

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS  
1580 PAOLI PIKE  
DECEMBER 20, 2016 – 7:00 pm  
FINAL MINUTES**

**Present:** Chairman Senya D. Isayeff, Vice-Chairman Marty Shane, Supervisors Carmen Battavio, Chuck Proctor; Janet Emanuel; Township Manager Rick Smith, Township CFO Jon Altshul, Mark Gordon (Zoning Officer, Building and Codes), Jason Lang (Director, Park and Recreation), ABC Member Erich Meyer (Conservancy Board) and Township Solicitor Kristen Camp.

**Call to order & Pledge of Allegiance:**

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

**Moment of Silence:**

Carmen called for a moment of silence to honor, through the Christmas Holiday, the men and woman of the military who defend our democracy and our way of life, and to honor those who have given the ultimate, their lives, in defense of the same.

**Special Celebration:** Carmen wished to acknowledge that this evening marked Senya's 36<sup>th</sup> wedding anniversary. All congratulated Senya and shared in a celebratory cake.

**Chairman's Report:** Senya announced the following:

- a) The Board met in Executive Session at 6:00 p.m. this evening to discuss a pending legal matter.
- b) The Board presented Mr. Al Zuccarello with a Certificate of Appreciation for his outstanding service to the Township on the Commerce Commission and Planning Commission.

**Emergency Services:**

**WEGO – Chief Brenda Bernot:** Chief Bernot reported on the following:

- a) All residents are encouraged to visit the WEGO website and read through the full Police Blotter.
- b) Holiday tips for staying safe caution against driving while under the influence; always buckle up before driving; check your tires during cold weather as underinflated tires can lead to accidents; prepare your cars with emergency kits including flares.
- c) There are currently 16 traffic complaints on record.

**Recording of Meeting:** *None*

**Chairman's Report (cont'd):**

- c) The Board announced its decision on the conditional use application of Mr. and Mrs. John McDonald to operate a firearms transfer and sale business from their property at 1349 Morstein Road as a Home Occupation.

**(A court stenographer was present and will provide a transcript of the conditional use proceedings. A copy of the transcript of this proceeding, and copies of the transcripts of the prior public hearings will be appended to the appropriate minutes once the decision becomes “final, binding and nonappealable”.):**

**Under the direction of Township Solicitor Kristen Camp, the Board announced its decision on the conditional use application of Mr. and Mrs. John McDonald to operate a firearms transfer and sale business from their property at 1349 Morstein Road as a Home Occupation.**

Carmen motioned to approve the application with the conditions outlined by the Township Solicitor. Chuck seconded. The Board voted unanimously in favor of the motion.

**Chairman’s Report (cont’d):**

- d) The Board will hold a special meeting on January 10, 2017, to determine the location of the breach for the Hershey Mill Dam. Marty noted that while the Hershey Mill Dam Committee members are doing a very good job, there needs to be more participation by other residents. Senya mentioned that the Township is conducting surveys for both dams, which are available on the Township website.
- e) The Township has been awarded DCNR C2P2 grants of \$250,000 for playground renovations and \$268,000 for Paoli Pike Trail Segments F-G. Jason Lang elaborated on these awards. Marty commended both Jason and Mark Gordon on their efforts to secure these grants.

**Public Hearing: (A court stenographer was present and will provide a full transcript of the following hearing. A copy of the transcript will be appended to these minutes once the decision becomes “final, binding and nonappealable”.):**

**The Board held a public hearing, under the direction of Township Solicitor Kristen Camp, to consider an amendment to Sections 240-6 and Section 240-32.J.(7) of the Zoning Ordinance that would add “Sale, transfer or manufacture of firearms” to the list of prohibited home occupation.**

Marty motioned to adopt the proposed zoning ordinance amendment to add Firearm Sales to the list of businesses not permitted as a Home Occupation. Carmen seconded. The Board voted unanimously in favor of the motion.

**Public Hearing: (A court stenographer was present and will provide a full transcript of the following hearing. A copy of the transcript will be appended to these minutes once the decision becomes “final, binding and nonappealable”.):**

**The Board held a public hearing, under the direction of Township Solicitor Kristen Camp, to consider an amendment to Section 240-33.C.(3)(h) of the Zoning Ordinance that would create standards for Commercial Communications Antennae in the Public Road Rights-of-Way.**

Carmen motioned to adopt the proposed zoning ordinance amendment incorporating Distributive Antenna Systems into the Wireless Communications sections of the code. Janet seconded. The Board voted unanimously in favor of the motion.

**Chairman's Report (Cont'd):**

- f) The Board presented Mr. David Molnar with a Certificate of Appreciation for his service to the Township.
- g) The Board presented Mr. Erich Meyer with a Certificate of Appreciation for his perfect attendance at all Board meetings and his interest in serving the community.

**Financial Report:** Jon reported that net of pass-through accounts, as of November 30, 2016, the general fund had revenues of \$9,546,240 and expenses of \$9,184,635 for a year-to date surplus of \$361,604.

**New Business:**

**Consider Accepting DCED GTRP and DCNR C2P2 Grant Awards for the Playground Renovation Project:** Jason discussed this item, noting the planning documents that demonstrated the need for the playground renovations for the following reasons:

1. To meet current ADA accessibility standards
2. To create a shaded and a central seating area
3. To create age/ability divided play areas
4. To create a more cost effective play surface

Jason stated the overall project cost to be \$713,722. The two grants received total \$225,000 and \$250,000, leaving the Township match to be \$238,722. Carmen asked about the Picnic Grove area. Jason stated that it was not part of the initial round of renovations. Jon further stated that it is included in the budgeted numbers and will be included in the renovations. Marty commended Jason for his efforts in securing 2/3 of the renovation costs through grant funding.

*Leo Sinclair, 217 North Lochwood Lane,* asked for clarification of the grant numbers and projected costs. Jason restated them to Mr. Sinclair.

Carmen motioned to accept the DCED-GTRP and DCED-C2P2 grant awards and begin the East Goshen Township Park playground renovation project. Janet seconded. The Board voted unanimously in favor of the motion.

**Consider Authorizing the Submission of a KaBOOM! Creative Play Grant Application for the Playground:** Jason discussed this item noting that the Department of Parks and Recreation has identified the KaBOOM! Creative Play grant (totaling approximately \$5,000) as a potential funding source for the playground renovation project.

*Joe Buonanno, 1606 Herron Lane,* asked the Board if they were aware that this grant application would be in direct competition with one being submitted by the Philadelphia Eagles organization.

*Leo Sinclair, 217 North Lochwood Lane,* asked where this play equipment would be stored. Jason explained that this play equipment would be stored under lock and key in a centralized area of the playground. Scheduled volunteers, known as "Play Ambassadors" would be

responsible for unlocking the play equipment for use and returning and locking it back up at the end of play sessions.

Carmen motioned to authorize a KaBOOM! Creative Play grant application supplemented by the attached Board of Supervisor's Letter of Support. Marty seconded. The Board voted unanimously in favor of the motion.

**Consider Recommendation for Bond Counsel and Underwriter:** Jon discussed the responses to the RFPs for Bond Counsel and Underwriters.

**Bond Counsel:**

Stradley Ronon	\$22,500 plus costs
McNees Wallace & Nurick	\$16,500
Lamb McErlane	\$17,000
Eckert Seamans	\$19,500 - \$23,500 plus costs not to exceed \$1,200
Obermayer Rebmann Maxwell & Hippell	\$15,000
Saul Ewing	\$14,000 plus costs not to exceed \$1,200
Rhoads & Sinon	\$15,000 plus costs not to exceed \$750
Cozen O'Connor	\$25,500

**Underwriter:**

RBC Capital	\$30,250 plus fees
RW Baird	\$39,875 plus fees
Boening Scattergood	\$24,750 plus fees
Piper Jaffray	\$24,750
Janney	\$25,813 - \$32,663 plus fees
PNC Capital	\$27,500 plus fees
PFM (Not an Underwriter)	\$22,500 - \$25,500, plus cost of underwriter

It was Jon's recommendation to hire Lamb McErlane as Bond Counsel, as they are the leading bond counsel for Chester County municipalities, and PFM as a financial advisor to facilitate the best offer for underwriting services and to position the Township for long term savings. Jon stated that hiring a bond counsel and financial advisor does not obligate the Township to borrow money. Carmen stated that the Township would hold a public meeting if the Board was contemplating borrowing money.

Carmen motioned to contract with Lamb McErlane as bond counsel and PFM as financial advisor. Chuck seconded. The Board voted unanimously in favor of the motion.

**Consider Recommendation for Mail Machine:** Jon discussed options for a mail machine and provided pros and cons of leasing versus purchasing. Jon recommended leasing a mail machine. Both Senya and Carmen were in agreement with Jon. This item was tabled in order to obtain more vendor information.

**Consider Storm Water Agreement for Hershey Mill Master Association:** Mark discussed this item. Carmen motioned to authorize the Chairman to execute the storm water management operation and maintenance agreement for 1500 Greenhill Road. Janet seconded. The Board voted unanimously in favor of the motion.

**Any Other Matter:**

- a) Marty asked about pictures of the area below Hersheys Mill Dam and inquired who the owner of this land is. Rick stated that Option 2 as depicted in the pictures would require an easement from Neil DeReimer and that the documents could be mailed to Mr. De Reimer. Marty thought the Hershey Mill Dam Committee should be consulted on this matter. Rick said they could be consulted, and that there was minimal cost difference between the two options.
- b) *Joe Buonanno, 1606 Herron Lane*, inquired about the minutes from the November 15, 2016 meeting, as well as his concern for feeder trails into the Paoli Pike Trail. Rick said the November 15<sup>th</sup> minutes would be published for the next meeting. Janet stated that the Paoli Pike Corridor Task Force Plan will incorporate feeder routes into the trail.
- c) *Leo Sinclair, 217 North Lochwood Lane*, asked why all residents have not been made aware of the \$5.5 million bond being considered to pay for the PPT. Marty said that residents have been notified by means of the website, the Township Newsletter, and Constant Contact. Mr. Sinclair asked about the costs of the Newsletter, stating that he would personally pay to send out a communication to all residents regarding the PPT and its costs. Carmen expressed his frustration with Mr. Sinclair's continual, unfounded claims of the Board not being transparent in communicating costs to the residents. Mr. Sinclair said he questions the Board's governance and has examples of the Board's non-transparency. Mr. Sinclair said the Board stated that a Bicentennial Committee would be created, but none was created.

**Approval of Minutes:** The Board reviewed and corrected the minutes of the following meetings:

- a) December 6, 2016: Carmen motioned to approve as corrected. Janet seconded. The Board voted unanimously in favor of the motion.
- b) December 12, 2016: Carmen motioned to approve as corrected. Janet seconded. The Board voted unanimously in favor of the motion.

**Treasurer's Report:**

*See attached Treasurer's Report for December 15, 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 following:

- a) Liquid Fuels Audit for 2015

**Adjournment:**

There being no further business, Janet motioned to adjourn the meeting. Carmen seconded. The Board voted unanimously to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

*Christina Rossetti Hartnett*

*Recording Secretary*

Attachment: *Treasurer's Report for December 15, 2016*

December 15, 2016

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

**GENERAL FUND**

Real Estate Tax	\$4,408.85	Accounts Payable	\$145,397.59
Earned Income Tax	\$229,963.71	<b>Electronic Pmts:</b>	
Local Service Tax	\$10,261.33	Credit Card	\$0.00
Transfer Tax	\$54,885.17	Postage	\$0.00
<i>General Fund Interest Earned</i>	\$1,493.41	Debt Service	\$11,353.36
Total Other Revenue	\$71,366.88	Payroll	\$109,170.01
Total Receipts:	<b>\$372,379.35</b>	Total Expenditures:	<b>\$265,920.96</b>

**STATE LIQUID FUELS FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$62.16		
Total State Liquid Fuels:	<b>\$62.16</b>	Expenditures:	<b>\$0.00</b>

**SINKING FUND**

Receipts	\$0.00	Accounts Payable	\$33,190.07
<i>Interest Earned</i>	\$440.37	Credit Card	\$0.00
Total Sinking Fund:	<b>\$440.37</b>	Total Expenditures:	<b>\$33,190.07</b>

**TRANSPORTATION FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$335.59		
Total Sinking Fund:	<b>\$335.59</b>	Expenditures:	<b>\$0.00</b>

**SEWER OPERATING FUND**

Receipts	\$72,290.26	Accounts Payable	\$53,602.01
<i>Interest Earned</i>	\$50.04	Debt Service	\$30,275.50
Total Sewer:	<b>\$72,340.30</b>	Credit Card	\$0.00
		Total Expenditures:	<b>\$83,877.51</b>

**REFUSE FUND**

Receipts	\$20,586.55		
<i>Interest Earned</i>	\$18.65		
Total Refuse:	<b>\$20,605.20</b>	Expenditures:	<b>\$80,789.61</b>

**SEWER SINKING FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$93.89		
Total Sewer Sinking Fund:	<b>\$93.89</b>	Expenditures:	<b>\$991.66</b>

**OPERATING RESERVE FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$341.72		
Total Operating Reserve Fund:	<b>\$341.72</b>	Expenditures:	<b>\$0.00</b>

**Events Fund**

Receipts	\$0.00		
<i>Interest Earned</i>	\$1.00		
Total Events Fund:	<b>\$1.00</b>	Expenditures:	<b>\$0.00</b>