

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, FEBRUARY 19, 2019
FINAL APPROVED MINUTES**

Present: Chairwoman Janet Emanuel; Vice-Chairman Marty Shane; Members Carmen Battavio and Mike Lynch; Township Manager Rick Smith; Assistant Township Manager and Finance Director Jon Altshul; Ryan Jennings, Esq. (Township Solicitor); Police Chief Brenda Bernot; Erich Meyer (Conservancy Board); and Caroline Hughes (Pipeline Task Force)

Call to Order & Pledge of Allegiance

Janet called the meeting to order at 7:00 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.

Recording

The meeting was livestreamed on the Township's YouTube page.

WEGO Police Report

Chief Bernot encouraged residents to sign up for CRIMEWATCH. She also stated that WEGO will do a push to get more residents to sign up for ReadyChesco next month. Carmen and Mike brainstormed ways for the Township to assist with this effort. Janet inquired about recent solicitation activity and suggested that the Township remind residents about our solicitation ordinance.

Chairman's Report

Janet reported that the Board met in Executive Session prior to tonight's meeting to discuss a personnel matter; that the Township did not receive a Growing Greener grant for the Milltown Dam and that FERC has reopened the public comment period of the Adelpia Gateway project until March 1, 2019, on account of the recent government shutdown.

Public Comment

Bernie Greenberg, 894 Jefferson Way, asked about the time limit on temporary pipeline easements. Rick indicated that they are all different and that disputes would need to be settled in court. Mr. Greenberg also asked about the status of the Mariner 2 project. Rick stated that the only new pipes in the ground that the Township knows about are in front of Wellington and Giant and a small section in front of Bow Tree, which collectively total about 10% of the total project in East Goshen.

Marty commented on pipelines and stated that the Township would convene a public hearing in the event that Sunoco asks for permission to drill 24 hours a day.

Caroline observed that Sunoco is supposed to have completed Mariner 2 by 2020. She also noted that Sunoco had butane leaks at its Marcus Hook facility recently and that the leaks were first reported on Marcus Hook Borough's Facebook page, rather than by Sunoco or a regulatory agency. She also quoted two passages from a PUC brief to the Commonwealth Court highlighting the "catastrophic" risk to public safety that Mariner 2 presents. Mike observed that the PUC has evolved in its position on the Mariner East project.

Fire Company Reports

Carmen reported that in January the Goshen Fire Company responded to 34 fire calls, 15 Fire Police calls and 183 EMS calls in East Goshen; that the Malvern Fire Company responded to 28 calls, including 26 Advanced Life Support calls in East Goshen; and that Good Fellowship responded to 57 calls in East Goshen.

Financial Report

Jon provided the January 2019 financial report. He noted that the Township had a deficit of \$883,153 as of January 31st, which is not unusual at this time of the year, as we front load many expenses and do not receive much tax revenue until February.

Approval of Minutes of February 5, 2019, and Treasurer's Report of February 14, 2019

Carmen made a motion to approve the minutes of February 5, 2019, as amended. Mike seconded. The motion passed 4-0. Carmen made a motion to accept the Treasurer's Report of February 14, 2019. Mike seconded. The motion passed 4-0.

Public Hearing-Consider Amendment Allowing for the Keeping of Domesticated Chickens

The Board held a public hearing on an amendment to the Zoning Ordinance allowing for the keeping of domesticated chickens. Mike made a motion to adopt the Zoning Ordinance amendment for Domesticated Chickens. Carmen seconded. The motion passed 4-0. A court reporter was present and will provide a full transcript of the hearing. A copy of the transcript will be appended to the minutes of this meeting when the decision becomes "final, binding and nonappealable."

Consider Recommendation on Westtown Township Comprehensive Plan

Rick observed that most of the two-mile border between East Goshen and Westtown is fully developed, but that staff has developed three recommendations. Janet made a motion to direct staff to send a letter to the Westtown Board of Supervisors highlighting its three recommendations. Mike seconded. Mike suggested that the East Goshen and Westtown Planning Commissions meet to discuss the Route 3 corridor. Janet noted that we already do this through the West Chester Pike Coalition. The motion passed 4-0.

Consider Recommendation for Community Day

Rick summarized Jason Lang's memo recommending that Community Day be held on Saturday, June 29, with a rain date of June 30. He added that Jason plans to have two escape rooms to attract more young teenagers. Marty asked about the funding for the event. Jon stated that Friends of East Goshen was planning to raise funds. Marty also raised concerns about whether June 29th was the best day for the event given that many residents are on vacation then for the July 4th holiday. Carmen stated that the date had been discussed at length by the Parks and Recreation Commission and that the Board should defer to Jason and the Commission. Carmen made a motion to hold Community Day on Saturday, June 29th. Mike seconded. The motion passed 4-0.

Consider Payment Portal for Sewer/Refuse Bills

Jon summarized his memo recommending that the Township implement a payment portal for sewer/refuse payments, with the Township absorbing the cost of the transaction fee. He noted that the Township incurs expenses regardless of how payments are made, and that the cost of the portal, or approximately \$9,200 annually and \$850 one-time, is in line with the cost of the existing Lockbox. He added that the payment portal will also result in fewer customer service calls to the Township and that payments will be processed overnight, or much faster than through regular on-line banking.

Mike suggested that the Township include a service fee line in the portal, with \$0.00 listed next to it for now, just as PECO does, so that the Township could charge a service fee in the future. Marty indicated that he had evolved in his thinking on this issue and is now supportive of the Township absorbing the fee in order to encourage more residents to use the portal.

Carmen made a motion to authorize the Assistant Township Manager to enter into a contract with Paymentus for a payment portal for sewer and refuse accounts. Mike seconded.

Joe Buonanno, 1606 Herron Lane, asked how quickly payments through the portal would be processed. Jon replied that the upload occurs nightly.

Michelle Truitt, 1430 Grand Oak Lane, asked about security on the payment portal. Jon explained that the vendor would need to provide the appropriate security certifications during implementation and that he would be working with both the Township's IT consultant and the Township's financial software vendor to ensure that security is as strong as possible.

Brian Sweet, 646 Meadow Drive, stated that he is supportive of the portal and had questions about the expected utilization rate.

The motion passed 4-0.

Consider Recommendation for Verizon Franchise Fee Agreement

Jon explained that a number of Chester County municipalities were banding together to renegotiate their franchise agreements with Verizon prior to their expiration in either 2021 or 2022 with the assistance of the Cohen Law Group, a boutique law firm in Pittsburgh that specializes in cable franchise agreements. He noted that since the agreements were first signed in 2006, the business model of cable providers has changed whereby more people are watching streaming videos, a service that was not envisioned 13 years ago. Jon stated that the expected cost of the contract would be \$5,950, compared to \$450,000 that the Township budgets annually for franchise fee revenue. Mike and Marty expressed their support of the proposal. Marty made a motion to engage the Cohen Law group to renegotiate the Township's franchise agreement with Verizon and appoint Jon to oversee this process. Carmen seconded.

Mr. Buonanno asked if any new franchise agreement would cover wireless communications. Jon stated that this issue was likely to be discussed with Cohen.

The motion passed 4-0.

Consider Resolution Regarding PA One Call

Mike made a motion to adopt Resolution 2019-185. Carmen seconded. The motion was made to heighten awareness of the state requirement to call 811 before you dig at your property. The motion passed 4-0.

Consider Construction Easement for Hershey's Mill Dam

Rick explained that he has been in contact with Bank of New York Mellon, which owns the mill house property on the corner of Greenhill Road and Hershey's Mill Road regarding a temporary construction easement. Carmen made a motion to authorize payment of \$4,000 to the Bank of New York Mellon and authorize the Chairman to execute the temporary construction easement with the Bank of New York Mellon. Mike seconded. The motion passed 4-0.

Consider PennDOT Mowing Agreement

Mike made a motion to adopt Resolution 2019-58 that authorizes the Chairwoman to execute the mowing agreement with PennDOT. Carmen seconded. The motion passed 4-0.

Consider Recommendation for East Goshen Elementary Flashing Lights

Rick explained that as part of the construction at East Goshen Elementary, the School District would be upgrading the flashing warning lights along North Chester Road and installing signs displaying drivers' speeds. Rick noted that the school district is paying for the lights, but that the Township would be responsible for maintaining them. Janet expressed delight that the school district was implementing the Township's recommendation about traffic calming improvements. Mike made a motion to adopt Resolution 2019-186. Carmen seconded.

Ms. Truitt asked whether the lights could be solar powered. Mike expressed concern about the reliability of solar powered lights during overcast weather.

The motion passed 4-0.

Consider Recommendation for King Road and North Chester Road/Sproul Road Intersection

Rick explained that the Township met with East Whiteland Township and McMahon Associates regarding potential improvements at the King Road and North Chester Road intersection, including a roundabout and traditional intersection improvements. In order to proceed with the project and potentially apply for grants, McMahon would need to develop detailed conceptual plans for a roundabout at a cost of \$7,500 shared between East Whiteland and East Goshen. Marty spoke at length about the benefits of roundabouts. Both Janet and Mike expressed support for making improvements at that intersection.

Carmen made a motion to accept the February 5 proposal from McMahon Associates in the amount of \$7,500 and commit for funding 50% of the cost. Marty seconded. The motion passed 4-0.

Consider Recommendation on Radio Booster Ordinance

Rick recommended sending a letter to the business community inviting them to a public meeting on March 27th at 7pm to discuss the proposed radio booster ordinance. Jon observed that this topic would probably also be broached at the upcoming business breakfast meetings. The Board was supportive of Rick sending out the letter. Mike suggested that someone with technical expertise about radio boosters be invited as well.

Consider Update on Hershey's Mill Dam

Rick explained that it is the position of the Army Corps of Engineers that the Hershey's Mill Dam is a wetland and not a body of water. As a result, we need to shrink the parking area, elevate the trails on boardwalks, and haul off any excess fill. Marty raised concerns about whether these changes would impact our grant eligibility. Rick indicated that he did not think it would, but that he would check with Jason Lang.

Consider Replacement of Pipe Camera and Trailer

The Township received two COSTARS price quotes for a replacement sewer camera and trailer, as summarized below.

Vendor	Price
H.A. DeHart & Sons	\$140,937
Cues Mainline Inspection Systems	\$149,755

Carmen made a motion to purchase the RST Camera and Controls and Trailer from H.A. DeHart and Sons for \$140,937 and to authorize staff to sell the existing camera and trailer on Muncibid to the highest bidder. Mike seconded. The motion passed 4-0.

Any Other Matter

Mike made a motion to release \$33,910 in escrow for 1662 E. Boot Road (Lot 3); \$19,031.25 for 1664 E. Boot Road (Lot 2); and \$7,298.60 for 1420 E. Strasburg Road. Carmen seconded. The motion passed 4-0.

Jon explained that the Goshen Fire Company and its labor union had reached a tentative agreement on amending the pension benefits for paid firefighters, including increasing the multiplier from 1.25% to 2%, capping the maximum benefit at 50% of average final salary, and eliminating the non-service disability provision. He explained that while the Township traditionally takes no position on labor negotiations between the Fire Company and its union, as the plan sponsor of the paid firefighters pension plan, we would need to amend the Township ordinance authorizing the changes. Carmen made a motion to schedule a public hearing on an ordinance amending the paid firefighters pension plan on March 19th. Mike seconded. The motion passed 4-0.

Carmen made a motion to appoint Christina Morley to the Pipeline Task Force and John Stipe to the Planning Commission. Mike seconded. The motion passed 4-0.

Correspondence, Reports of Interest

Janet acknowledged receipt of the following correspondence and reports:

- A February 1, 2019 letter from Senator Killion regarding Resolution 291
- A February 12, 2019 1,000' letter for a conditional use application for a medical marijuana dispensary at 1261 West Chester Pike (West Goshen Township)

Adjournment

Mike made a motion to adjourn at 9:00. Carmen seconded. The motion passed 4-0.

Respectfully submitted,
Jon Altshul
Recording Secretary

Attached: February 14, 2019 Treasurer's Report

TREASURER'S REPORT February 1 - February 14, 2019

RECEIPTS AND BILLS (ALL 2019 UNLESS OTHERWISE NOTED)

GENERAL FUND

Real Estate Tax	\$262,947.41	Accounts Payable	\$494,078.71
Earned Income Tax	\$773,329.39	Electronic Pmts:	
Local Service Tax	\$48,425.69	Credit Card	\$0.00
Transfer Tax	\$39,892.86	Postage	\$0.00
General Fund Interest Earned	\$6,743.42	Debt Service	\$0.00
Total Other Revenue	\$61,429.78	Payroll	\$81,223.93
Total General Fund Receipts:	\$1,192,768.55	Total Expenditures:	\$575,302.64

STATE LIQUID FUELS FUND

Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$3.30		
Total State Liquid Fuels Receipts:	\$3.30	Total Expenditures:	\$0.00

CAPITAL RESERVE FUND

Receipts	\$642.55	Accounts Payable	\$17,350.84
Interest Earned	\$2,568.52	Credit Card	\$0.00
Total Capital Reserve Fund Receipts:	\$3,211.07	Total Expenditures:	\$17,350.84

TRANSPORTATION FUND

Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$917.46		
Total Transportation Fund Receipts:	\$917.46	Total Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$173,727.95	Accounts Payable	\$181,661.50
Interest Earned	\$1,353.82	Debt Service	\$0.00
Total Sewer Operating Fund Receipts:	\$175,081.77	Total Expenditures:	\$181,661.50

REFUSE FUND

Receipts	\$40,792.79	Accounts Payable	\$9,528.76
Interest Earned	\$309.75		
Total Refuse Fund Receipts:	\$41,102.54	Total Expenditures:	\$9,528.76

BOND FUND

Receipts	\$0.00	Accounts Payable	
Interest Earned	\$7,310.06		
Total Bond Fund Receipts:	\$7,310.06	Total Expenditures:	\$0.00

SEWER CAPITAL RESERVE FUND

Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$1,405.88		
Total Sewer Capital Reserve Fund Receipts:	\$1,405.88	Total Expenditures:	\$0.00

OPERATING RESERVE FUND

Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$1,321.51		
Total Operating Reserve Fund Receipts:	\$1,321.51	Total Expenditures:	\$0.00