

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, DECEMBER 4, 2018
FINAL APPROVED MINUTES**

Present: Chairman Marty Shane; Vice-Chairman Carmen Battavio; Members David Shuey, Janet Emanuel and Mike Lynch; Township Manager Rick Smith; Assistant Township Manager and Finance Director Jon Altshul; Judy DiFonzo (Pipeline Task Force) and Erich Meyer (Conservancy Board)

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 7:03 p.m. and led the pledge of allegiance.

Moment of Silence

Carmen called for a moment of silence to honor our troops and first responders, as well as the late President George Herbert Walker Bush.

Recording

The meeting was livestreamed on the Township's [YouTube](#) page.

Consider Fire Prevention Program

This matter was tabled pending further information.

Consider Adoption of 2019 Budget, Approval of Staff Salaries and Adoption of 2019 Westtown East Goshen Police Budget

Jon provided an overview of his November 29, 2018, memo outlining the changes to the budget since it was proposed on November 13th, including a reduction in the 2019 Earned Income Tax projection, \$3,000 for general expenses for both the Sustainability Committee and the Pipeline Task Force, and \$10,000 for grant assistance for the dams. Jon also mentioned that staff was recommending that the Township purchase Toyota Rav-4 Hybrids as replacement vehicles for the building inspectors instead of conventional fuel vehicles.

Carmen asked how much money would be retained in foreign countries by the purchase of a Toyota. Mike expressed concern about using fund balance to balance the budget.

David made a motion to adopt the 2019 East Goshen Township Budget for the General Fund, Pass Thru Accounts and Other Funds dated December 4, 2018; to adopt the 2019 Westtown East Goshen Police Budget Version 5, dated November 5, 2018 with revenues and expenses of \$7,684,126, of which East Goshen's share is \$3,811,235; to authorize Township staff to transfer \$151,279 from the East Goshen's Police Pension Trust to the Westtown-East Goshen Police Pension Plan to pay for East Goshen's share of the Additional Pension Plan Contribution line item

from this budget; and to approve 2019 Township staff salaries as proposed. Carmen seconded. The motion passed 5-0.

Chairman's Report

Marty made the following announcements:

- The Board met in Executive Session before tonight's meeting for a personnel matter.
- The U.S. Board of Geographic Names has approved the proposal to name the serpentine area in Hershey's Mill Village as the "Hershey's Mill Barrens".

Public Comment

Bernie Greenberg, 894 Jefferson Way, asked about the blow-down valve for the Adelphia pipeline. Rick explained that the existing valve is located on Paoli Pike, across the street from the Oriental Pearl. Adelphia needs to add a construction entrance to the valve station to add equipment at this location. Because the valve station is located in a wetland, DEP requires Adelphia to evaluate whether there are any viable alternatives to locating the construction entrance at that site. Mr. Greenberg also asked whether the 12 inch Mariner East line is now operational. Rick explained that Sunoco is not required to notify the Township about this. David stated that emergency services should be made aware when the line is operational, and Mike suggested that Rick reach out to the Chester County Department of Environmental Services about what they know.

Marty added that he has been asked to convene a public meeting with Adelphia, but that Adelphia has not expressed interest in participating. Rick noted that Adelphia's environmental assessment will be available on January 4th and that more information about the project will be known at that time. Bernie suggested that the Township request FERC that Adelphia be required to file an Environmental Impact Statement, which is more detailed than its Environmental Assessment. Rick agreed to follow up on this matter.

Lex Pavlo, 611 S. Speakman Lane, explained that the East Goshen Safety and Environmental Advocates has met with a number of elected state officials and is developing a list of legislative priorities around pipelines for them.

Approval of Minutes and Treasurer's Report

Janet made a motion to approve the minutes of November 20, 2018. Carmen seconded. The motion passed 5-0.

Carmen made a motion to approve the Treasurer's Report of November 29, 2018. David seconded. The motion passed 5-0.

Mike asked Jon to include the 2017 bonds on the debt service summary page.

Consider Police Agreement

Rick explained that Westtown approved the inter-municipal partnership agreement with East Goshen for the operation of the Westtown East Goshen Police Department at its meeting last night. Janet made a motion to approve the Westtown East Goshen Police Agreement to take effect on January 1, 2019. Carmen seconded. Rick noted that the biggest change in the new agreement is that it puts the oversight responsibility for the department back under the purview of the Police Commission. The motion passed 5-0.

Consider Recommendation for Open Space Ordinance

Carmen made a motion to schedule a meeting for the presentation of the draft open space ordinance for January 22, 2019 and send out the appropriate 1,000 foot letter. Janet seconded. Marty explained that there will be mock ups of what development might look like at the Lewis property under the current ordinance compared with under the draft ordinance. The motion passed 5-0.

Consider Wash Bay Addition bid

The following bids were received for the wash bay addition:

Vendor	Location	Cost
MccGenCon Inc	Parkesburg	\$521,695*
F.W. Houder, Inc	Malvern	\$593,648
Gordon H. Baver, Inc	Pennsburg	\$679,900
Balton Construction	Richland	\$768,107
Uhrig Construction	Reading	\$798,000
Hollenbach Construction	Boyertown	\$841,250

*Bid did not include the required list of subcontractors as required by the bid specifications.

Jon suggested that given the cost of the wash bay and the fact that there is currently a \$1.2 million surplus beyond the value of the accumulated depreciation of all fixed assets in the Capital Reserve Fund that the wash bay be paid from the Capital Reserve Fund with no offsetting transfer from the General Fund. He argued that doing so could prevent a credit downgrade and delay the need for a tax increase for potentially two years. Carmen raised concerns that doing this would set a precedent.

Carmen made a motion to reject the bid from MccGenCon, Inc for non-compliance with the bid specifications and award the bid to F.W. Houder, Inc in the amount of \$593,648. Janet seconded. The motion passed 5-0.

Consider Proposal for Grant Assistance

Rick explained that the documentation for the Milltown and Hershey’s Mill Dam grants requires a technical skill set that is beyond the Township’s in-house capabilities and recommended contracting with Simone Collins for grant assistance. David made a motion to accept the November 26, 2018, proposal from Simone Collins with the condition that costs shall not exceed \$10,000 without the prior

approval of the Board. Janet seconded. The motion passed 4-0 (Mike had left the meeting).

Consider Petition to Intervene

Rick explained that seven area residents had filed a petition to intervene for emergency relief with the PUC to cease operation of the 8 inch Mariner East pipeline and prohibit operation of the workaround pipelines. He added that a motion was approved at the last Council of Governments meeting recommending that each municipality consider filing a motion to intervene in the complaint. David noted that this petition to intervene was materially similar, but not identical, to the petition filed by the Andover HOA and Senator Dinniman that has been stayed due to questions about Dinniman's standing in the matter. He added that the intent of the petition is to make Sunoco's emergency evacuation plans public.

Marty stated that he would like to read the complaint before he agrees to anything. Rick explained that we can also file a petition at a later time.

David made a motion for the Township to file as an intervener to docket numbers C-2018-3006116 and P-2018-3006117, subject to our attorney's review. Carmen seconded.

Mr. Greenberg stated that we've been asking for an evacuation plan for many years now. Marty explained that it's impossible to know what any emergency response plan might look like because there are so many variables that could be at play. David observed that there's no communication strategy for residents located in any potential blast zone.

Ron Cocco, 633 N. Speakman Lane, stated that there's a perception that there's no clear evacuation plan in the event of a catastrophe. Rick noted that the petition is not about the County's emergency response plan, but about Sunoco's required public awareness plan.

The motion passed 4-0.

Any Other Matter

Rick explained that there were two agreements that the Township needed to enter into with Aqua and PECO related to the construction of the Paoli Pike Trail. Carmen clarified that Aqua would reimburse the Township for this work. Carmen made a motion to authorize the Chairman to execute the Aqua project agreement for the work to adjust castings within the project area and to approve Resolution 2018-183 to enter into a maintenance agreement with PennDOT for the new landscape median east of the intersection of Paoli Pike and North Chester Road. David seconded. The motion passed 4-0.

Liaison Reports

David reported that the Pipeline Task Force had its first meeting and has started to prioritize the issues that it will be focusing on, including legislation, communications and evacuation.

David made a motion to appoint Mary McCloskey to the Sustainability Committee. Janet seconded. The motion passed 4-0.

Marty reported that the Futurist Committee is concerned about what will happen after the streetscape work is complete.

Janet reported that the Planning Commission will be re-evaluating the overlay district at its next meeting.

Correspondence, Reports of Interest

Jon explained that we received the annual operational audit of Keystone Collections Group and that there were no material findings.

Adjournment

Janet made a motion to adjourn at 8:45. Carmen seconded. The motion passed 4-0.

Respectfully submitted,

Jon Altshul

Recording Secretary

Attached: November 29, 2018 Treasurer's Report

November 16 - November 29, 2018

**TREASURER'S REPORT
2018 RECEIPTS AND BILLS**

GENERAL FUND

Real Estate Tax	\$2,080.24	Accounts Payable	\$181,302.22
Earned Income Tax	\$62,100.00	Electronic Pmts:	
Local Service Tax	\$3,900.00	<i>Credit Card</i>	\$2,344.11
Transfer Tax	\$0.00	Postage	\$0.00
<i>General Fund Interest Earned</i>	\$0.00	Debt Service	\$327,630.24
Total Other Revenue	\$80,929.92	Payroll	\$121,533.98
Total Receipts:	\$149,010.16	Total Expenditures:	\$632,810.55

STATE LIQUID FUELS FUND

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

CAPITAL RESERVE FUND

Receipts	\$0.00	Accounts Payable	\$22,454.00
<i>Interest Earned</i>	\$0.00	<i>Credit Card</i>	\$0.00
Total Sinking Fund:	\$0.00	Total Expenditures:	\$22,454.00

TRANSPORTATION FUND

Receipts	\$0.00		
<i>Interest Earned</i>	(\$2,263.78)		
Total Sinking Fund:	(\$2,263.78)	Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$234,336.52	Accounts Payable	\$52,220.21
<i>Interest Earned</i>	\$0.00	Debt Service	\$26,837.08
Total Sewer:	\$234,336.52	<i>Credit Card</i>	\$0.00
		Total Expenditures:	\$79,057.29

REFUSE FUND

Receipts	\$71,603.48	Accounts Payable	\$26,882.97
<i>Interest Earned</i>	\$0.00	<i>Credit Card</i>	\$0.00
Total Refuse:	\$71,603.48	Total Expenditures:	\$26,882.97

BOND FUND

Receipts	\$0.00	Accounts Payable	
<i>Interest Earned</i>	\$0.00	<i>Credit Card</i>	\$0.00
Total Sewer Sinking Fund:	\$0.00	Expenditures:	\$0.00

SEWER CAPITAL RESERVE FUND

Receipts	\$0.00	Accounts Payable	\$47.85
<i>Interest Earned</i>	1,388.12	<i>Credit Card</i>	\$0.00
Total Sewer Sinking Fund:	\$1,388.12	Expenditures:	\$47.85

OPERATING RESERVE FUND

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