

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, AUGUST 15, 2017
FINAL APPROVED MINUTES**

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

Present: Chairman Marty Shane; Supervisors Charles (Chuck) Proctor, Janet Emanuel; Michael Lynch; Township Manager Rick Smith; Township Solicitor Kristin Camp; CFO Jon Altshul; 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 Mike to lead the group in the pledge of allegiance

Moment of Silence

Mike called for a moment of silence to honor the troops who defend our nation and to remember the victims of the Charlottesville tragedy.

Recording

None

Chairman's Report/Announcements

Marty made the following announcements:

- The Board met in Executive Session immediately before tonight's meeting to discuss a legal matter.
- On August 14th, Interstate Energy Company began preparations to conduct hydrostatic testing on its pipeline.
- The 2018 Minimum Municipal Obligations for the Township's pension plans are as follows:
 - Firefighters Defined Benefit Pension Plan: \$65,465
 - Non-Uniformed Defined Benefit Plan: \$0
 - Non-Uniformed Defined Contribution Plan: \$86,707
 - Police Admin. Non-Uniformed Defined Contribution Plan: \$10,277
- The Township's MS4 Pollution Reduction Plan is available for review and public comment on the Township's website and at the Township building until September 6, 2017.
- The groundbreaking for the new playground will be on Saturday, September 9th at 10am. Rep. Comitta and Sen. Killion have been invited as well.

Public Hearing on Conditional Use Application from Crown Castle NG East LLC

The Board held a public hearing on a conditional use application from Crown Castle NG East LLC seeking approval to install six distributed antenna systems within the public Rights-of-Way on Wilson Drive, Boot Road, Goshen Parkway and Ellis Lane. A

court reporter was present and will provide a complete transcript of the hearing . 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”.

Janet made a motion to approve the Conditional Use application for the six new wireless communication facilities outlined in the Crown Castle Wireless Communications application pursuant to the Zoning Ordinance with the following conditions: (1) No aerial utilities shall be permitted at the following facilities: EMP-030 Wilson Drive and EMP-034 Goshen Parkway; (2) when and where feasible, underground utilities shall be used; (3) for the metal pole (EMP-034), a black matte color shall be used; (4) the annual report shall provide information on units already installed and in use. Mike seconded the motion. The motion passed 4-0.

WEGO Police Report

Chief Brenda Bernot reported that a cat burglar is active in the area and is only hitting homes that are unlocked. She announced that the Citizen’s Police Academy, which starts on September 6th, is fully enrolled with 18 students, of whom 9 are from East Goshen.

Financial Report-July 2017

Jon reported that the general fund had a favorable budget variance of \$591,376 as of July 31st and that he projects the general fund will end the year with a small surplus of \$2,339. He noted that the closing for the Series 2017 General Obligation bonds occurred earlier in the day, and he outlined the process moving forward for drawing down the proceeds.

The Board agreed that the proposed 2018 budget would be presented at the November 14th meeting, with December 5th as the tentative date for adoption.

Update on Vibration Ordinance

Kristin Camp explained that she foresees two potential issues with a vibration ordinance. First, she raised concern about whether the Township might be pre-empted from enforcing a vibration ordinance for pipeline drilling, which is regulated by the State PUC. Second, she stressed that the Township needs to be very specific about why it is adopting such an ordinance and then developing vibration standards that are consistent with the intent of the ordinance.

Janet asked Kristin whether the duration of the vibrations is relevant. Kristin observed that the Warwick Township ordinance appeared to distinguish between continuous vibration and pulses of vibration.

Mike asked if the PUC could be consulted about its position on our ability to enforce such an ordinance. Rick reported that he had already reached out to the PUC about this issue, but that he had not been given a definitive answer.

Rick observed that the Township will begin taking vibration measurements once drilling resumes. Kristin suggested that the Township have a dialogue with Sunoco about voluntarily complying with vibration limits. Rick noted that he had sent Sunoco representatives the agenda for tonight's meeting, but had not heard back from them. He stated that he had received 43 emails and two phone calls in support of the ordinance.

Dave Shuey, 1547 Millrace Drive, noted that the Warwick Township vibration ordinance was adopted along with its noise ordinance and encouraged the Board to think of the vibration ordinance separately from only the pipeline.

Marty stated that all of us need to put pressure on our state and federal officials to change the laws governing pipelines. He also observed that the Township has received many complaints about weeds growing along the pipeline route and that, thus far, Sunoco has not been responsive about this issue.

Chuck observed that there is a lot of storm water run-off from the pipeline at the Goshen Executive Center.

Consider recommendation regarding a variance request for 1506 Meadowbrook Lane

Mark Thompson, Lamb McErlane PC, representing Stephen and Denise Legenstein, explained that the Legensteins were seeking three variances in order to subdivide their property: (1) minimum lot width at street line; (2) street frontage and (3) flag pole portion of flag lot.

Mike asked if the adjacent homeowners had voiced any objections to the variances. Stephen Legenstein, 1506 Meadowbrook Lane, stated there were no objections. Mr. Thompson stated that letters from neighbors in support of the variances would be presented at the Zoning Hearing Board meeting.

Mike made a motion to take a neutral position on the Legenstein's application for variances. Chuck seconded. The motion passed 4-0.

Accept Public Comments on the Township's MS4 Pollution Reduction Plan

Marty reiterated 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 until September 6, 2017 and asked meeting attendees whether they had any comments.

Mike stated that MS4 is an unfunded mandate from the state that is becoming exorbitantly expensive for municipalities to comply with.

Consider Recommendation to Authorize M&T Securities, Inc as a Township Depository

Jon explained that he would like the Board to authorize M&T Securities, as opposed to M&T Bank, as a Township depository in order to increase yields on Township funds. He explained that he would like to invest some of the Operating Reserve in the Dreyfus Government Cash Management fund, which is compliant with the 2nd Class Township Code, Act 10 and the Township's Investment Policy Statement.

Chuck made a motion to authorize M&T Securities, Inc as a Township depository and authorize staff to invest only in those securities that are permitted under the Second Class Code, Pennsylvania Act 10 and the Township's Investment Policy Statement. Janet seconded the motion. The motion passed 4-0.

Consider Escrow Release for 1420 E. Strasburg

Mike made a motion to release \$28,000 to Gunnison Development Co, LLC for portions of the driveway entrance and site work, leaving a balance of \$70,375.60. Chuck seconded the motion. The motion passed 4-0.

Consider Escrow Release for 943 and 943A Cornwallis Drive

Mike made a motion to release \$33,126.70 to T.R. Moser Land Developers LP for portions of erosion and sediment control, storm water management system, sanitary sewer connection, right of way improvements, miscellaneous, and inspection and administrative costs, leaving a balance of \$10,428.86. Chuck seconded the motion. The motion passed 4-0.

Consider Replacing Pick-up Truck

Marty observed that two price quotes were received to replace the 2006 pick-up truck, including trade in: Hoskins Ford (\$46,950.00) and New Holland Ford (\$51,315.00). Janet made a motion to purchase a 2017 Ford F350 through Hoskins Ford for \$46,950. Chuck seconded the motion. The motion passed 4-0.

Any Other Matter

Jon noted that the Municipal Authority increased its 2017 engineering budget by \$9,000 at its meeting last week and that accordingly, the Township would need to increase its transfer to the Municipal Authority to balance the expense. Janet made a motion to amend the 2017 Sewer Operating Fund Budget to increase the transfer to the Municipal Authority (05492-0700) from \$100,755 to \$109,755 and to decrease the line item for West Goshen Operations and Maintenance (05420-3850) by \$9,000. Chuck seconded. The motion passed 4-0.

Marty stated that he would like the recommendations from the Planning Commission about variance applications to clearly spell out what the hardship is.

Mike noted that the Board has received a number of emails from a resident about Applebrook Park and asked staff to post the 2010 Report about the Township's Parks from National Lands Trust on the website.

Public Comment

Chris Hannafin, 1336 Troon, stated that weeds are an issue around the pipeline route. She suggested that additional sound barriers be installed along Boot Road and at Chandler Drive. She noted that there were recently signs for testing on one of the pipes along Boot Road in front of Wellington and that a sign said to keep 150 feet away the pipes, even though the pipes were immediately next to the roadway. She noted that Westtown Supervisor Mike Di Domenico and his wife had recently posted a video opposing the Mariner East pipeline on Youtube. Finally, she encouraged the Township to broadcast their meetings on cable TV.

Brian Sweet, 646 Meadow Drive, reported that bills to amend the Pennsylvania Constitution to delegate authority for redistricting to an independent body had been introduced in both the House and the Senate, and he asked the Board to consider adopting a resolution in support of the measure. Rick reported that CCATO had discussed the proposal, but had not yet moved forward with it. Rick also noted that PSATS had approved a resolution objecting to any redistricting that would cause a township to be in multiple congressional districts. Janet added that the U.S. Supreme Court would soon be ruling on the Wisconsin redistricting case, and it would be premature for the PA legislature to take action until the Court had weighed in on the matter.

Approval of Minutes of August 1, 2017

Janet made a motion to approve the minutes of August 1, 2017 as amended. Chuck seconded. The motion passed 4-0.

Treasurer's Report of August 10, 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. Mike seconded. The motion passed 4-0.

Liaison Reports

Janet reported that the Paoli Pike Corridor Master Plan Committee will be meeting on Thursday at 6pm for an Open House and at 7pm for a public meeting. She added that the Planning Commission is reviewing the sign ordinance.

Adjournment

There being no further business, Mike motioned to adjourn the meeting at 9:40 pm. Janet seconded the motion. The motion passed 4-0.

Respectfully submitted,

Jon Altshul
Recording Secretary

Attachment: August 10, 2017 Treasurer's Report

August 10, 2017

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

GENERAL FUND

Real Estate Tax	\$4,204.78	Accounts Payable	\$448,678.76
Earned Income Tax	\$787,747.14	Electronic Pmts:	
Local Service Tax	\$16,464.15	Credit Card	\$0.00
Transfer Tax	\$0.00	Postage	\$1,000.00
General Fund Interest Earned	\$9,524.10	Debt Service	\$0.00
Total Other Revenue	\$47,506.49	Payroll	\$54,488.71
Total Receipts:	\$865,446.66	Total Expenditures:	\$504,167.47

STATE LIQUID FUELS FUND

Receipts	\$0.00		
Interest Earned	\$1.90		
Total State Liquid Fuels:	\$1.90	Expenditures:	\$0.00

SINKING FUND

Receipts	\$0.00	Accounts Payable	\$2,637.56
Interest Earned	\$13,483.02	Credit Card	\$0.00
Total Sinking Fund:	\$13,483.02	Total Expenditures:	\$2,637.56

TRANSPORTATION FUND

Receipts	\$0.00		
Interest Earned	\$451.00		
Total Sinking Fund:	\$451.00	Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$277,291.50	Accounts Payable	\$187,308.77
Interest Earned	\$32.07	Debt Service	\$0.00
Total Sewer:	\$277,323.57	Credit Card	\$0.00
		Total Expenditures:	\$187,308.77

REFUSE FUND

Receipts	\$57,167.28		
Interest Earned	\$5.69		
Total Refuse:	\$57,172.97	Expenditures:	\$65,928.39

SEWER SINKING FUND

Receipts	\$0.00		
Interest Earned	\$5,758.02		
Total Sewer Sinking Fund:	\$5,758.02	Expenditures:	\$0.00

OPERATING RESERVE FUND

Receipts	\$0.00		
Interest Earned	\$392.68		
Total Operating Reserve Fund:	\$392.68	Expenditures:	\$0.00

Events Fund

Receipts	\$0.00		
Interest Earned	\$2.04		
Total Events Fund:	\$2.04	Expenditures:	\$0.00