

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
Tuesday, January 21, 2020
7:00 PM

1. Call to Order (7:00 PM)
2. Pledge of Allegiance
3. Moment of Silence
4. Announce that the meeting is being livestreamed
5. Chairman's Report (7:05 PM to 7:10 PM)
 - a. [The Township is in receipt of the Geophysical Survey for Boot Road.](#)
 - b. The Board met in Executive Session prior to tonight's meeting for a personnel matter.
 - c. The WCACOG is meeting on January 29, 2020 at West Whiteland Township. At 7:00 PM there will be a presentation by Cadmus on the Clean Energy Transition Plan.
6. Public Comment on non-agenda items – to be held later in the meeting do to the length of the agenda
7. Emergency Services Reports (7:10 PM to 7:15 PM)
 - a. WEGO – Chief Brenda Bernot
 - b. [Goshen Fire Co – December 2019 & Annual Report](#)
 - c. [Malvern Fire Co – December 2019](#)
 - d. Good Fellowship – None
 - e. Fire Marshal – none
8. [Financial Report – December 2019 - Unaudited](#)
9. Approval of Minutes and Treasurer's Report (7:15 PM to 7:20 PM)
 - a. [Minutes – January 6, 2020](#)
[Minutes – January 14, 2020](#)
 - b. [Treasurers Report – January 16, 2020](#)
10. Public Hearings - None
11. Old Business
 - a. [Consider report on the January 4, 2020 Sunoco Incident \(7:20 PM to 7:30 PM\)](#)
 - b. [Consider revised Noise Ordinance \(7:30 PM to 7:40 PM\)](#)
12. New Business
 - a. [Consider appointing Tax Collector \(7:40 to 7:45 PM\)](#)
 - b. [Consider recommendation regarding 2020 Community Day \(7:45 PM to 7:50 PM\)](#)
 - c. [Consider recommendation regarding beer and wine sales at the Food Truck Festival \(7:50 PM to 7:55 PM\)](#)
 - d. [Consider recommendation to purchase Skid Steer & Mill Head \(7:55 PM to 8:00 PM\)](#)
 - e. [Consider recommendation to amended Personnel Manual \(8:00 PM to 8:05 PM\)](#)
 - f. [Consider East Goshen Code of Ethics \(8:05 PM to 8:10 PM\)](#)
 - g. [Consider recommendation for funding the Police Building Roof \(8:10 PM to 8:15 PM\)](#)
 - h. [Consider request from PennDOT for Great Oak Circle \(8:15 PM to 8:20 PM\)](#)
 - i. [Consider recommendation to purchase Trench Shoring Struts \(8:20 PM to 8:25 PM\)](#)
 - j. [Consider recommendation for Hershey Mill Dam Construction Services Proposal \(8:25 PM to 8:30 PM\)](#)
 - k. [Consider recommendation for Milltown Dam Floodplain Proposal \(8:30 PM to 8:35 PM\)](#)

1. Acknowledge Executive Order 13888 of September 26, 2019 and related documents (8:35 PM to 8:40 PM)

13. Any Other Matter

14. Public Comment (8:40 PM to 9:10 PM)

15. Liaison Reports – none

16. Correspondence, Reports of Interest (9:10 PM to 9:15 PM)

- a. Department of Parks and Recreation 2019 End of Year Report

- b. December 31, 2019 Letter from Penn Medicine

- c. PA DEP Chapter 102 Notice for Bow Tree I Pond Project

- d. PA DEP Chapter 105 Notice for a PECO Gas Line Installation on Wilson Drive

- e. PA DEP Chapter 102 & 105 Notice for the Milltown Dam Project

- f. PA DEP Chapter 102 Completeness Notification Letter for Adelphia Gateway

17. Adjournment (9:15 PM)

Meetings & Dates of Importance

| | | |
|--------------|-----------------------------------|---------|
| Jan 23, 2020 | Pipeline Task Force | 05:00pm |
| Jan 28, 2020 | Pension Committee | 10:00am |
| Jan 28, 2020 | Annual Planning Session | 06:00pm |
| Feb 04, 2020 | Board of Supervisors | 07:00pm |
| Feb 05, 2020 | Planning Commission | 07:00pm |
| Feb 06, 2020 | Park and Rec Commission | 07:00pm |
| Feb 10, 2020 | Municipal Authority | 07:00pm |
| Feb 12, 2020 | Conservancy Board | 07:00pm |
| Feb 13, 2020 | Historical Commission | 07:00pm |
| Feb 17, 2020 | President's Day – Office Closed | ----- |
| Feb 17, 2020 | Futurist Committee | 07:00pm |
| Feb 18, 2020 | Board of Supervisors | 07:00pm |
| Feb 24, 2020 | Sustainability Advisory Committee | 07:00pm |
| Feb 27, 2020 | Pipeline Task Force | 05:00pm |

Newsletter Deadline for Spring 2020: February 1

The Chairperson, in his or her sole discretion, shall have the authority to rearrange the agenda accommodate the needs of other board members, the public or an applicant.

Public Comment – Pursuant to Section 710.1 of the Sunshine Act the Township is required to include an opportunity for public comment agenda which is intended to allow residents and/or taxpayers to comment on matters of concern, official action or deliberation which are or may be before the Board of Supervisors. Matters of concern which merit additional research will be placed on the agenda for the next meeting. The Board of Supervisors will allocate a maximum of 30 minutes for public comment at the beginning of each meeting. If necessary there will be a second period for public comment prior to the end of the meeting.

Constant Contact - Want more information about the latest news in the Township and surrounding area? East Goshen Township and Chester County offer two valuable resources to stay informed about important local issues. East Goshen communicates information by email about all Township news through Constant Contact. To sign up, go to www.eastgoshen.org, and click the “E-notification & Emergency Alert” button on the left side of the homepage.

ReadyChesco - Chester County offers an emergency notification system called ReadyChesco, which notifies residents about public safety emergencies in the area via text, email and cell phone call. Signing up is a great way to keep you and your loved ones safe when disaster strikes. Visit www.readychesco.org to sign up today!

Smart 911 – Smart 911 is a new service in Chester County that allows you to create a Safety Profile at www.smart911.com that includes details you want the 9-1-1 center and public safety response teams to know about your household in an emergency. When you dial 9-1-1, from a phone associated with your Safety Profile that information automatically displays to the 9-1-1 call taker allowing them to send responders based on up-to-date location and emergency information. With your Safety Profile, responders can arrive aware of many details they would not otherwise know. Fire crews can arrive knowing exactly how many people live in your home and where the bedrooms are located. EMS personnel can know family members’ allergies or specific medical conditions. And police can access a photo of a missing family member in seconds rather than minutes or hours, helping the search start faster.

F:\Data\Shared Data\Agendas\Board of Supervisors\2019\2019-12-17_Board of Supervisors Agenda with time.doc

January 9, 2020

RETTEW Associates, Inc., Sunoco Pipeline, L.P.'s (SPLP) geophysical contractor, completed a multi-technique geophysical survey over a 250-foot section of East Boot Road in East Goshen Township, Chester County, on June 22, 2019.

The results from the geophysical techniques were consistent with each other, and with the geology as mapped by the PA Geological Survey. RETTEW observed no evidence in the data indicating SPLP's construction activities caused any subsurface impacts or subsidence; however, there are identified anomalies beneath the roadway which may be related to saturated soils in the utility trenches. For safety considerations these anomalies warranted further investigation.

To supplement the first assessment, an expanded Ground Penetrating Radar (GPR) geophysical survey was completed on October 8-9, 2019, extending from west of the Boot Road/Wilson Drive intersection to east of the Carriage Drive intersection with Boot Road in East Goshen Township. The survey area included the two former horizontal directional drilling inadvertent return areas: one near the southeast corner of the Wilson Dive intersection and the pavement saw cut at the Wilson Drive intersection.

The GPR scanning detected known and marked underground utilities, and four anomalous areas of high-amplitude GPR reflectors. The four anomalous areas are near the Carriage Drive intersection - three are west of the intersection and one is east of the intersection. No anomalies were identified in the vicinity of the Wilson Drive intersection. The anomalies are characteristic of disturbed soils and possible soil settlement or subsidence. The three areas west of Carriage Drive are located around multiple water lines and valves. Two of the areas were identified in the June 2019 GPR survey. The third is coincident with a backfilled excavation area. The area east of Carriage Drive does not appear to be associated with any marked utilities. The anomalous features do not appear to represent open voids.

The SPLP S3-460 pipeline installation is complete. A final GPR geophysical survey of the area of East Boot Road covered by the assessment performed on October 8 and October 9 will be performed in the near future to verify conditions following the completion of the pipeline construction.

This Summary should be used only in the context of the full report for which it is intended.



Felicia Kegel Bechtel, MSc, PG
Director of Geophysics

Z:\Shared\Projects\09630\096303003 - SL - Greenhill Road Geophysics\GP - Boot Road GPR\East Goshen Summary\Boot Road Geophysics Summary for East Goshen Twp 2020-01-09.docx

The complete report is available on the Township website



Goshen Fire Company Year End Operations Report - 2019



December Updates

Key Indicators

| | | |
|--|-----|-----|
| Patients Treated | 281 | |
| Patients 65 and Over | 221 | 79% |
| EMS Calls to Assisted Living and Retirement Facilities | 161 | 46% |
| Automatic Fire/CO Alarms | 24 | 35% |

Major Incidents

| | |
|--|------------|
| Assist Station 4 Building Fire 133 Carters Grove Ln Willistown | 12/3/2019 |
| Assist Station 52 Building Fire 970 E Penn Dr West Goshen | 12/10/2019 |
| Assist Station 6 Building Fire 245 Exton Sq Pkwy W Whiteland | 12/17/2019 |
| Assist Station 4 Building Fire 105 Charleston Greene Malvern | 12/19/2019 |
| Assist Station 53 Building Fire 150 Penn Oaks Dr Thornbury | 12/25/2019 |

Events

| | |
|---------------------------|-----------|
| Santa at Station 54 Event | 12/1/2019 |
|---------------------------|-----------|

Fundraising Activities

| | |
|-----------------------------------|-------------|
| 15 Week Club Raffle | Completed |
| 2020 Ambulance Subscription Drive | In Progress |
| 2020 Business Contribution Drive | In Progress |

Personnel Updates

| | |
|------|--|
| None | |
|------|--|

Apparatus Updates

| | |
|--|--|
| Replacement Ambulance on Order - due February 2020 | |
|--|--|

Goshen Fire Company Year End Operations Report - 2019



| Fire Responses per Municipality | December Responses | December Manhours | 2019 Responses | 2019 Manhours |
|---------------------------------|--------------------|-------------------|----------------|---------------|
| East Goshen | 26 | 55 | 310 | 640 |
| West Goshen | 25 | 65 | 226 | 528 |
| Westtown | 7 | 17 | 89 | 229 |
| Willistown | 1 | 4 | 49 | 128 |
| Other | 9 | 91 | 67 | 619 |
| Total - Fire | 68 | 232 | 741 | 2144 |

| Fire Police Responses per Municipality | December Responses | December Manhours | 2019 Responses | 2019 Manhours |
|--|--------------------|-------------------|----------------|---------------|
| East Goshen | 12 | 114 | 150 | 547.9 |
| West Goshen | 14 | 20 | 119 | 207.2 |
| Westtown | 4 | 11 | 65 | 163.6 |
| Willistown | 1 | 3 | 39 | 87.8 |
| Other | 7 | 20 | 51 | 258.4 |
| Total - Fire Police | 38 | 168 | 424 | 1264.9 |

| EMS Responses per Municipality | December Responses | December Manhours | 2019 Responses | 2019 Manhours |
|--------------------------------|--------------------|-------------------|----------------|---------------|
| East Goshen | 213 | 315 | 2109 | 3293 |
| West Goshen | 103 | 157 | 1142 | 1684 |
| Westtown | 31 | 6 | 292 | 475 |
| Willistown | 29 | 41 | 343 | 537 |
| Other | 9 | 64 | 85 | 179 |
| Total - EMS | 385 | 583 | 3971 | 6168 |

| Total Responses per Municipality | December Responses | December Manhours | 2019 Responses | 2019 Manhours |
|------------------------------------|--------------------|-------------------|----------------|---------------|
| East Goshen | 251 | 484 | 2569 | 4481 |
| West Goshen | 142 | 242 | 1487 | 2419 |
| Westtown | 42 | 34 | 446 | 868 |
| Willistown | 31 | 48 | 431 | 753 |
| Other | 25 | 175 | 203 | 1056 |
| Total - Goshen Fire Company | 491 | 983 | 5136 | 9577 |

Goshen Fire Company Year End Operations Report - 2019



Annual Summary

| EMS - Patient Demographics | # Patients | % of Total |
|----------------------------|------------|------------|
| Patients Treated | 3041 | |
| Patients 65 and Over | 2274 | 75% |

| EMS Calls to Assisted Living / Retirement Facilities | # Incidents | % of Total |
|--|-------------|--------------|
| Hershey Mill | 490 | 12.3% |
| Bellingham | 388 | 9.8% |
| Wellington | 343 | 8.6% |
| Arbour Square | 205 | 5.2% |
| Pembrooke | 113 | 2.8% |
| Arbor Terrace | 156 | 3.9% |
| Total | 1695 | 42.7% |

| Top Ten EMS Calls by Type | # Incidents | % of Total |
|---------------------------|-------------|------------|
| Fall / Lift Assist | 1037 | 26.1% |
| Sick Person | 564 | 14.2% |
| Respiratory Difficulty | 350 | 8.8% |
| Chest Pain | 203 | 5.1% |
| Auto Accident | 173 | 4.4% |
| Injured Person | 157 | 4.0% |
| Emotional Disorder | 108 | 2.7% |
| Stroke/CVA | 104 | 2.6% |
| Medical Alarm | 95 | 2.4% |
| Abdominal Pain | 91 | 2.3% |

| Fire Calls by Incident Category | # Incidents | % of Total |
|------------------------------------|-------------|-------------|
| False Alarm & False Call | 282 | 38.1% |
| Service Call | 110 | 14.8% |
| Good Intent Call | 96 | 13.0% |
| Hazardous Condition (No Fire) | 95 | 12.8% |
| Rescue & Emergency Medical Service | 84 | 11.3% |
| Fires | 72 | 9.7% |
| Severe Weather & Natural Disaster | 1 | 0.1% |
| Special Incident Type | 1 | 0.1% |
| Total | 741 | 100% |

| | |
|--|----|
| Fire Police Service Time - Calls with Inservice Time > 2 hrs | 39 |
|--|----|

Goshen Fire Company Year End Operations Report - 2019



Events

| | |
|---|------------|
| Resident Fire Extinguisher Training - Golf Club Apts | 1/30/2019 |
| Funeral Detail - Darby Twp Firefighter - Rolling Green Cem. | 2/1/2019 |
| Fire Company Blood Drive | 2/3/2019 |
| Fire Police Tabletop Exercises | 2/11/2019 |
| Station 56 received unit citation for Rt 202 Accident in EW | 3/18/2019 |
| Mock Crash - Rustin High School | 4/1/2019 |
| Easter Bunny Escort - West Goshen | 4/13/2019 |
| Goshen Fire Company Awards Dinner | 4/13/2019 |
| Career Day - East High School | 4/16/2019 |
| Career Day - Rustin High School | 4/26/2019 |
| Volunteer Open House | 6/1/2019 |
| Boots and Badges Blood Drive | 6/6/2019 |
| Car Show Fundraiser | 6/15/2019 |
| Color Run - East Goshen Park | 6/22/2019 |
| East Goshen Day | 6/29/2019 |
| Supported Run 2 Respond Relay | 8/17/2019 |
| Red Cross Blood Drive @ Station 54 | 8/18/2019 |
| Active Threat Tabletop Exercise with WEGO PD | 9/18/2019 |
| Apple Butter Festival - UCC East Goshen | 9/29/2019 |
| Fire Prevention Open House (6p - 8:30p) | 10/11/2019 |
| Visit by the Penna. State Fire Commissioner | 10/3/2019 |
| Santa at Station 54 Event | 12/1/2019 |

Fundraising Activities

| | |
|---|------------|
| 2019 Ambulance Subscription Campaign | Jan-Nov |
| 2019 Business Contribution Campaign | Jan-Nov |
| Breakfast Buffet | 2/24/2019 |
| Breakfast Buffet | 3/24/2019 |
| Easter Flower Sale - Station 56 | 4/19-4/21 |
| Breakfast Buffet | 4/28/2019 |
| Mother's Day Flower Sale - Station 56 | 5/10-5/12 |
| Goshen Country Fair | 7/29 - 8/3 |
| Breakfast Buffet | 9/22/2019 |
| 15 Week Club Raffle | 9/12-12/22 |
| Breakfast Buffet | 10/26/2019 |
| Breakfast Buffet | 11/23/2019 |
| 2020 Ambulance Subscription Drive Mailing | November |
| 2020 Business Contribution Drive Mailing | November |

Goshen Fire Company Year End Operations Report - 2019



Major Incidents

| | |
|---|-----------------|
| Sprinkler System Freeze-Ups (extreme low temps) | Multiple - Jan |
| Automobile Fire - Oakbourne Rd - Westtown | 1/5/2019 |
| Assist WCFD - Building Fire - East Evans Street - WC Boro | 1/31/2019 |
| Assist Sta 3 - Building Fire, 900 Atwater Dr. Tredyffrin | 2/24/2019 |
| Assist WCFD with Building Fire - 215 N Everhart St - WC Boro | 3/31/2019 |
| Assist WCFD with Building Fire - 215 N Everhart St - WC Boro | 4/1/2019 |
| Building Fire (Minor) - Waterview Apts, East Goshen | 4/15/2019 |
| Assist WWFC @ Building Fire - 416 Spruce Dr, W Whiteland | 4/25/2019 |
| Assist DC46 Building Fire 251 W Forge Rd, Middletown Two | 5/6/2019 |
| Assist Sta 5 - Building Fire - 4 Toms Circle, East Whiteland | 5/8/2019 |
| Accident w-Entrapment - Goshen & Sugartown, Willistown | 5/14/2019 |
| Vehicle Fire - 1107 West Chester Pike, West Goshen | 5/22/2019 |
| Numerous Weather-Related Calls (Flooding, Utility Issues) | Multiple - June |
| Assist Sta 5 - House Fire - 51 Summit Rd, East Whiteland | 6/12/2019 |
| Animal Rescue (Dog under Shed) Westtown | 6/14/2019 |
| Numerous severe weather incidents | Multiple - July |
| Assist Sta 6 - Building Fire - 1401 King Rd, West Whiteland | 7/16/2019 |
| Assist DC 64 - Building Fire - 11 Saddle Run Edgmont Twp | 7/19/2019 |
| Assist Sta 6 - Building Fire - 403 N Pottstown Pike | 8/2/2019 |
| Assist Sta 47 - Building Fire - 514 N Pottstown Pike | 8/7/2019 |
| Assist WCFD - Building Fire - 119 N High St | 8/20/2019 |
| Assist WCFD - Building Fire - 208 Blue Rock Road | 8/31/2019 |
| Assist Sta 5 - Building Fire - 176 Planebrook Rd, E Whiteland | 9/10/2019 |
| Passenger Vehicle Fire - Rt 202, West Goshen | 9/21/2019 |
| Gas Leak - Greenhill Rd, West Goshen | 9/27/2019 |
| Dwelling Fire - 1050 Marlene Drive, West Goshen | 9/30/2019 |
| Serious Auto Accident - 1225 E. Street Rd. Westtown | 10/28/2019 |
| Multiple Severe Weather Responses - all Townships | 10/31 - 11/1 |
| Assist DC 64 - Building Fire 1263 Stackhouse Mill Rd, Edgmont | 11/17/2019 |
| Assist DC 64 - Building Fire 2010 Antler Dr Edgmont Twp | 11/18/2019 |
| Assist Sta 4 Building Fire 133 Carters Grove Ln Willistown | 12/3/2019 |
| Assist Sta 52 Building Fire 970 E Penn Dr West Goshen | 12/10/2019 |
| Assist Sta 6 Building Fire 245 Exton Sq Pkwy W Whiteland | 12/17/2019 |
| Assist Sta 4 Building Fire 105 Charleston Greene Malvern | 12/19/2019 |
| Assist Sta 53 Building Fire 150 Penn Oaks Dr Thornbury | 12/25/2019 |

**Malvern Fire Company EMS
2019 Statistics**

| 2019 | | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|---------------------------|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| Calls | | 165 | 196 | 187 | 207 | 184 | 199 | 192 | 175 | 185 | 213 | 195 | 204 | 2302 |
| Call Types | Emer. Transfer | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 2 | 7 |
| | Event Standby | 0 | 2 | 0 | 0 | 3 | 1 | 0 | 0 | 2 | 1 | 2 | 0 | 11 |
| | Fire | 9 | 7 | 8 | 16 | 8 | 11 | 13 | 10 | 12 | 12 | 17 | 4 | 127 |
| | Medical | 153 | 179 | 172 | 176 | 162 | 176 | 167 | 159 | 159 | 189 | 170 | 194 | 2056 |
| | MVA | 3 | 8 | 7 | 13 | 10 | 11 | 11 | 5 | 11 | 7 | 6 | 4 | 96 |
| | Relocate | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 3 |
| | Routine | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| ALS/BLS | ALS | 122 | 141 | 142 | 158 | 130 | 143 | 151 | 128 | 131 | 150 | 141 | 138 | 1675 |
| | BLS | 43 | 55 | 45 | 49 | 54 | 56 | 41 | 47 | 54 | 63 | 54 | 68 | 629 |
| Municipalities | Charlestown Twp. | 7 | 7 | 8 | 3 | 4 | 2 | 7 | 2 | 5 | 4 | 1 | 3 | 53 |
| | Delaware County | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 4 |
| | Downingtwn Boro. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| | E. Goshen Twp. | 28 | 36 | 37 | 34 | 32 | 27 | 25 | 24 | 28 | 31 | 29 | 41 | 372 |
| | E. Pikeland Twp. | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| | E. Whiteland Twp. | 16 | 34 | 39 | 41 | 26 | 40 | 24 | 32 | 29 | 33 | 32 | 28 | 374 |
| | Easttown Twp. | 0 | 1 | 1 | 1 | 2 | 0 | 1 | 1 | 1 | 2 | 0 | 0 | 10 |
| | Edgemont Twp. | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| | Malvern Boro. | 21 | 23 | 14 | 25 | 18 | 19 | 16 | 14 | 15 | 24 | 23 | 23 | 235 |
| | Salisbury Twp. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| | Tredyffrin Twp. | 13 | 26 | 13 | 15 | 21 | 17 | 25 | 20 | 20 | 15 | 16 | 16 | 217 |
| | W. Goshen Twp. | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 2 | 8 |
| | W. Pikeland Twp. | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 3 |
| | W. Whiteland Twp. | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 1 | 4 |
| | Westtown Twp. | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 5 |
| | Willistown Twp. | 77 | 69 | 74 | 86 | 79 | 93 | 88 | 81 | 84 | 102 | 92 | 88 | 1013 |
| Hospital - Outcome | BMH | 3 | 4 | 0 | 7 | 2 | 2 | 1 | 2 | 0 | 4 | 3 | 0 | 28 |
| | BWH | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| | CCH | 9 | 14 | 14 | 12 | 12 | 7 | 10 | 7 | 12 | 12 | 10 | 12 | 131 |
| | CHOP | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| | Helicopter | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| | LH | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 | 4 |
| | PMH | 113 | 110 | 102 | 122 | 119 | 123 | 114 | 109 | 118 | 123 | 109 | 112 | 1374 |
| | RMH | 0 | 0 | 1 | 2 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 5 |
| | TJUH | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |



Malvern Fire Company

424 East King Street
Malvern, PA 19355

Main 610-647-0693
Fax 610-647-0249
www.malvernfireco.com

East Goshen Township 2019 EMS Statistics

January:

28 Calls; 2 BLS (1 Transport); 26 ALS (22 Transports)

February:

36 Calls; 6 BLS (6 Transports); 30 ALS (18 Transports)

March:

37 Calls; 1 BLS (0 Transports); 36 ALS (22 Transports)

April:

34 Calls; 4 BLS (4 Transports); 30 ALS (25 Transports)

May:

32 Calls; 11 BLS (10 Transports); 21 ALS (13 Transports)

June:

27 Calls; 2 BLS (1 Transport); 25 ALS (13 Transports)

July:

25 Calls; 0 BLS (0 Transports); 25 ALS (15 Transports)

August:

24 Calls; 2 BLS (2 Transports); 22 ALS (15 Transports)

September:

28 Calls; 4 BLS (3 Transports); 24 ALS (18 Transports)

October:

31 Calls; 2 BLS (1 Transport); 29 ALS (15 Transports)

November:

29 Calls; 5 BLS (2 Transports); 24 ALS (17 Transports)

December:

41 Calls; 9 BLS (9 Transports); 32 ALS (17 transports)

Memo

To: Board of Supervisors
From: Jon Altshul
Re: December 2019 Financial Report--Unaudited
Date: January 9, 2020

As of December 31st, net of pass throughs, the general fund had revenues of \$10,727,980 and expenses of \$10,785,476 for a deficit of \$57,487. As of December 31st, the general fund balance was \$5,625,871.

On the expense side, Administration was \$59,785 over budget, due to the Transfer to Capital for Township Building being well over budget, as a result of the fact that the building vestibule project was deferred from 2018 and therefore not budgeted in 2019. Parks and Recreation, was \$38,714 over, due to the Marydell and now Bow Tree Pond projects. However, Public Works was significantly under-budget (-\$248,283), due to savings on snow removal, road work and paving, and a lower than forecast Transfer to Capital (due, in part, to not purchasing a second new Codes vehicle). Codes (-\$123,287) was helped by the decision not to hire a new fire inspector, as well as modestly higher than expected permit revenues. On the revenue side, Earned Income Tax was \$166,519 under budget, but still roughly \$58,000 higher than 2018 and about \$44,000 higher than 2017. This shortfall was more than offset by the overage for Transfer Tax (+\$212,672).

Note also that there is a discrepancy of \$379 between the General Fund deficit reported in the General Fund Summary Report (aka "the Marty" Report) and the All Funds Summary Report (aka "the Joe" report). The All Funds Summary Report reflects pass-through revenues and expenditures, whereas the General Fund Summary Report does not. There were two issues with our Pass-Thru accounts in 2019. First, the Collective Bargaining Agreement between the Fire Company and the Firefighters' Association was signed in March, but was retroactive to the beginning of the year. Staff worked closely with GFC leadership to develop a plan to gradually phase in the retroactive adjustments over several weeks. However, when it was all said and done, we under-billed the Goshen Fire Company by about \$24 for Q2. This amount will be written off. In addition, as you may remember, the PUC approved rate increases in early 2019 for Aqua's hydrants. As you know, we recharge Hershey's Mill for the cost of its hydrants. However, due to staff turnover in the first half of the year, this detail never made it into the recharge instructions, and we under-billed Hershey's Mill by \$355 for the year. However, we have now invoiced Hershey's Mill for the discrepancy, so this amount will be treated as a 2019 receivable.

Other funds

- The **State Liquid Fuels Fund** had \$576,861 in revenues and \$577,484 in expenses. The fund balance is \$1,148.
- The **Capital Reserve Fund** had \$580,955 in revenues and \$1,130,279 in expenses. The fund balance was \$5,410,535.
- The **Transportation Fund** had \$10,183 in revenues and \$186,904 in expenses. The fund balance was \$911,724.
- The **Sewer Operating Fund** had \$3,449,093 in revenues and \$3,421,601 in expenses. The fund balance was \$976,435.
- The **Refuse Fund** had \$1,059,446 in revenues and \$1,097,401 in expenses. The fund balance was \$629,194.
- The **Bond Fund** had \$125,922 in revenues and \$2,778,590 in expenses. The fund balance was \$3,715,640.

- The **Sewer Capital Reserve Fund** had \$318,670 in revenues and \$234,474 in expenses. The fund balance is \$2,337,788.
- The **Operating Reserve Fund** had \$50,929 in revenues and no expenses. The fund balance is \$2,596,333.

Accounts Receivable

Year-end Utilities Accounts Receivable, \$168,727, was only nominally higher than last year's Q4 record low! Great job Kelly! Meanwhile, year-end Real Estate Accounts Receivable was \$9,783, which is slightly higher than in recent years.

Yield on Township Funds

As of December 31, 2019, the average weighted yield on Township funds was 1.71%. The average time until maturity for illiquid investments was 137 days. While average time till maturity was more or less unchanged from Q3, the yield fell from 2.15%, reflecting overall lower interest rates. Currently, PLGIT's liquid "PRIME" fund is yielding higher returns than any of its TERM or CD products.

2019 Audit

The auditors are scheduled to do their field work for the 2019 audit during the week of February 3-7.

EAST GOSHEN TOWNSHIP
UNAUDITED (CASH BASIS) GENERAL FUND SUMMARY
As of December 31, 2019

| Account Title | 2019 Annual Budget | 2019 YTD Actual | \$ Variance | % Variance |
|--|-----------------------|--------------------|------------------|---------------|
| EMERGENCY SERVICES EXPENSES | 4,290,164 | 4,268,938 | (21,226) | -0.5% |
| PUBLIC WORKS EXPENSES | 2,633,542 | 2,429,828 | (203,714) | -7.7% |
| ADMINISTRATION EXPENSES | 1,834,626 | 1,953,630 | 119,004 | 6.5% |
| CODES EXPENSES | 584,909 | 513,453 | (71,456) | -12.2% |
| PARK AND RECREATION EXPENSES | 782,875 | 819,400 | 36,525 | 4.7% |
| TOTAL CORE FUNCTION EXPENSES | 10,126,116 | 9,985,249 | (140,867) | -1.4% |
| EMERGENCY SERVICES REVENUES | 81,901 | 66,900 | (15,001) | -18.3% |
| PUBLIC WORKS REVENUES | 1,003,167 | 1,047,735 | 44,568 | 4.4% |
| ADMINISTRATION REVENUES | 314,323 | 373,542 | 59,219 | 18.8% |
| CODES REVENUES | 258,770 | 310,601 | 51,831 | 20.0% |
| PARK AND RECREATION REVENUES | 134,735 | 132,546 | (2,189) | -1.6% |
| TOTAL CORE FUNCTION REVENUES | 1,792,896 | 1,931,325 | 138,429 | 7.7% |
| NET EMERGENCY SERVICES | 4,208,263 | 4,202,038 | (6,225) | -0.1% |
| NET PUBLIC WORKS | 1,630,375 | 1,382,092 | (248,283) | -15.2% |
| NET ADMINISTRATION | 1,520,303 | 1,580,088 | 59,785 | 3.9% |
| NET CODES | 326,139 | 202,852 | (123,287) | -37.8% |
| NET PARK AND RECREATION | 648,140 | 686,854 | 38,714 | 6.0% |
| CORE FUNCTION NET SUBTOTAL | 8,333,220 | 8,053,924 | (279,296) | -3.4% |
| DEBT - PRINCIPAL | 574,000 | 574,000 | 0 | 0.0% |
| DEBT - INTEREST | 226,399 | 226,397 | (2) | 0.0% |
| TOTAL DEBT | 800,399 | 800,397 | (2) | 0.0% |
| TOTAL CORE FUNCTION NET | 9,133,619 | 8,854,322 | (279,297) | -3.1% |
| NON-CORE FUNCTION REVENUE | | | | |
| EARNED INCOME TAX | 5,191,400 | 5,024,881 | (166,519) | -3.2% |
| REAL ESTATE PROPERTY TAX | 2,039,429 | 2,047,411 | 7,982 | 0.4% |
| REAL ESTATE TRANSFER TAX | 585,000 | 797,672 | 212,672 | 36.4% |
| CABLE TELEVIS.FRANCHISE | 450,000 | 447,511 | (2,489) | -0.6% |
| LOCAL SERVICES TAX | 348,000 | 337,315 | (10,685) | -3.1% |
| OTHER INCOME | 519,790 | 142,412 | (377,378) | -72.6% |
| TOTAL NON CORE FUNCTION REVENUE | 9,133,619 | 8,797,200 | (336,419) | -3.7% |
| NET RESULT | 0 | (57,121) | (57,121) | |

SUMMARY OF FUNDS REPORT (AKA "JOE REPORT")
 ALL FUNDS DECEMBER 31, 2019
 * NOTE: GENERAL FUND INCLUDES PASS-THROUGH ACCOUNTS

| | GENERAL FUND* | LIQUID FUELS STATE FUND | CAP RESV FUND | TRANSPORT. FUND | SEWER OP. FUND | REFUSE FUND | SEWER CAP RESV FUND | OPERATING RESERVE | TOWNSHIP FUNDS | MUNICIPAL AUTHORITY | BOND FUND |
|-------------------------------------|--------------------|-------------------------|--------------------|------------------|------------------|------------------|---------------------|--------------------|---------------------|---------------------|--------------------|
| 01/01/19 BEGINNING BALANCE | \$5,689,163 | \$1,771 | \$5,959,859 | \$1,088,446 | \$948,943 | \$667,149 | \$2,253,592 | \$2,545,404 | \$19,154,328 | \$25,923 | \$6,368,308 |
| RECEIPTS | | | | | | | | | | | |
| 310 TAXES | \$8,283,877 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$8,283,877 | \$0 | \$0 |
| 320 LICENSES & PERMITS | \$459,700 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$459,700 | \$0 | \$0 |
| 330 FINES & FORFEITS | \$63,695 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$63,695 | \$0 | \$0 |
| 340 INTERESTS & RENTS | \$222,679 | \$11,854 | \$121,552 | \$10,183 | \$15,909 | \$9,207 | \$195,430 | \$50,929 | \$637,742 | (\$170) | \$125,922 |
| 350 INTERGOVERNMENTAL | \$360,478 | \$565,007 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$925,484 | \$29,078 | \$0 |
| 360 CHARGES FOR SERVICES | \$446,812 | \$0 | \$0 | \$0 | \$3,432,072 | \$1,041,682 | \$0 | \$0 | \$4,920,566 | \$5,248 | \$0 |
| 380 MISCELLANEOUS REVENUES | \$1,981,826 | \$0 | \$350 | \$0 | \$1,111 | \$8,557 | \$0 | \$0 | \$1,991,845 | \$565 | \$0 |
| 390 OTHER FINANCING SOURCES | \$1,006,256 | \$0 | \$459,053 | \$0 | \$0 | \$0 | \$123,240 | \$0 | \$1,588,548 | \$263,972 | \$0 |
| | \$12,825,323 | \$576,861 | \$580,955 | \$10,183 | \$3,449,093 | \$1,059,446 | \$318,670 | \$50,929 | \$18,871,458 | \$298,693 | \$125,922 |
| EXPENDITURES | | | | | | | | | | | |
| 400 GENERAL GOVERNMENT | \$1,536,822 | \$0 | \$749,298 | \$0 | \$0 | \$0 | \$0 | \$0 | \$2,286,120 | \$0 | \$0 |
| 410 PUBLIC SAFETY | \$6,452,757 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$6,452,757 | \$0 | \$0 |
| 420 HEALTH & WELFARE | \$147,468 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$147,468 | \$0 | \$0 |
| 426 SANITATION & REFUSE | \$0 | \$0 | \$0 | \$0 | \$2,061,541 | \$1,097,401 | \$194,622 | \$0 | \$3,353,564 | \$299,744 | \$0 |
| 430 HIGHWAYS,ROADS & STREETS | \$2,027,959 | \$577,484 | \$150,960 | \$186,904 | \$0 | \$0 | \$0 | \$0 | \$2,943,307 | \$0 | \$1,903,277 |
| 450 CULTURE-RECREATION | \$750,511 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$750,511 | \$0 | \$875,313 |
| 460 CONSERVATION & DEVELOPMENT | \$5,431 | \$0 | \$106,781 | \$0 | \$0 | \$0 | \$0 | \$0 | \$112,212 | \$0 | \$0 |
| 470 DEBT SERVICE | \$824,658 | \$0 | \$0 | \$0 | \$975,940 | \$0 | \$0 | \$0 | \$1,800,598 | \$0 | \$0 |
| 480 MISCELLANEOUS EXPENDITURES | \$1,137,217 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$1,137,217 | \$0 | \$0 |
| 490 OTHER FINANCING USES | \$0 | \$0 | \$123,240 | \$0 | \$384,120 | \$0 | \$39,852 | \$0 | \$547,212 | \$0 | \$0 |
| | \$12,882,823 | \$577,484 | \$1,130,279 | \$186,904 | \$3,421,601 | \$1,097,401 | \$234,474 | \$0 | \$19,530,965 | \$299,744 | \$2,778,590 |
| 2019 SURPLUS/(DEFICIT)* | (\$57,500) | (\$623) | (\$549,324) | (\$176,722) | \$27,492 | (\$37,955) | \$84,196 | \$50,929 | (\$659,507) | (\$1,051) | (\$2,652,668) |
| CLEARING ACCOUNT ADJUSTMENTS | (\$5,791) | | | | | | | | | | |
| 12/31/19 ENDING BALANCE | <u>\$5,625,871</u> | <u>\$1,148</u> | <u>\$5,410,535</u> | <u>\$911,724</u> | <u>\$976,435</u> | <u>\$629,194</u> | <u>\$2,337,788</u> | <u>\$2,596,333</u> | <u>\$18,489,029</u> | <u>\$24,873</u> | <u>\$3,715,640</u> |

* Note the \$379 discrepancy in the General Fund deficit compared to the General Fund Summary report. A detailed explanation is provided in the memo

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
MONDAY, JANUARY 6, 2020
DRAFT MINUTES**

Present: Chairman Marty Shane; Vice-Chairman David Shuey; Members Michele Truitt, John Hertzog and Mike Lynch; Township Manager Rick Smith; Assistant Township Manager and Finance Director Jon Altshul; Township Zoning Officer Mark Gordon; Erich Meyer (Conservancy Board); Judi DiFonzo, Bill Wegemann and Christina Morley (Pipeline Task Force)

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 7:00 p.m. and asked David to lead the pledge of allegiance.

Moment of Silence

David called for a moment of silence to honor our troops and first responders.

Swearing In

District Justice Tom Tartaglio swore in Michele Truitt and John Hertzog to the East Goshen Township Board of Supervisors.

Re-Organization Actions:

- a. **Elect Chairman (Resolution 2020-1):** Mike motioned to appoint Marty Shane as Chairman of the Board. David seconded. The motion passed 5-0.
- b. **Elect Vice Chairman (Resolution 2020-2):** Marty motioned to appoint David Shuey as Vice Chairman of the Board. Mike seconded. The motion passed 5-0.
- c. **Appoint Police Commissioner (Resolution 2020-3):** Michele motioned to appoint John Hertzog as Police Commissioner. John seconded. The motion passed 4-1, with David opposed.
- d. **Appoint Representative to Pension Committee (Resolution 2020-3A):** Michele made a motion to appoint David Shuey to the Pension Committee. John seconded. The motion passed 5-0.
- e. **Appoint Representative to West Chester Area Council of Governments (Resolution 2020-3B):** John made a motion to appoint Michele Truitt to the West Chester Area Council of Governments, but she declined. Michele made a motion to appoint Mike Lynch to the West Chester Area Council of Governments. John seconded. The motion passed 5-0.
- f. **Appoint Township Officials (Resolution 2020-4):** Leo Sinclair, 217 Lochwood Lane, asked if the Fire Marshal position was unpaid. He was told that it is unpaid. Dan Truitt, 1430 Grand Oak Lane, asked for clarification about whether the officials needed to be appointed one at a time or could be appointed all at once. David made a motion to appoint the Township Officials in Resolution 2020-4, as summarized below:

- 1 • Township Manager/Secretary/Assistant Zoning Officer– Louis F. (Rick)
- 2 Smith, Jr.
- 3 • Assistant Township Manager/Director of Finance/Treasurer/Right-to-Know
- 4 Officer – Jon Altshul
- 5 • Director of Public Works – Mark Miller
- 6 • Director of Code Enforcement/Zoning Officer/Building Code Official/Noise
- 7 Control Officer – Mark Gordon
- 8 • Building Inspectors – Gary Althouse and Vincent DiMartini
- 9 • Fire Marshal – Carmen R. Battavio
- 10 • Assistant Fire Marshals – Michael Holmes, Gary Althouse and Vincent
- 11 DiMartini
- 12 • Township Solicitor – Buckley, Brion, McGuire, & Morris
- 13 • Township Engineer – Pennoni Associates
- 14 • Emergency Management Coordinator – Kevin Miller
- 15 • Assistant Emergency Management Coordinator – Vincent D’Amico
- 16 • Delegate to the Chester County Tax Collection Committee – Jon Altshul
- 17 • Alternate Delegate to the Chester County Tax Collection Committee –Chris
- 18 Boylan
- 19 • Malvern Library Board of Trustees – Patrick Hutchison

20
21 Michele seconded. The motion passed 5-0.

- 22
- 23 g. **Re-appoint Township Employees (Resolution 2020-5)**: David made a motion to
- 24 reappoint the Township employees. Michele seconded. The motion passed 5-0.
- 25 h. **Appoint Depositories of Township Funds (Resolution 2020-6)**: Marty made a
- 26 motion to appoint the following financial institutions as depositories of Township
- 27 funds:
- 28 • DNB First or its successor, S&T Bancorp
- 29 • Citadel Bank
- 30 • WSFS Bank
- 31 • PLGIT-PA Local Government Investment Trust (Custodian - Wells Fargo NA)
- 32 • M&T Bank
- 33 • Meridian Bank
- 34 • TD Bank

35
36 Mike seconded. The motion passed 5-0.

- 37
- 38 i. **Certify Delegates to the PSATS Convention (Resolution 2020-7)**
- 39 David made a motion to certify the five Supervisors, the Township Manager and
- 40 the Director of Finance/Treasurer as delegates to the 2020 PSATS Convention,
- 41 with Rick Smith as the Voting Delegate and Jon Altshul as the Alternate Voting
- 42 Delegate. John seconded. The motion passed 5-0.

- 43
- 44 j. **Confirm 2020 Holiday Schedule (Resolution 2020-8)**
- 45

1 Marty made a motion to confirm the 2020 Holiday Schedule. Mike seconded. The
2 motion passed 5-0.
3

4 **k. Confirm 2020 Meeting Schedule (Resolution 2020-9)**

5 Mike made a motion to confirm the 2020 meeting schedule. John seconded. The
6 motion passed 5-0.
7

8 **l. Confirm Keystone Collection Agency is the Earned Income and Local**
9 **Services Tax Collector for the Township (Resolution 2020-10)**

10 Mike made a motion to appoint the Keystone Collections Group as the Earned
11 Income and Local Services Tax Collector. David seconded. Dan Truitt raised
12 concerns about how Keystone treats employers who withhold tax and recounted a
13 story about his frustration with dealing with Keystone. Mike observed that there
14 was a recent effort by the state to collect EIT at the state level, which he opposed.
15 The motion passed 4-1, with Michele opposed.
16

17 **m. Appoint Maillie, LLP. as independent auditor for the Township (Resolution**
18 **2020-11)**

19 Michele made a motion to appoint Maillie LLP as the independent auditor of the
20 Township. David seconded. Leo Sinclair asked whether Maillie had been the
21 auditor for Kennett Township, which was recently embezzled of over \$3 million.
22 After quickly checking, Jon confirmed that Kennett had used a different auditing
23 firm. Mr. Sinclair also asked if Maillie would conduct a forensic audit, to which
24 Jon responded that it would be a standard municipal audit pursuant to GASB
25 rules. The motion passed 5-0.
26

27 **n. Adopt Public Safety Boundaries (Resolution 2020-12)**

28 David made a motion to adopt the Public Safety Boundaries an, pursuant to
29 Resolution 2020-12. Michele seconded. The motion passed 5-0.
30

31 **o. Establish the 2020 Fee Schedule (Resolution 2020-34)**

32 Jon provided background on the proposed fee increases, including the refuse rate,
33 which needs to reflect the higher cost of processing recyclables, as well as cert fees
34 and miscellaneous permit fees, for which the Township is not currently recovering
35 its costs. David made a motion to adopt the fee schedule as out lined in Resolution
36 2020-34. Michele seconded. Mike asked why we weren't proposing higher
37 increases to the cert fees. Jon noted that the information in certs is subject to the
38 Right-to-Know Law and therefore if you raise the fees too high, title companies
39 may instead file right-to-know requests. John Pizzo, Larch Lane, asked whether
40 meter reading fees would be increasing, to which Jon responded that they would
41 not be. Michele asked how often the Township needs to do multiple final
42 inspections. Mark Gordon responded that this occurs very infrequently, and if
43 contractors repeatedly cancel inspections, there is a provision that allows the
44 Township to charge for that. The motion passed 5-0.
45

1 **p. Authorize participation in the Municipal Risk Management Workers'**
2 **Compensation Pooled Trust (Resolution 2017-65)**

3 David made a motion to authorize participation in the Municipal Risk
4 Management Workers' Compensation Pooled Trust. Mike seconded. The motion
5 passed 5-0.
6

7 **q. Announce the Continuance of all other Applicable Resolutions that were**
8 **previously adopted**

9 Marty announced the continuance of all other applicable resolutions that were
10 previously adopted.
11

12 At 7pm, Marty announced that the Board would take a 10-minute recess.
13

14 The meeting reconvened at 7:10pm.
15

16 **Consider Request for "No Parking" Restriction on Larch Lane**

17 Rick explained that the Township had received a request to prohibit non-resident
18 overnight parking on Larch Lane, but that the Township cannot allow parking only
19 for residents. Michele noted that she and John had visited Larch Lane and suggested
20 that parking only be allowed on one side of the street. Christina Morley raised
21 concerns about the impact of restricting on-street parking for future homeowners
22 on Larch Lane. Marty suggested that the residents of Larch Lane meet with
23 Township staff and develop a recommendation for the BOS. Valerie Clemens, 1401
24 Larch Lane, noted that Larch Lane can be very dark at night, which raises the
25 potential for accidents when cars are parked on the street. David observed that from
26 the Board's perspective, the most important considerations need to be visibility on
27 the roadway and the ability of emergency vehicles to access the road. It was agreed
28 that Rick would reach out to the Larch Lane residents to schedule a meeting.
29

30 **Chairman's Report**

31 Marty made the following announcements:

- 32 1. The Board met in Executive Session prior to tonight's meeting to discuss a
33 personnel matter.
- 34 2. The Annual Planning Session will be held on Tuesday, January 28, 2020 at
35 6:00PM
- 36 3. The Tax Collector position is vacant. Please contact the Township Manager if
37 interested by January 16, 2020.
- 38 4. The Board will hold a meeting on Tuesday, January 14, 2020 to discuss the
39 Bow Tree I Pond.
- 40 5. East Whiteland Township has decided not to proceed with the King Road &
41 Sproul/North Chester Road Project.
42

43 **Public Comment on Non-Agenda Items**

44 Frank Morgan, 1704 Clocktower Drive, asked whether the Township collects EIT
45 from pipeline workers. Jon explained that Sunoco does not have situs in East Goshen

1 Township, and therefore no EIT could be collected from workers working in East
2 Goshen.

3
4 Lauren Stoltzfus, 435 Gateswood Drive, recounted her experience on Saturday in
5 response to the very loud air pressure testing near Marydell. She noted that the
6 event sounded like a plane landing on her house and that her daughter is still
7 traumatized by the sound. She explained that she called 911 and was told to shelter
8 in place in her basement, but that she was never notified that she could come out.
9 David thanked Ms. Stoltzfus for her comments and assured her that the Township
10 will contact Sunoco to get a full explanation and apology for what occurred. Mike
11 suggested that the DEP be copied on any correspondence with Sunoco about the
12 matter. Ms. Stoltzfus also expressed concern about the information that she received
13 from the 911 dispatcher; specifically, that she should have been told to evacuate in
14 the opposite direction from the wind, but was instead told to stay put. John
15 encouraged Ms. Stoltzfus to attend the next Pipeline Task Force meeting on
16 Thursday evening. Michele raised concerns about the impact of these types of events
17 on young children and asked whether the 911 dispatchers had access to the pipeline
18 maps on their computers, to which Rick responded that they did. Ms. Stoltzfus also
19 asked that noise curtains be installed on the Marydell side of North Chester Road.
20 Michele stated the Township needs to investigate why Ms. Stoltzfus was never
21 cleared by emergency responders to leave her basement. Christina Morley asked for
22 clarification about whether it was air pressure testing or hydrostatic testing, to
23 which Rick responded that it was air pressure testing. She added that she saw no
24 emergency vehicles respond to the incident and suggested that the Department of
25 Emergency Services do a post-incident analysis of the event. Mr. Sinclair noted that
26 he was on his roof during the event and that it sounded like a tractor trailer drag
27 race that lasted for three minutes. Mr. Truitt asked for clarification about whether
28 propane in the Sunoco lines would be odorized, to which Marty responded that it
29 would not be.

30
31 Judi DiFonzo raised concerns about the proliferation of strobe lights in the
32 Township, including on Aqua, pipeline and emergency vehicles. She noted that
33 strobe lights trigger migraines for her and seizures for others. She suggested that
34 the Township take up this matter with PSATS.

35 **Emergency Services Report**

36 Marty reported that the Emergency Services Reports can be found on the website.

37 **Financial Report**

38
39 Jon noted that his team is finishing up the unaudited 2019 financial reports and that
40 he expects that the General Fund will finish the year with a deficit of about \$55,000.

41 **Approval of Minutes and Treasurer's Report**

42
43 Mike made a motion to approve the minutes of December 3, 2019 and December 17,
44 2019. David seconded. The motion passed 5-0.

1 Mike made a motion to approve the Treasurer’s Reports of December 12, 2019 and
2 January 2, 2020. Mike seconded. The motion passed 5-0.

3
4 **Acknowledge Receipt of Court of Common Pleas Decision regarding the**
5 **Malvern Institute ZHB Decision**

6 Marty acknowledged receipt of the Court of Common Pleas Decision regarding the
7 Malvern Institute ZHB Decision.

8
9 **Consider Recommendation Regarding Ice Skating on Township-owned Ponds**

10 Jon explained that the Park and Recreation Commission had recommended that the
11 Board of Supervisors amend the Park rules by resolution to expressly prohibit ice
12 skating on township-owned ponds. He noted that Marydell pond is now
13 substantially deeper than it was a year ago, that the installation of an aerator would
14 inhibit freezing and therefore that the risk of a catastrophic accident had increased
15 considerably. Michele asked if our EMT personnel were trained in water rescue, to
16 which Rick explained that they are. She also asked about our insurance coverage, to
17 which Jon responded that our policy has no exclusion for ice skating. Marty made a
18 motion to adopt Resolution 2019-57 prohibiting ice skating and similar activities on
19 Township-owned ponds. John seconded. The motion passed 5-0.

20
21 **Consider Recommendation regarding Notice of Violation issued to Sunoco and**
22 **response from PA DEP**

23 Rick explained that the Pipeline Task Force had recommended that the Board
24 authorize staff to send a letter to Sunoco and copy DEP asking it to submit the letter
25 from the DEP stating clearly that all the terms and conditions set forth in the
26 November 7th Notice of Violation have been fulfilled. And to provide us with a copy
27 of the information submitted to DEP. Mike made a motion to direct staff to send
28 such a letter. Michele seconded. The motion passed 5-0.

29
30 **Consider ABC Appointments**

31 Mr. Truitt asked whether the Board has any indication about the candidate for the
32 Planning Commission’s position on growth. David responded that the Board does
33 not ask those types of questions in its interviews and therefore would have no way
34 of knowing. Mr. Truitt stated that the view of new Planning Commission members
35 should reflect the views of other Township residents about growth. Mr. Sinclair
36 asked whether Planning Commission members need to complete an Ethics Form.
37 Rick did not believe that they do. He also asked how many members the Futurist
38 Committee has. Mike indicated that one or two younger residents should be
39 recruited to the Futurists Committee.

40
41 Mike made a motion to appoint Daniel Flynn to the Conservancy Board. David
42 seconded. The motion passed 5-0.

43
44 Mike made a motion to appoint Michael Pagnanelli to the Planning Commission.
45 David seconded. The motion passed 4-1, with Michele opposed.

1 David made a motion to appoint Jim Ruggiero as the Alternate to the Zoning Hearing
2 Board. Michele seconded. The motion passed 4-1, with Marty opposed.

3
4 John made a motion to appoint Brian Sweet to the Futurist Committee. Michele
5 seconded. The motion passed 5-0.

6
7 Mr. Truitt expressed concern about reappointing two members of the Planning
8 Commission. He noted the large turnout at last month's meeting regarding the TND
9 Ordinance and encouraged the Board to appoint new members so that there's more
10 diversity of thought on the Commission. David stated that he disagreed with Mr.
11 Truitt's premise. Marty made a motion to reappoint the following ABC members:

- 12
- 13 • Erich Meyer, Conservancy Board
- 14 • Phil Mayer, Municipal Authority
- 15 • Daniel Liecht, Park and Recreation Commission
- 16 • Joe Zulli, Park and Recreation Commission
- 17 • Bill Wegemann, Pipeline Task Force
- 18 • Mark Levy, Planning Commission
- 19 • Dan Daley, Planning Commission
- 20 • Kipp Happ, Sustainability Advisory Committee
- 21 • Jeff O'Donnell, Sustainability Advisory Committee
- 22 • Thom Clapper, Vacancy Board

23
24 John seconded. The motion passed 3-2, with Michele and John opposed because of
25 concerns about the reappointment of Planning Commission members.

26
27 Mike stated that he wants to slow down the process of adopting the TND Ordinance
28 and would like to see the Township conduct a series of Open Houses over the next
29 couple of months at which the argument for the TND can be more clearly laid out.
30 He stated that he sees value in the TND's design standards and moving parking to
31 the back of parcels.

32
33 **Consider Appointment of Jim Benoit as the Member at Large to the Westtown**
34 **East Goshen Regional Police Commission**

35 Mike made a motion to appoint Thornbury Supervisor Jim Benoit as the Member at
36 Large to the Westtown East Goshen Regional Police Commission. Michele seconded.
37 The motion passed 5-0.

38
39 **Consider Recommendation regarding Paoli Pike Trail Segments C-E Bid**

40 David made a motion to concur with PennDOT's decision to award the bid for Paoli
41 Pike Trail Segments C, D & E in the amount of \$2,412,777 to Allen Myers LP. Mike
42 seconded. The motion passed 3-2, with Michele and John opposed.

43
44 **Consider Stormwater Operations and Maintenance Agreement for 145 Dutton**
45 **Mill Road**

1 Mike made a motion to authorize the Chairman to execute the stormwater
2 operations and maintenance agreement for 145 Dutton Mill Road. Michele
3 seconded. The motion passed 5-0.

4
5 **Any Other Matter**

6 Michele made a motion to reopen the 2020 budget to consider lowering the mill rate
7 by .25 mills. John seconded. Jon read from the Second Class Township Code about
8 reopening budgets after the beginning of a calendar year, and noted that there is a
9 10-day advertising requirement and that an amended budget must be adopted by
10 February 15. He added that this timeline will complicate getting real estate tax bills
11 out on February 1st, as planned. Michele agreed to withdraw the motion for now,
12 although there was agreement that John and Michele would meet with Jon and Rick
13 as soon as possible to determine whether the mill rate could be reduced in 2020 and
14 that a recommendation would be forthcoming at the next meeting.

15
16 **Correspondence, Reports of Interest**

17 The Board acknowledged receipt of the 4th Quarter Right-to-Know Report.

18
19 **Adjournment**

20 Mike made a motion to adjourn at 9:15. David seconded. The motion passed 5-0.

21
22 Respectfully submitted,
23 *Jon Altshul*
24 *Recording Secretary*

25
26 Attached: January 2, 2020 Treasurer's Report
27

| TREASURER'S REPORT | | December 14, 2019 - January 2, 2020 | |
|---|-----------------------|-------------------------------------|-----------------------|
| RECEIPTS AND BILLS | | | |
| GENERAL FUND | | | |
| Real Estate Tax (2019) | \$6,582.66 | Accounts Payable (2019) | \$528,363.76 |
| Earned Income Tax (2019) | \$25,900.00 | Accounts Payable (2020) | \$0.00 |
| Local Service Tax (2019) | \$0.00 | Electronic Pmts: | |
| Transfer Tax (2019) | \$38,344.46 | Credit Card | \$3,591.50 |
| General Fund Interest Earned (2019) | \$5,442.23 | Postage | \$1,000.00 |
| Total Other Revenue (2019) | \$1,177,633.52 | Debt Service | \$5,413.95 |
| | | Payroll | \$123,515.70 |
| Total General Fund Receipts: | \$1,253,902.87 | Total Expenditures: | \$661,884.91 |
| STATE LIQUID FUELS FUND | | | |
| Receipts (2019) | \$0.00 | Accounts Payable (2019) | \$577,483.59 |
| Interest Earned (2019) | \$963.07 | Accounts Payable (2020) | \$0.00 |
| Total State Liquid Fuels Receipts: | \$963.07 | Total Expenditures: | \$577,483.59 |
| CAPITAL RESERVE FUND | | | |
| Receipts (2019) | \$454,205.72 | Accounts Payable (2019) | \$1,212.05 |
| Interest Earned (2019) | \$4,057.86 | Accounts Payable (2020) | \$0.00 |
| Total Capital Reserve Fund Receipts: | \$458,263.58 | Credit Card | \$1,212.05 |
| | | Total Expenditures: | |
| TRANSPORTATION FUND | | | |
| Receipts (2019) | \$0.00 | Accounts Payable (2019) | \$0.00 |
| Interest Earned (2019) | \$715.92 | Accounts Payable (2020) | \$0.00 |
| Total Transportation Fund Receipts: | \$715.92 | Total Expenditures: | \$0.00 |
| SEWER OPERATING FUND | | | |
| Receipts (2019) | \$46,727.80 | Accounts Payable (2019) | \$271,492.39 |
| Interest Earned (2019) | \$1,148.37 | Accounts Payable (2020) | \$0.00 |
| | | Electronic Pmts: | |
| | | Credit Card | \$450.08 |
| Total Sewer Operating Fund Receipts: | \$47,876.17 | Debt Service | \$25,377.21 |
| | | Total Expenditures: | \$297,319.68 |
| REFUSE FUND | | | |
| Receipts (2019) | \$16,499.87 | Accounts Payable (2019) | \$18,339.12 |
| Interest Earned (2019) | \$502.59 | Accounts Payable (2020) | \$0.00 |
| Total Refuse Fund Receipts: | \$17,002.46 | Total Expenditures: | \$18,339.12 |
| BOND FUND | | | |
| Receipts (2019) | \$0.00 | Accounts Payable (2019) | \$1,655,575.32 |
| Interest Earned (2019) | \$7,407.28 | Accounts Payable (2020) | \$0.00 |
| Total Bond Fund Receipts: | \$7,407.28 | Total Expenditures: | \$1,655,575.32 |
| SEWER CAPITAL RESERVE FUND | | | |
| Receipts (2019) | \$160,000.00 | Accounts Payable (2019) | \$0.00 |
| Interest Earned (2019) | \$1,154.82 | Accounts Payable (2020) | \$0.00 |
| Total Sewer Capital Reserve Fund Receipts: | \$161,154.82 | Total Expenditures: | \$0.00 |
| OPERATING RESERVE FUND | | | |
| Receipts (2019) | \$0.00 | Accounts Payable (2019) | \$0.00 |
| Interest Earned (2019) | \$399.99 | Accounts Payable (2020) | \$0.00 |
| Total Operating Reserve Fund Receipts: | \$399.99 | Total Expenditures: | \$0.00 |

1

1 EAST GOSHEN TOWNSHIP
2 BOARD OF SUPERVISORS MEETING
3 1580 PAOLI PIKE
4 TUESDAY, JANUARY 14, 2020
5 DRAFT MINUTES
6

7 **Present:** Chairman Marty Shane; Vice-Chairman David Shuey; Members Michele
8 Truitt, John Hertzog and Mike Lynch; Township Manager Rick Smith; Assistant
9 Township Manager and Finance Director Jon Altshul; Township Engineer Nate Cline
10

11 **Call to Order & Pledge of Allegiance**

12 Marty called the meeting to order at 7:00 p.m. and led the pledge of allegiance.
13

14 **Moment of Silence**

15 Marty called for a moment of silence to honor our troops and first responders.
16

17 **Recording**

18 Marty announced that the meeting was being livestreamed.
19

20 **Presentation on Bow Tree I Pond**

21 Jon provided background on the Board's pond rehabilitation initiative and
22 referenced the 2018 Natural Lands study on East Goshen Ponds.
23

24 Nate walked through a Powerpoint presentation outlining some of the key
25 considerations in dredging and rehabilitating the Bow Tree I Pond., a copy of which
26 can be found here: <https://eastgoshen.org/wp-content/uploads/2020/01/2020-01-14-East-Goshen-Bow-Tree-Pond-No.-1-Rehabilitaiton.pdf>. These considerations
27 included:
28

- 29 • The installation of forebays to catch sediment before it reaches the pond.
- 30 • The installation of rock weirs in the stream to slow the flow of water
31 upstream.
- 32 • Dredging the pond via pumps that would feed into filter bags in the area
33 around the pond and/or other open space areas in Bow Tree.
- 34 • Removal of invasive species, and planting of native species and meadow
35 grasses, once the dredged material has dried and settled.
- 36 • Reconstruction of outlet structures.
37

38
39 He explained that the Township would likely go out to bid for the dredging. The
40 total cost of the project is estimated at about \$200,000.
41

42 Attendees asked a number of questions regarding potential run off of dredged
43 materials back into the pond; the potential for flooding from a deeper pond; the
44 potential for geese habitats to spread onto private property; the viability of the

1 rehabilitated pond for fishing; and the connection of the Bow Tree Greenway to the
2 future Paoli Pike Trail.

3

4 **Adjournment**

5 There being no further business, Mike made a motion to adjourn at 7:45. John
6 seconded. The motion passed 5-0.

7

8 Respectfully submitted,

9 *Jon Altshul*

10 *Recording Secretary*

11

**TREASURER'S REPORT
RECEIPTS AND BILLS**

January 2, 2020 - January 16, 2020

GENERAL FUND

| | |
|------------------------------|-------------|
| Real Estate Tax | \$35.00 |
| Earned Income Tax | \$73,730.40 |
| Local Service Tax | \$698.00 |
| Transfer Tax | \$35,819.98 |
| General Fund Interest Earned | \$5,602.52 |
| Total Other Revenue | \$43,625.51 |

Total General Fund Receipts: \$159,511.41

| | |
|-------------------------|--------------|
| Accounts Payable | \$754,434.42 |
| <u>Electronic Pmts:</u> | |
| Credit Card | \$1,211.45 |
| Postage | \$22.00 |
| Debt Service | \$0.00 |
| Payroll | \$174,521.22 |

Total Expenditures: \$930,189.09

STATE LIQUID FUELS FUND

| | |
|---|--------|
| Receipts | \$0.00 |
| Interest Earned | \$0.00 |
| Total State Liquid Fuels Receipts: <u>\$0.00</u> | |

| | |
|--|--------|
| Accounts Payable | \$0.00 |
| Total Expenditures: <u>\$0.00</u> | |

CAPITAL RESERVE FUND

| | |
|--|----------|
| Receipts | \$56.00 |
| Interest Earned | -\$40.00 |
| Total Capital Reserve Fund Receipts: <u>\$16.00</u> | |

| | |
|--|------------|
| Accounts Payable | \$2,516.92 |
| Total Expenditures: <u>\$2,516.92</u> | |

TRANSPORTATION FUND

| | |
|--|--------|
| Receipts | \$0.00 |
| Interest Earned | \$0.00 |
| Total Transportation Fund Receipts: <u>\$0.00</u> | |

| | |
|--|--------------|
| Accounts Payable | \$300,599.32 |
| Total Expenditures: <u>\$300,599.32</u> | |

SEWER OPERATING FUND

| | |
|-----------------|-------------|
| Receipts | \$38,925.93 |
| Interest Earned | -\$32.75 |

Total Sewer Operating Fund Receipts: \$38,893.18

| | |
|---|-------------|
| Accounts Payable | \$83,313.84 |
| <u>Electronic Pmts:</u> | |
| Credit Card | \$601.54 |
| Debt Service | \$0.00 |
| Total Expenditures: <u>\$83,915.38</u> | |

REFUSE FUND

| | |
|--|----------|
| Receipts | \$441.12 |
| Interest Earned | -\$7.75 |
| Total Refuse Fund Receipts: <u>\$433.37</u> | |

| | |
|---|-------------|
| Accounts Payable | \$88,019.29 |
| Total Expenditures: <u>\$88,019.29</u> | |

BOND FUND

| | |
|--|--------|
| Receipts | \$0.00 |
| Interest Earned | \$0.00 |
| Total Bond Fund Receipts: <u>\$0.00</u> | |

| | |
|---|-------------|
| Accounts Payable | \$23,968.94 |
| Total Expenditures: <u>\$23,968.94</u> | |

SEWER CAPITAL RESERVE FUND

| | |
|---|----------|
| Receipts | \$0.00 |
| Interest Earned | -\$15.00 |
| Total Sewer Capital Reserve Fund Receipts: <u>-\$15.00</u> | |

| | |
|---|-------------|
| Accounts Payable | \$10,984.60 |
| Total Expenditures: <u>\$10,984.60</u> | |

OPERATING RESERVE FUND

| | |
|---|------------|
| Receipts | \$0.00 |
| Interest Earned | \$6,883.98 |
| Total Operating Reserve Fund Receipts: <u>\$6,883.98</u> | |

| | |
|--|--------|
| Accounts Payable | \$0.00 |
| Total Expenditures: <u>\$0.00</u> | |

**EAST GOSHEN TOWNSHIP
MEMORANDUM**

TO: BOARD OF SUPERVISORS
FROM: JON ALTSHUL
SUBJECT: PROPOSED PAYMENTS OF BILLS
DATE: JANUARY 16, 2020

Attached please find the Treasurer's Report for the weeks of January 2, 2020 - January 16, 2020.

Please note a number of large expenditures in this week's report:

- January WEGO PD payment of \$389,798 (note that for WEGO's cash flow purposes, the January payment is always the highest).
- Property and Liability Insurance payment to MRM of \$80,553 (General Fund) and \$32,902 (Sewer), plus Professional Liability payment of \$24,283.
- Payment to PennDOT in the amount of \$299,739, East Goshen's share of the interactive traffic signal project along West Chester Pike (Westtown and West Goshen also paid their proportionate shares). This is net of the Green Light Go Grant that paid for half of the costs and was borne by non-impact fee revenue from the Transportation Fund.

Recommended motion: Mr. Chairman, I move that we graciously accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the Treasurer's Report.

Report Date 01/06/20

Expenditures Register
GL-2001-71929

MARP05 run by BARBARA 10 : 31 AM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|-----------------|------------|--|----------------|----------|-----------|-----------|---------|--------------------------------|
| 01 | | GENERAL FUND | | | | | | | | |
| 904 | 60753 | 1 | 01486 3500 | MRM PROPERTY & LIABILITY TRUST INSURANCE COVERAGE -PREM. 2020 PREMIUM - POLICY # PHPK2070606 | 380649 | 01/06/20 | 01/02/20 | 01/06/20 | 18702 p | 80,553.05 |
| | | | | | | | | | | 80,553.05 |
| 2055 | 60752 | 1 | 01486 3500 | UNIVEST INSURANCE LLC INSURANCE COVERAGE -PREM. 2020 PREMIUM-PUB.OFFICIAL LIABILITY RENEWAL | 10269 | 01/06/20 | 01/02/20 | 01/06/20 | 18703 p | 24,283.00 |
| | | | | | | | | | | 24,283.00 |
| 1471 | 60751 | 1 | 01410 5300 | WESTTOWN-EAST GOSHEN POLICE POLICE GEN.EXPENSE JANUARY 2020 CONTRIBUTION | 010120 | 01/06/20 | 01/01/20 | 01/06/20 | 18701 p | 389,797.81 |
| | | | | | | | | | | 389,797.81 |
| 05 | | SEWER OPERATING | | | | | | | | |
| 904 | 60753 | 2 | 05429 3500 | MRM PROPERTY & LIABILITY TRUST ADMIN.- INSURANCE 2020 PREMIUM - POLICY # PHPK2070606 | 380649 | 01/06/20 | 01/02/20 | 01/06/20 | 4050 p | 32,901.95 |
| | | | | | | | | | | 32,901.95 |
| | | | | | | | | | | 527,535.81 |
| | | | | | | | | | | 4 Prepays, totaling 527,535.81 |
| | | | | | | | | | | 0 Printed, totaling 0.00 |

FUND SUMMARY

| Fund | Bank Account | Amount | Description |
|------|--------------|------------|-----------------|
| 01 | 01 | 494,633.86 | GENERAL FUND |
| 05 | 05 | 32,901.95 | SEWER OPERATING |
| | | 527,535.81 | |

PERIOD SUMMARY

| Period | Amount |
|--------|------------|
| 2001 | 527,535.81 |
| | 527,535.81 |

Report Date 01/07/20

Expenditures Register
GL-2001-71935

PAGE 1

MARF05 run by BARBARA 10 : 02 AM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|--------------|------|---|----------------|----------|-----------|-----------|--------|-----------|
| 01 | | GENERAL FUND | | | | | | | | |
| 1657 | | | | AQUA PA | | | | | | |
| 60755 | 1 | 01409 | 3600 | TWP. BLDG. - FUEL, LIGHT, WATER 000309828 0309828 11/20-12/19/19 TB | 122319 TB | 01/06/20 | | 01/06/20 | | 171.10 |
| 60756 | 1 | 01409 | 3600 | TWP. BLDG. - FUEL, LIGHT, WATER 000309820 0309820 11/20-12/19/19 FR | 122319 FR | 01/06/20 | | 01/06/20 | | 227.40 |
| 60757 | 1 | 01409 | 3605 | PW BLDG - FUEL,LIGHT,SEWER & WATER 000496917 0309798 11/20-12/19/19 FW | 122319 FW | 01/06/20 | | 01/06/20 | | 194.90 |
| | | | | | | | | | | 593.40 |
| 102 | | | | B&D COMPUTER SOLUTIONS | | | | | | |
| 60760 | 1 | 01401 | 3120 | CONSULTING SERVICES DECEMBER 2019 | 00003279 | 01/06/20 | | 01/06/20 | | 2,000.00 |
| | | | | | | | | | | 2,000.00 |
| 119 | | | | BEE.NET INTERNET SERVICES | | | | | | |
| 60761 | 1 | 01401 | 3210 | COMMUNICATION EXPENSE BEE MAIL ACCTS. - JANUARY 2020 | 202001008 | 01/06/20 | | 01/06/20 | | 600.00 |
| | | | | | | | | | | 600.00 |
| 1198 | | | | BRANDYWINE VALLEY SPCA | | | | | | |
| 60762 | 1 | 01410 | 5400 | S.P.C.A. CONTRACT DECEMBER 2019 STRAY PICK-UP | 3424 | 01/06/20 | | 01/06/20 | | 582.09 |
| | | | | | | | | | | 582.09 |
| 296 | | | | COMCAST 8499-10-109-0028306 | | | | | | |
| 60764 | 1 | 01401 | 3210 | COMMUNICATION EXPENSE 0028306 - JANUARY 2020 | 122219 | 01/06/20 | | 01/06/20 | | 128.40 |
| | | | | | | | | | | 128.40 |
| 3250 | | | | COMCAST 8499-10-109-0107704 | | | | | | |
| 60763 | 1 | 01401 | 3210 | COMMUNICATION EXPENSE 0107704 12/23/19 - 1/22/20 P&BOOT LED | 121519 | 01/06/20 | | 01/06/20 | | 106.85 |
| | | | | | | | | | | 106.85 |
| 3613 | | | | DELAWARE VALLEY HEALTH TRUST | | | | | | |
| 60765 | 1 | 01486 | 1560 | HEALTH,ACCID. & LIFE JANUARY 2020 PREMIUM - MED/RX | 17768 | 01/06/20 | | 01/06/20 | | 55,240.00 |
| 60765 | 2 | 01213 | 1000 | DENTAL INSURANCE W/H JANUARY 2020 PREMIUM - MED/RX | 17768 | 01/06/20 | | 01/06/20 | | 1,971.29 |
| | | | | | | | | | | 57,211.29 |

Report Date 01/07/20

Expenditures Register
GL-2001-71935

PAGE 2

MARP05 run by BARBARA 10 : 02 AM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|--------------|------------|---|--|----------------|----------|-----------|-----------|--------|----------|
| 01 | GENERAL FUND | | | | | | | | | |
| 366 | 60766 | 1 | 01407 2130 | DELL MARKETING L.P. COMPUTER EXPENSE LAPTOP - JOHN HERTZOG | 10361192303 | 01/06/20 | | 01/06/20 | | 1,617.19 |
| | | | | | | | | | | 1,617.19 |
| 4199 | 60767 | 1 | 01454 2000 | DOG WASTE DEPOT MAINTENANCE SUPPLIES DOG WASTE ROLL BAGS | 313734 | 01/07/20 | | 01/07/20 | | 860.57 |
| | | | | | | | | | | 860.57 |
| 418 | 60768 | 1 | 01430 2330 | EAGLE POWER AND EQUIPMENT VEHICLE MAINT AND REPAIR REPAIR HYD LEAK | W01590 | 01/07/20 | | 01/07/20 | | 3,290.59 |
| | | | | | | | | | | 3,290.59 |
| 3407 | 60769 | 1 | 01438 2455 | ETS EQUIPMENT TRADE SERVICE CO. INC. MATER. & SUPPLY-RESURFAC. TAR PITCHOUT REMOVER - PAVING | 127006 | 01/07/20 | | 01/07/20 | | 529.80 |
| | | | | | | | | | | 529.80 |
| 1876 | 60770 | 1 | 01438 3845 | FOLEY INC. EQUIP. RENTAL -RESURFAC. TRACK LOADER RENTAL 10/28-10/29/19 | A6401301 | 01/07/20 | | 01/07/20 | | 2,159.95 |
| 60771 | 1 | 01438 3840 | EQUIPMENT RENTAL MINI-EXCAVATOR, HYD THUMB, COUPLER & BUCKET RENTAL 11/21/19 - 12/19/19 | | F4036810 | 01/07/20 | | 01/07/20 | | 3,895.00 |
| | | | | | | | | | | 6,054.95 |
| 3131 | 60772 | 1 | 01401 3840 | GREAT AMERICA FINANCIAL SERVICES RENTAL OF EQUIP. -OFFICE LANIER MP C6004ex COPIER - DEC.2019 | 26095189 | 01/07/20 | | 01/07/20 | | 160.00 |
| | | | | | | | | | | 160.00 |
| 679 | 60774 | 1 | 01432 2500 | INTERCON TRUCK EQUIPMENT SNOW - MAINTENANCE & REPAIRS INSTACHAINS - AIR CYLINDERS & BALL JOINTS | 1075980-IN | 01/07/20 | | 01/07/20 | | 1,477.44 |
| | | | | | | | | | | 1,477.44 |

Report Date 01/07/20

Expenditures Register
GL-2001-71935

ARP05 run by BARBARA 10 : 02 AM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|---|----------------|----------|-----------|-----------|--------|----------|
| 1817 | | | | LOWES BUSINESS ACCOUNT/GECF | | | | | | |
| | 60776 | 1 | 01437 2460 | GENERAL EXPENSE - SHOP CAULKING, GLUE, SCREWS & ROUTER BIT | 121719 | 01/07/20 | | 01/07/20 | | 47.55 |
| | 60776 | 2 | 01454 3000 | GENERAL EXPENSE CEDAR - NO SWIMMING SIGNS | 121719 | 01/07/20 | | 01/07/20 | | 168.24 |
| | | | | | | | | | | 215.79 |
| 1555 | | | | PECO - 45168-01609 | | | | | | |
| | 60782 | 1 | 01409 3840 | DISTRICT COURT EXPENSES | 121919 | 01/07/20 | | 01/07/20 | | 1,781.60 |
| | 60782 | 2 | 01409 3605 | 45158-01609 11/15-12/18/19 DC-GAS PW BLDG - FUEL, LIGHT, SEWER & WATER 45158-01609 11/15-12/18/19 PW-ELEC | 121919 | 01/07/20 | | 01/07/20 | | 740.25 |
| | | | | | | | | | | 2,521.85 |
| 2592 | | | | PECO - 45951-30004 | | | | | | |
| | 60781 | 1 | 01454 3600 | UTILITIES 45951-30004 11/15-12/18/19 RESTROOM | 121919 | 01/07/20 | | 01/07/20 | | 289.15 |
| | | | | | | | | | | 289.15 |

Report Date 01/07/20

Expenditures Register
GL-2001-71935

PAGE 6

MARPO5 run by BARBARA 10 : 02 AM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|-------------------------------|------------|----------------------------------|----------------|----------|-----------|-----------|--------|--------------------------------|
| 08 | | BOND FUNDS (CAPITAL PROJECTS) | | | | | | | | |
| 3551 | | | | MCMAHON ASSOCIATES INC. | | | | | | |
| | 60779 | 1 | 08459 6001 | SEGMENTS A&B ENGINEERING | 168806 | 01/07/20 | | 01/07/20 | | 23,968.94 |
| | | | | PROF.SERVICE - 11/2-11/29/19 A&B | | | | | | |
| | | | | | | | | | | 23,968.94 |
| | | | | | | | | | | 121,279.39 |
| | | | | | | | | | | 0 Printed, totaling 121,279.39 |

FUND SUMMARY

| Fund | Bank Account | Amount | Description |
|------|--------------|------------|-------------------------------|
| 01 | 01 | 78,239.36 | GENERAL FUND |
| 03 | 03 | 1,648.92 | SINKING FUND |
| 05 | 05 | 17,422.17 | SEWER OPERATING |
| 08 | 08 | 23,968.94 | BOND FUNDS (CAPITAL PROJECTS) |
| | | 121,279.39 | |

PERIOD SUMMARY

| Period | Amount |
|--------|------------|
| 2001 | 121,279.39 |
| | 121,279.39 |

Report Date 01/07/20 Procurement Card Entries PAGE 1

MARPI7 run by BARBARA 11 : 24 AM

| Per | Budget # | Sub# | Description | Vendr | Vendor Name | Invoice # | Inv Date | Credit | Src | Trx # | # | U |
|-------|----------|------|------------------------------------|-------|------------------------------|----------------|----------|----------|-----|-------|----|---|
| 2001 | | | CREDIT CARD PAYMENT | | | | | | | | | |
| 01401 | 3400 | | NOTICE - BOS 12/17/19 MEETING | 2226 | 21ST CENT.MEDIA NEWS #884433 | 1913063 | 12/02/19 | 459.58 | PC | 71938 | 1 | |
| 01401 | 3400 | | NOTICE - BOS 12/17/19 HEARING | 2226 | 21ST CENT.MEDIA NEWS #884433 | 1913052 | 12/02/19 | 677.14 | PC | 71938 | 2 | |
| 01401 | 3400 | | NOTICE - REORGANIZATION MTG.1/6/20 | 2226 | 21ST CENT.MEDIA NEWS #884433 | 1916843 | 11/27/19 | 71.08 | PC | 71938 | 3 | |
| 05422 | 3701 | | STAND BY TIME - 11/7-11/26/19 | 4045 | ACE DISPOSAL CORPORATION | 156648 | 12/02/19 | 150.00 | PC | 71938 | 4 | |
| 05422 | 3700 | | STAND BY TIME - 11/12/19 | 4045 | ACE DISPOSAL CORPORATION | 156649 | 12/02/19 | 250.00 | PC | 71938 | 5 | |
| 05422 | 4500 | | LAB TESTING RCSTP 11/26-12/2/19 | 2918 | ALS ENVIRONMENTAL | 40-2376203 | 12/16/19 | 30.00 | PC | 71938 | 6 | |
| 01401 | 2100 | | COFFEE, CREAMER & SUGAR | 1990 | CRYSTAL SPRINGS | 3154612 122019 | 12/20/19 | 327.60 | PC | 71938 | 7 | |
| 01430 | 2330 | | CABLE TIES, SPLICE CONNECTORS, HEX | 2442 | KENT AUTOMOTIVE | 9307209321 | 12/02/19 | 453.59 | PC | 71938 | 8 | |
| 01430 | 2330 | | WASHERS | 2442 | KENT AUTOMOTIVE | 9307223263 | 12/06/19 | 201.82 | PC | 71938 | 9 | |
| 01437 | 2600 | | WIRE SNIPPERS & CUTTERS | 2442 | KENT AUTOMOTIVE | 9307215781 | 12/04/19 | 128.04 | PC | 71938 | 10 | |
| 01437 | 2600 | | CABLE CUTTERS | 2442 | KENT AUTOMOTIVE | 9307219484 | 12/05/19 | 101.62 | PC | 71938 | 11 | |
| 01430 | 2330 | | MALE ELBOWS & TUBE UNIONS | 2442 | KENT AUTOMOTIVE | 9307212490 | 12/03/19 | 118.03 | PC | 71938 | 12 | |
| 01454 | 3740 | | CARRIAGE & LAG BOLTS | 2442 | KENT AUTOMOTIVE | 9307204340 | 11/27/19 | 434.98 | PC | 71938 | 13 | |
| 01430 | 2320 | | 181.1 GALS. GASOLINE | 1161 | REILLY & SONS INC | 176731-530 | 12/18/19 | 364.92 | PC | 71938 | 14 | |
| 01430 | 2320 | | 82.3 GALS. GASOLINE | 1161 | REILLY & SONS INC | 175541-530 | 12/04/19 | 161.97 | PC | 71938 | 15 | |
| 01430 | 2320 | | 347.7 GALS. DIESEL | 1161 | REILLY & SONS INC | 176167-531 | 12/11/19 | 768.07 | PC | 71938 | 16 | |
| 01430 | 2320 | | 481.0 GALS. DIESEL | 1161 | REILLY & SONS INC | 175537-531 | 12/04/19 | 1,062.23 | PC | 71938 | 17 | |
| 01430 | 2320 | | 590.0 GALS. DIESEL | 1161 | REILLY & SONS INC | 176730-531 | 12/18/19 | 1,351.69 | PC | 71938 | 18 | |
| 01409 | 3840 | | 12/16/19 - 1/15/20 | 2868 | VERIZON-1420 | 7504490 121519 | 12/15/19 | 88.44 | PC | 71938 | 19 | |
| 01409 | 3605 | | 12/8/19 - 1/7/20 | 2273 | VERIZON - 0527 | 7504491 121419 | 12/14/19 | 215.66 | PC | 71938 | 20 | |
| 05422 | 3601 | | 12/7/19 - 1/6/20 | 2439 | VERIZON -7041 | 6524805 120619 | 12/06/19 | 234.52 | PC | 71938 | 21 | |

7,650.98

7,650.98

GENERAL LEDGER SUMMARY

| GL Account # | Debit | Credit | Description |
|--------------|----------|----------|---------------------------------|
| 014XX-XXXX | 6,986.46 | | GENERAL FUND Expense Account |
| 01107-1010 | | 6,986.46 | GENERAL FUND Bank Account |
| 054XX-XXXX | 664.52 | | SEWER OPERATING Expense Account |
| 05100-1005 | | 664.52 | SEWER OPERATING Bank Account |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 1

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|--------------|------------|--|----------------|----------|-----------|-----------|--------|-----------|
| 01 | | GENERAL FUND | | | | | | | | |
| 6 | 60792 | 1 | 01409 3740 | ABC PAPER & CHEMICAL INC TWP. BLDG. - MAINT & REPAIRS TALL KITCHEN LINERS | 102074A | 01/13/20 | | 01/13/20 | | 28.21 |
| | | | | | | | | | | 28.21 |
| 68 | 60793 | 1 | 01401 3120 | AMS APPLIED MICRO SYSTEMS LTD. CONSULTING SERVICES DECEMBER 2019 | 66303 | 01/13/20 | | 01/13/20 | | 1,097.00 |
| | 60793 | 2 | 01414 5001 | ZONING IT CONSULTING DECEMBER 2019 - GEO PLAN | 66303 | 01/13/20 | | 01/13/20 | | 28.00 |
| | | | | | | | | | | 1,125.00 |
| 4218 | 60794 | 1 | 01432 2500 | ANDERSON, SUSAN SNOW - MAINTENANCE & REPAIRS REIMBURSEMENT FOR DAMAGED MAILBOX | 122919 | 01/13/20 | | 01/13/20 | | 25.00 |
| | | | | | | | | | | 25.00 |
| 1657 | 60799 | 1 | 01409 3600 | AQUA PA TWP. BLDG. - FUEL, LIGHT, WATER 00309801 0309801 11/25-12/26/19 BS | 123019 BS | 01/13/20 | | 01/13/20 | | 28.50 |
| | | | | | | | | | | 28.50 |
| 4217 | 60795 | 1 | 01411 3630 | AQUA PA HYDRANT & WATER SERVICE 00348603 0348603 9/30-12/31/19 HM34 | 010220 HM34 | 01/13/20 | | 01/13/20 | | 2,637.72 |
| | 60796 | 1 | 01411 3630 | HYDRANT & WATER SERVICE 00310033 0706109 9/30-12/31/19 HY13 | 010220 HY13 | 01/13/20 | | 01/13/20 | | 1,008.54 |
| | 60797 | 1 | 01411 3630 | HYDRANT & WATER SERVICE 00310033 0310033 11/27-12/31/19 186 | 010220 279 | 01/13/20 | | 01/13/20 | | 4,809.96 |
| | 60797 | 2 | 01411 3631 | HYDRANTS - RECHARGE EXPENSE 00310033 0310033 11/27-12/31/19 93 | 010220 279 | 01/13/20 | | 01/13/20 | | 2,404.98 |
| | 60798 | 1 | 01411 3630 | HYDRANT & WATER SERVICE 00309987 0309987 11/27-12/31/19 HY6 | 010220 HY6 | 01/13/20 | | 01/13/20 | | 155.16 |
| | | | | | | | | | | 11,016.36 |
| 197 | 60805 | 1 | 01404 3140 | BUCKLEY BRION MCGUIRE & MORRIS LEGAL - ADMIN LEGAL SERVICE 11/30-12/30/19 | 21387 | 01/13/20 | | 01/13/20 | | 605.00 |
| | 60805 | 2 | 01413 3140 | LEGAL - TWP CODE LEGAL SERVICE 11/30-12/30/19 | 21387 | 01/13/20 | | 01/13/20 | | 382.50 |
| | 60805 | 3 | 01414 3110 | LEGAL - CODES LEGAL SERVICE 11/30-12/30/19 | 21387 | 01/13/20 | | 01/13/20 | | 190.00 |
| | 60805 | 4 | 01414 3141 | LEGAL - ZONING HEARING BOARD LEGAL SERVICE 11/30-12/30/19 | 21387 | 01/13/20 | | 01/13/20 | | 599.00 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 2

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|--------------|---------|------------|---|----------------|----------|-----------|-----------|--------|----------|
| 01 | GENERAL FUND | | | | | | | | | |
| 197 | 60805 | 5 | 01414 3142 | BUCKLEY BRION MCGUIRE & MORRIS LEGAL - CONDITIONAL USE LEGAL SERVICE 11/30-12/30/19 | 21387 | 01/13/20 | | 01/13/20 | | 494.00 |
| | | | | | | | | | | 2,270.50 |
| 214 | 60807 | 1 | 01401 3000 | CCSIGA GENERAL EXPENSE 2020 MEMBERSHIP DUES - S.D'AMORE | 010920 | 01/13/20 | | 01/13/20 | | 55.00 |
| | | | | | | | | | | 55.00 |
| 3488 | 60808 | 1 | 01409 3740 | CINTAS CORPORATION #287 TWP. BLDG. - MAINT & REPAIRS WEEK END 12/18/19 CLEAM MATS | 4037754242 | 01/13/20 | | 01/13/20 | | 70.92 |
| | 60808 | 2 | 01487 1910 | UNIFORMS WEEK END 12/18/19 CLEAM UNIFORMS | 4037754242 | 01/13/20 | | 01/13/20 | | 556.04 |
| | 60809 | 1 | 01409 3740 | TWP. BLDG. - MAINT & REPAIRS WEEK END 12/26/19 CLEAN MATS | 4038432910 | 01/13/20 | | 01/13/20 | | 70.92 |
| | 60809 | 2 | 01487 1910 | UNIFORMS WEEK END 12/26/19 CLEAM UNIFORMS | 4038432910 | 01/13/20 | | 01/13/20 | | 556.04 |
| | 60810 | 1 | 01409 3740 | TWP. BLDG. - MAINT & REPAIRS WEEK END 1/08/20 CLEAN MATS | 4039540591 | 01/13/20 | | 01/13/20 | | 70.92 |
| | 60810 | 2 | 01487 1910 | UNIFORMS WEEK END 1/08/20 CLEAN UNIFORMS | 4039540591 | 01/13/20 | | 01/13/20 | | 547.56 |
| | | | | | | | | | | 1,872.40 |
| 293 | 60811 | 1 | 01409 3840 | COLONIAL ELECTRIC SUPPLY DISTRICT COURT EXPENSES BUSHINGS | 1322152 | 01/13/20 | | 01/13/20 | | 18.22 |
| | 60812 | 1 | 01409 3740 | TWP. BLDG. - MAINT & REPAIRS HIGH BAY LEDS | 13221922 | 01/13/20 | | 01/13/20 | | 1,855.00 |
| | 60813 | 1 | 01409 3745 | PW BUILDING - MAINT REPAIRS LIGHT BULBS - PW | 13207608 | 01/13/20 | | 01/13/20 | | 684.96 |
| | | | | | | | | | | 2,558.18 |
| 3220 | 60815 | 1 | 01413 3000 | DIMARTINI, VINCENT GENERAL EXPENSE PACO 2020 MEMBERSHIP | 011020 | 01/13/20 | | 01/13/20 | | 60.00 |
| | 60816 | 1 | 01413 3000 | GENERAL EXPENSE PENNBCO 2020 MEMBERSHIP | 011020-2 | 01/13/20 | | 01/13/20 | | 86.05 |
| | 60817 | 1 | 01487 4600 | TRAINING & SEMINARS-EMPLY WALL BRACING,WALL SYSTEM & BUILDING CODE UPDATES WEBINARS | 123119 | 01/13/20 | | 01/13/20 | | 70.00 |
| | 60817 | 2 | 01413 3000 | GENERAL EXPENSE HANDICAP ACCESSIBILITY CERTIFICATE | 123119 | 01/13/20 | | 01/13/20 | | 115.00 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|--|----------------|----------|-----------|-----------|--------|-----------|
| 569 | 60827 | 1 | 01409 3740 | GREAT VALLEY LOCKSHOP TWP. BLDG. - MAINT & REPAIRS REPAIR SIDE FRONT & WASH BAY DOORS | 2019003810 | 01/13/20 | | 01/13/20 | | 113.00 |
| | | | | | | | | | | 113.00 |
| 617 | 60829 | 1 | 01401 3410 | HERSHEY'S MILL GOLF CLUB ABC APPRECIATION EVENT ABC HOLIDAY EVENT 12/6/19 | 122719 | 01/13/20 | | 01/13/20 | | 13,036.88 |
| | | | | | | | | | | 13,036.88 |
| 2717 | 60830 | 1 | 01433 2500 | HIGGINS & SONS INC., CHARLES A. MAINT. REPAIRS, TRAFF. SIG. TRAF. LIGHT REPAIR - PAOLI & BOOT | 51000 | 01/13/20 | | 01/13/20 | | 260.00 |
| | | | | | | | | | | 260.00 |
| 679 | 60831 | 1 | 01432 2500 | INTERCON TRUCK EQUIPMENT SNOW - MAINTENANCE & REPAIRS INSTACHAINS | 107176-IN | 01/13/20 | | 01/13/20 | | 172.54 |
| | | | | | | | | | | 172.54 |
| 719 | 60832 | 1 | 01430 2330 | KEEN COMPRESSED GAS COMPANY VEHICLE MAINT AND REPAIR WALTER ZIP WHEELS, CUTTING TIP, ADAPTOR, E-WELD NOZZLE CAN & APPLIC. , OXYGEN & ACETYLENE | 30690123 | 01/13/20 | | 01/13/20 | | 440.21 |
| | | | | | | | | | | 440.21 |
| 3838 | 60833 | 1 | 01438 2460 | KNIGHT BROS. INC. TREE REMOVAL | 14487 | 01/13/20 | | 01/13/20 | | 5,760.00 |
| | 60833 | 2 | 01438 2460 | MISC. TREE REMOVAL 10/25-28 MARIE RD , CALHOUN & FARRELL DR. | 14487 | 01/13/20 | | 01/13/20 | | 7,680.00 |
| | 60833 | 3 | 01438 2460 | MISC. TREE SERVICE 10/29-10/31/19 FARRELL, N. LOCHWOOD & CHESHIRE | 14487 | 01/13/20 | | 01/13/20 | | 1,400.00 |
| | 60833 | 4 | 01438 2460 | TREE REMOVAL LINDEN LANE & MILLRACE 11/8 | 14487 | 01/13/20 | | 01/13/20 | | 170.00 |
| | 60833 | 5 | 01438 2460 | TREE REMOVAL LOG PICK UP - MARIE ROAD | 14487 | 01/13/20 | | 01/13/20 | | 2,260.00 |
| | 60833 | 6 | 01438 2460 | TREE REMOVAL & LOG PICK UP - MARIE RD., FARRELL DR., CHESHIRE, JOSEPH DR. & CALHOUN 11/22-11/23/19 | 14487 | 01/13/20 | | 01/13/20 | | 3,840.00 |
| | | | | MISC. TREE SERVICE - CHESHIRE CR. 11 /26 & 11/27/19 | | | | | | |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------|---|----------------|----------|-----------|-----------|--------|-----------|
| | | | | | | | | | | 21,110.00 |
| 739 | | | | KNOX EQUIPMENT RENTALS INC. | | | | | | |
| 60834 | 1 | 01438 | 3840 | EQUIPMENT RENTAL | 49315.1.2 | 01/13/20 | | 01/13/20 | | 379.50 |
| | | | | WOOD CHIPPER RENTAL 12/13-12/16/19 | | | | | | |
| 60835 | 1 | 01454 | 3740 | EQUIPMENT MAINT. & REPAIR | 49307.1.2 | 01/13/20 | | 01/13/20 | | 847.00 |
| | | | | EXCAVATOR & HYDRAULIC BREAKER RENTL 12/13-12/17/19 | | | | | | |
| | | | | | | | | | | 1,226.50 |
| 765 | | | | LEC - LENNI ELECTRIC CORPORATION | | | | | | |
| 60837 | 1 | 01454 | 3740 | EQUIPMENT MAINT. & REPAIR | 191256 | 01/13/20 | | 01/13/20 | | 420.17 |
| | | | | INSTALL BOLLARDS - CHAMBER PARKING LOT | | | | | | |
| | | | | | | | | | | 420.17 |
| 2861 | | | | LITTLE INC., ROBERT E. | | | | | | |
| 60839 | 1 | 01430 | 2330 | VEHICLE MAINT AND REPAIR | 03-697699 | 01/13/20 | | 01/13/20 | | 265.98 |
| | | | | FILLER CAP,CHAIN LOOPS & WOODCUTTER BAR & CHAIN | | | | | | |
| | | | | | | | | | | 265.98 |
| 787 | | | | LOW-RISE ELEVATOR CO. INC | | | | | | |
| 60840 | 1 | 01409 | 3740 | TWP. BLDG. - MAINT & REPAIRS | 83568 | 01/13/20 | | 01/13/20 | | 40.00 |
| | | | | BASIC MAINTENANCE - DECEMBER 2019 | | | | | | |
| | | | | | | | | | | 40.00 |
| 3470 | | | | NASK DOOR INC. | | | | | | |
| 60842 | 1 | 01409 | 3745 | PW BUILDING - MAINT REPAIRS | 63187 | 01/13/20 | | 01/13/20 | | 114.00 |
| | | | | 893 MAX TRANSMITTERS | | | | | | |
| | | | | | | | | | | 114.00 |
| 2884 | | | | NEOPOST | | | | | | |
| 60843 | 1 | 01401 | 3250 | POSTAGE | 15944638 | 01/13/20 | | 01/13/20 | | 22.00 |
| | | | | BRUSH & SPONGE KIT | | | | | | |
| | | | | | | | | | | 22.00 |
| 3823 | | | | NEOPOST USA INC. | | | | | | |
| 60844 | 1 | 01401 | 3840 | RENTAL OF EQUIP. -OFFICE | N8062919 | 01/13/20 | | 01/13/20 | | 497.82 |
| | | | | POSTAGE MACHINE RENTAL 10/20/19 - 1/19/20 | | | | | | |
| | | | | | | | | | | 497.82 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 6

MARPO5 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|--------------|------------|------------|--|----------------|----------|-----------|-----------|--------|--------|
| 01 | GENERAL FUND | | | | | | | | | |
| 3679 | 60846 | 1 | 01401 3210 | NETCARRIER TELECOM INC. 67846 COMMUNICATION EXPENSE 1/1/20 - 1/31/20 | 628071 | 01/13/20 | | 01/13/20 | | 446.61 |
| | | | | | | | | | | 446.61 |
| 3680 | 60849 | 1 | 01401 3210 | NETCARRIER TELECOM INC. 67891 COMMUNICATION EXPENSE 1/1/20 - 1/31/20 | 628078 | 01/13/20 | | 01/13/20 | | 135.30 |
| | | | | | | | | | | 135.30 |
| 3548 | 60851 | 1 | 01401 2100 | OFFICE BASICS MATERIALS & SUPPLIES STORAGE BOXES | I-1399575 | 01/13/20 | | 01/13/20 | | 40.24 |
| 60852 | 1 | 01401 2100 | | MATERIALS & SUPPLIES APPT. BOOKS, BATTERIES & MAGNETIC CLIPS | I-1408391 | 01/13/20 | | 01/13/20 | | 12.13 |
| 60853 | 1 | 01401 2100 | | MATERIALS & SUPPLIES APPT. BOOKS | I-1409228 | 01/13/20 | | 01/13/20 | | 51.72 |
| 60854 | 1 | 01401 2100 | | MATERIALS & SUPPLIES FILE FOLDERS | I-1409428 | 01/13/20 | | 01/13/20 | | 17.60 |
| | | | | | | | | | | 121.69 |
| 1554 | 60855 | 1 | 01401 2100 | OFFICE DEPOT MATERIALS & SUPPLIES DBL SIDED TAPE, PENCILS, CORRECTION TAPE, RUBBERBANDS, PENS & LEGAL FILE FOLDERS | 418425706001 | 01/13/20 | | 01/13/20 | | 51.82 |
| 60856 | 1 | 01401 2100 | | MATERIALS & SUPPLIES INK CARTRIDGES | 421707067001 | 01/13/20 | | 01/13/20 | | 26.47 |
| 60857 | 1 | 01401 2100 | | MATERIALS & SUPPLIES INDEX MAKERS | 421975872001 | 01/13/20 | | 01/13/20 | | 61.15 |
| | | | | | | | | | | 139.44 |
| 1008 | 60871 | 1 | 01452 3000 | PA RECREATION & PARKS SOCIETY GENERAL EXPENSE 2020 PRPS MEMBERSHIP - M.MILLER | 46717 | 01/13/20 | | 01/13/20 | | 20.00 |
| 60872 | 1 | 01452 3000 | | GENERAL EXPENSE 2020 PRPS MEMBERSHIP - J.LANG | 42057 | 01/13/20 | | 01/13/20 | | 120.00 |
| 60873 | 1 | 01452 3000 | | GENERAL EXPENSE 2020 PRPS MEMBERSHIP - WM. MINAHAN | 41892 | 01/13/20 | | 01/13/20 | | 100.00 |
| 60874 | 1 | 01452 3000 | | GENERAL EXPENSE 2020 PRPS MEMBERSHIP - MIKE ENNIS | 41918 | 01/13/20 | | 01/13/20 | | 100.00 |
| | | | | | | | | | | 340.00 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 7

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|--------------|------------|---|----------------|----------|-----------|-----------|--------|----------|
| 01 | | GENERAL FUND | | | | | | | | |
| 3699 | 60858 | 1 | 01437 2600 | PAULB LLC-LITITZ SHOP - TOOLS IMPACT WRENCH KIT, DRILL SET, TOOL CABINET MAT & ADAPTER | K89749/1 | 01/13/20 | | 01/13/20 | | 621.94 |
| | | | | | | | | | | 621.94 |
| 1778 | 60859 | 1 | 01487 4600 | PCCA TRAINING & SEMINARS-EMPLY DECK DESIGN COURSE - GARY ALTHOUSE | 122719 | 01/13/20 | | 01/13/20 | | 125.00 |
| | | | | | | | | | | 125.00 |
| 2352 | 60862 | 1 | 01434 3610 | PECO - 99193-01400 STREET LIGHTING | 010220 | 01/13/20 | | 01/13/20 | | 705.39 |
| | 60862 | 2 | 01433 2470 | 99193-01400 11/21-12/26/19 UTILITIES - TRAFFIC LIGHTS 99193-01400 11/21-12/26/19 | 010220 | 01/13/20 | | 01/13/20 | | 601.50 |
| | | | | | | | | | | 1,306.89 |
| 3153 | 60860 | 1 | 01409 7505 | PECO - 01360-05046 BOOT & PAOLI LED SIGN 01360-05046 11/25-12/30/19 BOOT LED | 010220 | 01/13/20 | | 01/13/20 | | 47.52 |
| | | | | | | | | | | 47.52 |
| 2591 | 60861 | 1 | 01454 3600 | PECO - 59500-35010 UTILITIES 59500-35010 11/20-12/23/19 PND PUMP | 122619 | 01/13/20 | | 01/13/20 | | 35.58 |
| | | | | | | | | | | 35.58 |
| 1052 | 60863 | 1 | 01408 3130 | PENNONI ASSOCIATES INC. ENGINEERING SERVICES | 1007560 | 01/13/20 | | 01/13/20 | | 116.25 |
| | 60864 | 1 | 01408 3131 | SERVICES THRU 11/24/19 CORNWALLIS ENGINEER.& MISC.RECHARGES | 1007561 | 01/13/20 | | 01/13/20 | | 78.75 |
| | 60865 | 1 | 01408 3130 | SERVICES THRU 11/24/19 BRANDOLINI ENGINEERING SERVICES | 1007562 | 01/13/20 | | 01/13/20 | | 127.00 |
| | 60866 | 1 | 01408 3131 | SERVICES THRU 11/24/19 APPLEBROOK PARK ACCESS BRIDGE ENGINEER.& MISC.RECHARGES | 1007564 | 01/13/20 | | 01/13/20 | | 948.75 |
| | 60867 | 1 | 01408 3131 | SERVICES THRU 11/24/19 DUCKLINGS - WILSON DR. ENGINEER.& MISC.RECHARGES | 1007566 | 01/13/20 | | 01/13/20 | | 251.50 |
| | 60868 | 1 | 01408 3131 | SERVICES THRU 11/24/19 1662 E.BOOT #3 ENGINEER.& MISC.RECHARGES | 1007567 | 01/13/20 | | 01/13/20 | | 360.75 |
| | | | | | | | | | | 360.75 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|--------------|------------|---|----------------|----------|-----------|-----------|--------|-----------|
| 01 | | GENERAL FUND | | | | | | | | |
| 1052 | 60869 | 1 | 01408 3131 | PENNONI ASSOCIATES INC. ENGINEER. & MISC.RECHARGES SERVICES THRU 11/24/19 DIXON | 1007569 | 01/13/20 | | 01/13/20 | | 2,041.75 |
| | | | | | | | | | | 3,924.75 |
| 1005 | 60870 | 1 | 01438 2450 | PENNSYLVANIA ONE CALL SYSTEM MATERIALS & SUPPLIES-HIGHWAYS MONTHLY ACTIVITY FEE - DEC.2019 | 0000842132 | 01/13/20 | | 01/13/20 | | 38.28 |
| | | | | | | | | | | 38.28 |
| 991 | 60875 | 1 | 01401 3070 | PSATS PSATS EXPENSE | INV-62524-Z9S5 | 01/13/20 | | 01/13/20 | | 125.00 |
| | 60876 | 1 | 01401 3070 | PAAZO 2020 MEMBERSHIP - M.GORDON PSATS EXPENSE 2020 PSATS DUES & "TOWNSHIP NEWS" SUBSCRIPTIONS D.SHUEY, M.LYNCH, M. SHANE, J.HERTZOG & M.TRUITT | INV-61100-J1J4 | 01/13/20 | | 01/13/20 | | 2,754.00 |
| | | | | | | | | | | 2,879.00 |
| 2711 | 60877 | 1 | 01409 3740 | R.S. SALES & SERVICE INC. TWP. BLDG. - MAINT & REPAIRS REPAIR ICE MACHINE | 76835 | 01/13/20 | | 01/13/20 | | 463.50 |
| | | | | | | | | | | 463.50 |
| 3292 | 60878 | 1 | 01404 3140 | REGER RIZZO DARNALL LLP LEGAL - ADMIN LEGAL SERVICE 4/24-10/24/19 SUNOCO | 136860 | 01/13/20 | | 01/13/20 | | 11,671.40 |
| | | | | | | | | | | 11,671.40 |
| 4172 | 60879 | 1 | 01409 3740 | SERVICEMASTER SERVICES TWP. BLDG. - MAINT & REPAIRS JANITORIA SEVICE JANUARY 2020 | 2205 | 01/13/20 | | 01/13/20 | | 1,039.50 |
| | 60879 | 2 | 01409 3840 | DISTRICT COURT EXPENSES JANITORIA SEVICE JANUARY 2020 | 2205 | 01/13/20 | | 01/13/20 | | 310.50 |
| | | | | | | | | | | 1,350.00 |
| 3438 | 60883 | 1 | 01452 3050 | SPRINGFIELD WORKSHOP INC. EGG HUNT PLASTIC FILLED EASTER EGGS | INV-297107609 | 01/13/20 | | 01/13/20 | | 1,270.00 |
| | | | | | | | | | | 1,270.00 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 10

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|--|----------------|----------|-----------|-----------|--------|----------|
| 4089 | 60892 | 1 | 01409 3740 | WARD LANDSCAPE SERVICES INC. TWP. BLDG. - MAINT & REPAIRS 7 NORWAY SPRUCE - TWP. BLDG. | 121719 | 01/13/20 | | 01/13/20 | | 4,880.00 |
| | | | | | | | | | | 4,880.00 |
| 4126 | 60891 | 1 | 01430 2330 | WIGGINS - EXTON VEHICLE MAINT AND REPAIR PA - EMERGENCY PLATE MESSENGER FEE & TEMPORARY PLATE | 127301 | 01/13/20 | | 01/13/20 | | 46.00 |
| | | | | | | | | | | 46.00 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 11

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------|--|----------------|----------|-----------|-----------|--------|----------|
| 05 | | | | SEWER OPERATING | | | | | | |
| 1658 | | | | AQUA PA | | | | | | |
| 60800 | 1 | 05420 | 3602 | C.C. COLLECTION -UTILITIES 00305003 0305003 11/26-12/27/19 WW | 123119 WW | 01/13/20 | | 01/13/20 | | 41.40 |
| 60801 | 1 | 05420 | 3602 | C.C. COLLECTION -UTILITIES 00309826 0309826 11/25-12/26/19 TH | 123019 TH | 01/13/20 | | 01/13/20 | | 52.30 |
| 60802 | 1 | 05422 | 3601 | R.C. COLLEC.-UTILITIES 01533998 1087842 11/25-12/26/19 TWN | 123019 TWN | 01/13/20 | | 01/13/20 | | 112.98 |
| | | | | | | | | | | 206.68 |
| 151 | | | | BLOSENSKI DISPOSAL CO, CHARLES | | | | | | |
| 60803 | 1 | 05422 | 4502 | R.C. SLUDGE-LAND CHESTER SWITCH 20 YDS W/LINER 12/9/19 | 180255 | 01/13/20 | | 01/13/20 | | 181.00 |
| 60803 | 2 | 05422 | 4502 | R.C. SLUDGE-LAND CHESTER SWITCH 20 YDS W/LINER 12/17/19 | 180255 | 01/13/20 | | 01/13/20 | | 181.00 |
| 60804 | 1 | 05422 | 4502 | R.C. SLUDGE-LAND CHESTER SWITCH 20 YDS W/LINER 12/23/19 | 180293 | 01/13/20 | | 01/13/20 | | 181.00 |
| 60804 | 2 | 05422 | 4502 | R.C. SLUDGE-LAND CHESTER SWITCH 20 YDS W/LINER 12/30/19 | 180293 | 01/13/20 | | 01/13/20 | | 181.00 |
| | | | | | | | | | | 724.00 |
| 197 | | | | BUCKLEY BRION MCGUIRE & MORRIS | | | | | | |
| 60806 | 1 | 05429 | 3140 | ADMIN - LEGAL LEGAL SERVICE 12/12-12/18/19 | 21436 | 01/13/20 | | 01/13/20 | | 356.00 |
| | | | | | | | | | | 356.00 |
| 1526 | | | | CUSTOM ENVIRONMENTAL TECHNOLOGY | | | | | | |
| 60814 | 1 | 05422 | 2440 | R.C. STP- CHEMICALS 2290 GALLONS ZETA LYTE | 5880 | 01/13/20 | | 01/13/20 | | 4,362.80 |
| | | | | | | | | | | 4,362.80 |
| 583 | | | | HACH COMPANY | | | | | | |
| 60828 | 1 | 05422 | 3700 | R.C. STP-MAINT.& REPAIRS AMONNIA, PHOSPHEROUS, COD, NITRATE TNT, BUFFER SOLN | 11759001 | 01/13/20 | | 01/13/20 | | 1,907.74 |
| | | | | | | | | | | 1,907.74 |
| 765 | | | | LEC - LENNI ELECTRIC CORPORATION | | | | | | |
| 60838 | 1 | 05422 | 3700 | R.C. STP-MAINT.& REPAIRS CHANGE FIXTURES TO LED ON TOP OF TANK | 191249 | 01/13/20 | | 01/13/20 | | 631.00 |
| | | | | | | | | | | 631.00 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 12

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|---|----------------|----------|-----------|-----------|--------|----------|
| 05 | | | | SEWER OPERATING | | | | | | |
| 3043 | 60841 | 1 | 05422 2440 | MAIN POOL & CHEMICAL COMP. INC. R.C. STP- CHEMICALS 2200 GALS. ALUMINUM SULFATE & 216 50LB BAGS SODIUM CARBONATE | 1980327 | 01/13/20 | | 01/13/20 | | 6,818.40 |
| | | | | | | | | | | 6,818.40 |
| 3675 | 60845 | 1 | 05420 3602 | NETCARRIER TELECOM INC. 67889 C.C. COLLECTION -UTILITIES 1/1/20 - 1/31/20 | 628076 | 01/13/20 | | 01/13/20 | | 49.13 |
| | | | | | | | | | | 49.13 |
| 3676 | 60848 | 1 | 05422 3600 | NETCARRIER TELECOM INC. 67890 R.C STP -UTILITIES 1/1/20 - 1/31/20 | 628077 | 01/13/20 | | 01/13/20 | | 49.13 |
| | | | | | | | | | | 49.13 |
| 3677 | 60847 | 1 | 05420 3602 | NETCARRIER TELECOM INC. 67887 C.C. COLLECTION -UTILITIES 1/1/20 - 1/31/20 | 628074 | 01/13/20 | | 01/13/20 | | 49.24 |
| | | | | | | | | | | 49.24 |
| 3725 | 60850 | 1 | 05420 3604 | NETCARRIER TELECOM INC. 68255 MILL VAL./BARKWAY UTILITIES 1/1/20 - 1/31/20 | 628236 | 01/13/20 | | 01/13/20 | | 50.42 |
| | | | | | | | | | | 50.42 |
| 1005 | 60870 | 2 | 05420 3701 | PENNSYLVANIA ONE CALL SYSTEM C.C. INTERCEPT.-MAINT.&REP MONTHLY ACTIVITY FEE - DEC.2019 | 0000842132 | 01/13/20 | | 01/13/20 | | 38.28 |
| | 60870 | 3 | 05420 3702 | C.C. COLLEC.-MAINT.& REPR. MONTHLY ACTIVITY FEE - DEC.2019 | 0000842132 | 01/13/20 | | 01/13/20 | | 38.28 |
| | | | | | | | | | | 76.56 |
| 3529 | 60889 | 1 | 05420 3601 | VERIZON - 442069312 MODEMS C.C. INTERCEPTOR-UTILITIES 11/26 - 12/25/19 MODEMS | 9845010592 | 01/13/20 | | 01/13/20 | | 100.40 |
| | | | | | | | | | | 100.40 |

Report Date 01/13/20

Expenditures Register
GL-2001-72026

PAGE 14

MARP05 run by BARBARA 3 : 07 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|---------------------|-------|---------|------------|--|----------------|----------|-----------|-----------|--------|------------|
| 09 | | | | Sewer Capital Reserve Fund | | | | | | |
| 3691 | | | | EVOQUA WATER TECHNOLOGIES LLC | | | | | | |
| | 60820 | 1 | 09429 7400 | MACHINERY/EQUIPMENT - REPLACEMENT DECANTER VALVES | 904274789 | 01/13/20 | | 01/13/20 | | 10,984.60 |
| | | | | | | | | | | 10,984.60 |
| | | | | | | | | | | 169,436.31 |
| 0 Printed, totaling | | | | | | | | | | 169,436.31 |

FUND SUMMARY

| Fund | Bank Account | Amount | Description |
|------|--------------|------------|----------------------------|
| 01 | 01 | 138,008.00 | GENERAL FUND |
| 05 | 05 | 15,381.50 | SEWER OPERATING |
| 06 | 06 | 5,062.21 | REFUSE |
| 09 | 09 | 10,984.60 | Sewer Capital Reserve Fund |
| | | 169,436.31 | |

PERIOD SUMMARY

| Period | Amount |
|--------|------------|
| 2001 | 169,436.31 |
| | 169,436.31 |

Report Date 01/13/20 Procurement Card Entries PAGE 1

MARP17 run by BARBARA 4 : 03 PM

| Per | Budget # | Sub# | Description | Vendr | Vendor Name | Invoice # | Inv Date | Credit | Src | Trx # | # | U |
|-------|----------|------|------------------------------------|-------|------------------------------|----------------|----------|-----------|-----|-------|----|---|
| 2001 | | | CREDIT CARD PAYMENT | | | | | | | | | |
| 01401 | 3400 | | NOTICE - EGT PLANNING SESSION | 2226 | 21ST CENT.MEDIA NEWS #884433 | 1928243 | 12/20/19 | 345.62 | PC | 72028 | 1 | |
| 06427 | 4500 | | RESIDENTIAL PICK-UP - JANUARY 2020 | 2762 | AJB A.J. BLOSENSKI INC. | 01104878 | 01/01/20 | 57,910.03 | PC | 72028 | 2 | |
| 05422 | 4500 | | LAB TESTING RCSTP - 12/10-12/16/19 | 2918 | ALS ENVIRONMENTAL | 40-2378932 | 12/30/19 | 290.00 | PC | 72028 | 3 | |
| 06427 | 4502 | | WEEK 12/9/19 - 12/14/19 | 241 | C.C. SOLID WASTE AUTHORITY | 55791-R | 12/15/19 | 5,215.40 | PC | 72028 | 4 | |
| 05422 | 4502 | | WEEK 12/9/19 - 12/14/19 | 241 | C.C. SOLID WASTE AUTHORITY | 55791-S | 12/15/19 | 634.80 | PC | 72028 | 5 | |
| 06427 | 4502 | | WEEK 1/2/20 - 1/7/20 | 241 | C.C. SOLID WASTE AUTHORITY | 55983-R | 01/07/20 | 5,229.10 | PC | 72028 | 6 | |
| 05422 | 4502 | | WEEK 1/2/20 - 1/7/20 | 241 | C.C. SOLID WASTE AUTHORITY | 55983-S | 01/07/20 | 651.36 | PC | 72028 | 7 | |
| 06427 | 4502 | | WEEK 12/23/19 - 12/31/19 | 241 | C.C. SOLID WASTE AUTHORITY | 55918-R | 12/31/19 | 8,707.40 | PC | 72028 | 8 | |
| 05422 | 4502 | | WEEK 12/23/19 - 12/31/19 | 241 | C.C. SOLID WASTE AUTHORITY | 55918-S | 12/31/19 | 1,199.91 | PC | 72028 | 9 | |
| 06427 | 4502 | | WEEK 12/16/19 - 12/20/19 | 241 | C.C. SOLID WASTE AUTHORITY | 55959-R | 12/22/19 | 4,933.54 | PC | 72028 | 10 | |
| 05422 | 4502 | | WEEK 12/16/19 - 12/20/19 | 241 | C.C. SOLID WASTE AUTHORITY | 55859-S | 12/22/19 | 496.80 | PC | 72028 | 11 | |
| 01454 | 3740 | | FENDER WASHERS - BRIDGE APPLEBROOK | 2442 | KENT AUTOMOTIVE | 9307242302 | 12/13/19 | 129.41 | PC | 72028 | 12 | |
| 01430 | 2330 | | MALE ELBOW TUBES | 2442 | KENT AUTOMOTIVE | 9307245989 | 12/16/19 | 64.37 | PC | 72028 | 13 | |
| 01430 | 2320 | | 580.0 GALS. DIESEL | 1161 | REILLY & SONS INC | 174969-531 | 11/26/19 | 1,300.36 | PC | 72028 | 14 | |
| 05422 | 3601 | | 12/28/19 - 1/27/20 | 2773 | VERIZON - PW FIOS 0001-15 | 7528031-122719 | 12/27/19 | 111.99 | PC | 72028 | 15 | |
| 01401 | 3210 | | 12/28/19 - 1/27/20 | 2829 | VERIZON - TWP.FIOS 0001-74 | 5527634-122719 | 12/27/19 | 109.99 | PC | 72028 | 16 | |
| | | | | | | | | 87,330.08 | | | | |

87,330.08

GENERAL LEDGER SUMMARY

| GL Account # | Debit | Credit | Description |
|--------------|-----------|-----------|---------------------------------|
| 014XX-XXXX | 1,949.75 | | GENERAL FUND Expense Account |
| 01107-1010 | | 1,949.75 | GENERAL FUND Bank Account |
| 054XX-XXXX | 3,384.86 | | SEWER OPERATING Expense Account |
| 05100-1005 | | 3,384.86 | SEWER OPERATING Bank Account |
| 064XX-XXXX | 81,995.47 | | REFUSE Expense Account |
| 06100-1005 | | 81,995.47 | REFUSE Bank Account |

Report Date 01/13/20

Expenditures Register
GL-2001-72029

PAGE 1

MARP05 run by BARBARA 5 : 04 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|---|----------------|----------|-----------|-----------|--------|---------------------------------|
| 04 | | | | ROAD IMPROVEMENTS | | | | | | |
| 3551 | 60893 | 1 | 04439 6040 | MCMAHON ASSOCIATES INC. TRAFFIC STUDY PROF.SERVICE 11/2-11/29/19 RT.352 & KING STUDY | 168831 | 01/13/20 | 01/13/20 | 01/13/20 | 1037 p | 860.68 |
| | | | | | | | | | | 860.68 |
| 3084 | 60894 | 1 | 04439 6040 | PA DEPARTMENT OF TRANSPORTATION TRAFFIC STUDY PRELIMINARY ENGINEERING & FINAL DESIGN, CONSTRUCTION & CONSTRUCTION INSPECTION WC PIKE SIGNAL PROJECT | 1802438026 | 01/13/20 | 01/13/20 | 01/13/20 | 1036 p | 299,738.64 |
| | | | | | | | | | | 299,738.64 |
| | | | | | | | | | | 300,599.32 |
| | | | | | | | | | | 2 Prepaids, totaling 300,599.32 |
| | | | | | | | | | | 0 Printed, totaling 0.00 |

FUND SUMMARY

| Fund | Bank Account | Amount | Description |
|------|--------------|------------|-------------------|
| 04 | 04 | 300,599.32 | ROAD IMPROVEMENTS |
| | | 300,599.32 | |

PERIOD SUMMARY

| Period | Amount |
|--------|------------|
| 2001 | 300,599.32 |
| | 300,599.32 |

Report Date 01/15/20

Expenditures Register
GL-2001-72043

MARP05 run by BARBARA 10 : 37 AM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|---------------------|-------|-----------------|------------|---|----------------|----------|-----------|-----------|--------|----------|
| 05 | | SEWER OPERATING | | | | | | | | |
| 1393 | 60901 | 1 | 05429 3250 | US POSTMASTER ADMIN.- POSTAGE UTILITY BILLING Q1-2020 | 011520 | 01/15/20 | 01/15/20 | 01/15/20 | 4070 | 961.60 |
| | | | | | | | | | | 961.60 |
| 06 | | REFUSE | | | | | | | | |
| 1393 | 60901 | 2 | 06427 3250 | US POSTMASTER POSTAGE UTILITY BILLING Q1-2020 | 011520 | 01/15/20 | 01/15/20 | 01/15/20 | 696 | 961.61 |
| | | | | | | | | | | 961.61 |
| | | | | | | | | | | 1,923.21 |
| 2 Printed, totaling | | | | | | | | | | 1,923.21 |

FUND SUMMARY

| Fund | Bank Account | Amount | Description |
|------|--------------|----------|-----------------|
| 05 | 05 | 961.60 | SEWER OPERATING |
| 06 | 06 | 961.61 | REFUSE |
| | | 1,923.21 | |

PERIOD SUMMARY

| Period | Amount |
|--------|----------|
| 2001 | 1,923.21 |
| | 1,923.21 |

Report Date 01/16/20

Expenditures Register
GL-2001-72065

PAGE 3

MARP05 run by BARBARA 3 : 33 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|--|-----------------|----------|-----------|-----------|--------|----------|
| 3081 | 60927 | 1 | 01401 3000 | FOLEY, DOTTIE GENERAL EXPENSE BOS PHOTOGRAPHS | DFP202057 | 01/16/20 | | 01/16/20 | | 475.00 |
| | | | | | | | | | | 475.00 |
| 2958 | 60932 | 1 | 01430 2330 | FREIGHTLINER OF LANCASTER VEHICLE MAINT AND REPAIR HEADLAMPS | 312306DE | 01/16/20 | | 01/16/20 | | 332.34 |
| | | | | | | | | | | 332.34 |
| 1970 | 60933 | 1 | 01413 3130 | GEO DECISIONS ENGINEERING SERVICES PROF.SERVICE THRU 10/25/19 GEOPLAN WEB | 065037.01*84206 | 01/16/20 | | 01/16/20 | | 5,190.00 |
| | | | | | | | | | | 5,190.00 |
| 2739 | 60934 | 1 | 01454 3000 | KEEPER OF THE STATIONERY GENERAL EXPENSE FOUR AMERICAN FLAGS | 011320 | 01/16/20 | | 01/16/20 | | 84.00 |
| | | | | | | | | | | 84.00 |
| 765 | 60935 | 1 | 01409 3740 | LEC - LENNI ELECTRIC CORPORATION TWP. BLDG. - MAINT & REPAIRS RELOCATE SWITCH BY OVERHEAD DOOR | 191258 | 01/16/20 | | 01/16/20 | | 195.00 |
| | | | | | | | | | | 195.00 |
| 813 | 60936 | 1 | 01438 2450 | MAIN LINE CONCRETE MATERIALS & SUPPLIES-HIGHWAYS 12x8x16 & 6X8X16 CEMENT BLOCKS | 455462 | 01/16/20 | | 01/16/20 | | 196.50 |
| | 60937 | 1 | 01454 3740 | EQUIPMENT MAINT. & REPAIR SAND BAR YELLOW & BAGS | 455861 | 01/16/20 | | 01/16/20 | | 49.50 |
| | | | | | | | | | | 246.00 |
| 864 | 60938 | 1 | 01430 2330 | METROPOLITAN COMMUNICATIO VEHICLE MAINT AND REPAIR KENWOOD DVR RECEIVER FOR PETERBILT | IN000110140 | 01/16/20 | | 01/16/20 | | 1,683.75 |
| | | | | | | | | | | 1,683.75 |

Report Date 01/16/20

Expenditures Register
GL-2001-72065

PAGE 4

MARP05 run by BARBARA 3 : 33 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|--|----------------|----------|-----------|-----------|--------|----------|
| 1641 | | | | NAPA AUTO PARTS | | | | | | |
| | 60939 | 1 | 01430 2330 | VEHICLE MAINT AND REPAIR 1 1/4 GAL. FUEL | 2-801854 | 01/16/20 | | 01/16/20 | | 24.27 |
| | 60940 | 1 | 01430 2330 | VEHICLE MAINT AND REPAIR ANTIFREEZE | 2-802150 | 01/16/20 | | 01/16/20 | | 24.84 |
| | | | | | | | | | | 49.11 |
| 2593 | | | | PECO - 18510-39089 | | | | | | |
| | 60944 | 1 | 01454 3600 | UTILITIES 18510-39089 12/2/19-1/3/20 BOW TREE | 010620 | 01/16/20 | | 01/16/20 | | 74.17 |
| | | | | | | | | | | 74.17 |
| 1032 | | | | PECO - 99193-01302 | | | | | | |
| | 60946 | 1 | 01409 3600 | TWP. BLDG. - FUEL, LIGHT, WATER 99193-01302 11/21 - 12/26/19 | 010820 | 01/16/20 | | 01/16/20 | | 4,247.79 |
| | 60946 | 2 | 01454 3600 | UTILITIES 99193-01302 11/21 - 12/26/19 | 010820 | 01/16/20 | | 01/16/20 | | 307.83 |
| | | | | | | | | | | 4,555.62 |
| 4091 | | | | PECO 02280-03067 | | | | | | |
| | 60942 | 1 | 01454 3717 | MARYDELL POND REHAB 02280-03067 11/27/19 - 1/2/20 MRYDL | 010920 | 01/16/20 | | 01/16/20 | | 59.78 |
| | | | | | | | | | | 59.78 |
| 2039 | | | | PREMIUM FIRE & SECURITY LLC | | | | | | |
| | 60947 | 1 | 01409 3740 | TWP. BLDG. - MAINT & REPAIRS REBOOT PARKING LOT CAMERA | 7037 | 01/16/20 | | 01/16/20 | | 315.00 |
| | | | | | | | | | | 315.00 |
| 991 | | | | PSATS | | | | | | |
| | 60948 | 1 | 01401 3070 | PSATS EXPENSE SUNSHINE & RIGHT-TO-KNOW LAWS GUIDE 6 COPIES | INV-64880-Q2W1 | 01/16/20 | | 01/16/20 | | 90.00 |
| | | | | | | | | | | 90.00 |
| 2055 | | | | UNIVEST INSURANCE LLC | | | | | | |
| | 60954 | 1 | 01411 6000 | VOLUNTEER FIREFIGHTER WORKERS COMP VOL.FIREFIGHTER'S WORKER'S COMP. SERVICE FEE 2020 | 10797 | 01/16/20 | | 01/16/20 | | 1,233.00 |
| | | | | | | | | | | 1,233.00 |

Report Date 01/16/20

Expenditures Register
GL-2001-72065

PAGE 5

MARP05 run by BARBARA 3 : 33 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------------|--|----------------|----------|-----------|-----------|--------|-----------|
| 1389 | 60950 | 1 | 01414 3141 | UNRUH TURNER BURKE FREES LEGAL - ZONING HEARING BOARD LEGAL SERVICE 4/29-12/16/19 MALVERN INSTITUTE | 169373 | 01/16/20 | | 01/16/20 | | 960.00 |
| | | | | | | | | | | 960.00 |
| 2050 | 60951 | 1 | 01487 1500 | VILLAGE MEDICAL MISC. EMPLOYEE BENEFITS HEP A&B TWINIX VACCINE - C.SPENCER | 00161914 | 01/16/20 | | 01/16/20 | | 125.00 |
| | | | | | | | | | | 125.00 |
| 1470 | 60952 | 1 | 01410 5310 | WESTTOWN TOWNSHIP REGIONAL POLICE BLDG INTEREST JANUARY 2020 INTEREST | 011620 | 01/16/20 | | 01/16/20 | | 837.29 |
| | 60952 | 2 | 01410 5320 | REGIONAL POLICE BLDG PRINCIPAL JANUARY 2020 PRINCIPAL | 011620 | 01/16/20 | | 01/16/20 | | 9,583.33 |
| | | | | | | | | | | 10,420.62 |
| 1983 | 60953 | 1 | 01409 3745 | YALE ELECTRIC SUPPLY CO PW BUILDING - MAINT REPAIRS BLINE SLOTTED HOLES - GALVANIZED | S114775379.001 | 01/16/20 | | 01/16/20 | | 58.63 |
| | | | | | | | | | | 58.63 |

Report Date 01/16/20

Expenditures Register
GL-2001-72065

PAGE 6

MARP05 run by BARBARA 3 : 33 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------|-------------------------------------|----------------|----------|-----------|-----------|--------|--------|
| 03 | | | | SINKING FUND | | | | | | |
| 4011 | | | | REMINGTON & VERNICK ENGINEERS INC. | | | | | | |
| 60949 | 1 | 03409 | 7450 | CAPITAL PURCHASE - TWP BLDG | PCEGT001-19 | 01/16/20 | | 01/16/20 | | 868.00 |
| | | | | PROF.SERVICE THRU 12/31/19 WASH BAY | | | | | | |
| | | | | | | | | | | 868.00 |

Report Date 01/16/20

Expenditures Register
GL-2001-72065

MARP05 run by BARBARA 3 : 33 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|-----------------|------------|--|----------------|----------|-----------|-----------|--------|-------------------------------|
| 05 | | SEWER OPERATING | | | | | | | | |
| 151 | 60909 | 1 | 05422 4502 | BLOSENSKI DISPOSAL CO, CHARLES R.C. SLUDGE-LAND CHESTER SWITCH 20YDS WITH LINER 1/6/20 | 176075 | 01/16/20 | | 01/16/20 | | 181.00 |
| | | | | | | | | | | 181.00 |
| 3872 | 60918 | 1 | 05422 3701 | EAGLE TERMITE & PEST CONTROL R.C. COLLEC.-MAINT.& REPR PEST CONTROL - JANUARY 2020 | 213701 | 01/16/20 | | 01/16/20 | | 25.00 |
| | 60919 | 1 | 05420 3705 | ASHBRIDGE-MAINT.&REPR PEST CONTROL - JANUARY 2020 | 213700 | 01/16/20 | | 01/16/20 | | 25.00 |
| | 60923 | 1 | 05422 3700 | R.C. STP-MAINT.& REPAIRS PEST CONTROL - JANUARY 2020 | 213697 | 01/16/20 | | 01/16/20 | | 45.00 |
| | | | | | | | | | | 95.00 |
| 3678 | 60941 | 1 | 05420 3603 | NETCARRIER TELECOM INC. 67888 ASHBRIDGE - UTILITIES 1/1/20 - 1/31/20 | 628075 | 01/16/20 | | 01/16/20 | | 49.78 |
| | | | | | | | | | | 49.78 |
| 2827 | 60943 | 1 | 05420 3603 | PECO - 04725-43025 ASHBRIDGE - UTILITIES 04725-43025 12/21/19 - 1/3/20 WYLPN PUMP | 010620 | 01/16/20 | | 01/16/20 | | 584.95 |
| | | | | | | | | | | 584.95 |
| 1031 | 60945 | 1 | 05420 3602 | PECO - 99193-01204 C.C. COLLECTION -UTILITIES 99193-01204 11/21 - 12/31/19 | 010820 | 01/16/20 | | 01/16/20 | | 516.92 |
| | 60945 | 2 | 05420 3604 | MILL VAL./BARKWAY UTILITIES 99193-01204 11/21 - 12/31/19 | 010820 | 01/16/20 | | 01/16/20 | | 400.13 |
| | 60945 | 3 | 05420 3600 | C.C. METERS - UTILITIES 99193-01204 11/21 - 12/31/19 | 010820 | 01/16/20 | | 01/16/20 | | 10.12 |
| | 60945 | 4 | 05422 3601 | R.C. COLLEC.-UTILITIES 99193-01204 11/21 - 12/31/19 | 010820 | 01/16/20 | | 01/16/20 | | 399.42 |
| | 60945 | 5 | 05422 3600 | R.C STP -UTILITIES 99193-01204 11/21 - 12/31/19 | 010820 | 01/16/20 | | 01/16/20 | | 10,359.92 |
| | | | | | | | | | | 11,686.51 |
| | | | | | | | | | | 48,104.23 |
| | | | | | | | | | | 0 Printed, totaling 48,104.23 |

Report Date 01/16/20

Expenditures Register
GL-2001-72065

MARP05 run by BARBARA 3 : 33 PM

| Vendor | Req # | Budget# | Sub# | Description | Invoice Number | Req Date | Check Dte | Recpt Dte | Check# | Amount |
|--------|-------|---------|------|-------------|----------------|----------|-----------|-----------|--------|--------|
|--------|-------|---------|------|-------------|----------------|----------|-----------|-----------|--------|--------|

FUND SUMMARY

| Fund | Bank Account | Amount | Description |
|------|--------------|-----------|-----------------|
| 01 | 01 | 34,638.99 | GENERAL FUND |
| 03 | 03 | 868.00 | SINKING FUND |
| 05 | 05 | 12,597.24 | SEWER OPERATING |
| | | ----- | |
| | | 48,104.23 | |

PERIOD SUMMARY

| Period | Amount |
|--------|-----------|
| 2001 | 48,104.23 |
| | ----- |
| | 48,104.23 |

MARP17 run by BARBARA 3 : 59 PM

| Per | Budget # | Sub# | Description | Vendr | Vendor Name | Invoice # | Inv Date | Credit | Srce | Trx # | # | U |
|------|----------|------|-------------------------------------|-------|------------------------------|-----------------|----------|----------|------|-------|---|---|
| 2001 | | | CREDIT CARD PAYMENT | | | | | | | | | |
| | 01401 | 3400 | NOTICE - WCCOG MEETING | 2226 | 21ST CENT.MEDIA NEWS #884433 | 1933993 | 01/03/20 | 81.44 | PC | 72067 | 1 | |
| | 05422 | 3701 | STAND BY TIME 12/3-12/31/19 | 4045 | ACE DISPOSAL CORPORATION | 157478 | 01/02/20 | 187.50 | PC | 72067 | 2 | |
| | 05422 | 3700 | STAND BY TIME - SCREEN ROOM CHANNEL | 4045 | ACE DISPOSAL CORPORATION | 157479 | 01/02/20 | 187.50 | PC | 72067 | 3 | |
| | 01430 | 2320 | 74.0 GAL.S. GASOLINE | 1161 | REILLY & SONS INC | 178214-530 | 01/08/20 | 149.18 | PC | 72067 | 4 | |
| | 01430 | 2320 | 430 GAL.S. DIESEL | 1161 | REILLY & SONS INC | 178213-531 | 01/08/20 | 980.83 | PC | 72067 | 5 | |
| | 05422 | 3601 | 1/7 - 2/6/20 | 2439 | VERIZON -7041 | 65248050-010620 | 01/06/20 | 226.54 | PC | 72067 | 6 | |
| | | | | | | | | 1,812.99 | | | | |
| | | | | | | | | 1,812.99 | | | | |

GENERAL LEDGER SUMMARY

| GL Account # | Debit | Credit | Description |
|--------------|----------|----------|---------------------------------|
| 014XX-XXXX | 1,211.45 | | GENERAL FUND Expense Account |
| 01107-1010 | | 1,211.45 | GENERAL FUND Bank Account |
| 054XX-XXXX | 601.54 | | SEWER OPERATING Expense Account |
| 05100-1005 | | 601.54 | SEWER OPERATING Bank Account |

Memo

East Goshen Township

Date: January 17, 2020
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Sunoco Incident - January 4, 2020

On Saturday January 4, 2020, Sunoco was conducting a hydrostatic pressure test on two pipe segments in front of Bow Tree. When they released the pressure, it created a very loud hissing sound, which prompted Ms. Stoltzfus to call 9-1-1 from her basement. Ms. Stoltzfus advised the dispatcher that she saw flames coming over the trees. The dispatcher advised her to remain in the basement. She expressed two concerns at the Boards meeting on January 6th.

1. Why was she told to remain in the basement during a pipeline emergency?
 - I discussed this with the Department of Emergency Services and they advised to shelter in place since it was safer than going outside where the flames were.

2. The lack of notification when the situation was safe.
 - The Computer Aided Dispatch (CAD) information transmitted to the police officer indicates that Ms. Stoltzfus called from her basement. However, the CAD information did not indicate that she was advised to shelter in place, so the police officer was unaware of that he needed to contact her.

What appears have happened is pure miscommunication. I discussed this with the Chief and she has implemented a protocol for pipeline incidents that should eliminate future miscommunication.

There was also a concern expressed about the lack of an emergency services response. The following is a summary of what transpired on January 4th:

Ms. Stoltzfus calls 9-1-1 (9-1-1 received calls from 4 other residents as well)

| | |
|----------|--|
| 3: 10 PM | Dispatcher dispatches police and fire to 435 Gateswood Drive for a fire. |
| 3:12 PM | The Police Officer responds he is in route |
| 3:14 PM | The Police Officer arrives on location |
| 3:15 PM | The Deputy Chief and Engine 54-1 respond they are in route |
| 3:16 PM | The Deputy Chief arrives on location sees no evidence of fire and determines there is no emergency |
| 3:18 PM | Deputy Chief recalls Engine 54-1 before it arrives on location |
| 3:22 PM | Police Officer leaves location |

All of the above took place within a period of less than 15 minutes. The Deputy Chief's car does not have any markings or visible lights. Engine 54-1 was recalled before it got on location. So the only evidence of an emergency response would have been the police car which was on location for only 8 minutes.

Attached is a copy of the letter I sent to Sunoco.

F:\Data\Shared Data\Admin Dept\Sunoco\General\Report on 1-4-2020 Incident.docx

Memo

East Goshen Township

Date: January 16, 2020

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Noise Ordinance Amendment

Attached is the second draft of the revised Noise Ordinance for your review.

If the Board wants move this forward the next step would be have the Solicitor put it in the appropriate form for adoption and advertise the public hearing. This ordinance does not have to go to the County Planning Commission for their review.

Suggested Motion: I move that we have the Solicitor put the noise ordinance in the appropriate form for adoption and advertise the public hearing at which the Board will consider adopting the ordinance.

2 **Chapter 156**
3 **Noise**

4
5 **§ 156-1 Short title.**

6 The Board of Supervisors, East Goshen Township, Commonwealth of Pennsylvania hereby
7 ordains and enacts the "Noise Control Ordinance No. 74."

8 **§ 156-2 Scope.**

9 This chapter shall apply to the control of all sound originating within the limits of East Goshen
10 Township.

11 **§ 156-3 Definitions.**

12 As used in this chapter, the following terms shall have the meanings indicated:

13 **A-WEIGHTED SOUND LEVEL**

14 The sound pressure level in decibels as measured on a sound level meter using the A-
15 weighting network. The level so read is designated "dB(A)" or "dBA."

16 **BACKGROUND SOUND LEVEL**

17 The measured sound level in an area, exclusive of extraneous sounds and the sound
18 contribution of the specific source in question.

19 **CONSTRUCTION**

20 Any of the following activities;

- 21 1) Site preparation, including but not limited to clearing, grubbing, earthmoving, excavation
22 or grading.
- 23 2) The installation of any type of pipe or appurtenances, including but not limited to storm
24 sewer, sanitary sewer, water main, inlets, or manholes.
- 25 3) The construction, assembly, erection, repair, alteration of any building or structure or part
26 thereof.

27 **CONTIGUOUS USE**

28 Any land use bordering or abutting, whether divided by real property boundary or by real
29 property boundary and public street.

30 **CONTINUOUS SOUND**

31 Any sound which is steady state, fluctuating or intermittent with a total duration greater

32 than two minutes in any half-hour interval.

33 **DECIBEL (DB)**

34 A unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10
35 of the ratio of the pressure of the sound measured to the reference pressure, which is 20
36 micropascals (20 micronewtons per square meter).

37 **DEMOLITION**

38 Any dismantling, intentional destruction or removal of structures, utilities, public or private
39 right-of-way surfaces or similar property.

40 **EMERGENCY**

41 Any occurrence or set of circumstances involving actual or imminent physical trauma or
42 property damage which demands immediate action.

43 **EMERGENCY WORK**

44 Any work performed for the purpose of preventing or alleviating the physical trauma or
45 property damage threatened or caused by an emergency.

46 **EQUIVALENT A-WEIGHTED SOUND LEVEL (LEQ)**

47 The constant sound level that, in a given situation and time period, conveys the same sound
48 energy as the actual time-varying A-weighted sound.

49 **EXTRANEIOUS SOUND**

50 A sound which is neither part of the background sound level nor comes from the source
51 under investigation.

52 **IMPULSIVE SOUND**

53 Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
54 Examples of sources of impulsive sound include explosions, drop forge impacts and the
55 discharge of firearms.

56 **LAND USE**

57 The actual real use of land and buildings thereon situated regardless of the zoning or other
58 classification attributed to such land and buildings.

59 **LEQ**

60 See "EQUIVALENT A-WEIGHTED SOUND LEVEL"

61 **MOTORCYCLE**

62 An unenclosed motor vehicle having a saddle for the use of the operator and two or three

63 wheels in contact with the ground, including but not limited to motor scooters and
64 minibikes.

65 **MOTOR VEHICLE**

66 Any vehicle which is propelled or drawn on land by a motor, including but not limited to
67 passenger cars, trucks, truck trailers, semitrailers, campers, go-carts, snowmobiles,
68 amphibious craft on land, dune buggies or racing vehicles, but not including motorcycles.

69 **NOISE**

70 Any sound which annoys or disturbs humans or which causes or tends to cause an adverse
71 psychological or physiological effect on humans.

72 **NOISE CONTROL OFFICER**

73 The East Goshen Township official having lead responsibility for this chapter.

74 **NOISE DISTURBANCE**

75 Any sound which endangers or injures the safety or health of humans or animals; annoys or
76 disturbs a reasonable person of normal sensitivities; or endangers or injures personal or real
77 property.

78 **NOISE SENSITIVE ZONE**

79 Any area designated pursuant to § 156-4B(9) for the purpose of ensuring exceptional quiet.

80 **PERSON**

81 Any individual, association, partnership or corporation, including any officer, employee,
82 department or agency.

83 **PLAINLY AUDIBLE**

84 Any sound that can be detected by a person using his or her unaided hearing faculties. The
85 NCO or police officer need not require the use of a sound level meter to determine
86 plainly audible

87 **POWERED MODEL VEHICLE**

88 Any self-propelled airborne, waterborne or land borne plane, vessel or vehicle which is not
89 designed to carry persons, including but not limited to any model airplane, boat, car or
90 rocket.

91 **PUBLIC RIGHT-OF-WAY**

92 Any street, avenue, boulevard, highway, sidewalk, alley or similar place which is owned or
93 controlled by a governmental entity.

- 94 **PUBLIC SPACE**
95 Any real property or structures thereon which are owned or controlled by a governmental
96 entity.
- 97 **PURE TONE**
98 Any sound which can be distinctly heard as a single pitch or a set of single pitches. For the
99 purposes of this chapter, a pure tone shall exist if the 1/3 octave band sound pressure level
100 in the band with the tone exceeds the arithmetic average of the sound pressure levels of the
101 two contiguous 1/3 octave bands by 5 dB for center frequencies of 500 Hz and above, by 8
102 dB for center frequencies between 160 Hz and 400 Hz and by 15 dB for center frequencies
103 less than or equal to 125 Hz.
- 104 **REAL PROPERTY BOUNDARY**
105 An imaginary line along the ground surface and its vertical extension which separates the
106 real property owned by one person from that owned by another person, but not including
107 intra-building real property divisions.
- 108 **RECEIVING LAND USE**
109 The land use which is a contiguous use to the noise source.
- 110 **RMS SOUND PRESSURE**
111 The square root of the time averaged square of the sound pressure, denoted Prms.
- 112 **SOUND**
113 An oscillation in pressure, particle displacement, particle velocity or other physical
114 parameter in a medium with internal forces that causes compression and rarefaction of that
115 medium. The description of sound may include any characteristic of such sound, including
116 duration, intensity and frequency.
- 117 **SOUND LEVEL**
118 The weighted sound pressure level obtained by the use of a sound level meter and frequency
119 weighting network, such as A, B or C as specified in American National Standards Institute
120 specifications for sound level meters (ANSI S1.4- 1983, or the latest approved revision
121 thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.
- 122 **SOUND LEVEL METER**
123 An instrument which includes a microphone, amplifier, RMS detector, integrator or time
124 averager, output meter and weighting networks used to measure sound pressure levels. The
125 sound level meter used for testing purposes in accordance with this chapter shall meet the
126 current American National Standard Institute specifications.

127 **SOUND PRESSURE**

128 The instantaneous difference between the actual pressure and the average or barometric
129 pressure at a given point in space, as produced by sound energy.

130 **SOUND PRESSURE LEVEL**

131 Twenty times the logarithm to the base 10 of the ratio of the RMS sound pressure to the
132 reference pressure of 20 micropascals [20 times (10 to the negative sixth power) times N
133 over (m squared)]. The sound pressure level is denoted Lp or SPL and is expressed in
134 decibels.

135 **ZONES**

136 As defined by Chapter 240, Zoning, and the following shall apply:

137 A. Commercial Zones: C-1, C-2, C-4, C-5 inclusive.

138 B. Industrial Zones: I-1, I-2, BP inclusive.

139 C. Residential Zones: R-1, R-2, R-3, R-4, R-5 inclusive.

140 **§ 156-4 Powers and duties of Township; Noise Control Officer.**

141 A. Administration and enforcement.

142 (1) Administration. The noise control program established by this chapter shall be
143 administered by the Noise Control Office(r), hereafter referred to as the "NCO." The Zoning
144 Officer shall serve as the NCO.

145 (2) Enforcement. The NCO and/or the Westtown-East Goshen Regional Police will
146 have full powers to investigate complaints and prosecute violations in accordance with this
147 chapter.

148 B. Powers and duties of the NCO. In order to implement this chapter and for the general
149 purpose of noise abatement and control, the NCO shall have the power and duty to:

150 (1) Make recommendations to the Board of Supervisors and other Township boards
151 and commissions (as needed) regarding potential noise issues.

152 (2) Conduct or cause to be conducted, research, monitoring, the measurement of
153 sound levels and/or other studies related to noise.

154 (3) Enter and inspect any private property or place, and inspect any report or records
155 at any reasonable time when granted permission by the owner or by some other person with
156 authority to act for the owner. When permission is refused or cannot be obtained, a search

157 warrant may be obtained. Such inspection may include administration of any necessary
158 monitoring or measurement of sound levels.

159 (4) Require the measurement of the sound level of any source in accordance with the
160 methods, procedures and equipment, and at such locations and times, as the NCO may
161 reasonably prescribe. The NCO may require the measurements to be conducted by, or in the
162 presence of, its enforcement officials or Township Engineer. The NCO may also require the
163 owner or operator of the source to furnish reports of the results of any such measurements to
164 the NCO.

165 (5) Develop and promulgate standards, testing methods and procedures.

166 (6) Require the owner or operator of any private property, place or activity to
167 establish and maintain records and make such reports as the NCO may reasonably prescribe.

168 (7) Delegate functions, where appropriate under this chapter, to personnel in other
169 departments, subject to the approval of the Board of Supervisors.

170 (8) Evaluate and report to the Board of Supervisors all activities of the noise control
171 program, and make recommendations for any changes necessary to improve the program.
172 The report shall be submitted upon the request of the Board of Supervisors.

173 (9) Prepare, as recommended and approved by the Board of Supervisors, for the
174 designation of noise sensitive zones which contain noise sensitive activities. Noise sensitive
175 activities include, but are not limited to, the operations of schools (public and private),
176 libraries, churches, hospitals and nursing homes.

177 C. Duties and responsibilities of other departments. All Township departments whose duty it is
178 to review and/or approve new projects or activities that will result or may result in the
179 production of sound shall consult with the NCO prior to such department granting approval.
180 The NCO shall consult with the departments involved within the time limits set by state law
181 or Township ordinance, as applicable, for the department's review, approval or disapproval.

182 **§ 156-5 Noise disturbances prohibited.**

183 No person shall unreasonably make, continue or cause to be made or continued any noise
184 disturbance.

185 A. Specific prohibitions. By way of example, but not by way of limitation, the following acts
186 and the causing thereof are declared to be in violation of this chapter.

187 (1) Radios, television sets, musical instruments and similar devices. Operating,
188 playing or permitting the operation of or playing of any radio, television, phonograph,

189 drum, musical instrument, sound amplifier or similar device which produces, reproduces or
190 amplifies sound:

191 (a) Between the hours of 10:00 p.m. and 8:00 a.m. the following day in such a
192 manner as to create a noise disturbance across a real property boundary or within a noise
193 sensitive zone;

194 (b) In such a manner as to create a noise disturbance at 50 feet from such
195 device, when operated in or on a motor vehicle on a public right-of-way or public space, or
196 in a boat on public waters; or

197 (c) In such a manner as to create a noise disturbance to any person other than
198 the operator of the device, when operated by any passenger on a common carrier.

199 (d) This section shall not apply to noncommercial spoken language covered
200 under Subsection A(2).

201 (2) Loudspeakers/public address systems. Using or operating for any commercial or
202 noncommercial purpose any loudspeaker, public address system or similar device between
203 the hours of 10:00 p.m. and 8:00 a.m. the following day such that the sound therefrom
204 creates a noise disturbance across a real property boundary, within a noise sensitive zone or
205 on a public right-of-way or public space.

206 (3) Street sales. Offering for sale or selling anything by shouting or outcry.

207 (4) Animals and birds. Owning, possessing or harboring any animal or bird which
208 frequently or for continued duration howls, barks, meows, squawks or makes other sounds
209 which create a noise disturbance across a residential real property boundary or within a
210 noise sensitive zone.

211 (5) Loading and unloading. Loading, unloading, opening, closing or other handling of
212 boxes, crates, containers, building materials, garbage cans, trash dumpsters or similar
213 objects between the hours of 10:00 p.m. and 7:00 a.m. the following day in such a manner
214 as to cause a noise disturbance across a residential real property boundary, or within a noise
215 sensitive zone, except for the Township-approved municipal waste and recycling contractor.

216 (6) Construction/Demolition. Operating or permitting the operation of any tools or
217 equipment used in construction or demolition.

218 (a) At any time such that the sound level at or across a real property boundary
219 exceeds the noise levels specified below:

Time of Day

Daytime (7:00 a.m. to 10:00 p.m.) An LEQ of 65 dBA for the daytime period or 5 dBA above background sound level, whichever is greater

Nighttime (10:00 p.m. to 7:00 a.m.) No person shall operate or permit the outdoor operation of any tools, equipment or machinery used for construction in such a manner as to be plainly audible across a real property boundary.

220 (b) This section shall not apply to the use of domestic power tools subject to
221 Subsection A(14).

222 (c) If authorized by the NCO the pouring of large concrete slabs for non-
223 residential construction projects may commence at 6:00 am provided abutting
224 residents have been notified at the day before.

225 (7) Vehicle or motorboat repairs and testing. Repairing, rebuilding, modifying or testing any
226 motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disturbance
227 across a residential real property boundary or within a noise sensitive zone.

228 (8) Motor vehicle idling. Idling of motor vehicles (in such a manner as to cause a noise
229 disturbance across a residential real property boundary or within a noise sensitive zone) at
230 any time in excess of 10 minutes in a two-hour period.

231 (9) Places of public entertainment. Operating, playing or permitting the operation or playing of
232 any radio, television, phonograph, drum, musical instrument, sound amplifier or similar
233 device which produces, reproduces or amplifies sound in any place of public entertainment
234 at a sound level greater than 90 dBA as read by the slow response on a sound level meter at
235 any point that is normally occupied by a customer, unless a conspicuous and legible sign is
236 located outside such place, near each public entrance, stating "WARNING: SOUND
237 LEVELS WITHIN MAY CAUSE PERMANENT HEARING IMPAIRMENT."

238 (10) Powered model vehicles. Operating or permitting the operation of powered model vehicles
239 so as to create a noise disturbance across a residential real property boundary, in a public
240 space or within a noise sensitive zone between the hours of 10:00 p.m. and 8:00 a.m. the
241 following day. Maximum sound levels in a public space during the permitted period of
242 operation shall conform to those set forth for residential zones in Table I of Subsection B
243 and shall be measured at a distance of 50 feet from any point on the path of the vehicle.

244 (11) Stationary nonemergency signaling devices.

245 (a) Sounding or permitting the sounding of any signal from any stationary
246 bell, chime, siren, whistle or similar device, intended for nonemergency purposes
247 which do not conform to the regulations set forth for residential zone in Table I of
248 Subsection B.

249 (b) Devices used in conjunction with places of religious worship shall be
250 exempt from this provision.

251 (12) Emergency signaling devices.

252 (a) The intentional sounding or permitting the sounding outdoors of any fire,
253 burglar or civil defense alarm, siren, whistle or similar stationary emergency
254 signaling device, except for emergency purposes or for testing, as provided in
255 Subsection A(12)(b).

256 (b) Testing.

257 [1] Testing of a stationary emergency signaling device and equipment
258 shall occur at the same time of day each time such a test is performed, but
259 not before 8:00 a.m. or after 10:00 p.m. Any such testing shall use only the
260 minimum cycle test time. In no case shall such test time of a signaling
261 device exceed 30 seconds.

262 [2] Testing of the complete emergency signaling system, including the
263 functioning of the signaling device and the personnel response to the
264 signaling device, shall not occur more than once in each calendar month.
265 Such testing shall not occur before 8:00 a.m. or after 10:00 p.m. The time
266 limit specified in Subsection A(12)(b)[1] shall not apply to such complete
267 system testing.

268 (c) All outdoor burglar alarms, sirens, whistles or similar stationary
269 emergency signaling devices (with the exception of civil defense and fire alarms
270 subject to applicable state regulations) must have an automatic shutoff switch
271 limiting a maximum operational time of 15 minutes.

272 (13) Noise sensitive zones. Creating or causing the creation of any sound within any noise
273 sensitive zone designated pursuant to § 156-4B(9), so as to disrupt the activities normally
274 conducted within the zone, provided that conspicuous signs are displayed indicating the
275 presence of the zone.

276 (14) Domestic power tools. Operating any mechanically powered saw, sander, drill, grinder,
277 lawn mower, chain saw, string trimmer, leaf blower, chipper, garden tool or similar device

278 outdoors between the hours of 10:00 p.m. and 7:00 a.m. the following day so as to cause a
 279 noise disturbance across a real property boundary. Exception: public and/or private golf
 280 courses can commence mowing operations at 6:00 a.m. prevailing time, provided that their
 281 mowing equipment utilizes the latest available technology in sound reduction.

282 (15) Tampering. The following acts or the causing thereof are prohibited:

283 (a) The removal or rendering inoperative by any person other than for
 284 purposes of maintenance, repair or replacement of any noise control device. The
 285 NCO may, by regulation, list those acts which constitute violation of this
 286 provision.

287 (b) The (intentional) moving or rendering inaccurate or inoperative of any
 288 sound monitoring instrument or device positioned by or for the NCO, provided
 289 that such device or the immediate area is clearly labeled.

290 B. Maximum permissible sound levels by receiving land use. No person shall operate or cause
 291 to be operated on private property any source of sound in such a manner as to create a sound
 292 level which exceeds the limits set forth for the receiving land use category in Table I when
 293 measured at or within the property boundary of the receiving land use. All references in the
 294 following table are to prevailing time.

Table I - Continuous Sound Levels by Receiving Land Use

| Receiving Land Use Category | Time | Sound Level Limit |
|-----------------------------|-----------------------------------|-------------------|
| | | (dBA) |
| Residential zones | Day 7:00 a.m. -10:00 p.m. | 65 |
| | Night 10:00 p.m. -7:00 a.m. | 55 |
| Commercial zones | Day 7:00 a.m. -10:00 p.m. | 65 |
| | Night 10:00 p.m. -7:00 a.m. | 60 |
| Industrial zones | At all times | 70 |

(NOTE: If the background sound levels exceed the limits set forth in Table I the Sound Level Limit shall be increased to 5 dBA above the background sound level.)

295 C. Correction for character of sound. For any source of sound which emits a pure tone, the

296 maximum sound level limits set forth in the above Table I of Subsection **B** shall be reduced
297 by 5 dBA. For any source of sound which emits an impulsive sound, the excursions of
298 sound pressure level shall not exceed 20 dBA over the maximum sound level limits set forth
299 in Table I of Subsection **B**, provided that in no case shall they exceed 80 dBA, regardless of
300 time of day or night or receiving land use, using the fast meter characteristic of a Type II
301 meter, meeting the American National Standard Institute specifications SL4-1971.

302 § 156-6 **Exceptions.**

303 The maximum permissible sound levels by receiving land use established in Subsection A and B
304 shall not apply to any of the following noise sources:

- 305 A. Blasting, only if performed in accordance with a permit issued by the Pennsylvania
306 Department of Environmental Protection. Such blasting may occur only between the hours
307 of 7:00 a.m. and 5:00 p.m., Monday through Friday, unless specifically authorized at
308 different times by the DEP permit.
- 309 B. Alarms or other devices used for the purpose of alerting people to the existence of an actual
310 emergency or devices such as a horn or siren installed in a motor vehicle and used to warn
311 persons of an imminent danger.
- 312 C. Emergency work to provide electricity, water or other public utilities or restore essential
313 public services, including construction activities directly related to the abatement of an
314 emergency.
- 315 D. Authorized emergency vehicles responding to an emergency.
- 316 E. A snowplow, snow blower or other similar device in operation used to remove snow or ice.
- 317 F. Work or activities performed or sponsored by governmental agencies or their contractors in
318 the performance of public service.
- 319 G. Noises made by bells, chimes, carillons used for religious purposes or in conjunction with
320 national celebrations or public holidays; existing bells, chimes and carillons and clock strike
321 mechanisms that are currently in use for any purpose.
- 322 H. Motor vehicle operations shall not exceed the noise levels established in 67 Pa Code
323 §157.11 et.
- 324 I. Public events authorized by the Township.
- 325 J. Agriculture.

326 § 156-7 **Permits.**

327 A. The NCO, upon application from any person, shall have the authority to grant temporary
328 permits permitting the operation or causation of sound in excess of the maximum
329 permissible sound levels by receiving land use established in § 156-5 if the NCO determines
330 that:

331 (1) The temporary operation or causation of such sound, under the circumstances, will
332 not severely jeopardize the health, welfare or safety of the citizens of East Goshen
333 Township.

334 (2) The operation will not have an adverse effect on a contiguous use.

335 B. The NCO shall have the right and authority to impose reasonable conditions upon any
336 applicant for a temporary permit. No more than six (6) temporary permits in a calendar year
337 will be issue for a specific property.

338 C. Any person seeking a temporary permit pursuant to this section shall file an application with
339 the NCO at least 14 days prior to commencement of the noise source. The applicant shall
340 include the following information:

341 (1) The name, address and telephone number of the applicant.

342 (2) The location of the proposed activity.

343 (3) The nature and purpose of the proposed activity.

344 (4) The estimated levels of sound to be generated by the proposed activity.

345 (5) The date and time limits for the proposed activity.

346 D. If the proposed activity is approved, the NCO shall issue the applicant a temporary permit
347 with any and all applicable conditions. The temporary permit shall not become effective
348 until all conditions are agreed to by the applicant. Noncompliance with any condition(s) of
349 the permit shall terminate the permit and subject the person holding it to the provisions of
350 §156-9.

351 E. The NCO may issue guidelines, as approved by the Board of Supervisors, defining the
352 procedures to be followed in applying for a temporary permit and the criteria to be
353 considered in deciding whether to grant a permit.

354 F. The issuance of any temporary permit by the NCO does not hold East Goshen Township
355 and/or the Westtown-East Goshen Regional Police responsible in any way for death,

356 injuries or damages resulting from the issuance of a permit.

357 G. The NCO will provide written notification of the temporary permit to all property owners
358 within 1,000 feet of the subject property.

359 **§156-8 Fees.**

360 A. Applicants for a temporary permit shall pay a filing fee to cover the administrative costs
361 required to process the application and send a letter to all property owners within 1,000 feet
362 of the subject property.

363 B. The Board of Supervisors shall by resolution establish a fee for issuance of the temporary
364 permits.

365 **§ 156-9 Violations and penalties.**

366 Any person who violates or permits the violation of any provision of this chapter shall, upon
367 conviction thereof in a summary proceeding brought before a District Justice under the
368 Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense, and shall be subject
369 to the payment of a fine of not less than \$100 and not more than \$1,000, plus the costs of
370 prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in
371 the county prison for a term of not more than 30 days. Each section of this chapter violated shall
372 constitute a separate offense, and each day or portion thereof in which a violation of this chapter
373 is found to exist shall constitute a separate offense, each of which violations shall be punishable
374 by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000,
375 plus the costs of prosecution, or upon default of payment thereof, the defendant may be
376 sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines
377 and penalties collected for the violation of this chapter shall be paid to the Township Treasurer.
378

379 **§ 156-10 Appeals.**

380 Appeals of an adverse decision of the NCO and Board of Supervisors of East Goshen Township
381 shall be made to the Court of Common Pleas of Chester County.

382 F:\Data\Shared Data\Admin Dept\Township Code\Noise 2019\Noise Ordinance Draft 1-17-20.doc

383

Memo

East Goshen Township

Date: January 2, 2020

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Tax Collector

The Tax Collector position (unexpired 2 year term) was placed on the November 2019 Ballot and Michele Truitt was declared the winner. However, Michele declined the position and the County has advised us that the position is vacant and can be considered for appointment.

The vacancy was posted on the website and Giulio Perillo, 364 Applebrook Drive has expressed in interest. Giulio has previously served on the Pension Committee from 2011 to 2018.

F:\Data\Shared Data\ABC'S\Tax Collector\Memo 011620.docx



THE COUNTY OF CHESTER



COMMISSIONERS:

Michelle Kichline
Kathi Cozzone
Terrence Farrell

CHESTER COUNTY VOTER SERVICES

Government Services Center
601 Westtown Road, Suite 150
P.O. Box 2747
West Chester, PA 19380-0990
(610) 344-6410 FAX: (610) 344-5682

Sandra Burke
Director

December 18, 2019

East Goshen Township
1580 Paoli Pike
West Chester, Pa 19380

The following winner declined the position they won. This position is vacant and can be considered for appointment.

| | | | | |
|--------------------------------------|-------------------|---------|--------|-------------------|
| Tax Collector Unexpired 2 Yr Term | E Goshen Township | Michele | Truitt | DECLINED POSITION |
|--------------------------------------|-------------------|---------|--------|-------------------|

Please contact Chester County Voter Services at (610)344-6410 should you have any questions.

Sincerely,

Sandra Burke
Director



Rick Smith

From: Rick Smith
Sent: Thursday, December 26, 2019 1:44 PM
To: 'GIULIO PERILLO'
Subject: RE: Tax collector position

Giulio

Thanks for your interest. I will let the Board know.

Rick

-----Original Message-----

From: GIULIO PERILLO [<mailto:gaperillo1@verizon.net>]
Sent: Tuesday, December 24, 2019 3:16 PM
To: Rick Smith
Subject: Tax collector position

Last year I considered the position, but the timing was not right which I told Jon. However, I would be very happy to serve in this position, as a small contribution to the township. I understand the compensation and that the role is mandated but not operational.

GIULIO PERILLO
gaperillo1@verizon.net

Memo

To: Board of Supervisors
From: Jason Lang, Director of Parks & Recreation
Re: 2020 Community Day
Date: January 2, 2020

The Park Commission discussed 2020 special event dates at its December 2019 meeting and recommends hosting **Community Day** on **June 27th, 2020** with a June 28th rain date. WCASD schools are slated to end no later than June 12th before factoring in current and anticipated snow day dismissals. This date also takes into consideration that graduation and EOY parties are typically held on the weekends immediately following the end of the school year.

The event will be similar to past years and include:

- Live Music, Food Trucks, Fireworks
- Inflatables, Carnival Games, Petting Zoos
- Health Assessments and JeffSTAT helicopter landing courtesy of Paoli Hospital
- Two escape room experiences
- Coordination with WEGO Police, Goshen Fire & Goshen Fire Police

Anticipated Event Budget: \$25,000 (plus \$6,000 in anticipated Public Works detail) = \$31,000

The Friends of East Goshen are excited to help with the event again in 2020 and anticipate offsetting the above costs in their entirety. After Board of Supervisors approval, the Director of Parks & Recreation will obtain quotes for fireworks and inflatable vendors and make a recommendation to the BOS by the beginning of March.

Dates for other Parks and Recreation special events include:

Egg Hunt – April 11th

Food Truck & Music Festival – August 29th

Pumpkin FEST – October 17th

Holiday Celebration & Christmas Tree Lighting – December 11th

Motion:

I move that we schedule the 2020 Township Community Day for June 27th, 2020.

Memorandum

To: Board of Supervisors
From: Park and Recreation Commission
Re: Recommendation to allow beer/wine at the 2020 Food Truck & Music Festival
Date: January 2nd, 2020

Opening:

In 2019, the Township's Food Truck and Music Festival featured beer and wine sales for the first time, and it was a major success. The event drew an estimated 4500 people and the Park Commission recommends again allowing beer and wine sales at the 2020 event.

Event notes and feedback from 2019:

- More alcohol vendors needed.
 - We had one beer and one wine vendor with lines averaging 20 minutes at worst.
 - Recommendation is to have four total alcohol vendors: beer (2), wine (1) and cider/seltzer (1). This would alleviate lines while providing event participants greater variety and selection.
- More food vendors needed.
 - We had ten "hot" food trucks and five "dessert" trucks. Every vendor sold out of all his or her food, with the longest lines for BBQ.
 - Recommendation is to increase to thirteen hot trucks and six dessert trucks.

Set Up and Operations:

- Vendor would manage carding/wrist banding those purchasing alcohol
- Fenced in area would denote consumption zone (beer garden)
 - In 2020, beer garden would extend to include the full center island
 - Sale of alcohol would end one hour before the end of the event
- Township would handle trash (end of event)
- WEGO Police Officer would be on site for the duration of the event

Additional Notes:

- Beer/wine vendor would utilize their existing Liquor Control Board license
- Vendor would sign Township Indemnification Form
- Revenue sharing agreement would be completed
- Vendor would manage carding/wrist banding those purchasing alcohol
- Fenced in area would denote consumption zone (beer garden)
 - Event hours: 4pm-8pm
 - Sale of alcohol would end one hour before the end of the event (7pm)
- Township would handle trash (end of event)
- WEGO Police Officer would be on site for the duration of the event

Motion: I move to allow beer and/or wine sales and consumption at the 2020 Township Food Truck and Music Festival, scheduled for August 29th, 2020 with an event rain date set for August 30th, 2019.

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

January 9, 2020

To Board of Supervisors

From Mark Miller

Ref. Skid Steer Replacement and Mill head

We are scheduled to replace the 2009 Case 450 skid steer & mill head this year as it has been fully depreciated, with an estimated replacement cost of \$86,000. Unfortunately, the right drive system on the machine went down in December and had to be repaired at a cost of \$4,000. Now the other drive unit is showing signs of failure. So we have taken the machine out of service and parked it.

We would like to purchase a replacement skid steer and mill head at this time since the current machine is out of service. We had budgeted \$72,000.00 in the 2020 budget for the replacement. I reached out to two local **COSTAR** dealers for price quotes. Below are their quotes.

| | |
|--------------------------------|----------------------|
| Eagle Power Model Kubota SVL95 | \$99,125.40 |
| Trade Allowance: | <u>- \$23,000.00</u> |
| Total Due | \$76,195.40 |

| | |
|--------------------------|---------------------|
| Foley Cat Model 272D3-XE | \$116,000.00 |
| Trade Allowance | - \$23,000.00 |
| COSTAR / Foley Discounts | - \$50,573.00 |
| Prep and Delivery | <u>+ \$1,275.00</u> |
| Total Due | \$69,000.00 |

Mr. Chairmen we would recommend the Board approve purchasing the Foley Cat Model 272D3-XE skid steer from Foley Cat in the amount of \$69,000, net of trade-in of the 2009 Case 450 skid steer.

Memo

To: Board of Supervisors
From: Jon Altshul
Re: Amendments to Personnel Manual
Date: January 10, 2020

I would like to propose two amendments to the Township's Personnel Manual, as summarized below:

- 1) The Township does not have a donation leave policy, whereby employees can donate excess leave to employees who need to care for a loved one under the Township's Family and Medical Leave policy. While the Township has a robust Short-Term Disability policy, employees who need to take FML to care for a child or spouse with a serious medical condition need to use either Personal Leave or Vacation Pay (the Personnel Manual only allows employees to use one day of Sick Leave to care for others, including children). Employees who have not been with the Township for very long may not have sufficient accrued vacation time in these circumstances. The specific proposed language would be as follows:

§4-8-D(4) The Township Manager is authorized to permit employees to donate unused vacation and personal leave, but not sick leave, to employees eligible for Family and Medical Leave, provided that no more than 160 hours of leave may be donated in any calendar year to any employee. Employees who donate leave shall forfeit all future claim to it. Further, any unused donated leave shall be forfeited by the employee upon their return from Family and Medical Leave.

- 2) The Personnel Manual has a provision §13-1 (Perfect Attendance) that allows employees who don't take any sick leave to receive either an extra personal day or an extra day's pay at the beginning of the following year. The policy is problematic for two reasons: 1) it encourages employees to come to work when they're sick and 2) historically, the beneficiaries of the policy are exempt employees. I would therefore recommend that the policy only apply to non-exempt employees.

Recommended Motion: Mister Chairman, I move that we add §4-8-D(4) to the East Goshen Township Personnel Manual authorizing the Township Manager to permit employees to donate unused vacation and personal leave to employees eligible for Family and Medical Leave, and further that we amend §13-1 (Perfect Attendance) of the East Goshen Township Personnel Manual to apply only to non-exempt employees.

Memo

To: Board of Supervisors
From: Jon Altshul
Re: Proposal for East Goshen Code of Ethics
Date: January 15, 2020

Given the recent controversy in Kennett Township, Mike has suggested that Supervisors and appointed officials (including ABC members), along with all Township staff annually agree to a Code of Ethics. This form, a draft of which is attached, would be in addition to the annual financial disclosure that selected officials, staff and professionals (solicitor, engineer, etc) must also complete pursuant to the PA Ethics Act.

This draft Code of Ethics is largely cribbed from East Bradford Township's own policy.

Note that for staff, this Code of Ethics partially overlaps with Sections 3-6 (Prohibiting Gifts), 3-7 (Conflicts of Interest) and 3-9 (Confidential Information) of the Township's Personnel Manual that all staff must agree to at the date of hire. I have attached those sections of the Personnel Manual to this memo.

Finally, note that as a general rule of thumb, the BOS cannot impose a Code of Ethics on other elected officials (e.g. Tax Collector, Auditor, etc), as they are independent of the Board and their conduct is governed by separate state statutes.

The questions for the Board are therefore:

- 1) Should the Township formally institute this Code of Ethics?
- 2) Are there any recommended changes to the language?
- 3) For whom should the form be required? E.g. all ABC members? Elected officials?
- 4) Is there a penalty for not providing the form?

CODE OF ETHICS EAST GOSHEN TOWNSHIP

All Supervisors, appointed officials, ABC members and employees of East Goshen Township, Chester County, Pennsylvania, shall be guided in their actions by the following:

Conflict of Interest

- A. No Supervisor, appointed official, ABC member or employee of the Township shall:
- 1) Use their official capacity with the Township to benefit financially, other than, as applicable, drawing their duly approved salary and any benefits to which they would normally be permitted under the Township's Personnel Manual.
 - 2) Solicit or accept, directly or indirectly, any gift, favor, service, commission or other consideration that might reasonably tend to influence that official in the discharge of the duties of office or appointment.
 - 3) Seek to influence, directly or indirectly, the awarding of any contract, plan or document where such official or employee is interested or would benefit directly or indirectly, financially or otherwise, from said contract. Such action is not intended to apply to actions of a Supervisor on behalf of a group or class of citizens of the Township who would benefit from the contract and such benefit and relationship is generally known and acknowledged and acting under the authority of the Second Class Township Code.
- B. Appointed officials, ABC members and Township employees shall disclose to the Board of Supervisors, in writing, any time there is knowledge of a circumstance where either their employer or members of their family may be seeking to do business with the Township or where their proximity and/or relationship to another property owner or resident in the Township may unduly influence, directly or indirectly, their official action. Upon such disclosure, the Board of Supervisors may determine that such appointed official, ABC member, or Township employee shall be precluded from and discussions or decision making in such business. Willful failure of an appointed official, ABC member or Township employee to make such disclosure is cause for the Board of Supervisors to seek the resignation and/or removal of such person from the Township appointment, ABC or employment.
- C. Any appointed official, ABC member or Township employee thereof having any direct or indirect financial interest as a partner or a stockholder of a corporation or an employee of a business entity which proposes to contract with the Township for the purchase or sale of land, materials, supplies or services of any kind shall fully disclose said interest. Holdings in a privately-held company or partnership of less than \$1,000 or 0.1% of a publicly traded corporation are exempt, as are any indirect ownership of any publicly traded company via ownership in a diversified mutual fund. Violation of this section shall render the contract void at the discretion of the Board of Supervisors.
- D. The Supervisors, appointed officials, ABC members, and Township employees shall, file with the Office Coordinator a statement of direct, indirect or beneficial ownership of real property in East Goshen Township or direct, indirect or beneficial interest in any corporation, partnership or joint

venture owning real property in East Goshen Township. This statement shall be revised promptly as required by any change in ownership. No disclosure shall be required for a primary residence.

Guidelines for Ethical Performance

- A. Supervisors, appointed officials, ABC members and Township employees shall:
- 1) To the best of their ability, learn and observe the laws governing the conduct of officials and employees of the municipalities of Pennsylvania.
 - 2) Serve first the advancement of the public interest before the interest of any persons, factions or parties.
 - 3) Abide by policies duly established by the Board of Supervisors and adhere to the standard rules and procedures relating to the performance of East Goshen Township governmental functions.
 - 4) Strive at all times for civil conduct in keeping with the trust and dignity vested in public service.
 - 5) Strive to increase their knowledge and understanding of municipal government and improve their competence in the performance of the functions necessary to the operation of local government.
 - 6) Respect all Township equipment, books, records and information.
 - 7) Not use confidential information, to which they have access by virtue of their public office or position, to their personal advantage nor to the advantage or disadvantage of others.
 - 8) Not make available to anyone any services, tangible or intangible, that are not equally available under the law to others.
 - 9) Refuse personal gifts, favors, loans, services, payments and other inducements, made either directly to the official or employee or to a family member of the official or employee where there is reason to believe such gifts, favors or inducements are offered to influence their official actions in favor of the donor. Nominal token gifts including holiday food baskets, calendars, and similar items may be accepted.
 - 10) Not convey to any person any information or advice not generally available to the public in any transaction, negotiation or litigation to which the Township is a party.
 - 11) Not use, or permit others to use, the power of public office or employment to solicit contributions from employees on behalf of any candidate for political office or any demand or infer that any Township employee should solicit contributions on behalf of any candidate for political office.
 - 12) Disclose any potential conflict in the discourse of legislative action which would serve to bring some special benefit by the particular vote/action being rendered. Appointed officials, ABC members and Township employees should conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

13) When using social media, refrain from presenting personal opinions in ways that imply endorsement by East Goshen Township. If posted material may reasonably be construed as implying the support, endorsement, or opposition of the Township with regard to any personal statements, including opinions or views on any issue, the material should be accompanied by an explicit statement that the individual is speaking for oneself and not as a representative of the Township. East Goshen Township maintains its own official sites, (e.g. website, social media), which are monitored by at least one Township employee to ensure accuracy of content. Use or establishment of Township-hosted sites must be approved by the Township. Establishing and/or representing a site as an official Township site without the express permission of the Township is prohibited.

I have read the policy adopted by the Board of Supervisors of the Township of East Goshen entitled "Code of Ethics".

I accept the Code of Ethics and agree to comply with the Code of Ethics.

I understand that it is my responsibility to disclose in writing a full description of any activity, interest, or relationship on my part that could create or create the appearance of a conflict of interest or otherwise violate the provisions of the Code of Ethics or applicable state law as soon as practical after the inception of the activity, interest or relationship.

To the best of my knowledge and belief, I am not now engaged in any activity, interest or relationship that would create or appear to create a conflict of interest or violation of the Code of Ethics except as indicated below.

I therefore expressly agree to act in accordance with this Code of Ethics.

The only situations that could possibly give rise to the appearance of a conflict of interest or violation of the Code of Ethics is/are as follows:

Date: _____

Signature: _____

Print Name: _____

Submitted for the year: _____

PERSONNEL MANUAL

- D. The Township Manager, Director of Public Works, and Chief Financial Officer/Treasurer shall work five workdays of eight hours each, or four workdays of nine hours each and one workday of four hours.

§ 3-3. Residency requirements.

Residency in East Goshen Township shall not be a requirement for any appointment to the Township work force.

§ 3-4. Outside employment.

Employees who have accepted appointment with the Township shall not engage in outside employment that might affect their performance or impair their efficiency and/or effectiveness. No employee of the Township may accept employment from any person, firm, partnership, corporation, or other entity that represents any non-Township interest, person or entity, before any agency of the Township nor may any Township employee accept, or remain in, any employment with a non-Township employer which would create, or continue, a conflict of interest under the Second Class Township Code or any statute.

§ 3-5. Political activity.

Township employees are encouraged to exercise their right to vote and may engage in normal political activities, except that they shall not engage in political activities while on the job or use the influence of their position for or against any candidate.

§ 3-6. Gifts.

Acceptance of gifts of any sort is prohibited. If gifts or money is offered, the employee shall immediately report the matter to the Township Manager or Department Head, and the employee shall be guided by their recommendations.

§ 3-7. Conflicts of interest.

Employees shall not have any financial interest in contracts, services or work performed for the Township. If an employee believes a conflict situation may exist, such information shall be given to the Township Manager as soon as possible. Failure to report such conflict situations may result in disciplinary action, up to and including termination.

TOWNSHIP OF EAST GOSHEN

§ 3-8. Job classification, performance evaluation and compensation plan.

The job classification, performance evaluation and compensation plan shall be incorporated as Appendix A.¹

§ 3-9. Confidential information.

Information learned or obtained through an employee's work shall not be used for personal gain or discussed with others who do not have a need to know the information for business purposes. Any questions raised by nonemployees which are outside of an individual's normal scope of responsibilities should be referred to the Township Manager or Department Head for a response.

§ 3-10. Media relations.

The Township Manager is the designated liaison to the media.

§ 3-11. Overtime work.

- A. Overtime work must be authorized by the Township Manager or Department Head and is normally to be assigned to employees who are most qualified to perform the work required. If more than one employee is qualified to perform the work, the Township Manager or Department Head will make an effort to assign the overtime opportunities on a fair and equitable basis.
- B. When employees are assigned to overtime work, the following conditions and rates shall apply:
 - (1) Benefits are determined on base pay, not including overtime.
 - (2) Rates for overtime work shall be:
 - (a) Hourly office staff employees entitled to overtime for hours worked in excess of 40 hours in a normal work week shall be paid at 1 1/2 times the employee's regular hourly pay rate.
 - (b) A Public Works employee who is called in for duty outside the normal work schedule shall receive compensation for a minimum of two hours at the employee's overtime rate, provided the employee has been given less than 12 hours' notice or is reporting to work less than eight hours after conclusion of one of his or her regularly scheduled workdays.

¹ Editor's Note: Appendix A is on file in the Township offices.

Memo

To: Board of Supervisors
From: Jon Altshul
Re: Proposal for Funding Police Building Roof Replacement
Date: January 15, 2020

On December 13, 2019, bids were opened for a replacement roof for the Police Building, and subsequently, at its meeting on December 18, 2019, the Police Commission awarded the roofing contract to the low bidder, Detwiler Roofing, in the amount of \$453,500.

As background, the WEGO building roof has long had structural defects due to the flat pitch of the roof and has leaked continuously since soon after the building was completed. Accordingly, instead of replacing the roof with asphalt shingles, the Police Commission requested costs for a metal roof in its bid specifications. The logic is that, per the advice of the engineer, an asphalt shingle roof wouldn't correct the structural defects of the roof and would need to be replaced again soon, whereas a metal roof would be a permanent solution. On the flip side, a metal roof is substantially more expensive, as is reflected in the bid amounts.

For the past ten years, the Commission has been saving money in a Capital Reserve Fund, from annual contributions from Westtown and East Goshen. As of the end of the year, that account had a balance of about \$191,000. However, the account is also used to pay for the eventual replacement of a host of other building features, including heat pumps, windows, and fire system. Only \$14,641 of the fund balance is "reserved" for the replacement of the roof.

The Finance Committee has discussed various options of financing our share of the roof, which we estimate at \$238,000, or 50% of the bid amount, plus an additional \$11,250 for our share of engineering, construction management and inspections. As a reminder, the capital costs for the building are split evenly with Westtown, unlike operating costs which are based on PPU's, and preliminary engineering costs were allocated based on PPU's; therefore, Kathy Brill is reconciling the Pennoni invoices paid to date to ensure that the costs are split 50/50.

Ultimately, the Finance Committee is recommended that we borrow this amount at zero-percent interest from ourselves, specifically from the Capital Reserve Fund, which is overfunded and with a health fund balance. Then beginning in 2021, we agree to make annual repayments from the General Fund to the Capital Reserve Fund over ten years.

For perspective, we did receive a term sheet from a bank for a 10-year bank loan for 2.85%, but a loan would also involve the need for bond counsel and DCED review. This inter-fund borrowing arrangement would therefore be both operationally and financially preferable to formally incurring debt.

As an aside, the Police Finance Committee needs to revisit the formula for WEGO's Capital Reserve.

Recommended Motion: Mister Chairman, I move that we adopt the attached Resolution authorizing payment of approximately \$238,000 for half of the contract cost and associated engineering and inspection fees of the metal roof at the Westtown East Goshen Police Building and repay the Capital Reserve Fund annually from the General Fund over ten years as part of the year-end transfers, beginning in 2021.

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2019-___

**A RESOLUTION AUTHORIZING PAYMENT OF EAST GOSHEN
TOWNSHIP'S ("THE TOWNSHIP") SHARE OF THE WESTTOWN-EAST
GOSHEN POLICE DEPARTMENT'S ("WEGO") ROOF RELACEMENT
PROJECT FROM THE TOWNSHIP'S CAPITAL RESERVE FUND AND
REIMBURSEMENT FROM THE TOWNSHIP'S GENERAL FUND OVER 10
YEARS**

WHEREAS, the Roof of the WEGO Building has long suffered from structural defects and on-going leaks;

WHEREAS, on December 13, 2019, bids were opened for a roof replacement project at the Westtown-East Goshen Police Building, and on December 18, 2019, the Police Commission awarded the contract for a metal roof to the low bidder, Detwiler Roofing, in the amount of \$453,500;

WHEREAS, the Township's expected share of these costs are \$238,000, which reflect half of the construction contract, as well as half of the engineering, construction management and inspection costs;

WHEREAS, the Township's Capital Reserve Fund has sufficient reserves to pay for these costs;

WHEREAS, the Township historically segregates funds for operating expenses and capital expenses;

BE IT RESOLVED THAT the Board of Supervisors of East Goshen Township authorizes payment of the WEGO roof project and related construction management and inspection fees from the Township's Capital Reserve Fund in an amount of approximately \$238,000, and, further, that the Township's General Fund will reimburse the Capital Reserve Fund for this expense over 10 years at a zero percent interest rate.

RESOLVED AND ADOPTED, this ___ day of January, 2020.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

Memo

East Goshen Township

Date: January 16, 2020

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Great Oak Circle

In reviewing our files we discovered that while the Board accepted the deed of dedication for Great Oak Circle in 1998, that information was never conveyed to PennDOT. Accordingly PennDOT has asked the Board to certify that Great Oak Circle has been maintained by the Township for a period of 21 years.

Suggested Motion: I move that we execute the certification requested by PennDOT for Great Oak Circle.

F:\Data\Shared Data\Public Works Dept\PA DOT & Liquid Fuels\Great Oak Circle Memo 011620.docx



PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
 ENGINEERING DISTRICT 6-0
 7000 GEERDES BOULEVARD
 KING OF PRUSSIA, PA 19406-1523

Date: 1-6-2020

Resolution No. 98-22

Recorded in Court Docket Book

No. P33, Page No. 557

Gentlemen:

We, the undersigned Board of Township Supervisors of East Goshen Township,
Chester County, hereby certify that the following described road has been in use by the
 Public and has been maintained by the expenditure of township funds for a period of twenty-one (21)
 Years or more: Great Oak Circle

Length: 373.46
 Width: 25' wide
 Right-of-Way: 50'
 Type: Asphalt road with concrete gutter
 Location: Great Oak Circle
Road is located off of Morstein Road T387

Seal

Supervisors Signature:

Secretary Signature

Subscribed and sworn to before me this _____ day of _____, 20____

My commission expires _____

Notary Public

Memo

To: Board of Supervisors
From: Jon Altshul & Mark Miller
Re: Consider Replacement of Trench Shoring Struts
Date: January 16, 2020

We budgeted \$23,000 in the 2020 Capital Reserve Fund to replace all of our trench shoring struts. Trench shoring struts are needed to prevent trenches over 4 feet deep—generally dug for storm water and sanitary sewer line repair—from collapsing. In addition, Public Works assists the Chester County Rescue Task Force in the event of a trench collapse or a confined space rescue. All Public Works employees are certified in trench and confined space safety. Last year, our crew was instrumental rescuing a construction worker in Uwchlan Township from a collapsed trench. Moreover, in 1996, during construction of the Rossmore Subdivision, two construction workers were killed when a trench collapsed. Needless to say, shoring struts are a critical piece of equipment for Public Works.

Currently, we have two sets of shoring struts, one from 1996 and another from 2013. Neither of these sets of struts can be repaired or serviced as both vendors have gone out of business. Note that the 1996 struts were not on our list of fixed assets. The 2013 struts are on our fixed asset list, but only \$3,000 has depreciated.

Continental Fire and Safety Supply is the only vendor in the Tri-State area that sells trench shoring struts, and they provided COSTARS pricing, net of trade in of the existing struts, of \$25,726.30 for a full set of new struts.

I would recommend that we treat \$3,000 of this purchase as a replacement asset—i.e. the value of the depreciated 2013 struts—and the remaining \$22,726.30 as a new asset. To clarify, we distinguish between “new” and “replacement” assets because, pursuant to our Financial Policies, we transfer the purchase price of new assets from the General Fund to the Capital Reserve, whereas for replacement assets that are fully depreciated, we do not.

Recommended motion: Mister Chairman, I move that we approve the purchase of trench shoring struts, net of trade-in, from Continental Fire and Safety Supply for \$25,726.30, with \$3,000 treated as a replacement asset and the remaining \$22,726.30 as a new asset.



CONTINENTAL

FIRE & SAFETY

2740 KUSER ROAD

HAMILTON, NJ 08691

609-588-0096 - fax 609-584-0405

QUOTE

| | |
|-----------|-----------|
| DATE | QUOTE NO. |
| 1/10/2020 | 20-164 |

| |
|--|
| NAME / ADDRESS |
| EAST GOSHEN TOWNSHIP 1580 PAOLI PIKE WEST CHESTER, PA 19380 ATTN: MARK MILLER |

| | | |
|--------|-----|-----|
| TERMS | REP | FOB |
| NET 30 | AJD | |

| DESCRIPTION | QTY | COST | TOTAL |
|--|-----|--------------|----------|
| THE FOLLOWING EQUIPMENT REPRESENTS THE 22-796862 16 SHORE TRENCH KIT | | | |
| 22-796212 ACMETHREAD STRUT 12-15" - LIST PRICE \$332.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE "A" STRUT (13-22) | 2 | 265.60 | 531.20 |
| 22-796206 ACMETHREAD STRUT 19-25" - LIST PRICE \$478.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE "B" STRUT (23-37) | 6 | 382.40 | 2,294.40 |
| 22-796200 ACMETHREAD STRUT, 25"-36" - LIST PRICE \$551.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE "B" STRUT (23-37) | 4 | 440.80 | 1,763.20 |
| 22-796202 ACMETHREAD STRUT, 37"-58" - LIST PRICE \$690.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE "D" STRUT (42-66) | 2 | 552.00 | 1,104.00 |
| | | TOTAL | |



CONTINENTAL

FIRE & SAFETY

2740 KUSER ROAD

HAMILTON, NJ 08691

609-588-0096 - fax 609-584-0405

QUOTE

| | |
|-----------|-----------|
| DATE | QUOTE NO. |
| 1/10/2020 | 20-164 |

| |
|--|
| NAME / ADDRESS |
| EAST GOSHEN TOWNSHIP 1580 PAOLI PIKE WEST CHESTER, PA 19380 ATTN: MARK MILLER |

| | | |
|--------|-----|-----|
| TERMS | REP | FOB |
| NET 30 | AJD | |

| DESCRIPTION | QTY | COST | TOTAL |
|---|-----|--------|----------|
| 22-796000 LOCKSTROKE STRUT, 25"-36"- LIST PRICE \$754.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE "B" STRUT (23-37) | 2 | 603.20 | 1,206.40 |
| 22-796017 6" STRUT EXTENSION - LIST PRICE \$181.00 NO TRADE-IN CREDIT | 4 | 171.95 | 687.80 |
| 22-796012 STRUT EXTENSION, 12" - LIST PRICE \$196.00 20% TRADE-IN CREDIT WITH TRADE-IN OF CURRENT AIRSHORE 18" EXTENSION | 4 | 156.80 | 627.20 |
| 22-796012 STRUT EXTENSION, 12" - LIST PRICE \$196.00 NO TRADE-IN CREDIT | 2 | 186.20 | 372.40 |
| 22-796024 STRUT EXTENSION, 24" - LIST PRICE \$250.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE 24" EXTENSION | 4 | 190.40 | 761.60 |
| 22-796024 STRUT EXTENSION, 24" - LIST PRICE \$250.00 NO TRADE-IN CREDIT | 2 | 237.50 | 475.00 |
| TOTAL | | | |

| | |
|----------|------------------|
| Web Site | WWW.CONTFIRE.COM |
|----------|------------------|



CONTINENTAL

FIRE & SAFETY

2740 KUSER ROAD

HAMILTON, NJ 08691

609-588-0096 - fax 609-584-0405

QUOTE

| | |
|-----------|-----------|
| DATE | QUOTE NO. |
| 1/10/2020 | 20-164 |

| |
|--|
| NAME / ADDRESS |
| EAST GOSHEN TOWNSHIP 1580 PAOLI PIKE WEST CHESTER, PA 19380 ATTN: MARK MILLER |

| | | |
|--------|-----|-----|
| TERMS | REP | FOB |
| NET 30 | AJD | |

| DESCRIPTION | QTY | COST | TOTAL |
|---|-----|--------------|----------|
| 22-796060 6" SWIVEL BASE - LIST PRICE \$325.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT AIRSHORE AND HURST SWIVEL BASES | 24 | 260.00 | 6,240.00 |
| 22-796070 RIGID BASE 6" - LIST PRICE \$245.00 20% TRADE-IN CREDIT WITH THE TRADE-IN OF CURRENT HURST RIGID BASES | 8 | 196.00 | 1,568.00 |
| 22-796430 SHORING HAMMER - LIST PRICE \$126.00 | 4 | 119.70 | 478.80 |
| 22-796103G3 DUAL DEADMAN STRUT CONTROLLER - LIST PRICE \$795.00 | 1 | 755.25 | 755.25 |
| 22-895400G3 REGULATOR 300PSI - LIST PRICE \$690,.00 | 1 | 655.50 | 655.50 |
| 22-890520 HOSE, 32' YELLOW - LIST PRICE \$102.00 | 2 | 96.90 | 193.80 |
| 22-890521 HOSE, 32' RED - LIST PRICE \$102.00 | 2 | 96.90 | 193.80 |
| 22-890513 HOSE, 16' BLACK - LIST PRICE \$84.00 | 1 | 79.80 | 79.80 |
| 22-890736 Y WITH 2 COUPLINGS & 1 NIPPLE LIST \$112.00 | 2 | 106.40 | 212.80 |
| 22-887070 TRENCH BAG KIT - LIST PRICE \$5553.00 (2) Trench Cushion 18in (2) Cushion Controller (1) Airhose 1in x 20ft Red (1) Airhose 1in x 20ft Blue (1) Airhose 3/8 x 16ft Black | 1 | 5,275.35 | 5,275.35 |
| | | TOTAL | |

| | |
|----------|------------------|
| Web Site | WWW.CONTFIRE.COM |
|----------|------------------|



CONTINENTAL

FIRE & SAFETY

2740 KUSER ROAD
 HAMILTON, NJ 08691
 609-588-0096 - fax 609-584-0405

QUOTE

| | |
|-----------|-----------|
| DATE | QUOTE NO. |
| 1/10/2020 | 20-164 |

| |
|--|
| NAME / ADDRESS |
| EAST GOSHEN TOWNSHIP 1580 PAOLI PIKE WEST CHESTER, PA 19380 ATTN: MARK MILLER |

| | | |
|--------|-----|-----|
| TERMS | REP | FOB |
| NET 30 | AJD | |

| DESCRIPTION | QTY | COST | TOTAL |
|--|-----|--------|--------------------|
| MOTOR FREIGHT CHARGE TO RETURN TRADE-IN STRUTS AND ACCESSORIES | 1 | 250.00 | 250.00 |
| PA COSTARS 012-167 (5% DISCOUNT AND FREE SHIPPING) | | | |
| ***CURRENT LEAD TIME OF STRUT SYSTEMS IS 4-6 MONTHS FROM TIME OF ORDER *** | | | |
| TOTAL | | | \$25,726.30 |

| | |
|----------|------------------|
| Web Site | WWW.CONTFIRE.COM |
|----------|------------------|



Lionville Fire Company

P.O. Box 478
15 South Village Ave.
Lionville, PA 19353
Chief Bill Minahan
bminahan47@verizon.net
(610) 363-7663 Station Non-Emergency
(215) 435-8073 Cell

June 6, 2019

Rick Smith
Township Manager
East Goshen Township
1580 Paoli Pike
West Chester Pa.
19380

Dear Rick,

It is with great esteem and appreciation, I find myself writing this letter to you. I'm sure you are aware, we had a successful trench rescue Wednesday afternoon. Without the help of East Goshen Township's workers assisting us, we could have had a much different outcome.

Like most "small-town" American volunteer fire companies... Lionville has the responsibility to respond and mitigate just about anything thrown at us. Unfortunately, in the 21st century volunteerism is not as strong as it was back in the 70s. Our increased training demands, and call volume has increased tenfold. Yet our membership has decreased proportionally. Your township employees continue to make a difference and help us bridge the gap between volunteers & paid staff. Please extend my gratitude to the supervisors for allowing them to continue to help us and keep our communities safe.

I would like to especially compliment your insight allowing Mark Miller to get your employees trained and prepared for such an emergency. Its amazing how often our municipalities work and train together. In the fire service we call it "mutual aid" and I can tell you, without mutual aid... we would not be a successful entity. We just don't have the resources we used to have... we need help every day & Wednesday we needed specialized help. East Goshen Township provided exactly what we needed.

I do not write letters very often & don't want you to think this is some ploy with an ulterior agenda. It's a thankyou for allowing me to be able to tell this victim's wife: "yes, he is alive and out of the hole... you need to meet him at Paoli Hospital".

Respectfully,

William F. Minahan

William Minahan
Fire Chief

Michael Holmes
Deputy Fire Chief

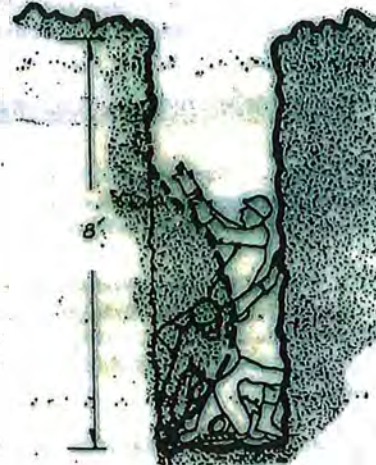
Michael Esterlis
Assistant Chief

Mike Chapman
Battalion Chief

Rossmore

A father and son trenching a water line were killed Wednesday, November 13, 1996 when a dirt wall collapsed and buried them. Both men were pronounced dead at the scene of a housing subdivision under construction. According to police, the accident was reported at 1 p.m. It was nearly 3 p.m. before the body of the second of the two victims was finally recovered. The accident occurred in a housing subdivision about a half-mile east of Route 352. Rough road work and one house are under construction in the hilly area. The ground was thick with mud from recent rains.

Police said the workers dug a trench six to eight feet deep for the pipe. The walls were not braced. Firefighters were first on the scene. The Deputy Fire Chief said one man was completely buried while the other was partially buried. The partially buried man was pulled out but could not be revived. The local public works department employees assisted firefighters in directing the shovel operator in removing dirt and widening the pit for the rescue attempt of the second victim. Police listed the preliminary cause of death as accidental. It remains under investigation by police and the U. S. Occupational Safety and Health Administration.



Trench Collapses, Kills 2



crushed or suffocated to death in trenches and some 4,000 will be injured. Why? Well there is no "one reason" for these accidents, but probably, none of the victims thought it would happen. And that's why it keeps on happening.

Believing that trench accidents can happen, is the first step in preventing them. What do you believe?

Trenching Hazards:

Cave-ins.... One cubic foot of soil weighs approx. 100 lbs. The speed of a collapsing trench wall is accelerating down at 32 ft. per second. There is little chance to survive.

Atmosphere.... Some common gases that can be found in trenching are: Methane, Hydrogen Sulfide, Carbon Dioxide, Carbon Monoxide, lack of Oxygen. Some gases, after only a breath full or two, take away the ability to smell. Don't rely on your nose, rely on your monitor.

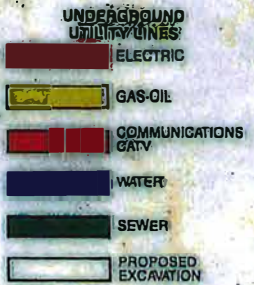
Utilities.... Both underground and overhead, utilities must be avoided. Before you dig, consider any overhead hazard such as electrical, guy wires, overhanging light poles, etc. Consider any underground hazard such as gas lines, high pressure water, electrostatic, electrical, communication, sewer, etc. Call or verify P.A. Call One System has been notified.

Other hazards to consider.... Surface obstacles like rocks or boulders, trees and telephone poles to name just a few. Traffic, both from public and site vehicles. Overhead loads like tools, pipe or even the hoe bucket. Remember to remove it, support it, or evacuate from it.

COMPETENT PERSON RESPONSIBILITIES:

The duties of the competent person are to look for and recognize potential hazards, and take action to eliminate them.

- Daily inspection of excavation.
- Testing for hazardous atmosphere when it is reasonably likely to exist.
- Soil classifications:
 - Visual test
 - Manual test
- Inspection of support system.
- Authority to stop work.



THREE WORKING DAYS BEFORE YOU DIG - DRILL - BLAST CALL 1-800-242-1776



Granular cohesionless soils including angular gravel, silt, silt loam, previously disturbed soils not classified C, sloped layered systems sloping into the trench at a slope less than 4H:1V or dry rock that is not stable.

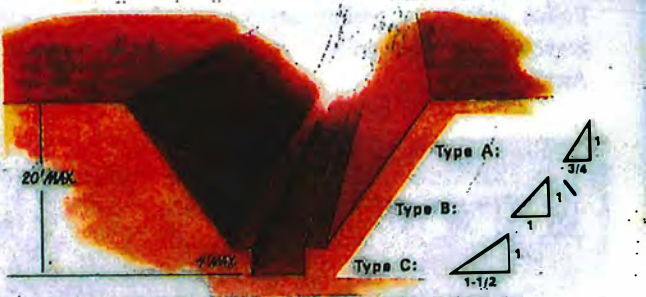
Type C soil

Granular soils including gravel, sand, and loamy sand. Submerged soil, or soil which is freely seeping, or submerged rock that is not stable.

Typical Sloping and Shoring Configurations:



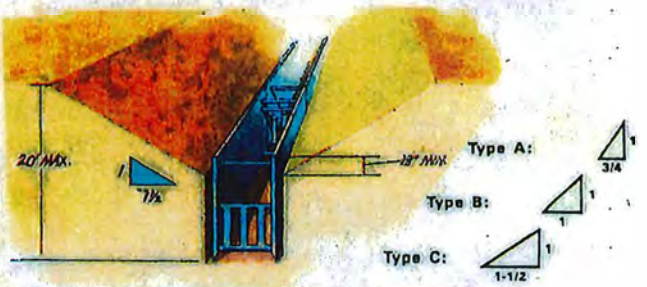
Simple slope excavation in Type B soil with a 1H:1V slope.



Benched excavation in Type A soil with a maximum slope of 3/4H:1V.



Multiple benched excavation in Type B soil with a slope of 1H:1V.



Excavation in Type C soil with shielded vertically sided lower portions. The excavation is sloped at 1-1/2H:1V.

Memo

East Goshen Township

Date: January 17, 2020

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Hershey Mill Dam Construction Services Proposal.

We are in receipt of a proposal from Gannet Fleming to provide bidding, construction management and inspection services for the Hershey Mill Dam PProject. There is a fixed cost for the bidding and construction management services. This would include providing the documentation required by the grants. The cost for the project coordination meeting and actual inspection will be based on the actual number of meeting.

Under the projected schedule the construction would commence in mid-June and be completed in November.

Motion: I move that we accept the January 16, 2020 proposal for Construction Services related to the Hershey Mill Dam Project from Gannett Fleming with the condition that the fee shall not exceed \$187,040 without the prior approval of the Township.



GANNETT FLEMING, INC.
P.O. Box 67100
Harrisburg, PA 17106-7100

Location:
207 Senate Avenue
Camp Hill, PA 17011

Office: (717) 763-7211
Fax: (717) 763-1140
www.gannettfleming.com

January 16, 2020

Mr. Rick Smith, Jr., Township Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

Dear Mr. Smith,

**Subject: Dam Related Engineering Services for East Goshen Township
Bid and Construction Phase Services for Hershey's Mill Dam**

As requested by East Goshen Township (Township), we are pleased to provide the enclosed scope and fee proposal for the design team of Gannett Fleming and Simone Collins to provide various bidding and construction phase services for the Decommissioning of Hershey's Mill Dam Project. The attached scope of work has been tailored to the Request for Proposal provided by your office. The scope includes professional engineering and field observation services which can be provided on both a lump sum and time and material basis under our current Master Services Agreement. The following provides our understanding of the project and presents our detailed scope of work and assumptions for the project.

UNDERSTANDING OF THE PROJECT

To address dam safety concerns, East Goshen Township is proposing to decommission Hershey's Mill Dam (DEP ID No. D15-125) located in the northeast corner of the intersection of Greenhill Road and Hershey Mill Road. The project involves breaching the existing dam embankment, reestablishing the unnamed tributary to Ridley Creek through the dewatered reservoir, creation of a small offline open water feature, and the addition of various landscaping enhancements to convert the dewatered reservoir into a nature-like park setting.

The Township has secured the required permits for the project and wishes to advance the project into construction. The Township requests a proposal to provide professional engineering services for three separate tasks. These tasks include 1) bidding services, 2) construction management and project closeout services, and 3) construction observation services. Tasks 1 and 2 are to be provided as lump sum costs and Task 3 will be provided on a time-and-material basis.

SCOPE OF SERVICES

The following provides our understanding of the requested scope of services. Please note that references to Gannett Fleming throughout this scope of work are intended to refer to the design team of Gannett Fleming and Simone Collins. Please advise if the following scope of services is not in line with your expectations

Task 1 Bidding Services:

Item 1.1 Develop Bid Package: Gannett Fleming will assemble a bid package for the purpose of soliciting bids from interested bidders. The bid package will include the front-end documents, a scope of work, construction plans and specifications and will be set up as a Prevailing Wage Project. All secured permits for the project will be incorporated into the bid package. Gannett Fleming is aware of one temporary construction easement which will be incorporated into the bid package by way of the construction drawings.

Item 1.2 Advertise Project: On behalf of the Township, Gannett Fleming will advertise the project for bid using PennBID. It is assumed that no other forms of advertisement will be used.

Item 1.3 Bid Period and Bid Review: Gannett Fleming will facilitate a non-mandatory pre-bid meeting which is assumed to be held at the Township's Municipal Building which will include preparing minutes from the meeting and submitting the minutes to the Bidders as an addendum. It is anticipated that a field view of the project site will follow the pre-bid meeting. Gannett Fleming will respond to questions from bidders and issue addenda to clarify the scope of work as needed. Gannett Fleming will review the bids and provide award recommendation.

Task 2 Construction Management and Project Closeout Services:

Item 2.1 Pre-Construction Meeting: Gannett Fleming will schedule and facilitate a pre-construction meeting. Gannett Fleming will invite the Contractor, the Township and applicable State/Federal agencies as appropriate to the meeting. Gannett Fleming will notify State/Federal agencies as required by the issued permit(s) prior to the commencement of work. These notifications may be combined with the invitation to the pre-construction meeting.

Item 2.2 Project Coordination Meetings: Gannett Fleming will attend project coordination meetings with the Contractor during the construction period. The number and frequency of these meetings may be adjusted depending upon the work being performed. For the purpose of this proposal, up to ten (10) project coordination meetings are assumed. Project Coordination Meetings will be billed per meeting based on the actual number of meetings. Should it be determined that additional meetings are required due to conditions such as the project duration, unforeseen site conditions, complexities encountered, etc., Gannett Fleming will provide the Township with a separate proposal for these out-of-scope services. Gannett Fleming will prepare minutes from the Project Coordination Meetings. It is assumed that the minutes from the Project Coordination Meetings will suffice as monthly progress reports to the Township.

Item 2.3 General Office Support: Gannett Fleming will provide general office support throughout the construction phase. This will include review of shop drawings and material certifications to verify compliance with the specifications, review of change orders, responding to requests for information which may include preparation of sketches to resolve unforeseen field conditions, and review of Contractor pay requests.

Item 2.4 Substantial Completion and Final Inspection Field Views: At the completion of the project, Gannett Fleming will perform a substantial completion field view to develop a punch-list of remaining activities to be completed. As a cost savings measure, it is assumed that the substantial completion field view will occur during a project coordination meeting (refer to Item 2.2). After the Contractor has addressed the punch-list items, Gannett Fleming will perform a final inspection field view to confirm the work complies with the Contract Documents.

Item 2.5 As-Built Plans: Based on red-line markups provided by the Contractor and/or visual observations made by the Township and/or Gannett Fleming field personnel, Gannett Fleming will prepare as-built drawings noting any recorded deviations from the Contract Documents. Deviations will be made in red and Gannett Fleming will provide the Township with a pdf copy of the as-built drawings. This scope and fee estimate assumes that a final land survey of the completed project will not be performed by Gannett Fleming.

Item 2.6 Project Close-Out: Gannett Fleming will complete, execute and submit any required forms needed to close the applicable permits obtained from DEP and the U.S. Army Corps of Engineers as well as documentation needed to close-out any grants which the Township secured for this project. Gannett Fleming will assemble an electronic copy (i.e., pdf format) of the bid package, bids, contract documents, bonds, approved shop drawings, RFI's, meeting minutes and the as-built plans into a single package for delivery to the Township.

Task 3 Construction Observation Services:

Gannett Fleming will provide on-site construction observation to support the Township's forces on an as needed basis. Key construction activities for which construction oversight should be considered are as follows:

- Breach of the existing dam embankment.
- Stream channel and offline pond construction.
- Placement of in-stream boulders to create the proposed series of step pools.
- Parking area.
- Installation of and quality assurance for boardwalk installation.
- Selection / approval of boulders for stream / step pool at quarry.
- Selection / placement of plant materials.

The permit from DEP Dam Safety requires the Township to certify the project is completed in accordance with the contract documents. For Gannett Fleming to provide this certification, construction observation is needed to certify the key dam related construction activities. These activities include the dam breach, stream channel construction, and offline open water pond. While it is our understanding that the Township is not requesting full time construction observation services, the level of effort provided under Task 3 assumes that Gannett Fleming will provide onsite construction observation during these key construction activities.

The level of effort for Task 3 is based on the following assumptions:

- 16 hours are allocated for Simone Collins and Gannett Fleming to participate in boulder selection at the quarry.
- 10 hours are allocated for Simone Collins to participate in the selection of plant material at the nursery.
- 88 hours are allocated for landscaping site inspections by Simone Collins during construction.
- 24 12-hour days (288 hours) are allocated for Gannett Fleming to observe the stream restoration work activities.
- 40 hours are allocated for a geotechnical engineer to observe the offline pond excavation activities.
- 40 hours are allocated for a geotechnical engineer to observe the parking area work activities.

The Task 3 services will be performed on a time-and-material basis. Labor will be billed based on the attached rate schedule and direct expenses will be billed at cost with mileage billed at the federal mileage rate of \$0.575/mile.

ASSUMPTIONS

The following assumptions were made in the preparation of this scope of work:

1. The project will be advertised using PennBID and no other forms of advertisement will be used.
2. The project will be bid as a lump sum price.
3. A 5-month construction period is assumed from Notice to Proceed to Final Completion of the project. Should the contractor’s schedule, sequence and/or actual duration of activities differ; a corresponding adjustment to this proposal may be required.
4. Up to ten (10) project coordination meetings will be held throughout the duration of the construction project. Project coordination meetings will be billed per meeting. Up to two individuals from the Gannett Fleming design team will attend each meeting and the attendees may vary depending upon the work being performed at the time of the meeting. If the Gannett Fleming stream specialist is onsite for construction observation (Task 3 services), it is anticipated that this individual will also attend the project coordination meeting. If all ten project coordination meetings are not used, Gannett Fleming requests that any unused part of this fee be retained for use to support additional site visits as may be needed to facilitate the project.
5. This proposal assumes that Gannett Fleming will not provide full time construction observation. Refer to Task 3 for assumptions made related to onsite construction observation services.
6. No post-construction monitoring is included.
7. All quality control testing will be performed by the Contractor. This scope and fee proposal does not include quality assurance testing by Gannett Fleming. Should the Township wish to have these services performed, Gannett Fleming can prepare a separate scope and fee proposal.

COMPENSATION

Our proposed lump sum fee for Tasks 1 and 2, as described within this proposal letter, is as follows:

| | | |
|--------|--|----------|
| Task 1 | Bidding Services | \$27,580 |
| Task 2 | Construction Management & Project Closeout | \$59,260 |
| | Project Coordination Meetings (10 at \$3,360 each) | \$33,600 |

Our proposed time-and-material fee for Task 3, as described within this proposal letter, is as follows:

| | | |
|--------|--|----------|
| Task 3 | Construction Observation Services..... | \$66,600 |
|--------|--|----------|

Gannett Fleming

Mr. Rick Smith
East Goshen Township

-6-

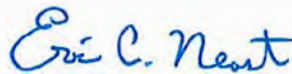
January 16, 2020

The Task 3 Inspection Services will be billed on a time and material basis in accordance with the attached labor rate schedule. Gannett Fleming will not exceed this allowance without written approval from the Township.

These services can be provided under our current Master Services Agreement. Should the Township choose to secure our services to provide bidding and construction phase services for the decommissioning of Hershey's Mill Dam as described within this proposal, we will provide you with a Service Authorization under a separate cover letter to amend our Master Services Agreement for this work activity. If you have any questions about the proposed services or need additional information, please do not hesitate to call me at 717-886-5453. We thank you for the opportunity to provide this proposal and look forward to continuing our relationship with the Township.

Sincerely,

GANNETT FLEMING, INC.
Environmental Resources Division



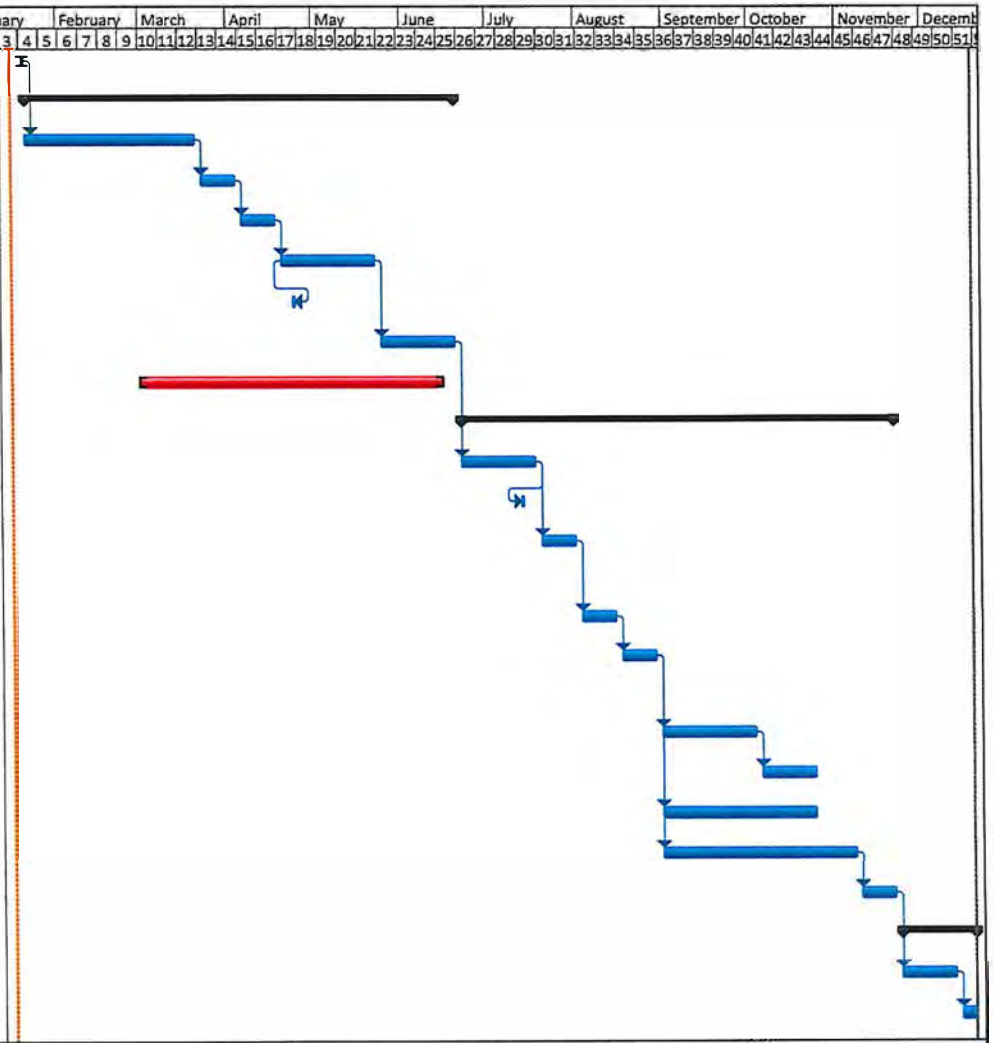
ERIC C. NEAST, P.E.
Project Manager
Dams and Hydraulics Section

Enclosures.

xc: Peter Simone, Simone Collins

**ATTACHMENT A
ANTICIPATED PROJECT SCHEDULE**

| ID | Task Mode | Task Name | Duration | Start | Finish | Predecessors | January | February | March | April | May | June | July | August | September | October | November | December |
|----|-----------|--|------------------|---------------------|---------------------|--------------|---------|----------|-------|-------|-----|------|------|--------|-----------|---------|----------|----------|
| 1 | | Notice to Proceed | 1 day | Mon 1/20/20 | Mon 1/20/20 | | | | | | | | | | | | | |
| 2 | | Bidding Phase | 109 days? | Tue 1/21/20 | Fri 6/19/20 | | | | | | | | | | | | | |
| 3 | | Develop Bid Package | 44 days | Tue 1/21/20 | Fri 3/20/20 | 1 | | | | | | | | | | | | |
| 4 | | Township Review | 10 days | Mon 3/23/20 | Fri 4/3/20 | 3 | | | | | | | | | | | | |
| 5 | | Review by Grant Agencies | 10 days | Mon 4/6/20 | Fri 4/17/20 | 4 | | | | | | | | | | | | |
| 6 | | Advertise Project & Bid Period | 25 days | Mon 4/20/20 | Fri 5/22/20 | 5 | | | | | | | | | | | | |
| 7 | | Pre-Bid Meeting | 1 day? | Fri 4/24/20 | Fri 4/24/20 | 6SF+5 days | | | | | | | | | | | | |
| 8 | | Township Award of Contract | 20 days | Mon 5/25/20 | Fri 6/19/20 | 6 | | | | | | | | | | | | |
| 9 | | Instream Work Restriction | 77 days | Sun 3/1/20 | Mon 6/15/20 | | | | | | | | | | | | | |
| 10 | | Construction Phase | 110 days | Mon 6/22/20 | Fri 11/20/20 | | | | | | | | | | | | | |
| 11 | | Contractor Mobilization | 20 days | Mon 6/22/20 | Fri 7/17/20 | 8 | | | | | | | | | | | | |
| 12 | | Pre-Construction Meeting | 1 day | Mon 7/13/20 | Mon 7/13/20 | 11FS-5 days | | | | | | | | | | | | |
| 13 | | Establish Site Access, Clearing, E&S, and Diversion of Water | 10 days | Mon 7/20/20 | Fri 7/31/20 | 11 | | | | | | | | | | | | |
| 14 | | Dam Breach | 10 days | Mon 8/3/20 | Fri 8/14/20 | 13 | | | | | | | | | | | | |
| 15 | | Establish Haul Routes and Diversion of Water | 10 days | Mon 8/17/20 | Fri 8/28/20 | 14 | | | | | | | | | | | | |
| 16 | | Stream Channels | 25 days | Mon 8/31/20 | Fri 10/2/20 | 15 | | | | | | | | | | | | |
| 17 | | Online Open Water Pond | 15 days | Mon 10/5/20 | Fri 10/23/20 | 16 | | | | | | | | | | | | |
| 18 | | Hardscape Features | 40 days | Mon 8/31/20 | Fri 10/23/20 | 15 | | | | | | | | | | | | |
| 19 | | Plantings | 50 days | Mon 8/31/20 | Fri 11/6/20 | 15 | | | | | | | | | | | | |
| 20 | | Substantial and Final Inspections | 10 days | Mon 11/9/20 | Fri 11/20/20 | 19 | | | | | | | | | | | | |
| 21 | | Project Closeout | 20 days | Mon 11/23/20 | Fri 12/18/20 | | | | | | | | | | | | | |
| 22 | | Prepare As-Built Drawings | 15 days | Mon 11/23/20 | Fri 12/11/20 | 20 | | | | | | | | | | | | |
| 23 | | Close-out Permits | 5 days | Mon 12/14/20 | Fri 12/18/20 | 22 | | | | | | | | | | | | |



Project: Hershey Mill Dam Project
Date: Thu 1/16/20

| | | | | | | | | | |
|-----------|--|--------------------|--|--------------------|--|-----------------------|--|----------|--|
| Task | | Project Summary | | Inactive Milestone | | Manual Summary Rollup | | Deadline | |
| Split | | External Tasks | | Inactive Summary | | Manual Summary | | Progress | |
| Milestone | | External Milestone | | Manual Task | | Start-only | | | |
| Summary | | Inactive Task | | Duration-only | | Finish-only | | | |

**ATTACHMENT B
RATE TABLE**

**Decommissioning of Hershey's Mill Dam
Construction Phase Services
Labor Rate Table**

| Personnel | Rate per Hour |
|--------------------------------|----------------------|
| Senior Project Manager | \$186 |
| Project Civil Engineer | \$135 |
| Junior Civil Engineer | \$105 |
| Senior Geotechnical Engineer | \$180 |
| Junior Geotechnical Engineer | \$105 |
| Senior Stream Specialist | \$195 |
| Stream Specialist | \$135 |
| Senior Environmental Scientist | \$120 |
| Junior Environmental Scientist | \$105 |
| Principal Landscape Architect | \$160 |
| Senior Landscape Architect | \$100 |
| Junior Landscape Architect | \$80 |
| Survey Crew (2 Man) | \$225 |
| | |
| | |

Memo

East Goshen Township

Date: January 17, 2020

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Milltown Dam Project Floodplain Proposal.

We are in receipt of a proposal from Gannett Fleming to perform the hydraulic modeling and mapping required revise the FEMA Floodplain Map in the area of the Milltown Reservoir. We need to re-map the Floodplain in order to demonstrate that the project is in compliance with our floodplain ordinance. This is a fixed cost contract.

Motion: I move that we accept the January 16, 2020 proposal from Gannett Fleming to prepare the FEMA Conditional Letter of Map Revision with the condition that the fee shall not exceed \$47,100 without the prior approval of the Township.



*Excellence Delivered **As Promised***

January 16, 2020

Mr. Rick Smith, Jr., Township Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

Dear Mr. Smith,

**Subject: Dam Related Engineering Services for East Goshen Township
Milltown Dam (DEP ID No. D15-146)
Hydraulic Modeling and Mapping in Support of FEMA Conditional Letter of
Map Revision Application**

As requested by East Goshen Township (Township), we are pleased to provide the enclosed scope and fee proposal for professional engineering services needed to prepare and submit an application for a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR) related to Milltown Dam (DEP ID No. D15-146). The following provides our understanding of the project and presents our detailed scope of work and assumptions for the project.

UNDERSTANDING OF THE PROJECT

East Goshen Township owns and operates Milltown Dam as a recreational facility. In 2015, the Township authorized Gannett Fleming to evaluate alternatives to increase conveyance capacity of Milltown Dam. Based on that study, the Township opted to convert the reservoir from a wet pond to a dry pond and construct reservoir enhancements consisting of an established stream channel through the reservoir, an open water pond, two parking areas along Reservoir Road, various footpaths, boardwalks and a fishing pier, and vegetative landscaping.

The Federal Emergency Management Agency (FEMA) published a Flood Insurance Study that includes East Branch Chester Creek, East Goshen Township, Chester County in the vicinity of the project location in August 2016 (refer to Figure 1). The project is located within a FEMA Zone AE with base flood elevations established by detailed methods. A FEMA floodway is also defined with the upstream limit of the floodway located at the toe of the existing dam. No floodway is established within the limits of the current reservoir, but the floodway resumes upstream of the reservoir. The effective FEMA model was developed in 1977 using the U.S.

Gannett Fleming, Inc.

P.O. Box 67100 • Harrisburg, PA 17106-7100 | 207 Senate Avenue • Camp Hill, PA 17011-2316
t: 717.763.7211 • f: 717.763.8150
www.gannettfleming.com

Army Corps of Engineers' HEC-2 model. This model was requested by Gannett Fleming in 2016; however, FEMA was unable to locate the original model files or output.



Figure 1. Excerpt from FEMA Flood Insurance Study

The proposed modifications to Milltown Dam and the associated reservoir enhancements have been hydraulically analyzed as part of the design process. The analysis shows that the project will lower the base flood elevation within the limits of the reservoir. At the request of the Township, we are pleased to provide you with a scope and fee proposal to perform the hydraulic analysis and prepare documentation and mapping to make application to conditionally revise the FEMA flood maps in the vicinity of the project to account for the loss of the reservoir and the

lower base flood elevation. It is assumed that the Township will assist with administrative portions of the application.

The following describes our scope and fee estimate based on our understanding of this assignment.

SCOPE OF SERVICES

Using the one-dimensional hydraulic model developed in prior authorizations as a basis, Gannett Fleming will perform hydraulic analyses in support of a FEMA Conditional Letter of Map Revision (CLOMR). Because the effective model is not available, a duplicate effective model (a normal requirement of a CLOMR application) will not be prepared, and modeling efforts will be focused on finalizing a corrected effective hydraulic model/pre-project conditions hydraulic model and a revised conditions hydraulic model. Hydrologic analysis is not expected to be needed and is not included within this scope of services.

To develop the hydraulic models, Gannett Fleming will extend the previously developed hydraulic models to tie into the published base flood elevations and mapping downstream and upstream of Milltown Dam. The model extent will incorporate the convergence of the water surface profile based on the corrected effective hydraulic model and the water surface profile based on the revised conditions hydraulic model. It is assumed that the upstream extent of the hydraulic model will be near FEMA Cross-Section H upstream of Reservoir Road. It is assumed that the models and maps will tie into FEMA base flood elevations and maps near FEMA Cross-Section G, downstream of the dam.

FEMA requires that models be supported by certified topographic information, plans or survey notes. Topographic survey for the project currently extends only upstream as far as East Strasburg Road. Ground/bathymetric and structure survey between East Strasburg Road and FEMA Cross-Section H is included with this scope of services for use in the hydraulic models. No additional survey is needed downstream of the dam.

Floodway analysis will be performed in the revised conditions hydraulic model. Revised flood profiles, a certified topographic work map and an annotated FIRM (Panel 42029C0215G) will be prepared. Gannett Fleming will prepare a brief engineering report (narrative) describing the technical basis for a FEMA map revision including the hydraulic models and floodway mapping. Gannett Fleming will also prepare MT-2 Form 2 (Riverine Hydrology & Hydraulics Form) to support the Township's CLOMR Application.

The FEMA CLOMR Review process commonly takes several rounds of review comments by FEMA technical reviewers to finalize the models and maps within their system. To support the review process, up to 40 hours of engineering time is included with this proposal to coordinate with and respond to FEMA review comments. Comment response and FEMA coordination following the initial CLOMR Application Submission will be billed to the Township on a time

and material basis and will not exceed the allowance of \$5,500 without prior written approval from the Township.

ASSUMPTIONS

The following assumptions were made in the preparation of this scope and fee proposal:

1. No hydrologic analyses are included as part of this proposal.
2. The Township will prepare MT-2 Form 1 and the MT-2 Payment Information Form. The Township will make payment of fees (estimated to be \$6,500) directly to FEMA. The Township will acquire the Requester's Signature and the Community Concurrence.
3. The Township will perform and document Property Owner Notification and Notice if required by FEMA.
4. Endangered Species Act (ESA) Compliance has been completed in other phases of the project and additional environmental services are not included with this scope of services.
5. Services to obtain LOMR following construction are not included with this proposal.
6. Tributaries within the modification limits, currently mapped as Zone A, will be mapped at a single elevation based on the base flood elevation of the main stem. Separate hydraulic models of tributaries will not be prepared.

COMPENSATION

Our proposed lump sum fee to prepare and submit an application for a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR) related to Milltown Dam (DEP ID No. D15-146) as described within this proposal letter is \$41,600.

Our proposed time and materials allowance to coordinate with and respond to FEMA following the initial CLOMR Application submission is \$5,500. Gannett Fleming will not exceed this allowance without prior written approval from the Township.

SCHEDULE

GF is prepared to begin work upon receiving notice to proceed from the Township. It is anticipated that the CLOMR Application can be submitted to FEMA within 5 months.

Gannett Fleming

Mr. Rick Smith
East Goshen Township

5

January 16, 2020

These services can be provided under our current Master Services Agreement. Should the Township choose to secure our services to perform the CLOMR as described within this proposal, we will provide you with a Service Authorization under a separate cover letter to amend our Master Services Agreement for this work activity. If you have any questions about the proposed services or need additional information, please do not hesitate to call me at 717-886-5453 or Ms. Amanda Hess at 717-886-5434. Amanda will oversee all technical work associated with this assignment. We thank you for the opportunity to provide this proposal and look forward to continuing our relationship with the Township.

Sincerely,

GANNETT FLEMING, INC.
Environmental Resources Division



ERIC C. NEAST, P.E.
Project Manager
Dams and Hydraulics Section

Memo

East Goshen Township

Date: January 16, 2020

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Executive Order 13888 of September 26, 2019

On September 26, 2019, President Trump issued Executive Order (EO) 13888 which went into effect on December 25, 2019. The EO requires the State and a locality to provide written consent permitting refugees to resettle in their communities.

The State Department went further in issuing a Notice of Funding Opportunity (NOFO) #SFOP0006252 indicating they were using counties as the definition of locality. The deadline for submitting an application for funding under this NOFO is January 21, 2020.

On October 15, 2019 Governor Wolfe notified President Trump and Secretary of State Pompeo that Pennsylvania would accept refugees.

On January 10, 2020 the County Commissioners notified Secretary of State Pompeo that Chester County would accept refugees in any assenting municipalities with the County. By taking this position, the Commissioners believe it is now up to each individual municipality to decide whether they want to accept refugees.

On January 15, 2020 the United States District Judge issues a preliminary injunction which essentially stops implementation of the EO at this time.

Attached is the EO, Governor Wolfe's letter, County Commissioners' letter and U.S. District Judges decision.

It does not appear that the Board needs to take any action at this time on this matter.

Presidential Documents

Executive Order 13888 of September 26, 2019

Enhancing State and Local Involvement in Refugee Resettlement

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. In resettling refugees into American communities, it is the policy of the United States to cooperate and consult with State and local governments, to take into account the preferences of State governments, and to provide a pathway for refugees to become self-sufficient. These policies support each other. Close cooperation with State and local governments ensures that refugees are resettled in communities that are eager and equipped to support their successful integration into American society and the labor force.

The Federal Government consults with State and local governments not only to identify the best environments for refugees, but also to be respectful of those communities that may not be able to accommodate refugee resettlement. State and local governments are best positioned to know the resources and capacities they may or may not have available to devote to sustainable resettlement, which maximizes the likelihood refugees placed in the area will become self-sufficient and free from long-term dependence on public assistance. Some States and localities, however, have viewed existing consultation as insufficient, and there is a need for closer coordination and a more clearly defined role for State and local governments in the refugee resettlement process. My Administration seeks to enhance these consultations.

Section 6(d) of Executive Order 13780 of March 6, 2017 (Protecting the Nation from Foreign Terrorist Entry into the United States), directed the Secretary of State to determine the extent to which, consistent with applicable law, State and local jurisdictions could have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and to devise a proposal to promote such involvement.

I have consulted with the Secretary of State and determined that, with limited exceptions, the Federal Government, as an exercise of its broad discretion concerning refugee placement accorded to it by the Constitution and the Immigration and Nationality Act, should resettle refugees only in those jurisdictions in which both the State and local governments have consented to receive refugees under the Department of State's Reception and Placement Program (Program).

Sec. 2. Consent of States and Localities to the Placement of Refugees. (a) Within 90 days of the date of this order, the Secretary of State and the Secretary of Health and Human Services shall develop and implement a process to determine whether the State and locality both consent, in writing, to the resettlement of refugees within the State and locality, before refugees are resettled within that State and locality under the Program. The Secretary of State shall publicly release any written consents of States and localities to resettlement of refugees.

(b) Within 90 days of the date of this order, the Secretary of State and the Secretary of Health and Human Services shall develop and implement a process by which, consistent with 8 U.S.C. 1522(a)(2)(D), the State and the locality's consent to the resettlement of refugees under the Program

is taken into account to the maximum extent consistent with law. In particular, that process shall provide that, if either a State or locality has not provided consent to receive refugees under the Program, then refugees should not be resettled within that State or locality unless the Secretary of State concludes, following consultation with the Secretary of Health and Human Services and the Secretary of Homeland Security, that failing to resettle refugees within that State or locality would be inconsistent with the policies and strategies established under 8 U.S.C. 1522(a)(2)(B) and (C) or other applicable law. If the Secretary of State intends to provide for the resettlement of refugees in a State or locality that has not provided consent, then the Secretary shall notify the President of such decision, along with the reasons for the decision, before proceeding.

(c) Subsection (b) of this section shall not apply to the resettlement of a refugee's spouse or child following to join that refugee pursuant to 8 U.S.C. 1157(c)(2)(A).

Sec. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
September 26, 2019.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

October 15, 2019

The Honorable Donald J. Trump
President

The Honorable Michael R. Pompeo
Secretary of State

Dear President Trump and Secretary Pompeo:

I write today to reaffirm Pennsylvania's founding values and our commitment to be a welcoming state. In that spirit, I am confirming that Pennsylvania will continue to welcome refugees to live and work in our communities. Pennsylvania has a rich history of opening its doors to those facing persecution and danger. William Penn founded our commonwealth on the principle of religious freedom, seeking to allow those in Europe to escape persecution.

It is vital that America retain its moral authority throughout the world. And that means that when vulnerable and displaced individuals seek refuge from violence and oppression elsewhere, we welcome them to find that refuge in America. This maintains our image as a beacon of hope and freedom, and shows the world that America is the antithesis of the places these individuals are fleeing.

For decades, refugees have made our communities better, and I am committed to continuing that tradition to the fullest extent of my ability. In communities from Allentown to Lancaster to Erie, and elsewhere, refugees are resettling, making a home, finding employment, starting businesses, paying taxes, and enriching their communities. Church World Service, based in Lancaster, has gained national attention for how it has brought refugees and communities together to find mutual understanding and build strong relationships despite differences. That, to me, is the best of America.

As you know, refugees seeking to resettle in America are subject to the highest level of security checks, which includes an in-person interview, a full health and biometric screening, and involvement from the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, and the Department of Defense.

During past conflicts, America has accepted hundreds of thousands of refugees who were fleeing violence and persecution. Jewish refugees came to Pennsylvania from Germany and other European countries to escape the Nazi occupation and religious persecution. Following the Vietnam War, President Gerald Ford resettled 130,000 Vietnamese refugees.

As millions of people in Eastern Europe, the Middle East, Asia, Latin America and Africa face violence, persecution, and death, we should continue to help those we can while taking care to protect our commonwealth and our country, just as we have done for hundreds of years. To reject refugees outright emboldens the message of those who seek to inspire hatred by saying that we, as Americans, do not have compassion or care for specific groups of people in the world facing persecution or worse.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

I am dismayed that America is sharply reducing its commitment to extend a hand of hope and freedom to vulnerable families across the world. But I remain committed to ensure – to the fullest extent possible – that Pennsylvania continues our founding traditions of tolerance and acceptance.

If other states reject these families, they will be welcomed here.

Sincerely,

A handwritten signature in blue ink that reads "Tom Wolf".

TOM WOLF
Governor



THE COUNTY OF CHESTER

COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

OFFICE OF THE COMMISSIONERS
313 W. Market Street
P.O. Box 2748
West Chester, PA 19380-0991
(610) 344-6100



10 January 2020

Secretary Michael R. Pompeo
U.S. Department of State
2201 C Street NW
Washington DC, 20520

Dear Secretary Pompeo:

This letter is in reference to Executive Order 13888, *On Enhancing State and Local Involvement in Refugee Resettlement*.

As Chair of the Board of Commissioners of Chester County, Pennsylvania, I consent to initial refugee resettlement in any assenting municipalities within the County. I understand my written consent will be publicly released by the Department of State.

Sincerely,

A handwritten signature in cursive script that reads "Marian Moskowitz".

Marian D. Moskowitz
Chair

CC: Principal Deputy Assistant Secretary Carol T. O'Connell, Bureau of Population,
Refugees, and Migration, U.S. Department of State
Governor Tom Wolf

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
2021 JAN 15 AM 10:51
CLERK'S OFFICE
AT GREENBELT
P. _____ DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HIAS, INC., et al.,

Plaintiffs,

v.

**DONALD TRUMP, in his official
capacity as President of the United
States, et al.,**

Defendants.

*
*
*
*
*
*
*
*
*
*

Civil No. **PJM 19-3346**

MEMORANDUM OPINION

I. Introduction

HIAS, Inc., Church World Service, Inc., and Lutheran Immigration and Refugee Service, Inc. have sued President Donald Trump and three of his cabinet secretaries, seeking preliminary and permanent injunctive relief. They challenge Executive Order 13888, 84 Fed. Reg. 52,355 (Sept. 26, 2019) (Order), that they allege would give individual U.S. States and Local Governments the power to veto, by refusing to consent to, the resettlement in their respective jurisdictions of certain refugees from around the world. Plaintiffs are three of nine designated “Resettlement Agencies” that enter into annual agreements with the Federal Government to provide services to these refugees under the current refugee resettlement program of this country, as described more fully infra. Defendants, in their official capacities, are

the President, Secretary of State Michael Pompeo, Secretary of Health and Human Services Alex Azar II, and Acting Secretary of Homeland Security Chad Wolf, all of whom have developed and/or are responsible for implementing the Order.

The case is at the Preliminary Injunction phase.¹

Defendants, represented by the U.S. Department of Justice, have filed an Opposition to the Motion for Preliminary Injunction to which Plaintiffs have replied. Numerous entities, with leave of Court, have filed briefs as amici curiae.² Oral argument by counsel for the parties has been held.

For the reasons that follow, the Court **GRANTS** the Motion for Preliminary Injunction, ECF No. 18, and reinstates the status quo immediately preceding the issuance of the proclamation of the Order on September 26, 2019, pending further order of the Court.

¹ Plaintiffs do not seek to enjoin the President. See ECF No. 60, p. 9. Rather, they seek to enjoin his cabinet officers for their roles in developing and implementing the Order. *Id.*; see *Franklin v. Massachusetts*, 505 U.S. 788, 828 (1992) (Scalia, J., concurring) (“Review of the legality of Presidential action can ordinarily be obtained in a suit seeking to enjoin the officers who attempt to enforce the President’s directive”).

² The Court has received amici briefs from Former State Department Officials, including individuals who have served as Assistant Secretary of State for Population, Refugees, and Migration Affairs (Anne Claire Richard) and Director of the Bureau for Refugee Program (James Nelson Purcell, Jr.) (ECF No. 35-1); from several States including California, Illinois, Maryland, Connecticut, Massachusetts, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Virginia and Washington (ECF No. 36); from Cities, including, among others, New York, Los Angeles, Chicago, Philadelphia, Minneapolis, and San Francisco; the Mayors of Detroit, Phoenix, Salt Lake City, Seattle, and San Jose and the U.S. Conference of Mayors (ECF No. 43-1); and from various faith-based organizations with hundreds of affiliates throughout the country (ECF No. 45-1). All amici are in agreement with Plaintiffs that Order 13888 is unlawful.

II. Who is a Refugee?

It is of critical importance to understand who a “refugee” is in the context of this case. For present purposes, a “refugee” has been defined under U.S. law, in pertinent part, as: “any person who is outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion”. 8 U.S.C. § 1101(a)(42).³ See also 8 U.S.C. § 1522. This definition traces back to the definition of “refugee” found in the Statute of the Office of the United Nations High Commission for Refugees (UNHCR) [1950] and the definition in the 1951 Convention Relating to the Status of Refugees.⁴

³ In contrast to a “refugee” as defined herein, an “asylum-seeker” also seeks protection from persecution in his or her home country, but their claim for refugee status has not been legally determined. Asylum-seekers must apply for protection in the country of their destination – meaning that they must be within the country of their destination in order to apply. An “immigrant” may also be distinguished; he or she is a person who merely desires to leave one country and settle in another. The person’s immigration into a given country, including the U.S., typically involves extensive vetting. Many immigrants are eventually able to obtain lawful immigration status and some in time may become citizens. A “migrant” is simply someone who moves from one place to another (within his or her country or across borders) – seasonal workers are a good example – but they do not assert fear of persecution or violence, and, with certain restrictions, may come and go or go between given countries. International Rescue Committee (IRC), *Migrants, asylum seekers, refugees and immigrants: What’s the difference?*, <https://www.rescue.org/article/migrants-asylum-seekers-refugees-and-immigrants-whats-difference> (last visited Jan. 13, 2020); see also *INS v. Cardoza-Fonseca*, 480 U.S. 421, 423 (1987).

⁴ Karen Musalo, Jennifer Moore, Richard A. Boswell & Annie Daber, *Refugee Law and Policy* 37-39 (5th ed. 2018) (citing Statute of the Office of U.N. High Comm’r for Refugees, G.A. Res. 428 (V), annex, (Dec. 14, 1950) and 1951 Convention Relating to the Status of Refugees art. 1, Jul. 28, 1951, 189 U.N.T.S. 137).

“The 1967 Refugee Protocol incorporated the 1951 Convention’s well-founded fear definition in its first article... [such that] [t]he United States owes certain obligations to refugees under international law by virtue of its ratification of the 1967 Protocol, and the [UNHCR], speaking for the international community, is the chief guarantor of these obligations”.⁵ In 1980, in order to bring U.S. law into conformity with the Protocol, Congress enacted the Refugee Act of 1980.⁶ In its declaration of policies and objectives prefacing the Act, Congress:

(a) ... declares that it is the historic policy of the United States to respond to the urgent needs of persons subject to persecution in their homelands, including, where appropriate, humanitarian assistance for their care and maintenance in asylum areas, efforts to promote opportunities for resettlement or voluntary repatriation, aid for necessary transportation and processing, admission to this country of refugees of special humanitarian concern to the United States, and transitional assistance to refugees in the United States. The Congress further declares that it is the policy of the United States to encourage all nations to provide assistance and resettlement opportunities to refugees to the fullest extent possible. (b) The objectives of this Act are to provide a permanent and systematic procedure for the admission to this country of refugees of special humanitarian concern to the United States, and to provide comprehensive and uniform provisions for the effective resettlement and absorption of those refugees who are admitted.

Refugee Act of 1980, Pub. L. No. 96-212 § 101, 94 Stat. 102.

⁵ *Id.* at 73-74; see also *INS v. Stevic*, 467 U.S. 407, 416 (1984).

⁶ *Id.* at 83.

“Refugees”, then, in terms of the present case, comprise a special category of persons.⁷

These refugees do not apply for resettlement directly to the Country they hope to go to.⁸

In most cases, the UNHCR begins by identifying vulnerable individuals (often in conjunction with a U.S. embassy). A number of countries, including the United States, as signatories to the 1967 Protocol, have agreed to cooperate in determining which refugees designated by the UNHCR will be admitted for resettlement. Canada now accepts a greater number of refugees for resettlement under the Convention and Protocol than does the U.S., which historically has accepted the most. *See* U.N. High Commissioner on Refugees, *Global Trends: Forced Displacement in 2018* (2019) at 32.

As of December 31, 2019, the Department of State reports that 30,000 refugees were resettled in the United States in Fiscal Year 2019. *See* Dep’t of State, Bureau of Population, Refugees, and Migration, Refugee Processing Center, PRM Admissions Graph Dec. 31, 2019 (available at <https://www.wrapsnet.org>

⁷ Except as otherwise indicated, when the Court refers to “refugees” hereafter, it is referring to this special category of “refugees”.

⁸ UNHCR, Refugee Resettlement Facts, <https://www.unhcr.org/un.us/resettlement-in-the-united-states.html> (last visited Jan. 13, 2020); *see generally* U.N. High Commissioner on Refugees, *UNHCR Resettlement Handbook* (2011).

/admissions-and-arrivals/) (last visited Jan. 13, 2020).⁹ The main countries of origin of refugees who settled in the U.S. in FY 2018 were the Democratic Republic of Congo, Myanmar, and Ukraine. Dep't of State, Dep't of Homeland Security & Dep't of Health and Hum. Servs., Report to Congress: Proposed Refugee Admissions for Fiscal Year 2020 (2019) at 25. The top U.S. States accepting refugee resettlement in FY 2018 were Texas, Washington, Ohio, California, New York, and Arizona. *Id.* at 27.

III. A Brief Summary of Resettlement History

Anastasia Brown and Todd Scribner in the Journal of Migration and Human Security briefly summarize the history of the refugee settlement system in the United States:

World War II caused the displacement of millions of people throughout Europe. In response, the United States initiated a public-private partnership that assisted in the resettlement of hundreds of thousands of the region's displaced persons. For nearly 40 years after the War, the US commitment to refugee resettlement played out in an *ad hoc* fashion as it responded to emerging crises in different ways. During this period the government's involvement with resettlement became gradually intertwined with that of nongovernmental resettlement agencies, which came to play an increasingly vital role in the resettlement process. The budding relationship that began in the middle decades of the twentieth century set the foundation for an expansive and dynamic public-private partnership that continues to this day. The Refugee Act of 1980

⁹ An estimated 150,000 to 200,000 persons outside the U.S. (where proposed refugees must reside until ready for resettlement) are currently seeking to be designated as refugees in order to resettle in the U.S. See Transcript of Oral Argument at 37 (Jan. 8, 2020) (Civ. No. PJM-19-3346).

UNHCR estimates that 25.9 million individuals world-wide were in need of resettlement at the end of Fiscal Year 2018. See Dep't of State, Dep't of Homeland Security & Dep't of Health and Hum. Servs., Report to Congress: Proposed Refugee Admissions for Fiscal Year 2020 (2019) at 11; see also UNHCR, Figures at a Glance, <https://www.unhcr.org/en-us/figures-at-a-glance.html> (last visited Jan. 13, 2020).

solidified the relationship between resettlement agencies and the federal government, established political asylum in US law, and created the refugee resettlement program and a series of assistance programs to help refugees transition to life in the United States. This legislation marked a decisive turning point in the field of refugee resettlement.

Anastasia Brown and Todd Scribner, *Unfulfilled Promises, Future Possibilities: The Refugee Resettlement System in the United States*, 2 J. Migration and Hum. Security, No. 2, 101, 101 (2014).

IV. The Resettlement Process in the U.S.

After the UNHCR identifies and recommends a potential refugee for resettlement in the U.S., the U.S. undertakes its own vetting process (including, for example, administering medical tests and checking global fingerprint databases). The President, after consultation with Congress, determines the numerical ceiling for refugees each year (known as the “Presidential Determination”). *See* 8 U.S.C. §1157(a)(2). For Fiscal Year 2020, for example, President Trump has set the ceiling at 18,000, *see* Presidential Determination on Refugee Admissions for Fiscal Year 2020, 84 Fed. Reg. 65,903 (Nov. 1, 2019), as compared to a ceiling of 110,000 set by President Obama in 2016, *see* Presidential Determination on Refugee Admissions for Fiscal Year 2017, 81 Fed. Reg. 70,315 (Sept. 28, 2016). Eligible refugees are then interviewed by officers of the U.S. Citizenship and Immigration Services (USCIS), which is part of the Department of Homeland Security (DHS), and if deemed admissible, are resettled through what is known as the Refugee Admissions

Program (RAP), which is jointly administered by a division within the Department of State (DOS) and the Department of Health and Human Services (HHS). *See* U.S. Citizenship and Immigration Services, Refugee Screening Fact Sheet (2018) (available at https://www.uscis.gov/sites/default/files/USCIS/Refugee%2C%20Asylum%2C%20and%20Int%271%20Ops/Refugee_Screening_and_Vetting_Fact_Sheet.pdf). *See also Exodus Refugee Immigration, Inc. v. Pence*, 838 F.3d 902, 903 (7th Cir. 2016) (Posner, J.) (“all persons seeking to enter the United States as refugees are required to undergo multiple layers of screening by the federal government, following screening by the United Nations High Commissioner for Refugees, before they can be admitted to the United States. The process can take up to two years”).

Once DHS conditionally approves an applicant for resettlement, the prospective refugee receives “sponsorship assurance” from one of the nine Resettlement Agencies that has entered into a cooperative agreement with the State Department to assist in the resettlement of refugees.

The “sponsorship assurance” must be received before the prospective refugee may travel to the U.S. *See* ECF No. 1 ¶ 40. The Resettlement Agency then assumes responsibility for placing the prospective refugee with one of its affiliates, and commences to provide services to the candidate, which are intended to help him or her obtain self-sufficiency. *See id.* ¶ 41. In the past, it has taken between 18 to 24

months from the time of the individual's application for admission to actual resettlement, although more recently it has reportedly taken longer. *See id.* ¶ 45.

Through its Reception and Placement Program the State Department provides funding up to a certain amount to the Resettlement Agencies for each refugee they resettle (e.g. to pay for housing, furnishings, food, clothing and the like). *See* 8 U.S.C. § 1522(b)(1). This is intended to cover the first 90 days a refugee is in the U.S. Thereafter, the Office of Refugee Resettlement (ORR), which is within HHS, reimburses the States for paying for longer-term assistance, including social services, as well as medical assistance, and even cash. *See* ECF No. 1 ¶¶ 58-59; 8 U.S.C. § 1521.

Heretofore, pursuant to 8 U.S.C. § 1522(a) (Appendix I hereto), the Federal resettlement authorities and the Resettlement Agencies have been directed to meet and consult with State and Local Governments in order to establish policies and strategies for the placement and resettlement of the refugees, in the course of which, acting in concert, they are directed to take into account several factors, including the availability of employment opportunities, affordable housing, and public and private

resources in the destination (e.g. educational, healthcare, and mental health resources).¹⁰

If the refugee is deemed acceptable for resettlement, the State Department assigns his or her case to one of nine Resettlement Agencies (Plaintiffs being three of the nine), which help the refugee integrate into his or her new U.S. community.

V. The Challenged Executive Order

On September 26, 2019, President Trump issued Executive Order 13888 proposing to modify what from at least the mid-1980s to date has been the heart of resettlement practice. Instead of merely giving States and Local Governments an active voice over whether refugees will be resettled in their jurisdictions, the Order provides that the Federal Government “should resettle refugees only in those jurisdictions in which both the State and local governments have consented to receive refugees under the Department of State’s Reception and Placement

¹⁰ Resettlement Agencies such as Plaintiffs are given an express consultative role in the resettlement process that, as to nonconsenting States and Local Governments, the Order would abolish. As will be shown, Plaintiffs’ prospective loss of their statutory right to be consulted in the resettlement process and their consequent financial losses and prospective loss of good will are “concrete” and “particularized” and “actual and imminent, not conjectural or political” and are of the type “traditionally thought to be capable of resolution through the judicial process.” In other words, Plaintiffs have established injury-in-fact, traceable to Executive Order 13888, that could be favorably addressed by enjoining the enforcement of the Order in whole or part. This means Plaintiffs have satisfied each of the elements required for Article III standing. *See Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016); *Raines v. Byrd*, 521 U.S. 811, 819 (1997). Plaintiffs also satisfy any requirement for prudential standing since they are clearly within the zone of interest contemplated by 8 U.S.C. § 1522. *See Bank Am. Corp v. City of Miami*, 137 S. Ct. 1296, 1302-03 (2017).

Program”. Order § 1. In other words, the Order gives individual States and Local Governments veto power over resettlement.¹¹

Of immediate concern, as announced by Defendants on November 6, 2019, Resettlement Agencies, including Plaintiffs, that seek to continue providing initial resettlement services beyond June 1, 2020 must obtain prior written consent from any State and Local Government jurisdiction in which they propose to resettle refugees. *See* U.S. Dep’t of State, Bureau of Population, Refugees, and Migration, 2020 Notice of Funding Opportunity for Reception and Placement Program (Nov. 6, 2019) (Funding Notice). Of even more pressing concern, the State Department has announced that – by January 21, 2020 (the date proposals are due) – the Resettlement Agencies must submit proposals demonstrating to the Federal

¹¹ Defendants argue that the Order does not give veto power to the State and Local Governments, suggesting that instead the purpose of the Order “is to enhance the consultation between the Government and States and localities”. ECF No. 54, p. 22. This borders on Orwellian Newspeak. Giving States and Local Governments authority to block resettlement unless they consent in writing more than “enhances” their authority. It grants them veto power. Period.

Defendants’ suggestion that the Secretary of State can theoretically require a non-consenting State or Local Government to accept refugees is not only extremely unlikely to occur; neither the Executive Order nor the Funding Notice disclose how the matter might be presented to the Secretary to decide. Defense counsel, at oral argument, was unable to elaborate. But, insofar as Defendants rely upon a “savings clause” in the Order, viz. that the Secretary can direct a non-consenting State or locality to accept refugees if the Secretary concludes that “failing to resettle refugees within [a non-consenting] State or locality would be inconsistent with the policies and strategies established under 8 U.S.C. 1522(a)(2)(B) and (C) or other applicable law”, Order § 2(b), the clause is essentially meaningless. Section 8 U.S.C. § 1522(a)(2)(B) requires that “[t]he Director shall develop and implement, in consultation with representatives of voluntary agencies and State and local governments, policies and strategies for the placement and resettlement of refugees within the United States”. While subsection (C) refers to the traditional factors for resettlement, “other applicable law” includes, among other things, all of the rest of § 1522. But that is precisely the point of Plaintiffs’ claim. The Order, they say, is “inconsistent” with 8 U.S.C. § 1522(a)(2)(B) and (C) because the “voluntary agencies”, i.e. Plaintiffs, would have their consultative role with non-consenting States taken away by the Order. *Cf. City and County of San Francisco v. Trump et al.*, 897 F.3d 1225, 1239 (9th Cir. 2018) (“Savings clauses are read in their context, and they cannot be given effect when the Court... would override clear and specific language”).

resettlement authorities that they have solicited and obtained the written consents from the State and Local Governments where the refugees will be placed after June 1, 2020. *Id.* at 8, 37, 42.¹²

The Resettlement Agencies understand that any federal funding they receive for services rendered after June 1, 2020 (the award period) will be limited by the number of State and Local Governments that, by January 21, 2020, have given (or have been solicited to give) their written consent to receive refugees. However, beginning June 1, 2020 refugees may only be resettled where State and Local Governments have in fact given such consents.

VI. Judicial Review of Executive Orders

Executive Orders are of course subject to judicial review. *See, e.g., Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952); *Panama Ref. Co. v. Ryan*, 293 U.S. 388 (1935); *see generally* David M. Driesen, *Judicial Review of Executive Orders' Rationality*, 98 Bos. U. L. Rev. 1013 (2018). The question is, What standard should the courts apply in reviewing the Orders? Although the Supreme Court has held that the President is not subject to the Administrative Procedure Act (APA), 5 U.S.C. § 551 et seq., and by implication that the “arbitrary and capricious” and “abuse of discretion” standards of the APA do not apply to him,

¹² Defendants state that Plaintiffs will actually be able to submit consents until June 1, 2020 when the grant period begins.

see Franklin v. Massachusetts, 505 U.S. 788 (1992), subordinate officers (three of whom are Defendants here) are subject to the Act, *see id.* at 828 (Scalia, J., concurring) (“Review of the legality of Presidential action can ordinarily be obtained in a suit seeking to enjoin the officers who attempt to enforce the President’s directive”). In evaluating the President’s Orders the Supreme Court has applied a rationality standard – deferential to be sure. *See, e.g., Trump v. Hawaii*, 138 S. Ct. 2392, 2411, 2420 (2018) (“We may assume that § 1182(f) does not allow the President to expressly override particular provisions of the [Immigration and Naturalization Act]. But plaintiffs have not identified any conflict between the statute and the Proclamation that would implicitly bar the President from addressing deficiencies in the Nation’s vetting system”). Constitutional challenges are simply evaluated as such. The actions either are or they are not unconstitutional.

Justice Jackson’s “three part scheme” for evaluating Presidential Powers, as set forth in his concurring opinion in the *Youngstown* case, endorsed by Justice Kennedy and three other Justices in a concurring opinion in *Hamdan v. Rumsfeld*, 548 U.S. 557, 638 (2006), provides useful context when assessing whether executive action is authorized:

1. When the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate.

* * *

2. When the President acts in absence of either a congressional grant or denial of authority, he can only rely upon his own independent powers, but there is a zone of twilight in which he and Congress may have concurrent authority, or in which its distribution is uncertain.

* * *

3. When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain exclusive presidential control in such a case only by disabling the Congress from acting upon the subject. Presidential claim to a power at once so conclusive and preclusive must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system.

Youngstown, supra, 343 U.S. at 635-638 (Jackson, J., concurring). *Cf. Panama Ref. Co.*, supra, 293 U.S. 388, 431 (“If it could be said that from the four corners of the statute any possible inference could be drawn of particular circumstances or conditions which were to govern the exercise of the authority conferred, the President could not act validly without having regard to those circumstances and conditions”).¹³

VII. Core Arguments of the Parties

Plaintiffs submit that, in giving State and Local Governments veto power over refugee resettlement, the Order contravenes statutory text and purpose, express Congressional intent, executive practice, multiple judicial holdings and clear

¹³ It has been argued that, even though the APA does not apply to the President, many cases ostensibly proceeding on the basis of the rationality test of the President’s authority have in fact tacitly applied an arbitrary and capricious standard. *See Driesen. op. cit.*, 1018 et seq. The Court need not probe this argument, however, since insofar as the Order is unlawful, as the Court believes Plaintiffs have preliminarily shown, it would fail both the rationality and arbitrary and capricious tests.

Constitutional doctrine. They also say that, if implemented, the Order will cause Plaintiffs and their refugee “clients” irreparable harm and that the balance of equities and public interest militate strongly in favor of issuing a preliminary injunction.

The consequence of the Order, say Plaintiffs, will be the evisceration of a long-standing, smooth-functioning humane program, with disastrous consequences not only for Plaintiffs and eligible refugees but for the image of the United States as the beacon of liberty.

Defendants submit that neither the Order nor the Funding Notice is reviewable because the Refugee Act of 1980 does not provide a private cause of action. But, they say, even if review were available, the Order and Funding Notice are lawful, raise no constitutional concerns and are not otherwise arbitrary and capricious. They also appear to suggest that, because the President has authority to determine how many refugees may be resettled each year – a power not really in dispute, *see* 8 U.S.C. § 1157(a)(2) – as a subset he has the power to decree that States and Local Governments should have the authority to determine, without respect to any consultative process established by statute, whether, if at all, refugees may inhabit their communities. Particularly, say Defendants, State and local authorities know best what resources they have available to accommodate the refugees in their jurisdictions, *see* Order § 1, and therefore they should have the final say on whether or not they can come. Defendants see no harm to Plaintiffs in the absence of a

preliminary injunction and argue that the balance of equities and public interest tilt in their favor.

Plaintiffs reply that not only is the proposed modification illegal; it is little more than a politically motivated decision that will engender hate and divisiveness throughout the country.¹⁴

VIII. Factors for Issuance of Preliminary Injunction

For Plaintiffs to obtain a preliminary injunction, they must make a clear showing (1) that they are likely to succeed on the merits; (2) that they will suffer irreparable harm that is neither remote nor speculative but actual and imminent if the injunction is not granted; (3) that the balance of equities favor their position, i.e. that the harm Plaintiffs will suffer if the injunction is not granted outweighs the detriment Defendants will suffer if it is and; (4) that the relief they seek is in the public interest. *See Winter v. National Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *see also The Real Truth About Obama, Inc. v. FEC*, 575 F.3d 342, 346 (4th Cir. 2009), *vacated and remanded on other grounds*, 559 U.S. 1089 (2010).

¹⁴ The States and Cities and Mayors, in their amici briefs, have declared their willingness to receive refugees, stressing the positive impacts the refugees have on economic conditions, as well as the social and cultural contributions they make in their respective locales.

IX. Is a Preliminary Injunction Warranted in the Present Case?

A. Likelihood of Success on the Merits

The Court begins with the text of the statute. See *Trump v. Hawaii*, 138 S. Ct. at 2408.

Section 8 U.S.C. § 1522, which sets forth the “conditions and considerations” for authorizing for programs for the initial resettlement of and assistance to refugees, provides that

“The Director and the Federal agency administering [the program of initial resettlement] *shall consult regularly (not less often than quarterly) with State and local governments and private nonprofit voluntary agencies* concerning the sponsorship process and the intended distribution of refugees among the States and localities before their placement in those States and localities”. 8 U.S.C. § 1522(a)(2)(A) (emphasis supplied).

and that

“The Director shall develop and implement, *in consultation with representatives of voluntary agencies and State and local governments*, policies and strategies for the placement and resettlement of refugees within the United States.” *Id.* at (a)(2)(B) (emphasis supplied).

including such factors as that

“a refugee is not initially placed or resettled in an area highly impacted (as determined... *after consultation with such agencies and governments*)...” *Id.* at (a)(2)(C)(i) (emphasis supplied).

and that there be

“a mechanism whereby *representatives of local affiliates of voluntary agencies regularly (not less often than quarterly) meet with*

representatives of State and local governments to plan and coordinate in advance of their arrival...” *Id.* at (a)(2)(C)(ii) (emphasis supplied).

which takes into account

- (I) “the proportion of refugees and comparable entrants in the population in the area,
- (II) the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area,
- (III) the likelihood of refugees placed in the area becoming self-sufficient and free from long-term dependence on public assistance, and
- (IV) the secondary migration of refugees to and from the area that is likely to occur.” *Id.* at (a)(2)(C)(iii).

and that

“With respect to the location of placement of refugees within a State, the Federal agency administering [the program] shall, consistent with such policies and strategies and to the maximum extent possible, *take into account recommendations of the State.*” *Id.* at (a)(2)(D) (emphasis supplied).

This is the language of a Congressional statute. It speaks in terms of “consulting” and “consultation” between and among the Resettlement Agencies and the State and Local Governments; establishes that the Resettlement Agencies and State and Local Governments must regularly “meet” to “plan and coordinate”; even acknowledges that “maximum consideration” be given to “recommendations” States make to the Federal Government. The challenged Order definitely appears to undermine this arrangement. As to States or Local Governments that refuse to give written consents, there will be no consultation, no meetings with the Resettlement

Agencies, not just “recommendations”.¹⁵ Those State and Local Governments can simply give or withhold their written consents to the resettlement of refugees within their borders. If they do not consent – apparently for any reason or for no reason – there will be no resettlement in that entire State or in that local community. Resettlement Agencies will be totally sidelined. In other words, as the screens in e-sports inevitably register: “Game Over”.

By its terms, the current statute, 8 U.S.C. § 1522(a), hardly seems to “exude[...] deference to the President in every clause”. *Compare Trump v. Hawaii*, 138 S. Ct. at 2408. It delegates no authority and establishes no “facially broad grant of power” to the President at all – certainly nothing that would permit him to disregard, much less put asunder, what is obviously carefully a crafted statutory scheme. *Id.* at 2410.

Moreover, the Order appears to run counter to the Refugee Act’s stated purpose, which is “... *to provide comprehensive and uniform provisions for the effective resettlement and absorption of those refugees who are admitted*”. Refugee Act of 1980, Pub. L. No. 96-212 § 101(b), 94 Stat. 102 (emphasis supplied); *see also Alabama v. United States*, 198 F. Supp. 3d 1263, 1268 (N.D. Ala. 2016); *Texas Health and Human Servs, Comm’n v. United States*, 193 F. Supp. 3d 733, 739 (N.D.

¹⁵ At oral argument, defense counsel was unable to articulate why or how consultations and meetings with the Resettlement Agencies might continue if a State’s consent to resettlement is not forthcoming. *See* Transcript of Oral Argument at 77, 79-80 (Jan. 8, 2020) (Civ. No. PJM-19-3346).

Tex. 2016). The state-by-state, locality-by-locality approach under the Order stands in sharp contrast to the Act's aim of uniformity. *Id.*

Lest there be any doubt, giving States and Local Governments the power to consent to the resettlement of refugees – which is to say veto power to determine whether refugees will be received in their midst – flies in the face of clear Congressional intent, as expressed in the legislative history of the statute. *Compare Trump v. Hawaii*, 138 S. Ct. at 2412.

Thus, in the run-up to the Refugee Assistance Extension Act of 1986 amending the Refugee Act of 1980, which came about very much at the vigorous urging of some States and Local Governments to strengthen their right to be heard, the House Committee on the Judiciary report sets forth at the outset that while:

[t]he Committee amendment... strengthens the consultation requirement... to consult regularly with State and local governments... on the sponsorship and placement process *** *[t]he Committee emphasizes that these requirements are not intended to give States and localities any veto power over refugee placement decisions, but rather to ensure their input into the process and to improve their resettlement planning capacity.*

H.R. Rep. No. 99-132, at 19 (1985) (emphasis supplied).¹⁶ In short, the Order clearly appears to fall within the third level category of assessing Executive Power that Justice Jackson described in the *Youngstown* case, namely – it seems to be a measure

¹⁶ See also 8 U.S.C. § 1522 (a)(4)(c) ("The Director may not delegate to a State or political subdivision the authority to review or approve grants or contracts under this chapter or the terms under which such grants or contracts are made").

“incompatible with the expressed or implied will of Congress”, “a power at once so conclusive and preclusive [that it] must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system.” 343 U.S. at 637-8 (Jackson, J., concurring).

Executive practice vis-à-vis the statutorily mandated consultation arrangement is also highly relevant. *Compare Trump v. Hawaii*, 138 S. Ct. at 2413. Consultation between and among the State and Local Governments and the Resettlement Agencies has, from all reports, worked quite smoothly since the 1986 amendments to the Refugee Act gave States and Local Governments a more active voice in the process. In searching for a rational basis justifying the Order (or, alternatively, a basis that is not arbitrary and capricious), one is left to wonder exactly what the rationale is for doing away entirely with a process that has worked so successfully for so long. And why now?

Not surprisingly, three federal court decisions of recent vintage have declared in effect that, while the Federal resettlement authorities are obviously empowered to make the final decision as to where refugees will be resettled, State and Local Governments do not have the authority to block the Federal resettlement decisions. *See Exodus Refugee Immigration, Inc. v. Pence, et al.*, 838 F.3d 902 (7th Cir. 2016) (Posner, J.) (affirming issuance of preliminary injunction against then-Governor Pence of Indiana and others who directed state agencies not to pay federal grant

funds to private refugee settlement agencies for social services provided to Syrian refugees that might be settled in Indiana); *Alabama v. United States*, 198 F. Supp. 3d. 1263, 1266 (N.D. Ala. 2016) (granting Federal Government’s motion to dismiss where Governor of Alabama directed all Alabama agencies “to utilize all lawful means to prevent resettlement of Syrian refugees in the State of Alabama”); *Texas Health and Human Services Commission v. United States*, 193 F. Supp. 3d. 733 (N.D. Texas 2016) (granting Federal Government’s and Resettlement Agency’s motion to dismiss action by Texas commission seeking declaratory judgment that would effectively permit State to block resettlement of Syrian refugees).¹⁷

More important, perhaps most important – beyond analysis of the statutory text, statutory structure and purpose, beyond legislative history, beyond executive practice and judicial decisions – a potentially insuperable Constitutional barrier looms. *See Trump v. Hawaii*. 138 S. Ct. at 2415. Which is precisely this: The power to admit or exclude non-citizens is “exclusively” federal in nature. *See DeCanas v.*

¹⁷ Relying principally on the Texas and Alabama cases, Defendants devote a considerable portion of their Opposition Brief to arguing that Plaintiffs have no private right of action under the Refugee Act of 1980. *See* ECF No. 18, p. 17. It is true that those two cases discussed the right to a private cause of action in the context of the Refugee Act of 1980, but notably, as indicated in the text, *supra*, both cases effectively held that State Governments had no right to block federal enforcement of the Act in their respective States. Neither case, moreover, involved an attempt by the Executive, potentially unconstitutionally, to abolish altogether any role the States might have in consulting with respect to the resettlement of refugees, determining only that the Federal Government was not obliged to provide information demanded by the States relating to the proposed resettlement of refugees. In any event, whether it was necessary or even appropriate to delve into the existence *vel non* of the private right of action issue in those two cases, it is clear that that issue has not even been raised much less discussed in the most recent challenges to Presidential authority in regard to immigration issues. *See, e.g., Trump v. Hawaii*, 138 S. Ct. 2392 *passim*. That is because no specific cause of action is required. *See, e.g., INS v. Chadha*, 462 U.S. 919, 953, n. 16 (1983) (executive action “is always subject to check by the terms of the legislation that authorized it; and if that authority is exceeded it is open to judicial review”).

Bica, 424 U.S. 351, 354 (1976) (the “[p]ower to regulate immigration is unquestionably exclusively a federal power”); *Truax v. Raich*, 239 U.S. 33, 42 (1915) (enjoining enforcement of Arizona anti-alien labor law: “The authority to control immigration – to admit or exclude aliens – is vested solely in the Federal Government... The assertion of an authority to deny to aliens the opportunity of earning a livelihood when lawfully admitted to the state would be tantamount to the assertion of the right to deny them entrance and abode, for in ordinary cases they cannot live where they cannot work. And, if such a policy were permissible, the practical result would be that those lawfully admitted to the country under the authority of the acts of Congress, instead of enjoying in a substantial sense and in their full scope the privileges conferred by the admission, would be segregated in such of the states as chose to offer hospitality”). Making the resettlement of refugees wholly contingent upon the consents of State or Local Governments, as the veto component of the proposed Order would have it, thus raises four-square the very serious matter of federal pre-emption under the Constitution. It is hard to see how the Order, if implemented, would not subvert the delicate federal-state structuring contemplated by the Refugee Act.

But there is more: Plaintiffs have raised several valid concerns under the Administrative Procedure Act, 5 U.S.C. § 551 et seq., which, even if not applicable to the President, do apply to Defendants Pompeo, Azar and Wolf. Most

fundamentally, of course, the Order appears to be “unlawful”, 5 U.S.C. § 706(2); it may also fairly be characterized as “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law”, *id.* at 2(A), among other things because it “entirely fails to consider an important aspect of the problem”, *Motor Vehicle Mfrs. Ass’n of U.S. v. State Farm Mut. Auto Ins. Co.*, 463 U.S. 29, 43 (1983). For instance, one matter glaringly omitted is the effect of the Order on the reliance interests of the Resettlement Agencies, and State and Local Governments, engendered by previous policy. *See Encino Motorcars, LLC v. Navarro*, 136 S. Ct. 2117, 2126 (2016).

The Court finds that Plaintiffs have preliminarily demonstrated that, as of the date of the promulgation of the Funding Notice,¹⁸ Defendants Pompeo, Azar, and Wolf failed to adequately consider a number of critical factors in promulgating the

¹⁸ Defendants argue that there has been no final agency decision regarding the Order, which they say will not occur until the grant period beginning June 1, 2020. *See* ECF No. 54, p. 14. They cite *Bennett v. Spear*, 520 U.S. 154, 177-78 (1997), which establishes two elements for there to be finality: (1) The action must be outcome-determinative, not merely tentative or interlocutory in nature and (2) rights and obligations must have been determined, from which legal consequences will flow. Continuing, Defendants say, a “mere request for funding applications... does not satisfy [these] criteria”. ECF No. 54, p. 18. Plaintiffs accept *Bennett* as controlling. *See* ECF No. 60, p. 14. But the Court agrees with Plaintiffs that they have in fact demonstrated the finality of the Order and Funding Notice. Applying a pragmatic rather than a formulaic analysis, *see U.S. Army of Eng’rs. v. Hawkes Co.*, 136 S. Ct. 1807, 1815 (2016), Plaintiffs point out that the Order and Funding Notice are most definitely outcome-determinative because they determine eligibility for funding in certain jurisdictions in the first place. ECF No. 60, p. 15. Rights and consequences clearly flow from both the Order and Funding Notice for the same reason. Absent consents, there is no eligibility for a grant to provide resettlement services in a non-consenting State or locality.

Notice:¹⁹ For example: (1) precisely why should the prior statutory policy of consultation involving Resettlement Agencies should be modified; (2) how would the matter of “secondary migration”, *see* 8 U.S.C. § 1522(a)(2)(C)(iii)(IV), be handled, i.e. what would happen if a refugee admitted to one jurisdiction were to re-migrate to a nonconsenting State or locality, especially if the refugee had family or other ties there; (3) to what extent might State and Local Governments’ decisions to exclude refugees be based on bias or other prohibited discriminatory considerations,²⁰ particularly if the State or Local Government declines to give any reason for not consenting – which the Order permits them to do; (4) how could the Resettlement Agencies be expected to deal with the complexity of identifying and gaining the consent of multiple State and Local Governments, given their highly

¹⁹ Defendants, in their Opposition Brief, rely heavily on a declaration from Andrew M. Veprek, Deputy Assistant Secretary of State in the Bureau of Population, Refugees, and Migration (PRM) of the Department of State, who oversees the Department’s functions in the U.S. Refugee Admissions Program (RAP) under the Refugee Act of 1980. Plaintiffs have moved to strike the declaration as being post-hoc rationalizations as to why and how Executive Order 13888 came into being. *See, e.g., Camp v. Pitts*, 411 U.S. 138, 142 (1973) (per curiam) (“In applying [the APA’s arbitrary and capricious standard], the focal point for judicial review should be the administrative record already in existence, not some new record made initially in the reviewing court.”). That said, much of the affidavit, as Plaintiffs concede, is merely explanatory and unobjectionable. Plaintiffs’ objection, as clarified by their counsel at oral argument, is that, whether or not they were entitled to prior notice and an opportunity to comment (on either the Order or Funding Notice), the record leading up to the promulgation of the Order and Funding Notice is bare. *See* Transcript of Oral Argument at 7 (Jan. 8, 2020) (Civ. No. PJM-19-3346). Yet, Plaintiffs submit, Defendants do not contend there was no record at the time of promulgation; they deem it irrelevant and simply decline to disclose it. *Id.* Apart from what in fact do appear to be post-hoc rationalizations, the Court sees nothing in the affidavit that runs counter to the Government’s apparently unilateral, unexplained, and unalterable decision that, unless State or Local Governments consent in writing by a date certain – for any reason or no reason – there will be no resettlement of refugees in that State or local community. With these observations in mind, Plaintiffs’ Motion to Strike, ECF No. 56, is **DENIED**.

²⁰ *See* 8 U.S.C. 1522(a)(5) (“Assistance and services funded under this section shall be provided to refugees without regard to race, religion, nationality, sex, or political opinion”); *see also Exodus Refugee Immigration, Inc.*, 838 F.3d at 904-05 (holding that then Indiana Governor Pence’s attempt to prevent resettlement of Syrian refugees based on “security concerns” amounted to discrimination based on nationality).

diverse nature; (For example, does the “State” mean the Governor of the State or a State regulatory agency or both?; Does the “Local Government” mean the County – the county executive or the county commissioners or both? And why a County? What about States that have geographic regions called counties, but no real county governments?; It is not entirely clear if any cities could be considered a “Local Government” under the Order. But if so, who would speak for the city – the city council, the mayor, or some other entity or person? Add to this the reasonable prospect of collateral litigation, even public referenda, challenging who has authority under the Order to decide whether consent should be given or withheld by a State or Local Government and whether the refusal to consent by an unwelcoming State will prevent resettlement of refugees in a willing county or city within that State);²¹ (5) what account was taken or should have been taken with respect to the reliance of Resettlement Agencies on the previous policy of resettlement over many years, including their well-developed relationships with local organizations, as well as their establishment and maintenance of local resettlement sites and their undertakings with local suppliers and vendors; (6) what consideration was given to foster families that have undergone extensive preparations to take in refugee children in accordance

²¹ Defendants concede that the Governor of a State, appealing to some constituents, could block resettlement in a city that in fact declares itself wholly disposed to welcome the refugees. The reverse situation is also problematic. As the States argue in their amicus brief, *see* ECF No. 36, p. 10, if a State consents to resettlement, but a county (or city) objects, allowing the localities to veto resettlement in their jurisdictions would appear to interfere with the sovereign prerogative of the State to set statewide policy.

with the Unaccompanied Refugee Minors (URM) Program, *see* 8 U.S.C. § 1522(d)(2); and (7) what will be the effect of the Order on investments, including infrastructure improvements, that some States and local communities have made over the years in reliance on the presence of refugees, if they are no longer permitted to resettle in those jurisdictions?

At a minimum, the Court is persuaded that, on the merits, Plaintiffs will be able to demonstrate, at least as to the cabinet secretaries, that in one or more respects, the Order's grant of veto power is arbitrary and capricious, *see* 5 U.S.C. § 706(2)(A), as well as inherently susceptible to hidden bias.

Over all, then, Plaintiffs have demonstrated to the Court's satisfaction, based on statutory text and structure, purpose, legislative history, judicial holdings, executive practice, the existence of a serious constitutional concern over federal pre-emption, and numerous arbitrary and capricious administrative deficiencies, that, on the merits, they are clearly likely to succeed in showing, that, by giving States and Local Governments veto power over the resettlement of refugees within their borders, the Order is unlawful.

B. Irreparability of Harm

Plaintiffs submit they have also shown that they will be irreparably harmed (indeed they say they are already irreparably harmed) if the Order and Funding

Notice continue in effect and if refugee resettlement becomes conditioned upon obtaining written consents from State and Local Governments. The Court agrees.

By January 21, 2020, just 13 days following briefing and oral argument on the Motion for Preliminary Injunction, Plaintiffs must complete their submissions of proposals to cover their imminent operations. Until then, indeed during the run-up since the Order was promulgated at the end of September 2019, in addition to having to puzzle through the exact reach of the Order and Funding Notice, Plaintiffs suggest they have been and will continue to be in a “frenzy” to obtain written consents from State and Local Governments in order to be in compliance. ECF No. 18, p.7. This can hardly be disputed. Plaintiffs will continue to be in a scramble, required to spend excessive hours in manpower and resources trying to obtain the required written consents. As a result, they will continue to be diverted from their main purpose and mission. The hours and resources they have been and will be required to expend will not only be irretrievable; they represent efforts and expense that could much more appropriately be used to provide the multiple services that Plaintiffs traditionally provide for refugees. With the Order, moreover, Plaintiffs will almost certainly need to reduce the number of their personnel and continue to close down operations in the non-consenting States and locales. These are immediate tangible concerns of material dimension. The almost inevitable loss of good will and harm to reputation, at least in non-consenting States and localities, will compound Plaintiffs’ injuries.

See, e.g., Fed. Leasing Inc. v. Underwriters at Lloyd's, 650 F.2d 495, 500 (4th Cir. 1981) (irreparable harm established where a plaintiff “seeks to preserve its existence and its business” and where a defendant’s ongoing acts endanger “the good will built by a heretofore successful enterprise”).²²

Monetary damages cannot fairly compensate for most, if not all, of the highly likely consequences just described. The Court finds more than enough substance in Plaintiffs’ overall parade of horrors to demonstrate that, as of this very moment, they will be irreparably harmed if a preliminary injunction does not issue.²³

C & D. Balance of Equities and the Public Interest

Since the Government is a party to the suit, the balance of equities and the public interest may be considered in tandem. *See, e.g., Nken v. Holder*, 556 U.S. 418, 435 (2009). Plaintiffs urge the importance of maintaining for the present the long-standing, carefully crafted humane program that places refugees in communities where they can thrive – informed, to be sure, by at least some input from the Resettlement Agencies themselves and the States and local communities as to where

²² Plaintiffs also raise a not implausible concern over whether their solicitation of written consents from State and Local Governments might constitute lobbying activities affecting their status or tax-exempt 501(c)(3) status. *See* Treas. Reg. § 1.501(c)(3)-1(c)(3)(ii). While Defendants suggest that this is an unfounded fear, the Court finds it unnecessary to consider the merits of this argument.

²³ Defendants suggest that “[t]he requirement to seek State and local consents harms Plaintiffs only insofar as it puts Plaintiffs to a choice: obtain the consents or forego receiving grant funding”. ECF No. 54, p. 31. This is a Hobson’s choice. It implies that the Resettlement Agencies have freedom to decide, but in fact the only options the Order and Funding Notice offer are obtaining the consents or taking nothing. But, as Plaintiffs point out, by foregoing grant funding in a given jurisdiction they would essentially be out of the business of resettling refugees in the jurisdiction altogether, a core part of their mission. *See* ECF No. 60, p. 20. And even if private funding were available, Plaintiffs could, presumably, still not go into those States or localities that refuse to consent to resettlement.

the refugees will actually go. On the other hand, if the Order is implemented, apart from the considerable dislocations Plaintiffs will suffer, many refugees may find themselves at least in limbo, denied services congressionally intended to help them effectively integrate into new homes.

The Court finds no countervailing equity considerations favoring Defendants' desire that the Order be implemented without delay, other than to finally cede to some States and Local Governments a power that for several years they have attempted to secure but have been squarely blocked from securing by legislation and litigation: To keep unwanted refugees out of their communities. There is no imminent harm to the Government if it is simply required to keep on doing what it has been doing for decades. The balance of equities for preliminary injunction purposes clearly favors Plaintiffs.

As for the public interest, there is without a doubt public interest in keeping "the President from slipping the boundaries of a statutory policy and acting based on irrelevant policy preferences". Driesen, *supra*, at 1045; *see also Panama Ref. Co.*, 293 U.S. at 431-33, 446 (1935) (majority and dissenting opinions). There is also a substantial public interest in having governmental agencies abide by federal laws that govern their existence and operations. *League of Women Voters of U.S. v. Newby*, 838 F.3d 1, 12 (D.C. Cir. 2016). By giving States and Local Governments the power to veto where refugees may be resettled – in the face of clear statutory

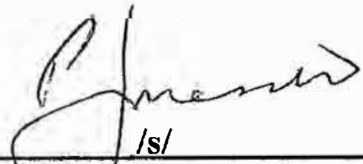
text and structure, purpose, Congressional intent, executive practice, judicial holdings, and Constitutional doctrine to the contrary – Order 13888 does not appear to serve the overall public interest. Granting the preliminary injunctive relief Plaintiffs seek does. Refugee resettlement activity should go forward as it developed for the almost 40 years before Executive Order 13888 was announced.²⁴

X. Conclusion

For the following reasons, Plaintiffs’ Motion for Preliminary Injunction with respect to the Order and the Funding Notice will be **GRANTED**.

A separate Order will issue.

January 15, 2020



/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

²⁴ Defendants ask, if the Court is inclined to issue a Preliminary Injunction, that it be limited to the three named Plaintiffs. ECF No. 54, p. 36. Defense counsel, at oral argument, conceded that this would “create potential difficulties” and could not describe how the distinction between the three Resettlement Agencies that are Plaintiffs and the six which are not might work in practice. Transcript of Oral Argument at 105 (Jan. 8, 2020) (Civ. No. PJM-19-3346). Presumably the three Plaintiff Resettlement Agencies could continue to exercise the right to consult and meet with State and Local Governments that might otherwise not want to consent to the presence of refugees, whereas the six non-plaintiff Resettlement Agencies would be completely cut off from engaging with those same State and Local Governments. With impractical, unfair consequences such as this, Defendants’ request falls of its own weight.



Penn Medicine

At Home

December 31, 2019

East Goshen Township
Jon Altshul
1580 Paoli Pike
West Chester, PA 19380

Dear Mr. Altshul:

We are pleased to submit this request for a contribution to Penn Medicine at Home-Chester County (formerly Neighborhood Health), through your 2020 budget. We understand that funds are tight each year, and we greatly appreciate your consideration.

In March 2019, Neighborhood Health merged with Penn Medicine, becoming the Chester County branch of Penn Medicine at Home. We continue to provide the same high-quality care, with the same exceptional staff, to the residents of Chester County, operating out of our West Chester office. Our tax ID number is now 23-1352685.

A contribution from East Goshen Township would help us continue meeting the home health needs of your residents, at a time of escalating costs and significant tightening of benefit programs, including Medicare and Medicaid. During the past year, we provided home care, palliative care and/or hospice care to approximately 1,000 East Goshen residents.

A contribution would be greatly appreciated and will enable us to continue meeting the needs of the citizens of your community not covered by other funding sources. We would welcome a gift of any size. Donation checks should be made payable to "Penn Medicine" and can be sent to:

Penn Medicine at Home
c/o Elizabeth Fuller
795 E. Marshall Street, Suite 204
West Chester, PA 19380

We would be happy to make a presentation to township officials or residents concerning our services and mission at any time. Please contact us if you wish to schedule such an opportunity. The ongoing support of the municipalities we serve is much needed and will be greatly valued.

Sincerely yours,

Kelly K. McBride
Director of Development

cc: Elizabeth Fuller



REC 1-9-2020

BOW TREE 1 POND

**MUNICIPAL NOTIFICATION OF PLANNED LAND DEVELOPMENT
FOR CHAPTER 102 PERMITS**

PROJECT INFORMATION (COMPLETED BY APPLICANT)

| | | | |
|--|---|--------------------------------------|---|
| Applicant Name: | <u>53-4L-18</u> | Contact Name: | <u>Louis Smith</u> |
| Applicant Address: | <u>1580 Paoli Pike</u> | Contact Phone: | <u>610-692-7171</u> |
| Applicant City, State, ZIP: | <u>West Chester, PA 19380</u> | County: | <u>Chester</u> |
| Description of Proposed Land Development and Stormwater Controls: | Municipality: <u>East Goshen Township</u> | | |
| Restoration of an existing pond in Township parkland. Dredging of sediment, installation of two stormwater forebays, and replacement of deteriorated outlet trash racks. | Project Area: | <u>7.12</u> acres | <input type="checkbox"/> Phased |
| | Disturbance: | <u>1.92</u> acres | |
| | Surface Waters Receiving Stormwater Discharges: | <u>Unk Tributary to Ridley Creek</u> | |
| Tax Parcel ID(s) Affected by Proposed Land Development: | <u>53-4L-18</u> | Discharge to: | <input type="checkbox"/> MS4 <input type="checkbox"/> Other SS <input type="checkbox"/> CSS |

The following information was submitted to the municipality for this project:

- Land Development / Subdivision Plan
 E&S Plan
 PCSM Plan
 Other: **Pond Restoration Plan**

MUNICIPAL PLAN / ORDINANCE INFORMATION (COMPLETED BY MUNICIPALITY)

1. Is there an adopted municipal or multi-municipal comprehensive plan? Yes No
2. Is there an enacted municipal or multi-municipal zoning ordinance? Yes No
3. If Yes to #2, is the proposed project consistent with the ordinance? Yes No
4. Is there a municipal stormwater management ordinance? Yes No
5. If Yes to #4, is the proposed project consistent with the ordinance, without waiver? Yes No
6. If Yes to #4, indicate type of ordinance: Act 167 Model Ordinance DEP Model Ordinance (MS4s) Other

CERTIFICATION

I certify under penalty of law (see 18 Pa.C.S. § 4904 (relating to unsworn falsification)) that the information reported herein was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the information, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

East Goshen Township

Applicant Name

Louis Smith

Municipal Representative Name

Applicant Signature

Municipal Representative Signature

Township Manager

Applicant Title

Municipal Representative Title

Applicant is the Municipality

Date of Signature

Date of Signature

REC 1-2-2020



Stantec Consulting Services Inc.
400 Davis Drive Suite 400, Plymouth Meeting PA 19462-1718

December 30, 2019
File: 213403198

Attention: Louis Smith, Township Manager
1580 Paoli Pike
West Chester, PA 19380-6199

Dear Mr. Smith,

**Reference: PECO 1302 Wilson Drive Gas Pipeline Installation Project
East Goshen Township, Chester County, Pennsylvania**

Section 1905-A of the Commonwealth Administrative Code, as amended by Act 14, requires that each applicant for a PADEP permit give written notice to the municipality(ies) and the county(ies) in which the permitted activity is located. The written notices shall be received by the municipality(ies) and county(ies) at least 30 days before the Department may issue or deny the permit.

PECO proposes to install approximately 385 LF of one-inch diameter plastic gas service pipe via horizontal direction drill (HDD) parallel to the proposed entrance to the new development at 1302 Wilson Drive in East Goshen Township, Chester County, Pennsylvania. A 100 LF portion of the proposed main must traverse a UNT to East Branch Chester Creek and its associated 50-ft assumed regulatory floodway. The new gas service will be installed within the vegetated area east of the proposed entrance between the existing six-inch diameter plastic gas main along Wilson Drive and a gas meter connected to the new building. Since the proposed main will be installed via HDD a minimum three feet beneath the UNT, in-stream impacts are avoided. However, appropriate erosion and sediment controls will be installed and maintained per state regulations for the entire Project.

The new gas service will be installed upon approval of an erosion and sediment control plan (ESCP) by the Chester County Conservation District (CCCD), and a Chapter 105 General Permit (GP-5) Registration Package by the Pennsylvania Department of Environmental Protection (PADEP) Southeast Regional Office.

If you have any questions or need additional information, please do not hesitate to contact me.

Regards,

Stantec Consulting Services Inc.

A handwritten signature in blue ink, appearing to read 'Marjorie M. Robinson'.

Marjorie M. Robinson
Environmental Engineer, E.I.T.
Phone: (610) 862-7727
Fax: (484) 322-0302
Marjorie.Robinson@stantec.com

Attachment: PADEP General Permit Registration Form, Site Figures
c. Jesse Goldberg – Senior Environmental Program Manager, PECO



Gannett Fleming

*Excellence Delivered **As Promised***

REC'D 1-10-2020

January 03, 2020

**CERTIFIED MAIL NO. 7014 2870 0000 0863 6659
RETURN RECEIPT REQUESTED**

East Goshen Township Board of Supervisors
1580 Paoli Pike
West Chester, PA 19380

Re: East Goshen Township
Milltown Dam Hazard Reduction
East Goshen Township, Chester County, PA
Act 14, 67, 68 and 127 Notifications

Dear East Goshen Township Board of Supervisors:

This letter is to inform you that East Goshen Township (Township) is preparing to submit permit applications for the modification of Milltown Dam (DEP ID No. D15-146) which is currently owned and operated by the Township as a recreational facility. Located in East Goshen Township, Chester County, Pennsylvania, the dam and reservoir are situated on the East Branch of Chester Creek which is a tributary to the Delaware River. The following provides a description of the project and the anticipated permits which will be required:

Project Name: Milltown Dam Hazard Reduction (DEP ID NO. D15-146)

Applicant Name: East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Applicant Contact: Rick Smith, Township Manager
Phone Number: (610) 692-7171

Municipality/County: East Goshen Township, Chester County

Project Description: The Township was directed by Pennsylvania Department of Environmental Protection (DEP) Division of Dam Safety (Dam Safety) to resolve dam safety concerns associated with Milltown Dam, the most significant of which is inadequate spillway capacity to pass the Spillway Design Flood from the contributing 6.3 square mile drainage area which is currently established as the 1/2 Probable Maximum Flood (PMF). Milltown Dam is currently classified as a high hazard (C-1) structure.

East Goshen Township (Township) has decided to address the identified dam safety concerns by reducing the hazard classification of the Milltown Dam. This course of action was selected as the most feasible alternative to comply with dam safety regulations. Reducing the hazard classification of Milltown Dam will involve reducing the height of the impounding structure, elimination of the reservoir, and converting the existing reservoir into a riparian corridor containing



stream and overbank areas. These improvements essentially eliminate the storage capacity of the structure such that there would be no adverse downstream impacts in the unlikely event of a dam failure. Based on these modifications, the impounding structure can be reclassified as a low hazard dam, which will reduce the conveyance capacity requirements of the spillway.

In addition to the spillway and embankment modifications, the existing reservoir area will be converted to a township park featuring walking paths, parking areas, overlooks, landscaping and an offline pond.

Permit Applications: East Goshen Township will be applying for the following permit authorizations from DEP Dam Safety and the U.S. Army Corps of Engineers (USACE):

- Dam Permit under the provisions of 25 PA Code, Chapter 105 Dam Safety and Waterway Management,
- Erosion and Sediment Pollution Control Plan under the provisions of 25 PA Code, Chapter 102 Erosion and Sediment Control, and
- Individual Permit under the provisions of Section 404 of the Clean Water Act.

PA Act 14, P.L. 834 of the Commonwealth's Municipal Planning Code requires that applicants for certain permits provide written notice to each municipality and county in which the permitted activity is located. Evidence that each municipality and county has received written notification must be submitted to the DEP as part of the permit application.

Acts 67, 68 and 127 of 2000 amend the Municipalities Planning Code and direct state agencies to consider comprehensive plans and zoning ordinances when reviewing applications for permitting of facilities and infrastructure, and specify that state agencies may rely upon comprehensive plans and zoning ordinances under certain conditions as described in Sections 619.2 and 1105 of the Municipalities Planning Code. The DEP's Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure (DEP's Land Use Policy) provides direction and guidance to DEP staff, permit applicants, and local and county governments for the implementation of Acts 67, 68 and 127 of 2000. This policy can be found at www.dep.state.pa.us; keyword: Land Use.

In accordance with DEP's Land Use Policy, enclosed as Attachment A are the Land Use Information questions for your reference. Also attached are location maps showing the location of Milltown Dam (refer to Enclosures 1 and 2). DEP's General Information Form is also attached which provides additional information on the project. DEP invites you to comment on this information and identify any land use concerns or issues related to this project; please focus any comments that you may have on the relationship to zoning ordinances. A Municipal Land Use Letter form is provided to assist you with your review.

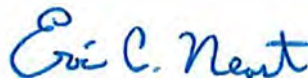
Please forward any comments and supporting information within 30 days of receiving this letter to:

Eric C. Neast, P.E.
Gannett Fleming, Inc.
P.O. Box 67100
Harrisburg, PA 17106

On behalf of the Township, please accept this letter as written notification that the Township is filing the above-referenced permit applications. Please utilize the attached Municipal Land Use Letter or provide your own response letter. **Please do not send this correspondence to DEP.** If we do not receive a response from you within 30 days, we shall assume that there are no concerns related to land use. The certified mail receipt will be used as evidence of your receipt of this notification.

Thank you for your time and consideration of this request. If you have any questions, please contact me at (717) 886-5453.

Sincerely,
GANNETT FLEMING, INC.



ERIC C. NEAST, P.E.
Project Manager

Enclosures:

1. Enclosure 1: USGS Topographic Location Map
2. Enclosure 2: Project Location and Study Area Map
3. Attachment A: Land Use Information Questions
4. Sample Municipal Land Use Letter
5. Draft General Information Form

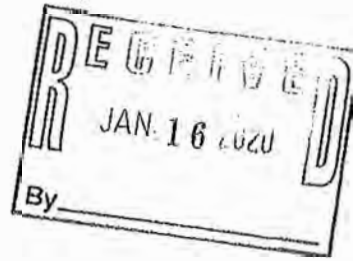
cc: Rick Smith, East Goshen Township
Dave Graff, Gannett Fleming
File: 60466



pennsylvania

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

January 9, 2020



Mr. Mark Valori
Adelphia Gateway, LLC
1415 Wyckoff Road
Wall, NJ 07719

Re: Completeness Notification Letter
ESCGP-3 Permit Application
Project Name: Adelphia Gateway Project - Phase 1
Permit Application No. ESG 01 00 19 001
Lower Chichester, Concord, East Goshen, East Whiteland, East Pikeland,
West Rockhill, Thornbury, Perkiomen, Richland, and Skippack Townships
Bucks, Chester, Delaware, and Montgomery Counties

Dear Mr. Valori:

The Department of Environmental Protection (DEP) has reviewed the above-referenced application for completeness, and DEP has determined that the application is complete. DEP and the County Conservation Districts will now proceed with the technical review of the application. During the technical review, the adequacy of the application and its components will be evaluated to determine if sufficient information exists to render a decision on the technical merits of your application.

Southeast Regional Office

2 East Main Street | Norristown, PA 19401-4915 | 484.250.5160 | Fax 484.250.5971 | www.dep.pa.gov

If you have questions about your application, please contact me by e-mail at christosm@pa.gov or by telephone at 484.250.5152 and refer to ESG010019001.

Sincerely,



Christopher Smith, P.E.
Chief, Construction Permits Section
Waterways and Wetlands

cc: Ms. Mathew – Johnson, Mirmiran & Thompson (JMT)
Bucks County Conservation District
Chester County Conservation District
Delaware County Conservation District
Montgomery County Conservation District
Lower Chichester Township - Municipal Engineer
Concord Township - Municipal Engineer
East Goshen Township - Municipal Engineer
East Whiteland Township - Municipal Engineer
East Pikeland Township - Municipal Engineer
West Rockhill Township - Municipal Engineer
Thornbury Township - Municipal Engineer
Perkiomen Township - Municipal Engineer
Richland Township - Municipal Engineer
Skippack Township - Municipal Engineer
Mr. C. Smith, P.E.
Mr. Hohenstein, P.E.
Re 30 (GJS20WAW)9