

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, AUGUST 1, 2017
FINAL APPROVED MINUTES**

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

Present: Chairman Marty Shane; Vice Chairman Carmen Battavio; Supervisors Charles (Chuck) Proctor, Janet Emanuel; Michael Lynch; 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 led the group 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 for an ABC interview and to discuss a legal matter. He also noted that the Township's MS4 Pollution Reduction Plan is available for review and public comment on the Township's website and at the Township building.

Consider Vibration Ordinance

In response to concerns from residents about the authority of municipalities to regulate vibrations caused by the pipeline drilling, Rick explained that Warwick Township had adopted a vibration ordinance with measurable standards, a copy of which was attached to the agenda.

Mike asked whether other municipalities in Chester County affected by the pipeline are considering vibration ordinances as well; what the impetus was Warwick's ordinance in the first place; whether there has been any enforcement action; whether the maximum particle velocities used in Warwick's ordinance were appropriate; and whether with the DEP or PUC regulate vibrations in any way. Carmen noted that he doesn't know what level of vibration the particle velocities outlined in Warwick's ordinance feel like and suggested that the Township Engineer provide recommendations on this issue that a layman can understand. Marty raised concern about whether a municipal vibration ordinance, if not carefully conceived, would hold up in court if challenged.

Mike stressed that the Board wants to ensure that whatever vibration ordinance is implemented can be enforceable and meaningful and that the Township is committed to getting this issue handled correctly. He recommended that interested residents visit www.vibrationdamage.com, a site that he found to be beneficial while researching the matter. He also encouraged residents living along the pipeline route impacted by vibrations to contact a home inspector to have their foundations checked for cracks and other damage. Carmen added that residents should make sure that any home inspector hired is licensed for this type of work.

John Hannafin, 1336 Troon Lane, asked whether there was a way for an inspector to check foundation walls in a finished basement. Rick is not aware of any technology that would do this. Lee Dastur, 1432 Quaker Ridge, noted that if there is shifting, you'd see cracks in the drywall.

Chris Hannafin, 1336 Troon Lane, stated that she felt two large booms today.

Stan Wybranski, 1339 Troon Lane, asked if there was a correlation between violations of the noise ordinance and strong vibrations. Rick observed that there probably is a correlation.

Mike suggested that a representative from Sunoco visit one or more of the houses in Quaker Ridge during periods of heavy vibrations to troubleshoot the issue and develop strategies for mitigating vibration in the future. Ms. Dastur agreed with Mike's suggestion.

Mr. Hannafin played an audio file of the sound of the drilling.

Dave Shuey, 1547 Millrace, noted that for \$50 the Township can purchase vibration standards from the website Mike had referenced earlier that would likely withstand a legal challenge.

Ms. Hannafin requested that another sound curtain be added at the Quaker Ridge drill site. She added that in some parts of Exton the pipeline is being installed at a depth of only 3 feet.

Consider recommendation regarding a variance request for 1007 Taylor Avenue

Amanda Albanno, DL Howell and Associates representing Noah Kahn, the property owner, provided an overview of her client's application for variance relief to subdivide an existing non-conforming 1.08 acre lot with two dwellings on it in the R-2 zoning district into a .87 acre lot with an existing large garage and a .21 acre lot. She noted that her client is requesting variances for minimum lot area; minimum side yard setback; minimum front yard setback; minimum rear yard setback; and an accessory building in the front yard setback. She noted that the Planning

Commission had recommended that the application be approved as the proposal would not alter the character of the neighborhood.

Janet observed that she was pleased that the revised plan incorporated some of the recommendations that the Planning Commission had made.

Carmen stated that the only hardship that he saw in this application was self-imposed.

Mike raised concerns about the number of variances and that the smaller lot would be substantially smaller than one acre. He stated that approving this application would run counter to good land planning.

Mr. Kahn noted that he was making interior improvements to the properties.

Chuck stated that there are too many variances being requested.

Marty stated that the intention with a non-conforming lot is to eventually make it conforming, not to make it more non-conforming, as this application proposes.

Carmen made a motion to oppose the application and to direct the Township Solicitor to represent the Township before the Zoning Hearing Board. Mike seconded. The motion passed 4-1, with Janet opposed.

Consider Resolution Supporting Circuit Trails

Mike Broennle, Hunters Circle, asked for the Board's support of a resolution to add 180 new miles of Circuit Trails to the existing 320 miles in the Philadelphia region by 2025.

Carmen asked how much of the funding for these trails comes from grants. Natasha Manbeck, McMahon Associates, stated it was difficult to calculate, but that probably the majority of funding came from state and federal sources.

Carmen made a motion to adopt the resolution supporting Circuit Trails. Mike seconded the motion.

Chuck asked what percentage of the circuit is for pedestrians versus pedestrians and bicycles. Mike stated that all of the circuit is multi-use. Natasha added that while sections of the Circuit are more narrow than recommended for pedestrians and bicycles—e.g. parts of the Uwchlan Trail—bicycles are still permitted everywhere.

The motion passed 5-0.

Consider Engineering Proposal for Paoli Pike Trail Segments A&B

Natasha Manbeck provided an overview of the engineering proposal for Segments A-B (Airport Road to Reservoir Road) at a cost of \$556,983. She noted that if only

Segment A is constructed with Transportation Alternatives Program (TAP) funds, the price would fall by about \$24,000. Jon noted that McMahon's proposal was about \$90,000 more than the Township had budgeted and borrowed for.

Carmen made a motion to approve the engineering proposal for Segments A&B of the Paoli Pike Trail in the amount of \$556,983, subject to a review of the cost estimates by the Township Engineer. Mike seconded the motion. The motion passed 5-0.

Consider Proposal for Grant Assistance

Natasha provided an overview of McMahon Associates grant assistance proposal for Segments A&B at a cost of \$14,865, plus expenses.

Carmen made a motion to approve the grant assistance proposal from McMahon Associates in the amount of \$14,865, plus expenses. Janet seconded. The motion passed 5-0.

Any Other Matter

Mike made a motion to authorize the Chairman to execute the storm water management operation and maintenance agreement for 1104 Jaclyn Drive. Carmen seconded. The motion passed 5-0.

Carmen made a motion to appoint Kelly Bidegery to the Historical Commission. Janet seconded. The motion passed 5-0.

Approval of Minutes of July 18, 2017

Carmen made a motion to approve the minutes of July 18, 2017 as amended. Janet seconded. The motion passed 5-0.

Treasurer's Report of July 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. Janet seconded. The motion passed 5-0.

Adjournment

There being no further business, Janet motioned to adjourn the meeting at 9:30 pm. Mike seconded the motion. The motion passed 5-0.

Respectfully submitted,

Jon Altshul
Recording Secretary

Attachment: July 27, 2017 Treasurer's Report

July 27, 2017

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

GENERAL FUND

Real Estate Tax	\$6,275.53	Accounts Payable	\$202,731.50
Earned Income Tax	\$66,500.00	Electronic Pmts:	
Local Service Tax	\$4,100.00	Credit Card	\$3,144.14
Transfer Tax	\$0.00	Postage	\$1,000.00
<i>General Fund Interest Earned</i>	\$0.00	Debt Service	\$11,287.49
Total Other Revenue	\$41,736.08	Payroll	\$116,988.72
Total Receipts:	\$118,611.61	Total Expenditures:	\$335,151.85

STATE LIQUID FUELS FUND

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

SINKING FUND

Receipts	\$0.00	Accounts Payable	\$8,045.78
<i>Interest Earned</i>	\$5,227.40	Credit Card	\$0.00
Total Sinking Fund:	\$5,227.40	Total Expenditures:	\$8,045.78

TRANSPORTATION FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Sinking Fund:	\$0.00	Expenditures:	\$1,635.00

SEWER OPERATING FUND

Receipts	\$89,066.02	Accounts Payable	\$119,254.57
<i>Interest Earned</i>	\$0.00	Debt Service	\$29,176.60
Total Sewer:	\$89,066.02	Credit Card	\$0.00
		Total Expenditures:	\$148,431.17

REFUSE FUND

Receipts	\$40,703.31		
<i>Interest Earned</i>	\$0.00		
Total Refuse:	\$40,703.31	Expenditures:	\$77,793.11

SEWER SINKING FUND

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Sewer Sinking Fund:	\$0.00	Expenditures:	\$14,063.00

OPERATING RESERVE FUND

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

Events Fund

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