

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
February 3rd, 2015—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, 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 Chuck Proctor 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

Resident Gerry Ruffenach, 200 Reservoir Road, reserved the right to record the meeting.

Chairman's Report

Marty noted that Kevin Pierce, Esq., intended on attending the meeting to update the Board on the status of the recent dog bite incident on Brookmont Drive, but unfortunately could not make it.

Marty asked for public comment for any item not on the agenda. Mr. Ruffenach asked Marty about a Dunkin Donuts in the abandoned bank building at the Boot Road and Paoli Pike intersection. Marty replied that the matter is still being evaluated, but that the Board recently voted against a change to the zoning ordinance that Dunkin Donuts had sought. Gerry said that he approved of the Dunkin Donuts project.

Marty officially launched the new East Goshen Township website. He applauded Paul Grothmann and his team for the hard work and long hours they put in to quickly and efficiently build the new site. Marty noted that it is a great improvement. Carmen asked if the committee would stay active. Paul Grothmann, Chair, Website Committee, agreed that they would be available in the future to advise on improvements to the site. Carmen asked if there would be an article in the next newsletter about the new site, and Rick replied that yes, there was already an article prepared. Senya added his congratulations to the team.

Janet updated the Board on the Comprehensive Plan Task Force's activities. She noted that they are finalizing meeting dates, and that Tom Comitta has also been meeting with Jeannine Speirs from the Chester County Planning Commission. The next meeting will be on February 23rd.

Chuck announced that there will be a promotion ceremony for police officers on February 25th at 5:00pm at the WEGO building. Jim DiCave is retiring, and in his place, Guy Rosato is being promoted to Lieutenant. James Renegar will be promoted to Sergeant, and Jason Diamond, David Hale, and Russell Weaverling will be full-time officers. Chuck added that WEGO is undergoing an accreditation process, which, if successful, will lower WEGO's insurance premiums and provide other benefits.

Mr. Ruffenach expressed concern over the turnover among Lieutenants, because Lieutenant DiCave retired not long after being promoted. Senya said that Lieutenant DiCave served for two years before retiring. Rick added that we cannot know how long Officer Rosato will serve as Lieutenant before retiring.

Consider Information on Thornbury PPU's

Rick explained, as per his memo dated January 26, 2015, that our current agreement with Thornbury requires us to provide Thornbury "with full-time police service, the same in all respects and priority as the service presently provided by the Department to Westtown Township and East Goshen Township." In addition, the agreement requires us to provide Thornbury with 12-14 hours a day of patrol and 2 hours a day of traffic for a total of 14-16 hours a day. For the year that ended in September, 2014, we provided Thornbury with an average of 12 hours and 28 minutes of patrol per day and 2 hours and 14 minutes a day of traffic, so we met the terms of the agreement.

Rick explained that Thornbury should account for about 12.5% of the PPU's, since if we have four officers on a shift, one of the patrol officers would spend one half of his or her shift in Thornbury. In actuality, Thornbury's percentage has consistently been higher than this. In addition, the thinking has been that if Thornbury's PPU's increased, our PPU percentage, as compared to Westtown (which is used for budgeting purposes) should increase as well since Westtown and Thornbury share patrol zones. Our average under the old agreement was 55.345%. Under the new agreement it has increased to 56.62%.

Under the previous agreement with Thornbury, if the PPU's spent for reactive activities increased, the Chief could cut back on patrol and traffic in order to normalize the PPU percentages. However, the current agreement does not give us the ability to reduce the PPU's associated with patrol and traffic.

Marty added that this issue should be further discussed by the Financial Committee. Chuck said that he would also put it on the Police Commission agenda.

Consider House Lateral Inspections

Rick explained that infiltration and inflow (I&I) of ground water into our sewer system is a major driver of treatment costs. According to a national study, 50% of I&I comes from sewer laterals on private property, rather than from municipally-owned portions of systems.

Rick met with Mark Miller and Mark Gordon to discuss a program to inspect sewer laterals prior to the sale of single-family homes. Rick suggested that the Public Works Department conduct a visual inspection of the lateral and, if conditions warrant, televise the lateral or the sewer main and observe the lateral connection for infiltration. We would implement this for a trial period of six months, with the sewer fund absorbing the cost of the inspection during the trial period. If warranted, we could then pass an ordinance requiring homeowners to have laterals inspected, and, if needed, repaired prior to resale.

Rick recommended that a copy of the every re-occupancy application be forwarded to the Public Works Department, which will inspect the lateral, clean outs, and trap for evidence of I&I. If conditions warrant, Public Works would televise the lateral and/or the connecting sewer main to observe the lateral connection. If a problem was noted, the property owner would be given a specific period of time to correct the problem.

Carmen said that in the older developments, with no clean outs, it would be in the Township's interest to send a letter to residents explaining what to do if a problem is identified. These inspections may show that problems are on the Township side, thus eliminating homeowner expenses.

Senya asked whether residents are responsible for the stub connecting the lateral to the main, and Rick explained that the Township is responsible for the stub.

Mr. Ruffenach asked how many homes were contributing to infiltration. He noted that everyone might be paying a price for the I&I from only a few homes' laterals. Marty responded that this is what the trial inspections are for—to find out where the I&I problems are originating.

There was some discussion concerning homeowners tying their sump pumps and air conditioning condensation lines into the sewer line. Mr. Ruffenach asked how many gallons of condensation come out of an AC, and Carmen replied that it can be up to seven gallons a day, but that the bigger problem would come from a broken cap, which could cause ground water to gush into the system. Senya asked how much it cost to treat each gallon at the sewer facility and Jon and Rick replied that it is about 0.8 cents per gallon.

Marty noted that resident Joe Buonanno sent an email inquiring about the cost of this proposed inspection. Marty explained that during the trial period the Township's sewer operating fund would absorb the cost of the inspection. However, Rick noted that the homeowner would still be responsible for repairs.

Senya made a motion for the township to conduct inspections of laterals for a trial period of six months. Janet seconded the motion.

Mr. Ruffenach asked that the Township look at a broad section of the community when testing. Rick replied that the testing would only be done upon re-occupancy.

The Board moved to approve the motion unanimously.

Consider Applebrook Directional Sign

Rick explained that the Public Works Department has installed a mock-up of a directional sign at Hibberd Lane and Paoli Pike. The labor and materials for the sign are about \$3,000. The 4' x 6' sign would cost \$4,250. There would be room for six addresses. This works out to \$700 per panel. He added that the mock-up was moved closer to the side of the island in order to be more visible.

Rick noted that if we do this in stone, and convert the old East Goshen Township Park sign to stone, it would match many of the other signs in the Township, creating a "sense of place" in East Goshen.

Senya made a motion to send a letter to the Chamber, IMX, their tenants, and the Golf Club to determine if they are interested in a sign. Janet seconded the motion.

Mr. Ruffenach asked why we needed a sign. Senya noted that IMX once had a fire alarm, but that the Fire Company couldn't find the building. Mr. Ruffenach asked why we were paying for the sign and Senya responded that those listed on the sign would be paying for the sign. Carmen was concerned about the visibility of the sign, and asked if the luminary at the intersection was enough to see the sign. Rick replied that there was sufficient light at the intersection to see the sign.

The Board voted unanimously to approve the motion.

Consider Traffic Signal Improvements for West Chester Pike

Rick explained that PennDOT Green Go Lite grants, with a 50% local match, are available to install adaptive signal technology along West Chester Pike in order to improve traffic flow from Westtown through East Goshen to West Goshen. Applications are due February 27, 2015. The Township could use the Transportation Fund to pay for the local match.

Rick stated that each traffic signal would cost about \$103,000. There are five traffic signals in East Goshen, meaning that that East Goshen's local match would be \$257,500. Rick has discussed this issue with the managers from Westtown and West Goshen and there appears to be some regional interest. Moreover, he believes a joint application would increase our chances for funding.

Senya said that this technology is the wave of the future, and this type of intergovernmental cooperation with our neighbors is something that the Township should embrace.

Senya made a motion to submit a Green Lite Go grant application if Westtown and East Goshen both agree to a joint application. Janet seconded the motion.

Carmen asked if West Goshen had approved a similar motion. Rick replied that he did not know yet, but that Wawa, which is building a Super Wawa on Route 3, is committed to upgrading two of the lights in West Goshen.

The Board moved to approve the motion unanimously.

Consider Drone Ordinance

Rick presented a revised draft drone ordinance for the Board's consideration. The revised draft ordinance includes a provision that model aircrafts be operated in accordance with the FAA Modernization and Reform Act of 2012 (FMRA).

Rick noted that "model airplanes" are defined by the FMRA, but "drones" are not. Rick said that he might recommend adding a section requiring rockets to meet FRMA specifications as well.

Janet noted that the definition of "drones" should be very specific. Marty said that rockets should be added to Section 2 of the draft ordinance. Rick added that if rockets are shot from a private property, they could land anywhere, and the operator would have to be trespassing to recover the rocket.

The Board raised two issues of concern: the annoyance and the safety issues when operating drones over others' property. Marty asked what to do about drones being operated on Township Property. Carmen argued that that the liability of allowing the operation of drones on Township property was too high. Marty suggested deleting the definition and all references to "powered".

Mr. Ruffenach added that narrowing the definition of drone to a controlled flying aircraft becomes a problem. He said that the meaning of the word "drone" is too narrow and that other aircraft should be included in our ordinance.

Rick said he would add language about rockets and delete the word "powered" from the definition section and bring another draft back to the Board. Carmen asked Rick to send an email to the Fire Chiefs Association to see if that group is discussing this issue as well.

Consider Public Utility Ordinance

Marty acknowledged receipt of a memo from Mark Gordon concerning a proposed Public Utility Ordinance to limit any adverse effects from public utility facilities. The Planning Commission voted unanimously in favor of the proposed ordinance.

It was the consensus of the Board to direct the Township Solicitor to advertise a public hearing on the ordinance.

Consider Commercial Vehicle Inspections

Rick explained that the West Chester Area Council of Governments has been discussing the possibility of conducting commercial vehicle inspections on a regional basis. The member municipalities have been asked to consider a) implementing regional commercial

vehicle inspections and b) allowing officers from one municipality/police department to participate in inspections in other municipalities, as necessary, to keep their certifications current.

Senya hailed this proposal as a good example of regional cooperation, and stated that WEGO should not be the only department addressing this issue as it affects all of us. However, he raised concerns about bearing the liability were one of our officers to be hurt while performing inspections in another municipality (and vice versa) and stated that he was uncomfortable in allowing officers from other departments to participate in inspections in other municipalities. Marty also expressed concern about the level of each municipality's participation.

Mr. Ruffenach raised concerns that this program was an example of government overreach and asked what the purpose of the inspections was. Chuck noted that 47% of truck stops in the past have found unsafe conditions and that serious accidents have occurred due to overweight or noncompliant trucks. Marty added that the expectation is that no additional personnel or labor hours would be needed to conduct these inspections. Senya stressed that it is important that the timing be randomly scheduled, lest noncompliant trucking companies learn how to alter their routes through Chester County to avoid inspections.

The consensus was the Board was unanimous in supporting regional commercial vehicle inspections; however, the majority of the Board was opposed to allowing officers from WEGO to participate with inspections in other municipalities because of the work comp issue.

Consider Joint Appeals Board

Rick explained that in late 2012, in response to an earlier Commonwealth Court ruling, the General Assembly amended Act 45 to allow for the creation of a joint appeals board for municipal building code appeals without the need to delegate the authority for administering and enforcing the building code to a regional body.

Rick explained that the West Chester Area Council of Governments had requested that members ask their respective boards if there was interest in reactivating the now-discontinued joint appeals board. Rick suggested that East Goshen may want to keep its own appeals board intact to ensure more local control over appeals.

However, Marty noted that there are very few appeals, and Senya observed that there was no downside risk in reactivating the joint appeals board. The consensus of the Board was to reactivate the joint appeals board.

Consider Cost of Services Report

Marty highlighted some key findings from the 2014 Cost of Services Report. This report reflects both the Township's direct and indirect costs allocated across the Township's various activities based on the unaudited 2014 financials. In particular, he noted that Emergency Services account for the majority of the Township's net expenses. Marty also

noted that the most meaningful places to reduce Township costs are in the police, road maintenance, and park maintenance budgets.

Senya noted that the report may be somewhat deceiving, as the many of our indirect costs would be incurred even if certain activities were performed more or less in a given year.

Marty observed that our financial position continues to be solid and that our excellent school system and the quality of Township services are driving property values up. Marty encouraged residents to be involved with the Township's financials and he noted that he wrote an article for the spring newsletter about our budget.

Senya asked how many volunteer hours were put in by members of the ABC groups. Rick replied that it was around 5,000 hours.

Consider West Whiteland Comp Plan Amendment

The Board acknowledged a letter from West Whiteland Township regarding the draft "Lincoln Highway and Whitford Road Corridors Plan" amendment to its Comprehensive Plan.

Rick indicated that he will provide a response for the Board's review at an upcoming meeting.

Consider DVRPC Bridge Retro-Reimbursement Program

Marty acknowledged receipt of a letter from Rick regarding the DVRPC Bridge Retro-Reimbursement Program. Rick noted that we have been awarded a \$400,000 grant to replace the deck on the bridge on East Boot Road. He added the project must be completed by August 1, 2016, necessitating swift action.

Senya made a motion to authorize Rick to issue an RFP for the following:

1. Preparation of the plans required to obtain the needed permits
2. Preparation of the construction plans, specifications and bid documents
3. Preparation of the detour plans
4. Assistance with bidding and recommendation for award.

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

Consider Request to Reduce Speed Limit on East Strasburg Road

The Township received a letter from *resident Roseanne DeLuca* regarding the speed limit on East Strasburg Road. Ms. DeLuca noted that there was a recent accident on East Strasburg Road across the street from her house and that she had written a letter to PennDOT regarding changing the speed limit and was told to contact the Township.

Janet noted that the speed limit is 40 now, and that seems appropriate for the road. Marty observed that since the speed limit on Paoli Pike is now 35 mph, the speed limit on East Strasburg Road could easily be changed to 35 mph as well.

Rick related that there is currently a speed register sign on East Strasburg Road collecting data. He added that the police have checked speeds on the road twice, and wrote only one citation. He suggested that we get the data from the speed register sign and then discuss this again at a later date.

Any Other Matter

Senya referenced an article from the Vista.today website reporting that the top 1% earners make over \$355,000 a year and the other 99% make an average of about \$43,000 a year. He asked Jon to research how our demographics compare to those of other municipalities.

Approval of Minutes

The Board reviewed and corrected the draft minutes of January 5th, 2015, and January 20th, 2015. Marty said the minutes would stand approved as corrected.

Treasurer's Report

See attached Treasurer's Report for January 29, 2015. 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. Senya seconded the 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 9:15.

Executive Session

The Board met in Executive Session to discuss a Police Labor matter.

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

February 12, 2015

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

GENERAL FUND

| | | | |
|------------------------------|---------------------|---------------------|---------------------|
| Real Estate Tax | \$228,156.23 | Accounts Payable | \$434,896.84 |
| Earned Income Tax | \$588,019.62 | Electronic Pmts: | |
| Local Service Tax | \$12,819.69 | Health Insurance | \$46,623.45 |
| Transfer Tax | \$0.00 | Credit Card | \$0.00 |
| General Fund Interest Earned | \$364.79 | Postage | \$1,000.00 |
| Total Other Revenue | \$40,349.79 | Debt Service | \$14,894.16 |
| Total Receipts: | \$869,710.12 | Payroll | \$88,393.05 |
| | | Total Expenditures: | \$585,807.50 |

STATE LIQUID FUELS FUND

| | | | |
|---------------------------|---------------|---------------|---------------|
| Receipts | \$0.00 | | |
| Interest Earned | \$0.00 | | |
| Total State Liquid Fuels: | \$0.00 | Expenditures: | \$0.00 |

SINKING FUND

| | | | |
|-----------------|-----------------|---------------|---------------|
| Interest Earned | \$425.64 | Expenditures: | \$0.00 |
|-----------------|-----------------|---------------|---------------|

TRANSPORTATION FUND

| | | | |
|-----------------|-----------------|---------------|---------------|
| Interest Earned | \$203.77 | Expenditures: | \$0.00 |
| | \$0.00 | | |

SEWER OPERATING FUND

| | | | |
|-----------------|---------------------|---------------------|---------------------|
| Receipts | \$213,781.36 | Accounts Payable | \$115,680.40 |
| Interest Earned | \$44.74 | Debt Service | \$33,440.94 |
| Total Sewer: | \$213,826.10 | Credit Card | \$0.00 |
| | | Total Expenditures: | \$149,121.34 |

REFUSE FUND

| | | | |
|-----------------|--------------------|--------------|--------------------|
| Receipts | \$67,964.19 | | |
| Interest Earned | \$18.62 | | |
| Total Refuse: | \$67,982.81 | Expenditures | \$62,786.74 |

SEWER SINKING FUND

| | | | |
|-----------------|-----------------|--------------|-------------------|
| Interest Earned | \$231.90 | Expenditures | \$5,600.00 |
|-----------------|-----------------|--------------|-------------------|

OPERATING RESERVE FUND

| | | | |
|----------|-----------------|--------------|---------------|
| Receipts | \$266.73 | Expenditures | \$0.00 |
|----------|-----------------|--------------|---------------|

Events Fund

| | | | |
|----------|---------------|--------------|---------------|
| Receipts | \$0.69 | Expenditures | \$0.00 |
|----------|---------------|--------------|---------------|