

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, JULY 18, 2017
FINAL APPROVED MINUTES**

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

Present: Chairman Marty Shane; Vice Chairman Carmen Battavio; Supervisors Charles (Chuck) Proctor, Janet Emanuel; Township Manager Rick Smith; CFO Jon Altshul; Park & Recreation Director Jason Lang 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 Chris Sappy from Rep. Carolyn Comitta's office 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.

Recording

None

Chairman's Report/Announcements

Marty announced that the Board met in Executive Session immediately before tonight's meeting to discuss a legal matter.

Emergency Services Reports

Chief Brenda Bernot noted that two nighttime cat burglaries recently occurred in both East Goshen and Westtown. She urged residents to lock all their doors at night. She also announced that the department would offer the Citizen's Police Academy again this fall to provide interested residents a "behind-the-badge" glimpse into the operations of the police department. Information is available on the Township website.

Rick summarized the fire and EMS calls at the Goshen Fire Company in May.

Financial Report

Jon reported that the Township was doing well financially; that he anticipates the general fund to end 2017 with a surplus of \$91,643; and that both the sewer and refuse funds were performing more positively than anticipated.

He noted that last week the Township sold \$8.2 million in general obligation bonds with a yield of 2.778%, which was a significantly lower rate than other nearby municipalities have received recently in the bond market. He also observed that the

yield on Township funds had increased to 0.8% in the second quarter from 0.66% in the first and that he expects further increases in the 3rd quarter. Finally, he reported that accounts receivable for real estate taxes was at or below historically low levels and just above historically low levels for sewer and refuse.

Update on Representative Comitta's Activities

Chris Sappy, Rep. Carolyn Comitta's Chief of Staff, reported that Rep. Comitta was eager to return to Harrisburg to resolve the issues with the unbalanced 2018 state budget. Chris also noted that there are currently three bills working their way through the General Assembly on pipeline regulation. Chris also noted that the congresswoman was happy to assist with getting new signage approved on state roads.

Jim Coates, 1600 Williams Way, asked if the speed limit on North Chester Road could be lowered. Rick provided an explanation on the process for lowering speed limits on state roads and noted that the Township has asked PennDOT to do speed studies on North Chester Road in the past, but that the studies have not justified lowering the speed limit there.

Consider Request from East Goshen Safety and Environmental Advocates

Lex Pavlo, 611 South Speakman Lane, reviewed his letter to the Board of Supervisors seeking the Township support and assistance with the East Goshen Safety and Environmental Advocates' (EGSEA) six proposals:

- 1) Notification of all residents on well water within 2,000 feet of the pipeline route to have their wells tested by an independent lab at Sunoco's expense.
- 2) A moratorium be placed on all pipeline construction until such testing is completed, as well as testing of public water.
- 3) Determination of the location of older NGL pipelines.
- 4) Post-construction well testing to determine if bentonite or other dangerous substances are in wells.
- 5) Post-construction well testing upon completion of Mariner 2X.
- 6) EGSEA's offer to provide recommendations on competent, competitive companies to conduct such testing.

Mr. Pavlo noted that EGSEA was working with Rep. Comitta and is setting up a website and Facebook page.

Mike Leff, 412 Misak Drive and a member of EGSEA, stated he would like the Township's support in writing letters to state agencies about these issues. He also noted that there was an issue with the pipeline in Middletown Township yesterday.

Chris Hannafin, 1336 Troon Lane, stated that she would like non-hazardous, non-explosive product in the pipelines when they are complete. She encouraged those in attendance to visit the web site www.marinereasttheseries.com to learn more about the stories of people affected by the pipeline.

Jim Coates stated that he saw a clean-up crew south of Strasburg Road recently and asked if there had been any problems in that area. Rick stated that he and Mark Miller would look into Jim's concern.

Judy DiFonzo, 462 Gateswood Drive, stated that Mariner 1 had been repurposed with no public notice. Marty responded that there had been extensive public notice about this issue.

John Hannafin, 1336 Troon Drive, stated that his quality of life has suffered since drilling began and that his house is constantly rattling between 7am and 7pm. He feels he is suffering beyond normal expectation. Carmen asked Rick about the noise readings near his property, and Rick responded that the noise readings had increased between April and July at this location and that Sunoco's engineers were working on a solution. Rick added that the Township will do noise readings for any resident who asks to ensure Sunoco's compliance with the Township's noise ordinance.

Stacey Shallis, Barker Drive, asked if there is a plan to have the air tested. Carmen noted that he would like the Township to budget for a device that would detect small leaks. Jon indicated that this would be part of the 2018 budget proposal. Mike Leff asked for clarification about whether air quality would be tested during construction. Rick noted that DEP is responsible for regulating air quality, but that as a general rule, DEP does not test air quality on construction sites.

Chris Hannifan noted that Sunoco won't plant grass until after all the construction is complete. She also asked how one pipeline can be repaired in the future without creating problems around the other two pipelines.

Mr. Pavlo stated that some residents had seen what they believed to be a worker in a Haz-Mat suit in front of Wellington recently.

Ed Schmidt, 1577 Vassar Circle, asked whether the Township had attempted to quantify the negative externalities and economic costs, including the impact on property values and health and safety, of the pipeline project. Jon observed that the economic costs of the project are very real, but that he does not feel qualified to analyze these types of costs in any way that would withstand scrutiny. Marty observed that the Township has not received a single cent from Sunoco, so there is no direct benefit at all to the Township.

Judy DiFonzo referenced the pinhole leak in Morgantown that was noticed by the property owner and not Sunoco. She wondered if a leak would have any visible manifestations, such as dead grass, and if so, whether that type of information should be communicated to residents. Marty indicated that this was a great suggestion.

Jim Coates asked if gas leak detectors are in the ground and if leaks, if they were to occur, would move along the pipeline or come straight up out of the ground. Marty indicated that this was an issue worth investigating with Sunoco.

Chris Hannafin highlighted the economic costs to health and safety of the pipeline project. She asked whether the drilling sites in the Township had specific names. Rick indicated that to his knowledge they did not have names.

Chris Sappy stated that a bill is working its way through the General Assembly that would allocate some of the impact fee money from the municipalities in the Marcellus Shale region to municipalities impacted by pipelines.

Marty stated that the Township wants to be supportive of EGSEA as best it can. He explained that Sunoco has an agreement with DEP to test any well within 150 feet of the pipeline and that Sunoco won't extend the well testing any farther than 150 feet unless there's an issue like the one that occurred in West Whiteland Township. However, Marty added that not every property owner with a well within 150 feet of the pipeline route responded to Sunoco's letter and that these property owners can still contact Sunoco to request a test. Marty added that the Township will be sending a letter to every property owner in the Township with a well to encourage them to have their drinking water tested and that if a problem is found to exist, Sunoco will reimburse them for any costs incurred. Marty added that it is highly unlikely that Sunoco will stop drilling, unless a major issue arises.

Marty added that the best people for residents to lobby about pipeline matters are the state legislators in order to change the laws regarding pipelines, but that writing letters to executive branch agencies like DEP is probably futile. He noted that Pennsylvania is one of only two states without a pipeline siting agency.

Lex Pavlo asked if there is a map of the pipelines. Rick observed that maps of all pipelines in Chester County can be found on the County's website, but that these maps lack detailed specificity, probably due to homeland security concerns. Marty added that Mariner 1 goes under the blacktop of Boot Road and North Chester Road, except for a small area near the Goshen Village Shopping Center and that the two new pipelines are going in the right-of-way.

Marty provided background on all the steps that the Township has taken over the past several years to protect the health, safety and welfare of residents regarding the Mariner project, including hiring an attorney who specializes in pipeline matters, holding numerous public meetings, and carefully researching every court case and state law governing pipelines. He emphasized that Pennsylvania municipalities have no legal authority to regulate pipelines in case law, the Second Class Township Code or the Municipal Planning Code.

John Hannifan raised concerns about the impact of the pipeline on property values.

Mike Leff stated that he still thinks it's important to write executive branch agencies about residents' concerns. Marty stressed that the executive branch agencies implement laws passed by the legislative branch and that EGSEA's efforts are therefore best focused on the General Assembly.

Consider Playground Renovation Project

Jason provided an overview of the playground renovation project at the park and showed a video of what the areas will look like once complete. He explained that all of the material and equipment costs outlined in his proposal were based on COSTAR pricing and that the project would also need approval by DCNR, as it is partially grant-funded. He added that he expects the renovation to occur in early fall.

Janet made a motion to approve the project supplies, materials and labor costs of \$617,956.34 contingent upon DCNR review and approval. Chuck seconded. The motion passed 3-0 (Carmen had to leave after the pipeline discussion).

Consider Traffic Signal Permits for Paoli Pike Trail

Rick explained that the Paoli Pike Trail will necessitate traffic signal modifications at Paoli Pike and Hibberd Lane and Paoli Pike and North Chester Road and that McMahon and Associates had prepared a traffic signal application for PennDOT.

Janet made a motion to adopt Resolution 2017-164 and 2017-165 authorizing the Township Manger to sign and submit the Traffic Signal Applications for Paoli Pike and Hibberd Lane and Paoli Pike and North Chester Road. Chuck seconded the motion. The motion passed 3-0.

Any Other Matter

Rick explained that a storm water management agreement was needed for a new swimming pool at 957 Cornwallis Drive. Janet made a motion to authorize the Chairman to execute the storm water management operation and maintenance agreement for 957 Cornwallis Drive. Chuck seconded. The motion passed 3-0.

Jason explained that the Township would like to apply for a grant for \$1,868,625 through the Commonwealth Financing Authority's Multimodal Transportation Fund for Segments A & B of the Paoli Pike Trail. He added that the Township would still be responsible for engineering and right-of-way costs for the project if the application is successful. Janet made a motion to authorize application for the Commonwealth Financing Authority Multimodal Transportation Fund in the amount of \$1,868,625 and approve matching funds in the amount of \$909,000. Chuck seconded the motion. The motion passed 3-0.

Rick explained that under the current agreement with the Goshen Fire Company, the Fire Company has authority to hire up to 10 full-time personnel. The Fire Company currently has eight personnel and would like to extend offers to four more candidates.

Jim Coates asked whether the personnel would be firefighters or EMTs and how much a new hire would cost. Jon responded that firefighters are more expensive than EMTs, but that the Township does not hire Fire Company personnel and therefore deferred to the Fire Company on those types of decisions.

Janet made a motion to authorize the Chairman to execute an agreement with the Goshen Fire Company amending the 1987 agreement to authorize the Fire Company to have up to 12 full-time paid personnel. Chuck seconded. The motion passed 3-0.

Consider Minutes of June 27, 2017 and July 11, 2017

Janet made a motion to accept the minutes of June 27, 2017 as corrected. Chuck seconded the motion. The motion passed 3-0.

Janet made a motion to accept the minutes of July 11, 2017 as corrected. Chuck seconded the motion. The motion passed 3-0.

Treasurer's Report, July 13, 2017

Chuck 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 3-0.

Public Comment

Jim Coates, 1600 Williams Way, stated that he can't make a left turn out of his driveway because pipeline workers working at the Matlack Florist site park in front of his house. He said he's spoken with the workers and asked them not to park there, but that that request can't be communicated to everyone. Rick stated he would look into getting no parking signs installed in front of Mr. Coates's house.

Correspondence, Reports of Interest

The Board acknowledged receipt of the following correspondence:

- April, May & June Right-to-Know Report
- Letter from DEP regarding Asbestos Removal

Liaison Reports

None

Adjournment

There being no further business, Chuck motioned to adjourn the meeting at 10:00 pm. Janet seconded the motion. The motion passed 3-0.

Respectfully submitted,

Jon Altshul
Recording Secretary

Attachment: July 13, 2017 Treasurer's Report

July 13, 2017

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

GENERAL FUND

Real Estate Tax	\$1,579.19	Accounts Payable	\$63,790.57
Earned Income Tax	\$49,205.74	Electronic Pmts:	
Local Service Tax	\$42,607.70	Credit Card	\$0.00
Transfer Tax	\$109,955.40	Postage	\$0.00
General Fund Interest Earned	\$0.00	Debt Service	\$0.00
Total Other Revenue	\$294,042.28	Payroll	\$56,364.27
Total Receipts:	\$497,390.31	Total Expenditures:	\$120,154.84

STATE LIQUID FUELS FUND

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

SINKING FUND

Receipts	\$0.00	Accounts Payable	\$22,632.71
Interest Earned	\$0.00	Credit Card	\$0.00
Total Sinking Fund:	\$0.00	Total Expenditures:	\$22,632.71

TRANSPORTATION FUND

Receipts	\$0.00		
Interest Earned	\$0.00		
Total Sinking Fund:	\$0.00	Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$9,971.38	Accounts Payable	\$29,723.92
Interest Earned	\$1.31	Debt Service	\$0.00
Total Sewer:	\$9,972.69	Credit Card	\$0.00
		Total Expenditures:	\$29,723.92

REFUSE FUND

Receipts	\$2,749.12		
Interest Earned	\$1.31		
Total Refuse:	\$2,750.43	Expenditures:	\$5,171.67

SEWER SINKING FUND

Receipts	\$0.00		
Interest Earned	\$0.00		
Total Sewer Sinking Fund:	\$0.00	Expenditures:	\$2,096.26

OPERATING RESERVE FUND

Receipts	\$0.00		
Interest Earned	\$0.00		
Total Operating Reserve Fund:	\$0.00	Expenditures:	\$0.00

Events Fund

Receipts	\$0.00		
Interest Earned	\$0.00		
Total Events Fund:	\$0.00	Expenditures:	\$0.00