

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, APRIL 23, 2019
FINAL APPROVED MINUTES**

Present: Chairwoman Janet Emanuel; Members Carmen Battavio, David Shuey and Mike Lynch; Township Manager Rick Smith; Assistant Township Manager and Finance Director Jon Altshul; Township Solicitor Ryan Jennings; Police Chief Brenda Bernot; Erich Meyer (Conservancy Board).

Call to Order & Pledge of Allegiance

Janet called the meeting to order at 7:00 p.m. and asked Chief Bernot to lead the pledge of allegiance.

Moment of Silence

Carmen called for a moment of silence to honor our troops, first responders and the victims of the recent terrorist attack in Sri Lanka.

Chairman's Report

Janet reported that the Board met in Executive Session prior to tonight's meeting to discuss a legal matter.

Public Comment

None

Emergency Services Reports

Chief Bernot stated that there have been a rash of thefts of lawn statues from front yards in East Goshen and that WEGO was working to develop a platform that would allow residents with security cameras to share their video recordings with authorities.

Brian Sweet, 646 Meadow Drive, asked for clarification about the video sharing platform.

Michelle Truitt, 1430 Grand Oak Lane, asked whether there was increased police presence in the Grand Oak development in response to the thefts, to which the Chief responded that there was.

Carmen reported on an incident in the Windermere Apartments, just over the Township line in Westtown, of drywall from a ceiling collapsing in a bedroom. He also provided the Emergency Service report for the Goshen Fire Company and Good Fellowship Ambulance Company.

David asked for clarification about the number of EMS calls in Wellington and Bellingham and whether there is a more appropriate funding mechanism for responding

to these calls. Jon indicated that the matter could be discussed in greater detail at the May 29th long-range planning session.

Ms. Truitt asked for clarification about the number of EMS calls in which a resident was transported to a hospital.

Approval of Minutes and Treasurer's Report

Carmen made a motion to approve the minutes of April 2, 2019, as revised. Mike seconded. The motion passed 4-0.

Carmen made a motion to approve the minutes of April 9, 2019, as revised. Mike seconded. The motion passed 4-0.

Carmen made a motion to approve the Treasurer's Report of April 18, 2019. Mike seconded. The motion passed 4-0.

Public Hearing on Amendment to Chapter 225 of the Township Code Titled "Vehicles and Traffic" Prohibiting Parking on the West Side of School Lane Between Old West Chester Pike and Center Street

The Board held a public hearing on an amendment to Chapter 225 of the Township Code titled "Vehicles and Traffic" prohibiting parking on the West Side of School Lane Between Old West Chester Pike and Center Street. Mike made a motion to continue the hearing to a later date while staff investigate the matter more fully. David seconded. Mike then withdrew his motion. Mike then made a second motion to table the matter for the time being. David seconded. The motion passed 4-0. A court reporter was present and will provide a full transcript of the hearing.

After the hearing had concluded, Susan Neff, 10 School Lane, raised concerns about vandalism and the dumping of mattresses in the park on School Lane. Rick indicated that Public Works would remove the mattresses.

Consider Comments from Chester County Planning Commission on Draft Business Incubator Ordinance

Jon provided background on his conversation with staff from the County Planning Commission regarding its recommendation that the Township revisit the parking provision in the draft incubator ordinance; specifically, that the County Planning Commission was receptive to the Township's position that the parking provision was intended to prevent overcrowding in incubators and treat incubator business in the same manner as other businesses with respect to parking.

Mike suggested that Jon research model zoning ordinances for "Small Enterprise Workspaces". David raised concerns about the parking requirements, and indicated that he was opposed to any use that would result in more impervious coverage. He suggested that the ordinance include provisions for "flex" parking.

Mike made a motion to authorize staff to submit the revised draft business incubator ordinance to the Chester County Planning Commission. Carmen seconded. The motion passed 4-0.

Vacancy Board Meeting—Consider Appointment of Tax Collector

There being no applications for the vacant position of Tax Collector, Carmen made a motion to appoint Rick Smith as Tax Collector for the remainder of the year. Mike seconded. Mike observed that the position has no responsibilities, as Township staff collect taxes.

Margaret Reif, County Controller, asked if the Township had considered asking the County Treasurer to collect taxes. Jon indicated that past Boards were reluctant to pay the County Treasurer commissions for a service that it can easily handle in house.

The motion passed 4-0.

Presentation of Land Development Application Approval—Duckling Early Learning Center

John Jaros, attorney for ESKE Development LLC and Duckling Early Learning Center, provided an overview of the land development application. Mike asked whether the applicant would consider granting an easement for a future pedestrian trail along Wilson Drive, to which Mr. Jaros indicated that his client would be agreeable. Rick suggested that the easement be 20 feet wide to accommodate underground utilities and any storm water requirements.

Ms. Truitt asked who would maintain the grass around the trail, to which Rick responded that the property owner would be responsible for maintenance until any future trail is constructed, at which point the Township would assume responsibility.

Carmen made a motion to approve the Land Development application and plans and support the waiver request for ESKE Development LLC, for the development of a Child Daycare Center on the property located at 1302 Wilson Drive with the conditions outlined below. The land development plans have been prepared by D.L.Howell and Associates Inc., dated January 11, 2019 and last revised March, 25, 2019, for the 13,815 s.f. Child Daycare Center, associated driveway, stream crossing, parking, and storm water management.

1. The plan is approved as a Preliminary /Final Plan.
2. The Applicant shall address all remaining comments outlined in the Township Engineer's review letter dated 4/3/2019 prior to releasing the final plans for recording
3. The Plan shall not be released for recording until the applicant has submitted the land development and financial security agreements and the funds for the improvements.
4. The applicant shall pay the traffic impact fee of \$396.25 for the Total New Trips for the project, when building permits are issued, equaling \$34,870.
5. Pursuant to East Goshen Municipal Authority Resolution No 22, the required sewer tap-in fee will be \$3,546.10. The 10% required is \$354.61, and is due at the

- time when plans are released for recording, with the remaining balance due when building permits are issued.
6. The applicant shall submit the floodplain study to FEMA for review and acceptance.
 7. The applicant shall implement the Conservancy Board Recommendations outlined in their letter to the Planning Commission dated 3/14/2019.
 8. The applicant will follow all applicable federal, State and Local laws and secure all proper permits prior to construction of the improvements depicted on the plans.
 9. The applicant shall grant the Township a 20' wide trail easement, along Wilson Drive, subject to the Township Solicitor's approval.

David seconded.

Ms. Truitt asked about the traffic jams along Boot Road, to which Janet responded that that issue would be discussed later in the meeting.

The motion passed 4-0.

Presentation on Chester County Annual Report Summary

Janet acknowledged receipt of the 2017 Chester County Annual Report Summary from 2017, provided by County Controller Margaret Reif.

Acknowledge Receipt of Rossmore HOA Escrow Reduction Letter

Janet acknowledged receipt of the Rossmore HOA escrow reduction letter, bringing the balance of its escrow down to the mandated minimum of \$25,000.

Consider Recommendation on Boot Road Restriping Project

Janet provided an overview of the proposed joint East Goshen-West Goshen restriping project along Boot Road, which would add a westbound lane without encroaching on the existing shoulder along the West Goshen side of the roadway. David made a motion to adopt the joint resolution authorizing Carroll Engineering to prepare and for West Goshen to submit a Highway Occupancy Permit to PennDOT, and for the cost of the project to be split between the two townships. Mike seconded.

David observed that social media chatter about this project has involved concern about trucks on Boot Road and driveway access. Mike raised concerns about a bump along Boot Road near the Greenhill intersection. Rick observed that the road would be milled and repaved.

Mr. Sweet asked about the traffic light at Greenhill and Boot Road. Janet explained that the traffic signal is in West Goshen and, further, that PennDOT has objected to efforts to extend the green light along Greenhill to avoid back-ups on Route 202.

The motion passed 4-0.

Consider Recommendation on Radio Booster Ordinance

Janet and Carmen provided background on this proposed ordinance., explaining that efforts to require radio boosters in commercial properties go back over a decade. Carmen made a motion to direct staff to advertise a public hearing on June 18, 2019 for the Emergency Communications Ordinance, and that a letter be sent to the affected property owners. David seconded.

David asked for clarification about whether Wellington and Bellingham would be exempt from the ordinance as they are wooden structures. Rick explained that they would not be exempt.

Ms. Truitt asked if commercial building owners would need to do inspections. Rick explained that they would.

Mike observed that the Board received feedback on the ordinance, some of it critical, at the large business breakfast at Hershey's Mill Golf Club last month.

The motion passed 4-0.

Consider Goshen Parkway Sidewalk Concept Plan Meeting

Rick explained that Johnson & Johnson has proposed to install a porous pavement walking path in the right of way along Goshen Parkway. David made a motion to direct staff to set up a meeting with Johnson & Johnson, the Township Engineer and two members of the Board to discuss the Goshen Parkway sidewalk concept plan. Mike seconded. Janet and Mike volunteered to represent the Board. The motion passed 4-0.

Consider Tar Buggy Purchase

Two COSTARS price quotes were received for the replacement tar buggy:

- Asphalt Care, \$13,000
- Municipal Supply, \$15,000

Carmen made a motion to purchase the tar buggy from Asphalt Care for \$13,000. Mike seconded. The motion passed 4-0.

Consider Tractor & Mower Purchase

Three COSTARS price quotes were received for the replacement tar buggy:

- AG-Industrial, \$58,125
- Power Pro-Tractor, \$60,506.50
- Cherry Valley Tractor, \$60,099

Carmen made a motion to purchase the tractor and mower from AG-Industrial for \$58,125 and to sell the 1988 Case tractor and mower on Municibid. David seconded. The motion passed 4-0.

Consider Payment Application #1 to FW Houser for Wash Bay Project

Carmen noted that over the weekend the contractor did not tarp the roof of the wash bay, which caused a variety of problems. Rick noted that the Township costs related to this incident would be reflected in future payment applications. Carmen made a motion to approve Payment Application #1 for the wash bay project and release \$91,883.20 to F.W. Houser. David seconded. The motion passed 4-0.

Acknowledge Receipt of the Final Draft of West Goshen's Comprehensive Plan Update

Janet acknowledged receipt of the Final Draft of West Goshen's Comprehensive Plan Update. David observed that connection to the Paoli Pike Trail is listed as a top priority for West Goshen. Rick noted that staff and the Planning Commission will draft a response for West Goshen soon.

Consider PennDOT Agreement for Incorporated Work

Rick explained that two sanitary sewer manholes need to be adjusted as part of Segments F & G of the trail and that PennDOT requires an agreement between the Township and the Municipal Authority confirming that the Township will pay for and/or reimburse the Municipal Authority for the attendant costs. David made a motion to authorize the Chairman to execute the Project Agreement for Incorporated Work with the East Goshen Municipal Authority for work needed to adjust the two manholes within the Paoli Pike Trail project area along Segments F & G. Carmen seconded. The motion passed 4-0.

Consider PennDOT Application for Traffic Signal Approvals

Rick explained that a traffic signal application is needed to make minor modifications to signals along Segments C, D & E of the Paoli Pike Trail. David made a motion to authorize the Chairman to execute the PennDOT Signal Permit Applications for the modifications required at the following four traffic signals along Paoli Pike for Segments C, D and E of the Paoli Pike Trail project:

- Reservoir Road and Paoli Pike
- Boot Road and Paoli Pike
- Goshen Village Shopping Center and Paoli Pike
- N. Chester Road and Paoli Pike

Ms. Truitt asked when the trail would be constructed.

Mike seconded. The motion passed 4-0.

Consider Date for Traditional Neighborhood Development Overlay meeting

The Board agreed to hold a single issue meeting on Tuesday, June 25th to discuss the TND overlay proposal with Tom Comitta.

The Board also agreed to not hold a regular meeting on May 14th and to meet on May 28th instead.

Any Other Matter

Rick reported that the Township had received West Whiteland's draft comprehensive plan and that staff and the Planning Commission would review it and prepare a response.

Ryan recommended that the Township file to intervene in the appeal filed by the Malvern Institute in response to the Zoning Hearing Board decision. He explained that doing so would keep the door open if the Township was interested in participating in the appeals process at a later date.

Carmen made a motion to file as an intervener in the Malvern Institute appeal. David seconded. Ryan explained that he would file the paperwork with the Court of Common Pleas prior to the Friday deadline.

The motion passed 4-0.

Correspondence, Reports of Interest

Janet acknowledged the 2019 Q1 Right-to-Know Report.

Adjournment

David made a motion to adjourn at 9:35. Mike seconded. The motion passed 4-0.

Respectfully submitted,
Jon Altshul
Recording Secretary

Attached: April 18, 2019 Treasurer's Report

TREASURER'S REPORT		April 5 - April 17, 2019	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$17,826.40	Accounts Payable	\$92,961.37
Earned Income Tax	\$87,446.79	Electronic Pmts:	
Local Service Tax	\$6,490.18	Credit Card	\$0.00
Transfer Tax	\$147,479.59	Postage	\$41.00
General Fund Interest Earned	\$0.00	Debt Service	\$100,609.50
Total Other Revenue	\$81,337.48	Payroll	\$113,426.25
Total General Fund Receipts:	\$340,580.44	Total Expenditures:	\$307,038.12
STATE LIQUID FUELS FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total State Liquid Fuels Receipts:	\$0.00	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$94,731.54
Interest Earned	\$0.00	Credit Card	\$0.00
Total Capital Reserve Fund Receipts:	\$0.00	Total Expenditures:	\$94,731.54
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total Transportation Fund Receipts:	\$0.00	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$17,069.99	Accounts Payable	\$29,286.80
Interest Earned	\$0.00	Credit Card	\$0.00
		Debt Service	\$66,756.46
Total Sewer Operating Fund Receipts:	\$17,069.99	Total Expenditures:	\$96,043.26
REFUSE FUND			
Receipts	\$3,878.27	Accounts Payable	\$66,449.18
Interest Earned	\$0.00		
Total Refuse Fund Receipts:	\$3,878.27	Total Expenditures:	\$66,449.18
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$247,701.79
Interest Earned	\$0.00		
Total Bond Fund Receipts:	\$0.00	Total Expenditures:	\$247,701.79
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$47,044.47
Interest Earned	\$3,133.60		
Total Sewer Capital Reserve Fund Receipts:	\$3,133.60	Total Expenditures:	\$47,044.47
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total Operating Reserve Fund Receipts:	\$0.00	Total Expenditures:	\$0.00