

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
TUESDAY, JULY 11, 2017  
FINAL MINUTES**

**THE BOARD MET IN EXECUTIVE SESSION AT 6:00PM TO DISCUSS A LEGAL AND PERSONNEL MATTER**

**Present:** Chairman Marty Shane; Vice Chairman Carmen Battavio; Supervisors Charles (Chuck) Proctor, Janet Emanuel, & Michael Lynch; Township Manager Rick Smith; Public Works Director Mark Miller; CFO Jon Altshul; Solicitor Kim Venzie and Conservancy Board member Erich Meyer.

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:00 p.m. and asked Brian Andiaro, a Boy Scout, to lead the assembly in the Pledge of Allegiance.

**Moment of Silence**

Carmen called for a moment of silence to honor the troops who defend our nation and the victims of recent terrorist incidents overseas.

**Recording**

None

**Chairman's Report/Announcements**

1. Marty announced that the Board met in Executive Session immediately before tonight's meeting to discuss a legal matter and a personnel matter.
2. Marty announced that the Township sold \$8.2 million in general obligation bonds earlier in the day via competitive auction. Jon noted that six investment banks placed a total of 59 bids on the bonds. Jon added that the winning bid from Janney Montgomery Scott had a yield of 2.778%, which is extremely low.

**Public Hearing to consider an amendment to the Zoning Ordinance that would address Medical Marijuana uses**

The Board held a public hearing to consider an amendment to the Zoning Ordinance that would address Medical Marijuana uses. A court reporter was present. A copy of the transcript of the public hearing will be appended to the minutes of this meeting once the decision becomes "final, binding and nonappealable".

Carmen made a motion to adopt the proposed Zoning Ordinance Amendment addressing Medical Marijuana uses. Janet seconded the motion. The motion passed 4-0 (Mike Lynch arrived later).

**Public Hearing to consider an amendment to the Zoning Ordinance that would address the new FEMA Floodplain Regulations**

The Board held a public hearing to consider an amendment to the Zoning Ordinance that would address the new FEMA Floodplain Regulations. A court reporter was present. A copy of the transcript of the public hearing will be appended to the minutes of this meeting once the decision becomes “final, binding and nonappealable”.

Carmen made a motion to adopt the revised Floodplain Ordinance. Janet seconded the motion. The motion passed 4-0.

**Consider pond study**

Rick explained that he only received one proposal, from the National Lands Trust, for a pond study. He noted that National Lands Trust is very well qualified and that the price at \$19,885 is competitive. He asked the Board whether to accept the proposal or give other consultants more time to respond.

Paul DiOrio, 467 Gateswood Drive, stated that \$19,885 seemed like a lot of money for a pond study. Marty noted that he expected the study to be more expensive given the expertise of the National Lands Trust staff and the scope of the proposal.

Joe Buonanno, Herron Lane, asked if the study would focus on streams in the Township or only on ponds. Rick responded that the focus would be on the ponds.

Janet made a motion to accept the proposal from National Lands Trust in the amount of \$19,885. Carmen seconded the motion. The motion passed 4-0.

**Consider Crown Castle Agreement**

Rick explained that the Township needed to enter into a right-of-way agreement to allow Crown Castle to install distributed antenna system nodes in Township right-of-ways, primarily on utility poles. These nodes would then be used by wireless carriers to distribute cell signals. He added that Crown Castle would still need conditional use approval to actually install the nodes.

Joe Buonanno asked how many carriers could use each node. John Shive, Crown Castle, indicated that most nodes in East Goshen would have two carriers' technology on them, but that it would be possible to have three.

Paul DiOrio asked Mr. Shive how many nodes he would expect in the Township five years from now. Mr. Shive indicated that it's hard to predict and that what happens to automotive technology in the next several years could impact what will happen to nodes. He noted that the Township ordinance requires that nodes taken out of service would need to be taken down by Crown Castle.

Mr. Buonanno asked whether the existing cell tower behind the Public Works building was now obsolete. Rick stated that he does not expect the cell tower to

become obsolete any time soon. Mr. Buonanno also asked whether Crown Castle had a bond to ensure that any unused nodes are removed. Mr. Shive responded that Crown Castle had a bond for this purpose. Kim added that the bond provision was part of the Township ordinance.

Christina Zettner, 1530 Allison Drive, asked whether the nodes could trigger a pipeline explosion in the event of a gas leak. Mr. Shive observed that the nodes are placed 35-40 feet above the ground and that any gas from a potential gas leak would likely dissipate before reaching that altitude.

Carmen made a motion to authorize the Chairman to execute the Right-of-Way Use Agreement with Crown Castle NG East LLC. Chuck seconded the motion. The motion passed unanimously.

**Consider executing final plans and ecrow agreements for 1420 E. Strasburg Rd**

Janet made a motion to approve and sign the Preliminary/Final Subdivision and Land Development Plans for 1420 E. Strasburg Road, dated May 17, 2016, and last revised on April 6, 2017, execute the development agreements, and release the plans for recording with the condition that the Applicant shall address all conditions outlined in the plan approval letter dated March 8, 2017. Chuck seconded the motion.

Chuck asked why the developer had already cut down trees prior to receiving the final plan approval from the Board. Rick explained that the developer had issues with sight-distance and couldn't get a highway occupancy permit from PennDOT. Therefore, he sought and received a sediment control permit from DEP to remove vegetation in order to address the sight-distance issue.

The motion passed 3-0 (Carmen had temporarily left the room).

**Consider Milling Machine Rental Bid**

Rick explained that we only received one bid for milling machine rental from CC&T, Inc in the amount of \$2,500 (daily), \$7,500 (weekly) and \$15,000 (two week). Janet made a motion to accept the bid from CC&T, Inc in the amount of \$15,000 for a two week rental. Carmen seconded the motion.

Mr. DiOrio asked whether this rental was with operator or without operator. Mark responded that it was without operator and that the cost with operator would be more than double.

The motion passed 4-0.

**Consider lowering assumed rate of return on WEGO pension plan**

Jon observed that the police pension plan is currently underfunded and that lowering the assumed rate of return from 8% to 7.5% would help ensure that the unfunding problem could be corrected over time. He noted that the this change

would increase the police's minimum municipal obligation by about \$120,000, of which East Goshen's share would be about \$70,000.

Mr. DiOrio asked about the size of the total police pension liability. Mr. Buonanno suggested that the Township have catastrophic insurance coverage for the police pension.

Carmen made a motion to direct the East Goshen representative to the Westtown-East Goshen Police Commission to vote in favor of lowering the assumed rate of return of the police pension to 7.5%, effective with the 2018 MMO. Janet seconded the motion. The motion passed 4-0.

#### **Consider Stormwater Agreement for 909 Sorrell Hill**

Carmen made a motion to authorize the Chairman to execute the storm water management operation and maintenance agreement for 909 Sorrell Hill Road. Chuck seconded the motion. The motion passed 4-0.

#### **Consider Wash Bay**

Mark explained that Public Works needed a wash bay for its vehicles in order to comply with MS4 requirements and referenced the sketch plan provided in the agenda. Carmen made a motion to direct the Township Engineer to prepare a proposal to design the wash bay. Janet seconded the motion. The motion passed 4-0.

#### **Any Other Matter**

Stormwater Management Agreements for 1433 Heather Lane and 1420 Eldridge Dr.  
Carmen made a motion to authorize the Chairman to execute the storm water management operation and maintenance agreements for 1433 Heather Lane and 1420 Eldridge Drive. Janet seconded the motion. The motion passed 4-0.

#### **Public Comment**

Lex Pavlo, 611 South Speakman Lane, made a brief presentation to introduce the East Goshen Safety and Environmental Advocacy Team, outline the group's initial proposals and request that their issues be added to the agenda for the next BOS meeting. Lex observed that Mike Lynch was serving as a Township liaison to the group.

Carmen suggested that the Township explore the possibility of purchasing technology that could detect leaks. Jon stated that he and Mark would visit the County Department of Emergency Services to see what they had purchased for this purpose.

Mary McCloskey, 1727 Clocktower Drive and a member of the group, stressed that it is important that any water testing be performed by an independent lab and not by Sunoco or its affiliates.

#### **Approval of Minutes of June 20 and June 22, 2017**

Chuck made a motion to approve the minutes of June 20<sup>th</sup> as corrected. Mike seconded the motion. The motion passed 5-0.

Chuck made a motion to approve the minutes of June 22<sup>nd</sup> as corrected. Mike seconded the motion. The motion passed 5-0.

### **Treasurer's Report, July 5, 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. Janet seconded. The motion passed 5-0.

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

The Board acknowledged receipt of the following correspondence:

- June 20, 2017 FEMA-New Floodplain Regulation
- June 23, 2017 PennDOT Vehicle Counts on Township Roads. Mike raised concern about whether policy makers could draw meaningful inferences about traffic flows in the Township from the roads listed.
- July 2, 2017 letter from Catherine Voorhees regarding pipeline safety. Rick will respond to her.

Mike noted that he and Rick attended a meeting between West Chester Area School District and first responders and municipalities regarding pipeline safety. He shared two key take-aways:

- WCASD has detailed evacuation plans for all its facilities, but they won't be made public.
- Generally, the school district does not coordinate with the private and parochial schools on its evacuation plans. In the case of the parochial schools, these issues are handled in coordination with Archdiocese.

### **Liaison Reports**

None

### **Adjournment**

There being no further business, Chuck motioned to adjourn the meeting at 9:15 pm. Carmen seconded the motion. The Board voted unanimously to adjourn.

Respectfully submitted,

*Jon Altshul*  
*Recording Secretary*

Attachment: July 5, 2017 Treasurer's Report

July 5, 2017

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

**GENERAL FUND**

Real Estate Tax	\$13,407.79	Accounts Payable	\$368,954.19
Earned Income Tax	\$51,400.00	Electronic Pmts:	
Local Service Tax	(\$4,477.36)	Credit Card	\$5,497.93
Transfer Tax	\$0.00	Postage	\$0.00
General Fund Interest Earned	\$2,961.02	Debt Service	\$0.00
Total Other Revenue	\$157,899.05	Payroll	\$163,426.87
Total Receipts:	<b>\$221,190.50</b>	Total Expenditures:	<b>\$537,878.99</b>

**STATE LIQUID FUELS FUND**

Receipts	\$0.00		
Interest Earned	\$1.57		
Total State Liquid Fuels:	<b>\$1.57</b>	Expenditures:	<b>\$0.00</b>

**SINKING FUND**

Receipts	\$0.00	Accounts Payable	\$18,959.34
Interest Earned	\$1,027.78	Credit Card	\$0.00
Total Sinking Fund:	<b>\$1,027.78</b>	Total Expenditures:	<b>\$18,959.34</b>

**TRANSPORTATION FUND**

Receipts	\$0.00		
Interest Earned	\$436.53		
Total Sinking Fund:	<b>\$436.53</b>	Expenditures:	<b>\$386.25</b>

**SEWER OPERATING FUND**

Receipts	\$37,150.04	Accounts Payable	\$83,529.05
Interest Earned	\$93.20	Debt Service	\$0.00
Total Sewer:	<b>\$37,243.24</b>	Credit Card	\$0.00
		Total Expenditures:	<b>\$83,529.05</b>

**REFUSE FUND**

Receipts	\$11,937.54		
Interest Earned	\$15.18		
Total Refuse:	<b>\$11,952.72</b>	Expenditures:	<b>\$26,874.68</b>

**SEWER SINKING FUND**

Receipts	\$0.00		
Interest Earned	\$423.52		
Total Sewer Sinking Fund:	<b>\$423.52</b>	Expenditures:	<b>\$0.00</b>

**OPERATING RESERVE FUND**

Receipts	\$0.00		
Interest Earned	\$451.35		
Total Operating Reserve Fund:	<b>\$451.35</b>	Expenditures:	<b>\$0.00</b>

**Events Fund**

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