

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
December 16<sup>th</sup>, 2014—7:00 pm  
Final Approved 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, Zoning Officer Mark Gordon, Township Solicitor Kristin Camp, Police Chief Brenda Bernot and ABC member Erich Meyer (Conservancy Board).

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:00 pm 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, especially those who have given their lives.

**Recording of Meeting**

No one indicated they would be recording the meeting.

**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 10<sup>th</sup>, and then meeting the following Monday. The Board of Supervisors plans to adopt the new Comp Plan by the end of 2015.

**Acknowledge Receipt of Police Merger Study between Townships of East Goshen, West Goshen, and Westtown**

Marty noted that the consultant study on the feasibility of a merger between the West Goshen Police Department and WEGO had been received and was available on the Township's website. The study will be discussed at the January 20<sup>th</sup> Supervisors Meeting.

**Public Hearings**

**Consider conditional use for 200 Margaret Lane**

The Board conducted hearing on a conditional use application for 200 Margaret Lane. Mr. Donald Eastburn seeks conditional use approval to operate a Firearms Sale and Transfer business out of his home. The Board agreed to make a final decision on the matter at its January 20, 2015 meeting. A court reporter was present and will provide a full transcript of the hearing.

### Consider conditional use for 1372 Enterprise Drive

The Board conducted hearing on a conditional use application for 1372 Enterprise Drive. Star Printing seeks conditional use approval to operate a printing and publishing establishment at this address. Carmen made a motion to approve the conditional use application with the condition that the applicant follows all applicable federal, state and local ordinances and secure proper permits prior to use and occupancy of the property; and that signs be in conformance with the plans presented at the hearing. Chuck seconded the motion. The Board voted unanimously to approve the motion. A court reporter was present and will provide a full transcript of the hearing.

### Consider an Ordinance Amending Chapter 188 of the East Goshen Township Code

The Board conducted a public hearing on proposed amendments to the Township's Sewer Ordinance. The proposal would amend the regulations for building sewer connections, testing of sewer connections and grinder pump regulations. Marty made a motion to adopt the ordinance as advertised, with the following changes: Delete subsection 188-33A(2), renumber section 188-33A, and add a new subsection (f) that reads "The name of the contractor performing the installation." Carmen seconded the motion. A court reporter was present and will provide a full transcript of the hearing.

### Police/EMS Report

Chief Brenda Bernot directed residents to [www.westtownpolice.org](http://www.westtownpolice.org) for information about recent police activities and crime trends. Marty added that it is important to check the website for the latest scams. He also noted that a number of cars have been broken into recently and encouraged residents to lock their car doors and remove valuables.

### Malvern Fire Company

Rick reported that there were no calls for service from East Goshen to the Malvern Fire Company last month.

### Financial Report

Jon reported that as of November 30, the general fund had year-to-date revenues of \$8,996,175 compared to expenses of \$8,803,691 for a positive variance of \$192,484, excluding pass through accounts. There was a positive YTD budget variance of \$14,570.

Jon added that among non-core revenues, Earned Income Tax revenues were lower than expected in late November, but that December distributions have rebounded slightly. He expects that the Township will finish the year with a slight surplus of \$20,829.

Jon informed the Board that the PSATS Unemployment Compensation Group Trust, our Unemployment Compensation Insurance carrier, recently amended its master agreement, which now requires participating PA municipalities to adopt an ordinance authorizing participation in it in order to comply with the Intergovernmental Cooperation Act. Jon stated that he sent a draft model ordinance to Kristin Camp and she was comfortable with it. Jon recommended that the Board authorize our solicitor to advertise for a hearing on the matter for the January 20<sup>th</sup> meeting.

Marty made a motion to authorize the Township solicitor to advertise for a hearing on an ordinance authorizing participation in the PSATS Unemployment Compensation Group Trust. Chuck seconded the motion. The Board voted to approve the motion unanimously.

**Consider 12 Hour Shift Memorandum of Understanding**

Marty reported that the Board has received a six-page Memorandum of Understanding from the Police Commission, concerning the change from an 8-hour shift schedule to a 12-hour shift schedule. He emphasized that the proposed change to a 12-hour shift would be for a trial period of one year.

Janet made a motion to accept the Memorandum of Understanding as set forth by WEGO. Chuck seconded the motion.

Senya noted that switching to a 12-hour shift can be dangerous due to officer fatigue. He has read studies that show fatigue resulting from shifts associated with long work schedules interferes with concentration and decision-making. Senya added that since police officers are making life and death decisions, the Board should consider other options, such as keeping the 8-hour shift or using a 10-hour shift, as is used successfully in Tredyffrin.

Marty reiterated that this proposal would be for a trial period only. He noted that he too has read about the pros and cons of 12-hour shifts and has talked to Supervisors from other municipalities that had 12-hour shifts and found that such concerns about fatigue were unfounded. Marty added that checks would be set up so that if fatigue turns out to be an issue, it can be addressed immediately. Marty also noted that 10-hour shifts wouldn't work for WEGO because there are not enough officers in the department. Marty explained that if the Board rejects the 12-hour shift, the matter would go to arbitration, where mostly likely both parties get some of their needs met, but neither would get all of them met. Marty indicated that there would be other efficiencies associated with the 12-hour shift, and that we would be gaining two more full-time officers.

Chief Brenda Bernot indicated that the 12-hour shift model helps to put the most officers on duty when the calls for service are the highest, which the 8-hour shift does not do. The 12-hour shift model assures that there is a supervisor plus three full-time officers scheduled on every shift, and part-time officers are only utilized to supplement full-time officers. Chief Bernot added that the officers like the idea of the 12-hour shift. They believe it will lead to more time with family and a higher quality of life.

*Resident Joe Buonanno, 1606 Herron Lane*, stated that he has read studies indicating that working over eight hours results in a loss of cognitive functioning. The Chief responded that the many reports she had read on the subject had not found cognitive functioning to be a problem. The Chief further clarified that under the current model, officers often work multiple eight hour shifts back-to-back, whereas with a 12 hour shift officers would be prohibited from working back-to-back shifts.

*Resident Leo Sinclair, 217 Lochwood Lane*, asked about the checks that would be put in place to monitor the effectiveness of 12-hour shifts during the trial period. The Chief responded that there will be meetings at the 1-month, 3-month, 6-month, and 9-month points in the trial and that variables such as sick leave utilization, traffic accidents, and complaints against officers will be analyzed.

Senya noted that with the 12-hour model, officers can work 12 hours three days in a row. After sleeping, that only leaves four hours for other activities. Senya said even if it costs more, he would suggest the 10-hr shift model, which would reduce fatigue and protect officer and resident safety.

*Officer Ted Lewis, President of the Westtown-East Goshen Police Association*, thanked everyone involved in the discussions about 12-hour shifts, particularly Chief Bernot. Mr. Lewis stated that the current 8-hour “McIntyre” schedule is not conducive to the effectiveness of the department, as it encourages overstaffing of full-time officers during slower the periods of the week and understaffing with part-time officers during heavier periods. He also noted that the 12-hour shifts would prohibit full-time officers from working back-to-back shifts and would put restrictions in place to prevent part-time officers, who may have already worked a long shift at their regular jobs, from working excessive hours in a row in two different jobs. Mr. Lewis said that the 12-hour schedule would likely improve the quality of life for WEGO Officers as officers would be able to better compartmentalize their personal lives from their professional lives. He also noted that with the monitoring controls in place, any concerns could be addressed along the way. Mr. Lewis thanked the Board of Supervisors for listening, and expressed hope that the Board would pass the motion.

Marty called to approve the Memorandum of Understanding as set forth by the Westtown East Goshen Police Department and to authorize implementation of a 12-hour shift schedule on a trial basis. The Board voted 4-1 to approve the motion, with Senya voting against it, for the reasons noted earlier.

**Consider Milltown Reservoir Dam Construction Cost Estimate/Alternatives Analysis**

Marty explained that we have been notified by the Pennsylvania Department of Environmental Protection that the Milltown Reservoir Dam no longer meets design specifications for a severe storm, and that the dam must be fixed or breached. Rick noted that Pennoni provided cost estimates for repairing or breaching the dam. Rick recommended that he and Nathan Cline, the Township Engineer, meet with DEP to get its recommendations on the matter and continue to explore grant options.

*Resident Bob Simon, 30 Lochwood Lane*, asked if the \$500,000 it would cost to fix the dam would have to come from the Township. Marty replied that yes, the Township would have to pay for it, but that grants may be available to offset the cost. Bob asked if the final decision would have to be approved by the Board. Marty affirmed that the Board would have to approve the final decision, and encouraged residents to sign up for

Constant Contact if they want to stay up-to-date about upcoming meetings and developments about the dam.

Rick added that prior to the Board making a final decision on the matter, a letter will be sent out to all residents within 1,000 feet of the dam, and that a final decision should be reached in or around February. Mr. Simon asked if the dam was breached, would it end up looking like just a mud flat, and Rick said no, it would be restored to a meadow-like condition. Senya asked Mr. Simon what his position was on the dam, and Mr. Simon stated that he would like to keep the dam and the reservoir. Marty noted that the DEP, environmental groups, and even the federal government generally support breaching dams, unless they are used for flood control or water supply.

*Resident Ave Kane, 1345 Park Avenue*, stated that she enjoys the scenic beauty of the dam, as well as the recreational activities, such as fishing and ice skating, that it affords residents. She said the reservoir is an asset to the Township and she hopes the Board will try to keep the dam.

*Resident Baxter Wellmon, 46 Lochwood Lane*, suggested that the Board consider researching park and recreation grants that might help offset the cost of a repair. Rick noted that even if the recreational amenities were upgraded, we'd still have to fix the dam. Carmen noted that the Park and Recreation Board did look at the possibility of creating a recreational site at the Milltown Dam several years and found it would create a number of challenges, including ADA accessibility, parking, park access and a location for a picnic area.

Marty explained that the Township has wrestled with a similar situation at the Hershey's Mill Dam, and the residents in that section of the Township created Friends of the Hershey Mill Dam to raise money and research grants to fund the repairs to the dam.

*Resident James Kane, 42 Lochwood Lane*, stated that he would like to save the dam, as breaching the dam would negatively affect home values and because he does not want to back up to a wetland. He hopes the Board will continue to look for grants in support of repairing, rather than breaching the dam, and that he was able to find a number of potential grant options for dam repairs from simple internet searches. He suggested that someone be assigned to research grants to repair the dam full-time. Marty responded that Jon and Rick research grants, but that we have to be careful of what the grants are really for, as grants for flood control and water quality would not be applicable in this situation. He noted that the Friends of the Hershey Mill Dam have been researching grants opportunities to repair their dam for several years and have not yet identified one.

*Resident Vincent McGinnis, 32 Lochwood Lane*, stated that the dam is a gem, a jewel in the Township. He asked why we would ever want to breach the dam and that the reservoir should stay in the Township forever. He asked the Board to do everything it can to preserve the dam.

### **Consider Adoption of 2015 Budget**

Jon asked the Board to consider adopting the 2015 Township Budget, the WEGO budget 1.6, and the 2015 Township salaries. He noted that the only change that he's made to the year end projections in the past 2 weeks was to lower Earned Income Tax by \$125,000 as a result of falling revenue at the end of 2014. He noted that Wellington has been sold which would positively impact the Real Estate Transfer Tax in 2015.

Carmen made a motion to adopt the 2015 budget, as follows:

- General Fund expenses of \$11,559,267, of which \$10,207,604 is for core township functions and \$1,351,663 is for pass-through accounts, and general fund revenues of \$11,259,599. A further \$299,668 is appropriated from the fund balance to cover the shortfall.
- State Liquid Fuel Fund expenses and revenues of \$428,763.
- Sinking Fund expenses of \$643,300 and revenues of \$505,340.
- Transportation Fund expenses of \$12,000 and revenues of \$2,650.
- Sewer Operating Fund expenses and revenues of \$3,436,356.
- Refuse Fund expenses of \$1,085,672 and revenues of \$988,195.
- Sewer Sinking Fund expenses of \$155,080 and revenues of \$177,580.
- Operating Reserve Fund expenses of \$0 and revenues of \$7,500.
- Events Fund expenses of \$0 and revenues of \$15,010.

He further moved to approve the 2015 Township salaries, which were prepared consistent with Board of Supervisor's Resolution 08-54.

He further moved to adopt the 2015 Westtown East Goshen Police Department Budget, Version 1.6, in the amount of \$6,740,110, of which the Township's contribution is \$3,221,550, plus a capital contribution of \$35,000, of which East Goshen's share is \$22,003.

Janet seconded the motion. The Board voted 4-1 to approve the motion. Senya voted against because of the 12-hour shift schedule included in the budget, but thanked Mr. Altshul for his hard work in preparing the budget.

### **Consider Collette Travel**

The Board received a memo from the Parks and Recreation Commission indicating that it will create an RFP to solicit bids for a destination trip to take place during 2015 and bring a recommendation to the Board at the February 17<sup>th</sup> meeting. Senya said that this was the proper way to go about hiring a travel company for the Township.

Marty made a motion to accept the memo from Parks and Recreation. Senya seconded the motion. The Board voted unanimously to approve the motion.

### **Consider PECO Landscaping**

Rick explained that PECO has developed a landscaping plan at the Goshen substation, which the Conservancy Board has reviewed and made one change. Instead of Emerald

Green Arborvitae, which will attract unwanted deer at a busy intersection, it is suggested that Thuja Green Giant be planted instead. It looks similar and grows well, but the deer don't like it.

Marty made a motion to accept the landscaping plan indicated in the letter from PECO, with the change recommended by the Conservancy Board. Chuck seconded the motion. The Board voted unanimously to approve the motion.

#### **Consider West Chester Pike Project**

Rick advised the Board that at the Commerce Commission Executive Breakfast on October 30<sup>th</sup>, several business owners expressed concern about traffic congestion on West Chester Pike. Since the road can't be widened, the best the Township can do is improve the traffic signal timing. Nate Cline indicated that there is traffic adaptive technology available that permits traffic signals to adapt to traffic moment by moment instead of relying on predetermined schedules, and that there is grant money available for improving the signal technology. We also have non-impact fee money in the Transportation Fund. In order to proceed, the Township must discuss the fiber issue with Penn DOT and get a proposal from Pennoni to help with the grant applications. Rick added that he has reached out to Westtown and West Goshen to see if they are interested in submitting a grant application for a joint project, which would increase our chances for funding. Marty said it was a good idea to check the interest of our neighbors for a joint project.

#### **Consider Sorrell Hill Escrow Release Request #8**

The Harlan Corporation has requested the release of escrow funds of \$125,741.68. Pennoni recommends that we only release \$55,792.69, but that the remaining contingency funds not be released until the job is closed out.

Carmen made a motion to release \$55,792.69 in escrow funds to the Harlan Corporation. Senya seconded the motion. The Board approved the motion unanimously.

#### **Consider 2015 Health Insurance**

Marty explained that the Finance Committee had researched three options for health insurance and had recommended that the Township renew its policy with Independence Blue Cross for 2015, but take the required steps over the next 12 months to be able to transition to DVIT in 2016. Marty noted that we had to work out some details with the Fire Company, and further that switching to DVIT now may create problems for employees on the high deductible plan.

Carmen asked if we were locked into DVIT if we choose it, and Jon replied that the Township would be locked in for two years.

#### **Consider Recommendation on Truck Purchase**

Marty references a memo from Mark Miller and Jon Altshul recommending that we replace the 2004 midsize dump truck in our fleet. Carmen noted that funding for the truck is in the budget and that it was obvious from the pictures provided that the old truck

needs to be replaced. Carmen made a motion to accept the recommendation to replace the 2004 midsize dump truck. Senya seconded the motion. The Board voted to approve the motion unanimously.

### **Any Other Matter**

Rick indicated that it has been suggested that we purchase a park bench in honor of Dr. Robert White (Doc White). The six foot park benches we use cost approximately \$900. They have two boards on the back and there is room for the following inscription:

IN MEMORY OF DOC WHITE  
YOUR FRIENDS AT EAST GOSHEN

All were in favor of ordering the bench.

Senya referenced a newspaper article about drones, and noted that FAA regulations prohibit drones within five miles of an airport, which could impact East Goshen because of our proximity to the Goshen Municipal Airport. Rick said he has been working with Kristin on a draft ordinance that can be discussed at a meeting in January, but that it is Kristin's opinion that we can probably regulate drones operating within 100 ft. of the ground.

### **Approval of Minutes**

The Board reviewed and corrected the draft minutes of November 18, 2014, and December 2, 2014. Marty said the minutes would stand approved as corrected.

### **Treasurer's Report**

*See attached Treasurer's Report for November 13, 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. Senya seconded the motion. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

### **Correspondence, Reports of Interest**

The Board acknowledged receipt of the Goshen Volunteer Firemen's Relief Association Incorporated Compliance Audit.

### **Adjournment**

There being no further business, the Board adjourned at 11:30.

Pam Pastorino  
Recording Secretary  
Attachments: *Treasurer's Report*

				December 11, 2014	
<b>TREASURER'S REPORT</b>					
<b>2014 RECEIPTS AND BILLS</b>					
<b>GENERAL FUND</b>					
				Accounts Payable	\$381,703.33
	Real Estate Tax	\$4,954.29		Electronic Pmts:	
	Earned Income Tax	\$194,272.87		Health Insurance	\$0.00
	Local Service Tax	\$8,726.78		Credit Card	\$0.00
	Transfer Tax	\$0.00		Postage	\$0.00
	General Fund Interest Earned	\$514.64		Debt Service	\$14,894.16
	Total Other Revenue	\$48,572.62		Payroll	\$89,960.86
	Total Receipts:	<b>\$257,041.20</b>		Total Expenditures:	<b>\$486,558.35</b>
<b>STATE LIQUID FUELS FUND</b>					
	Receipts	\$0.00			
	Interest Earned	\$45.82			
	Total State Liquid Fuels:	<b>\$45.82</b>		Expenditures:	<b>\$0.00</b>
<b>SINKING FUND</b>					
	Interest Earned	<b>\$370.69</b>		Expenditures:	<b>\$14,000.70</b>
<b>TRANSPORTATION FUND</b>					
	Interest Earned	<b>\$181.90</b>		Expenditures:	<b>\$0.00</b>
<b>SEWER OPERATING FUND</b>					
	Receipts	\$73,832.54		Accounts Payable	\$56,789.69
	Interest Earned	\$56.04		Debt Service	\$33,440.94
	Total Sewer:	<b>\$73,888.58</b>		Credit Card	\$0.00
				Total Expenditures:	<b>\$90,230.63</b>
<b>REFUSE FUND</b>					
	Receipts	\$20,957.97			
	Interest Earned	\$22.48			
	Total Refuse:	<b>\$20,980.45</b>		Expenditures	<b>\$65,547.82</b>
<b>SEWER SINKING FUND</b>					
	Interest Earned	<b>\$211.19</b>		Expenditures	<b>\$0.00</b>
<b>OPERATING RESERVE FUND</b>					
	Receipts	<b>\$123.47</b>		Expenditures	<b>\$0.00</b>
<b>Events Fund</b>					
	Receipts	<b>\$0.33</b>		Expenditures	<b>\$0.00</b>