolish a former Sunoco refining facility in New Jersey. However, he noted that he didn't believe this created a conflict of interest because, as a subcontractor, his firm has no direct relationship with Sunoco; because the facility was decommissioned long before his firm began any work there; and because the refining subsidiary of Sunoco is separate from its pipeline subsidiary. Carmen stated that it is possible that his business may have done plumbing or HVAC work at a Sunoco facility in the past, but that he can't recall any specific project. Neither Janet, Chuck nor Marty indicated that they ever had any business relationship with Sunoco.

Ms. Kier asked about the test for a conflict of interest under state law and when supervisors would need to recuse themselves. Carmen responded that conflicts of interest are determined by the State Ethics Commission. Marty further added that a conflict of interest would arise if there was a potential financial gain or the appearance of it.

The Board voted unanimously to approve the motion.

Chairman's Report

Marty announced that the Annual Planning Session will be held on Saturday, January 10th at 8:00pm and would be followed, at approximately 10am with a bus tour of undeveloped parcels and parcels with redevelopment potential.

Marty also noted with sadness the recent passing of Hank Belber, the developer of Applebrook Golf Course, a strong proponent of open space in Chester County and a good friend of East Goshen Township.

Comprehensive Plan Update

Janet provided an update on the Comprehensive Plan. The Comp Plan Task Force will be taking a bus tour of the Township on Saturday, January 10th, and then meeting the following Monday. The Board of Supervisors plans to adopt the new Comp Plan by the end of 2015.

Police Commission Update

Chuck noted that later this month, WEGO will implement 12-hour shifts. He also noted that WEGO has begun a year-long accreditation process against which WEGO will be assessed against 135 standards and substandards. When complete, the accreditation may result in lower insurance premiums as well.

Fire Marshal Report

Carmen reported that he'd met with the organizer of the annual Marydell bonfire to review the Township's fire ordinance and discuss fire safety.

Consider Applebrook Signs and Maintenance

Rick explained that concern has been raised about signage at the corner of Hibberd Lane and Paoli Pike and that businesses located in that area may be difficult for people to find. Rick explained that the IMX has a limited easement to erect a sign along Paoli Pike, but that other businesses located there can't erect signs. Because our sign ordinance allows for the Township to erect signs, Rick recommended that the Township consider erecting its own sign and then renting space on that sign to interested businesses. Under Rick's proposal, the businesses' names and addresses would be listed on a plaque that could be removed or replaced in the event of turnover. The sign would be located on the southeast corner of the intersection.

Marty welcomed Jim DeHaven, President of the Preserve at Applebrook HOA, and David Dugery, the President of IMX Medical Management Services. Mr. DeHaven indicated that he was unsure whether the rest of his Board was interested in the signage as Paoli Pike is really the back entrance to his development. Mr. Dugery noted that IMX has been reluctant to put permanent signage up in its easement, as it may rent office space to other commercial tenants, who may be interested in signage as well, but would have no ability to be identified.

Mr. Buonanno expressed concern about site distance problems caused by the new sign along Paoli Pike for pedestrians crossing from Applebrook to the Township Park. Marty responded that the sign would conform to all site distance requirements.

Marty directed Rick to come back to the Board with more specifics about what the signs would look like, precisely where they would be located and how much they would cost.

In addition, Rick noted that the easement for the Chamber of Business and Industry included a provision that the Township would invoice the Chamber for a pro-rata share of the maintenance of the parking lot (e.g. for plowing and mowing), but that the Township had never invoiced the Chamber. Senya moved for the Township to begin invoicing the

Chamber of Business and Industry a pro-rata share of the Township's maintenance costs. Carmen seconded the motion. The Board voted unanimously to approve the motion.

PECO Goshen Substation Landscaping

Rick explained that PECO raised concern about the Thuja Green Giant plant growing too tall at the PECO substation and asked that the Board to approve the planting of Schip Laurel instead. The Conservancy Board is agreeable to this change. Chuck moved to approve a revised plan at the Goshen Substation to allow for the use of Schip Laurel instead of Thuja Green Giant. Senya seconded the motion. The Board voted unanimously to approve the motion.

Consider Marsh Creek Sign Proposal

Rick recommended that the Township consider adding "Welcome Home"/"Drive Safely" panels to the three Township signs at the Township border at Paoli Pike and Line Road and at the east and west borders along West Chester Pike at a cost of \$1,907 in order to enhance the Township's "sense of place" (the Paoli Pike sign would only say "Welcome Home" on the front as the rear of the sign is not visible from the roadway). Senya moved to purchase these sign panels. Carmen seconded the motion. The Board voted unanimously to approve the motion.

Consider draft ordinance regulating drones

Rick explained that the draft ordinance that he and Kristin Camp developed defined drones very broadly to include model and remote-controlled airplanes. He further noted that the draft ordinance would prohibit people from operating drones below 200 feet over other people's property. Carmen stated that he is mainly concerned with drones hovering, rather than flying.

Mr. Sinclair urged the board to distinguish between "quad" drones that have cameras and toy model/remote control airplanes/helicopters that are simply for flying. He noted that he has five model aircraft and they don't have cameras on them, can't stay up in the air for more than 5 or 10 minutes at a time, and can't reach an altitude of 200 feet. He also stressed that his neighbors have no objections to him flying his planes over their properties and that neighborhood children are fascinated by his planes. He also stated that the risk of drones or model aircraft falling out of the sky and injuring people on the ground is virtually non-existent and that drones now have safety features to prevent accidents.

Senya indicated that the draft ordinance was a good start but that some definitional issues need to get worked out. Marty asked Senya and Carmen to work with Rick to revise the draft ordinance.

Consider Rooftop Screening Ordinance

Marty tabled this issue until the next meeting.

Any Other Matter

Senya moved to reappoint the following residents to ABC groups:

- John Snyder, Zoning Hearing Board
- Sandra Snyder, Conservancy Board
- Judy Schafer, Historical Commission
- Monica Close, Planning Commission
- Betsy Williams, Park and Recreation Commission
- Joe Zulli, Park and Recreation Commission
- Fran Beck, Municipal Authority
- Gwenne Alexander, Vacancy Board
- Jim DeHaven, Board of Auditors

Carmen seconded the motion. The Board voted unanimously to approve the motion.

Approval of Minutes

The Board reviewed and corrected, but did not approve the December 16th minutes.

Treasurer's Report

See attached Treasurer's Report for January 2, 2015. The Board reviewed the Treasurer's Report and the current invoices. Jon noted that the Treasurer's Report does not reflect the transfer of \$1,974,510.71 from the General Fund to the Operating Reserve Fund to bring the reserve fund to the statutory maximum, as previously recommended by the Board on October 14. 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 amended the motion to reflect the transfer of \$1,974,510.71 from the General Fund to the Operating Reserve Fund. Senya seconded the amended motion. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

Adjournment

There being no further business, the Board adjourned at 9:10 to an Executive Session to discuss a personal matter.

The Executive Session concluded at 10:15.

Jon Altshul
 Treasurer/Chief Financial Officer
 Attachments: *Treasurer's Report*

January 2, 2015

**TREASURER'S REPORT
2014 & 2015 RECEIPTS AND BILLS**

GENERAL FUND

| | | | | |
|----------------|------------------------------|---------------------|-------------------------|-----------------------|
| | | | Accounts Payable (2014) | \$667,714.07 |
| | | | Accounts Payable (2015) | \$532,401.25 |
| | | | Electronic Pmts: | |
| | Real Estate Tax | \$6,948.16 | Health Insurance | \$40,860.48 |
| | Earned Income Tax | \$72,100.00 | Credit Card | \$263.81 |
| | Local Service Tax | \$0.00 | Postage | \$1,000.00 |
| | Transfer Tax | \$49,179.72 | Debt Service | \$0.00 |
| | General Fund Interest Earned | \$3,758.45 | Payroll | \$130,049.10 |
| | Total Other Revenue | \$820,821.43 | Total Expenditures | \$1,372,288.71 |
| Total Receipts | | \$952,807.76 | | |

STATE LIQUID FUELS FUND

| | | | | |
|--------------------------|---------------|--|---------------------|---------------------|
| Receipts | \$0.00 | | | |
| Interest Earned | \$0.00 | | | |
| Total State Liquid Fuels | \$0.00 | | Expenditures (2014) | \$398,057.91 |

SINKING FUND

| | | | | |
|-----------------|-------------------|--|---------------------|--------------------|
| Interest Earned | \$3,758.45 | | Expenditures (2014) | \$16,830.25 |
|-----------------|-------------------|--|---------------------|--------------------|

TRANSPORTATION FUND

| | | | | |
|-----------------|---------------|--|--------------|---------------|
| Interest Earned | \$0.00 | | Expenditures | \$0.00 |
|-----------------|---------------|--|--------------|---------------|

SEWER OPERATING FUND

| | | | | |
|-----------------|---------------------|--|-------------------------|---------------------|
| | | | Accounts Payable (2014) | \$297,794.89 |
| | | | Accounts Payable (2015) | \$32,152.63 |
| Receipts | \$141,314.59 | | Debt Service | \$0.00 |
| Interest Earned | \$0.00 | | Credit Card | \$901.50 |
| Total Sewer | \$141,314.59 | | Total Expenditures | \$330,849.02 |

REFUSE FUND

| | | | | |
|-----------------|--------------------|--|---------------------|--------------------|
| Receipts | \$29,174.63 | | | |
| Interest Earned | \$0.00 | | | |
| Total Refuse | \$29,174.63 | | Expenditures (2014) | \$24,855.16 |

SEWER SINKING FUND

| | | | | |
|-----------------|---------------|--|--------------|---------------|
| Interest Earned | \$0.00 | | Expenditures | \$0.00 |
|-----------------|---------------|--|--------------|---------------|

OPERATING RESERVE FUND

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|----------|---------------------|--|--------------|---------------|
| Receipts | \$210,183.00 | | Expenditures | \$0.00 |
|----------|---------------------|--|--------------|---------------|

Events Fund

| | | | | |
|----------|--------------------|--|--------------|---------------|
| Receipts | \$15,000.00 | | Expenditures | \$0.00 |
|----------|--------------------|--|--------------|---------------|