

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, APRIL 12, 2016 – 7:00 pm
FINAL MINUTES**

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

Call to order & Pledge of Allegiance:

Senya called the meeting to order at 7:00 pm and asked Chief Bernot to lead the assembly in the Pledge of Allegiance.

Moment of Silence:

Carmen called for a moment of silence to honor the members of the military who keep us safe both locally and abroad, and to honor those who have given the ultimate of their lives in defense of our nation.

Recording of Meeting: No one indicated they would be recording the meeting.

Chairman's Report:

a. Senya announced that the Board met in executive session prior to tonight's meeting for ABC interviews. Janet made a motion to appoint Mary Irvine to the Historical Commission for the term expiring in 2020 and to appoint Eileen Miller-Battavio to the Historical Commission for the term expiring in 2017. Carmen seconded the motion. The motion passed 5-0.

b. Senya announced, sadly, that Joe Ewing, a long-time member of the Township's Zoning Hearing Board, had passed away at the age of 90. Janet, who served with Joe for many years on the ZHB, remembered him as a man of great style and intelligence.

WEGO Police Report

Chief Bernot announced that that WEGO received its accreditation from the Pennsylvania Chiefs of Police Association on March 30th, becoming only the 3rd department in Chester County to receive this designation. She added that there are now 12 traffic complaints in East Goshen, which is an all-time high. In response to a question from Marty about a recent vehicular theft in Marty's neighborhood, she stressed that residents should never leave cash or valuables in unlocked cars.

Variance Request For a Shed at Saints Peter and Paul, 1325 Boot Rd

Dan Bush, John Callahan and Bryan Wilcox, all members of the Board of the Saints Peter and Paul's Catholic Youth Organization (CYO), which sponsors sports leagues for 45 different teams and 693 athletes on the grounds of the church property, were present to represent Saints Peter and Paul (SSPP). Mr. Bush explained that SSPP is seeking a variance for a new 12'x24' (288 sq ft) shed on the property to house sports equipment and uniforms for the CYO athletic leagues. This new shed would be in addition to the two existing sheds that the CYO already uses for this

purpose. The CYO would also like to use the shed to sell simple concessions such as water and sports drinks.

Carmen asked the CYO representatives whether they would consider consolidating the three sheds into one larger shed if the growth of the program continues. Mr. Callahan indicating that the CYO is also looking into space in the garage area of the school.

Marty indicated he had no objection to them selling concessions. He also observed that SPSS had satisfactorily addressed two issues that were in front of the Planning Commission: whether the shed would cause the property to exceed its impervious surface limit and whether there were concerns from Hershey's Mill.

Carmen observed that they should be careful about the concessions, which might require regulation by the County Board of Health and would require plumbing. Mr. Wilcox observed that the concessions are envisioned as a convenience for the convenience of parents and children attending games, and not as a revenue maker. Moreover, they would never sell prepared meals.

Janet noted that the Planning Commission took no position on SPSS's variance application as there was no demonstrated hardship and stated that whether or not there was a true hardship was a question in her mind. Senya agreed that there was no clear hardship, but rather the additional shed space was being requested for the convenience of the CYO. He stated that the amount of relief SPSS is seeking is not *de minimis* and that there are other viable locations for the shed on the property. Mr. Wilcox provided a map showing how in his opinion the proposed location was the only viable location, but due to the grading and layout of the property. Marty stated that SPSS's hardship is that there are no other viable locations for the shed.

Mr. Bush stated that placing the shed in another location could create a security issue, as area teenagers may attempt to break in the shed at night to steal items if the shed is located too far out of the way. Senya asked whether the school or church had ever had any issues with security and the SPSS representatives responded that they didn't know.

Rick suggested that the applicants reconfigure the shed by having it run parallel to the lot line, having the entrance face the parking lot and adding a window facing the ball fields. Rick stated that doing this would reduce the likelihood of security problems, as vandals wouldn't enter the shed from the darkly-lit back section.

Chuck noted that SPSS is technically seeking the relief, but that the CYO is advocating on SPSS's behalf. He indicated that the CYO may lack standing to request the relief. Bryan observed that Father McQuinn, who heads the parish, is also the president of the CYO, so the CYO and SPSS are really one and the same.

Marty made a motion for the Board of Supervisors to take no position on the variance, but if the Zoning Hearing Board approves the variance that it should consider requiring conditions 1-4 from the Planning Commission's memo dated April 8, 2016 and with the additional condition of incorporating the recommended configuration as outlined by Rick Smith from tonight's meeting. There was no second.

Carmen made a motion to oppose the variance. Chuck seconded. Mr. Callahan observed that what the CYO is proposing is consistent with the values of volunteerism that the Township supports. There was no further public comment. The motion passed 4-1. Those in favor of the motion stated that the applicant did not demonstrate a hardship. Marty opposed the motion on the grounds that the applicants demonstrated hardship by showing that the proposed location is the only viable location for the shed.

Consider Proposal For Testing Sediment at Milltown Dam

Rick explained that the original quote from for sediment testing Gannet Fleming was for \$55,000, which entailed collecting more samples. Rick then negotiated with Gannet Fleming for a lower price, which would entail collecting fewer samples, but still at a level that would meet or exceed DEP's testing requirements. The new proposal for \$26,300 would involve taking eight samples, including one for quality control and another to test the quality of the decontamination procedure. Marty made a motion to accept Rick's recommendation to have Gannet Fleming perform the sediment testing for \$26,300. Janet seconded the motion.

Mike Lehmicke, 4 Reservoir Road, asked for clarification on a number of issues regarding the sampling procedure and techniques, which Rick answered to the best of his ability.

Marty suggested that Mike and his neighbors along Reservoir Road and Lochwood Lane come up with recommendations for what features they would prefer and prefer not to have above the dam for both breach options, and warned that without clear guidance from the residents surrounding the dam, the Board would be forced to make decisions about the features above the dam on its own. However, Senya cautioned Mike that there should be no expectation that the Board will follow the group's recommendations. Mike asked when the Board would like to receive those recommendations, and Marty stated that they should be received within the next two months.

The motion passed 5-0.

March 2016 Financial Report

Jon reported that the General Fund had a positive budget variance of \$353,440 as of March 31st. He added that utilities accounts receivables have fallen 28% over the past 18 months and that the policy changes implemented by the Board two years ago have started to yield tremendous benefits.

Consider Planning Commission recommendation to amend zoning requirements for swimming pools in Single Family Open Space Developments

This issue was tabled, as the variance request that precipitated the proposed amendments has been withdrawn. It was agreed that Marty and Senya would have a meeting with two members of the Township Planning Commission and Brian Nagle to develop recommendations on next steps.

Consider resolution authorizing Jon Altshul to execute all required forms and documents required to apply for federal assistance for the January 22-24, 2016 snow event

Marty made a motion authorizing Jon Altshul to execute all required forms and documents required to apply for federal assistance for the January 22-24, 2016 snow event. Carmen seconded the motion. The motion passed unanimously.

Solicit public comment on the Township's MS4 Plan

Rick explained that one of the requirements for the MS4 Permit is that the Township annually solicit public comments on our MS4 Plan, which was why the item was on the agenda. Senya asked if any members of the audience had any public comments on the plan. They did not.

Senya asked who was ultimately responsible for our MS4 Permit. Rick responded that Mark Miller is technically the Township's Stormwater Manager, but that both Rick and Mark Gordon are responsible for aspects of the permit. Marty suggested that Mark's responsibilities as Stormwater Manager be part of his performance goals. Senya suggested that Rick really should be the Stormwater Manager for the purposes of the permit, and Rick agreed to change that for the next permit.

Consider proposal for Emergency Action Plan for Milltown Dam

Senya made a motion to accept the proposal from Gannet Fleming in the amount of \$10,980 to update the Emergency Action Plan at Milltown Dam. Carmen seconded the motion. Carmen said he would have liked to put the matter out to bid. The motion passed 5-0.

Authorize Chairman to execute Stormwater Agreement for 947 Cornwallis Drive

Marty made a motion to authorize the Chairman to execute the stormwater agreement for 947 Cornwallis Drive. Chuck seconded the motion. The motion passed 5-0.

Consider resolution honoring Rick Smith

Janet noted a typo in the resolution, which Jon agreed to edit. Marty made a motion to adopt East Goshen Township Resolution 2016-98 recognizing Tuesday, April 19, 2016 as "Rick Smith Day". Carmen seconded the motion. The motion passed 5-0.

Any Other Matter

Carmen asked Rick to invite Jason to PSATS for the day on Monday.

Senya asked everyone to email him their PSATS registration email, so that Senya can register on their behalf on Sunday.

Senya asked Jon to request and analyze Q2 and Q3 water consumption to measure how much consumption increases during the summer months compared with the winter.

Approval of Minutes: The Board reviewed and corrected the minutes from the April 5, 2016 meeting. Carmen made a motion to approve the minutes as corrected. Chuck seconded the motion. The Board voted unanimously in favor of the motion.

Marty stated that he is opposed to partnering with the Exchange Club for the 2017 Memorial Day event in East Goshen Park, as it is intended as a fundraiser. He believes that it is inappropriate for the Township to be involved. The Board concurred with Marty's opinion and agreed that the

Exchange Club needed to apply for a regular park permit if it wanted to hold the event in the Park.

Treasurer's Report:

See attached Treasurer's Report for April 7, 2016. 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 Board voted unanimously to approve the motion.

Correspondence, Reports of Interest: The Board acknowledged receipt of the 2016 Quarter 1 Right-to-Know Request report.

Public Comment:

Mr. Meyer observed that the pedestrian crossing light at the old entrance to the Park appears to not be working. Rick said he'd look into it.

Adjournment:

There being no further business, Marty motioned to adjourn the meeting at 9:50 pm. Janet seconded the motion. The motion passed unanimously.

Respectfully submitted,
Jon Altshul
CFO

Attachment: *Treasurer's Report for April 7, 2016*

April 7, 2016

**TREASURER'S REPORT
2016 RECEIPTS AND BILLS**

GENERAL FUND

Real Estate Tax	\$19,995.18	Accounts Payable	\$399,383.66
Earned Income Tax	\$38,739.04	Electronic Pmts:	
Local Service Tax	\$2,080.50	Credit Card	\$0.00
Transfer Tax	\$0.00	Postage	\$0.00
<i>General Fund Interest Earned</i>	\$442.30	Debt Service	\$0.00
Total Other Revenue	\$126,220.12	Payroll	\$48,629.68
Total Receipts:	\$187,477.14	Total Expenditures:	\$448,013.34

STATE LIQUID FUELS FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$37.26		
Total State Liquid Fuels:	\$37.26	Expenditures:	\$0.00

SINKING FUND

Receipts	\$0.00	Accounts Payable	\$1,000.00
<i>Interest Earned</i>	\$505.33	<i>Credit Card</i>	\$0.00
Total Sinking Fund:	\$505.33	Total Expenditures:	\$1,000.00

TRANSPORTATION FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$205.09		
Total Sinking Fund:	\$205.09	Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$57,189.39	Accounts Payable	\$88,857.10
<i>Interest Earned</i>	\$61.08	<i>Debt Service</i>	\$0.00
Total Sewer:	\$57,250.47	<i>Credit Card</i>	\$0.00
		Total Expenditures:	\$88,857.10

REFUSE FUND

Receipts	\$22,651.31		
<i>Interest Earned</i>	\$82.51		
Total Refuse:	\$22,733.82	Expenditures:	\$19,731.00

SEWER SINKING FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$266.33		
Total Sewer Sinking Fund:	\$266.33	Expenditures:	\$0.00

OPERATING RESERVE FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$266.96		
Total Operating Reserve Fund:	\$266.96	Expenditures:	\$0.00

Events Fund

Receipts	\$0.00		
<i>Interest Earned</i>	\$1.04		
Total Events Fund:	\$1.04	Expenditures:	\$0.00