

**East Goshen Township
Board of Supervisors Meeting
1580 Paoli Pike
Tuesday May 23, 2017- 7 pm
Final Minutes**

Present: Chairman Marty Shane, Vice Chairman Carmen Battavio, Supervisors Janet Emanuel, Chuck Proctor, Michael Lynch, Township Manager Rick Smith, Township CFO Jon Altshul and Conservancy Board Members Sandy Snyder, Andy Tyler, & Erich Meyer.

Call to Order: Marty called the meeting to order at 7 pm and Carmen led the Pledge of Allegiance.

Moment of Silence: Carmen asked for a moment of silence for those who have served and sacrificed their lives.

Recording of Meeting: *Leo Sinclair, 217 North Lockwood Lane* said he was recording the meeting.

Chairman's Report:

Marty announced that Board met in Executive Session prior to tonight's meeting to discuss pending legal matter with the Township Solicitor.

Marty announced that the Hershey Mill Dam Committee will meet on May 24, 2017 to consider the final plan for the Hershey Mill Dam Project.

Marty announced that the Milltown Dam Committee will meet on May 25, 2017 to consider the final plan for the Milltown Dam Project.

Public Hearing: none

Emergency Service Reports:

WEGO: Chief Brenda Bernot stated that as the temperature increases, police see an increase in thefts, animal and noise complaints and underage drinking. She stressed that hosting a party with underage drinking is a very serious offense, and that despite the passage of the medical marijuana in Pennsylvania, parents are reminded to speak with their kids about the serious legal ramifications of possession of marijuana.

Goshen Fire Co.: none

Malvern Fire Co.: none

Fire Marshal: none

Financial Report: Jon reported that due to higher-than-expected real estate transfer tax and snow removal savings, the Township had a favorable budget variance of \$640,754 through April.

Old Business: none

New Business:

Consider Trees by the Marydell Pond: *Jim Williams, 1524 High Meadow Lane, Marydell,* spoke on behalf of many of the Marydell residents in attendance regarding the installation of trees in front around the pond. He stated that the trees will block the residents' view of the pond and noted that since the Township does not intend to dredge the pond or install an aerator that pond could potentially become a "wetland" in time. He asked the Board to move the 12 trees that were recently planted.

Mike Fox, 505 Barker Drive expressed concerns about the lack of maintenance and algae growth on the pond.

Marty asked *Sandy Snyder, Chairperson of the Conservancy Board* to talk about the benefits of the tree planting. Sandy explained that trees were planted to shade the pond and reduce the water temperature which would reduce algae growth. It was not their intention to create a wetland.

Jim Williams suggested that dredging and installing an aerator would save the pond.

Leo Sinclair spoke about using bentonite to coat the bottom of the pond. Rick noted this was not an option since the pond was fed by groundwater.

Paul Diorio, 467 Gateswood Drive, asked about the construction of the pond. Rick advised that Bernie Hankin, who developed Marydell, constructed the pond about 40 years ago and the pond was spring feed.

Erich Meyer, Conservancy Board reviewed the species of the trees that had been planted.

Jeff O'Donnell, 1506 Wilson Lane asked what could be done now.

Mike suggested that trees not be moved at this time, but asked the Board to contract with either Brandywine Conservancy or the Natural Lands Trust to conduct a study and identify options for input. He noted the Natural Lands Trust looks holistically at problems. Rick said he would reach out to them.

Joann Mercer, 471 Gateswood Drive, asked if the pond could be removed. Rick advised that the pond served as the retention basin for the development.

Elaine McLaughlin, 615 Marydell Drive, questioned the cost of the trees. Erich advised they cost \$1,400.

Marty asked the Conservancy Board to consider relocating the trees at their next meeting and come back with a recommendation for the Board to consider at their second meeting in June.

Carmen stated, "As a Supervisor, I apologize that you were not notified that these trees were being installed." Marty thanked the people for their respect and conduct at the meeting.

Consider resolution regarding Redistricting Reform: *Brian Sweet, 646 Meadow Drive*, requested the Board adopt a resolution to support bi-partisan legislation regarding re-districting (Senate Bill 22 & House Bill 722). The legislation would return control of the redistricting process to residents by creating a bi-partisan commission of 11 people, 4 from the majority party, 4 from the minority party, and 3 from neither the majority nor minority party (non-partisan). He noted that Kennett, Pocopson, Downingtown, and East Pikeland Townships, and Malvern and Kennett Square Boroughs have adopted the resolution:

Mike and Marty suggested the Board not take action on the resolution until it received comments and/or an endorsement comments from CCATO. Marty explained the role of the Chester County Association of Township Officials (CCATO).

David Shuey, 1547 Mill Race Lane asked that East Goshen Township take a leadership position and adopt the resolution this evening.

Janet noted that PSATS had adopted Resolution 17-53 "That PSAT urge redistricting efforts to preserve the principle of one person, one vote by placing municipalities entirely within the same legislative district as a community of interest in order to avoid situations where individual municipalities are divided into different legislative districts."

Mike spoke about the "PA State of Association of Township of Supervisors (PSATS) which has a strong lobby and is very informed.

Elaine McLaughlin, 615 Marydell Drive, asked BOS to consider supporting the resolution tonight, regardless of CCATO endorsement.

Brian read the Resolution and asked that it be inserted into the record.

WHEREAS, we acknowledge that state legislative and congressional voting districts are, by law, redrawn after the completion of the national census each decade, to allow for fair representation by population as required by the U.S. Constitution and the Pennsylvania Constitution; and

WHEREAS, legislative and congressional redistricting has often resulted in gerrymandering, i.e., the redrawing of districts to favor one political party or other; and

WHEREAS, the citizens of the Township of East Goshen and the Commonwealth of Pennsylvania deserve a fair, fully transparent, impartial, and depoliticized process of the decennial post-census re-drawing of state legislative and congressional districts of near equal population; and

WHEREAS, such gerrymandering of legislative and congressional districts has worked at times to the detriment of our representative democracy by impeding action on critical issues of importance to the people; and

WHEREAS, the creation of a truly independent citizens redistricting commission devoid of political motivation or partisanship will help to ensure a fair and accurate legislative and congressional redistricting process that respects political subdivisions and communities of interest; will prohibit districts from being drawn to favor or discriminate against a political party or candidate; will promote transparency, the use of impartial and sound methodology, and public input when setting district boundaries; and will fully comply with the Pennsylvania constitutional requirement that "no county, city, incorporated town, borough, township or ward" be divided "unless absolutely necessary"; and

WHEREAS, recent legislation has been introduced in the current legislative session to amend the Pennsylvania Constitution to reform the decennial legislative and congressional redistricting process by requiring the formation of a citizens' redistricting commission to conduct the redistricting process in a non-partisan fashion, using sound methodology;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors does hereby support legislative efforts to secure expeditious action to make a constitutional amendment that would, among other reforms, assign the decennial task of both legislative and congressional redistricting to an independent citizens' redistricting commission; and

BE IT FURTHER RESOLVED that a copy of this resolution be delivered to all members of the Pennsylvania Senate and House of Representatives; and

BE IT FURTHER RESOLVED that we call upon all those elected officials in the Commonwealth of Pennsylvania who represent the citizens of the Township of East Goshen (see list) to publicly announce their support of and commitment to work towards passage of such legislative efforts, and that a copy of this resolution be delivered to each of them.

Pennsylvania Governor Tom Wolf

Pennsylvania Lieutenant Governor Mike Stack

Pennsylvania Attorney General Josh Shapiro

United States Senator Bob Casey

United States Senator Pat Toomey

United States Representative Ryan Costello

Pennsylvania Senator Thomas Killion

Pennsylvania Representative Carolyn Comitta

Chester County Commissioner Kathi Cozzone

Chester County Commissioner Terence Farrell

Chester County Commissioner Michelle Kichline.

Chuck briefly explained the history of gerrymandering (started in the 1800's) and noting there have been countless court cases about gerrymandering, there have been several amendments to these bills already and concluded by saying this matter should be studied very carefully to ensure the proposed amendments to the PA Constitution are appropriate.

Any Other Matter: Marty exercised his authority to rearrange the agenda in order to accommodate the residents in attendance with concerns about the Sunoco Project.

Marty explained Sunoco is installing two pipelines, a 20 inch pipe which is expected to be placed in service this fall, and a 16 inch pipe that will be placed in service in 2018. Sunoco is a public utility regulated by the PA Public Utility Commission and the Township does not have control over where Sunoco locates their pipelines. In addition Sunoco has obtained two types of easement; a permanent easement for the pipelines and a temporary easement for the work areas. Tree replacement and/or compensation for the tree removal would have been addressed in the easement agreement. Since Sunoco is a public utility they had the power to condemn if they could not come to terms with the property owner. Sunoco had to obtain two permits from PA DEP and a soil and erosion permit from the Township. With regards to safety Sunoco has to comply with federal pipeline safety standards and the Goshen Fire Company and Chester County Department of Emergency Services have received training for Sunoco.

Carmen noted there was an emergency procedure outline posted on the website.

David Shuey, Mill Race Lane commented one of the places that these pipelines leak is at the valves and asked if there was a valve between the Goshen Fire Station and Route 202? Rick advised that a valve is proposed for this location, but West Goshen Township is currently in litigation with Sunoco over the placement of this valve.

Consider Resolution authorizing electronic filing of PENN DOT Liquid Fuels Forms: Marty moved to adopt the Resolution. Janet seconded. The motion passed unanimously.

Consider Resolution authorizing submission of DCED-GTRP grant application for Milltown Dam Park: Carmen moved to adopt the Resolution. Mike seconded. The motion passed unanimously.

Authorize Chairman to execute Stormwater O&M agreement for 1637 Manley Road: Michael moved to authorize the Chairman to execute the agreement. Carmen seconded. The motion passed unanimously.

Consider Goshen Meadows Escrow Release #5: Carmen moved to release escrow funds in the amount of \$ 427,453.33. Mike seconded. The motion passed unanimously.

Consider Deer Management Groups and Deer Management Program Resolution: Marty noted that the Board had to approve the Deer Management groups and adopt a resolution to authorize the program annually.

Leo Sinclair asked if there be another deer count. Rick advised that the Board would consider doing a deer count next year.

Carmen moved to approve the following deer management groups for 2017: Chester County Trackers - Grand Oak and Mill Creek, Main Line Whitetail Managers - Supplee Valley, Keystone Archers – Bow Tree & Clocktower, and Tri County Whitetail Management - Wentworth. Chuck seconded. The motion passed unanimously

Carmen moved to adopt Resolution 2017-24 authorizing the 2017-2018 Township Deer Management Program. Chuck seconded. The motion passed unanimously.

Consider request to create Clover Food Plots in Supplee Open Space: Carmen and Mike both expressed concerns about doing this. Carmen felt that it was entrapment of the deer and wanted this recorded in the minutes.

Leo Sinclair, North Lockwood Lane questioned the need for the clover plots and stated he had spoken to several of his neighbors, who did want to have deer drawn into his neighborhood by the clover plots.

Michael suggested that this matter be deferred to first meeting in July 2017 and that the residents be notified. Carmen moved to defer the matter. Marty seconded. The motion passed unanimously

Consider recommendation on Deer Management Committee: The Board considered a recommendation to disband the Deer Committee noting that all of the functions are

administrative in nature and currently be done by Township Staff. Carmen moved to disband the Deer Committee and move their functions to the Township staff. He also recommended retaining Mr. James McRee as the Deer Management Liaison so as not to lose his wealth of knowledge on this subject. Mike seconded. The motion passed unanimously.

Approval of Minutes:

April 18, 2017: Marty moved to approve the minutes as presented. Carmen seconded. The motion passed unanimously.

May 2, 2017: Marty made a moved to approve the minutes as presented. Chuck seconded. The motion passed unanimously.

Treasurer's Report: April 27, 2017: 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. Michael seconded. The motion passed unanimously.

Liaison reports: none

Correspondence, Reports of Interest

May 3, 2017 PA DEP Approval to drawdown the Milltown Reservoir
May 3, 2017 PA Fish & Boat Species Impact Review for Milltown Reservoir
May 11, 2017 Redbelly Trapping survey for Milltown Reservoir
May 19, 2017 Sunoco Station 1st Quarter Report
Letter from Representative Carolyn Comitta

Public Comment-Hearing of Residents: none

Adjournment: There being no further business Marty made a motion to adjourn the meeting at 10:46pm. Carmen seconded. The motion passed unanimously

Respectfully Submitted,

Cecilia Jenkins

Recording Secretary

Attached—Treasurer's Report, May 18, 2017

May 18, 2017

**TREASURER'S REPORT
2017 RECEIPTS AND BILLS**

GENERAL FUND

Real Estate Tax	\$26,871.10	Accounts Payable	\$497,598.22
Earned Income Tax	\$947,364.11	Electronic Pmts:	
Local Service Tax	\$58,190.92	Credit Card	\$0.00
Transfer Tax	\$47,156.36	Postage	\$1,000.00
<i>General Fund Interest Earned</i>	\$2,515.13	Debt Service	\$11,287.49
Total Other Revenue	\$167,591.18	Payroll	\$156,427.67
Total Receipts:	\$1,249,688.80	Total Expenditures:	\$666,313.38

STATE LIQUID FUELS FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$1.35		
Total State Liquid Fuels:	\$1.35	Expenditures:	\$0.00

SINKING FUND

Receipts	\$0.00	Accounts Payable	\$97,762.04
<i>Interest Earned</i>	\$1,210.01	<i>Credit Card</i>	
Total Sinking Fund:	\$1,210.01	Total Expenditures:	\$97,762.04

TRANSPORTATION FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$568.02		
Total Sinking Fund:	\$568.02	Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$269,483.05	Accounts Payable	\$28,305.00
<i>Interest Earned</i>	\$70.57	<i>Debt Service</i>	\$30,275.50
Total Sewer:	\$269,553.62	<i>Credit Card</i>	\$0.00
		Total Expenditures:	\$58,580.50

REFUSE FUND

Receipts	\$67,030.87		
<i>Interest Earned</i>	\$11.86		
Total Refuse:	\$67,042.73	Expenditures:	\$82,638.24

SEWER SINKING FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$267.57		
Total Sewer Sinking Fund:	\$267.57	Expenditures:	\$0.00

OPERATING RESERVE FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$392.07		
Total Operating Reserve Fund:	\$392.07	Expenditures:	\$0.00

Events Fund

Receipts	\$0.00		
<i>Interest Earned</i>	\$1.34		
Total Events Fund:	\$1.34	Expenditures:	\$0.00