

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, FEBRUARY 18, 2020
FINAL APPROVED 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; Erich Meyer (Conservancy Board); Fire Marshal Carmen Battavio; Police Chief Brenda Bernot; Christina Morley (Pipeline Task Force)

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 7:00 p.m. and asked Mike to lead the pledge of allegiance. Mike also called for a moment of silence in honor of our troops and first responders.

Recording

Marty reported that the meeting was being livestreamed on the Township's YouTube channel.

Westtown East Goshen Police Report

Chief Bernot reported that WEGO is currently sponsoring a charity drive for toys and clothes for children and infants impacted by domestic violence. She reported on a recent incident in Westtown Township in which an intruder attacked a woman in her home and indicated that the woman is now okay. David asked whether check fraud was on the increase, to which the Chief responded that indeed it is.

Chairman's Report

Marty reported that the Board met in Executive Session prior to tonight's meeting for a personnel matter; that the Boot Road Geophysical Survey is available for review on the Township website; and that the Zoning Hearing Board will conduct a public hearing concerning the Malvern Institute on April 23, 2020, at 7pm.

Fire Marshall Report

Carmen reported that in January in East Goshen, the Goshen Fire Company responded to 25 fire calls, 10 fire police calls and 177 BLS calls and the Malvern Fire Company responded to 5 BLS calls and 25 ALS calls. In addition, Good Fellowship responded to 652 ALS calls in 2019 in East Goshen. He added that he met with Bellingham recently about the need for corrective signage, as the sprinkler stand pipes are hard to see. He also noted that a recent multi-alarm fire alarm at Bellingham turned out to be smoke from a faulty air handler and that no damage occurred.

Christina Morley noted a University of Pittsburgh study entitled "Minutes Matter" that encourages residents to adopt best practices in emergencies so as to better assist first responders. She asked Carmen whether the Township or Fire Company had adopted the

recommendations contained in that report. Carmen responded that various area organizations including the Chester County Hospital and the Fire Company take steps to educate residents about various public health issues. David suggested that this information be included in the next newsletter.

Financial Report

Jon reported that as of January 31, the General Fund had a deficit of \$681,968 and a budget surplus of \$57,859. He noted that the Township always has a deficit in January due to the timing of real estate tax payments, but that it was too early to draw conclusions about the Township's financial performance at this point.

Approval of Minutes and Treasurer's Report

David made a motion to approve the minutes of January 28 and February 4, 2020. John seconded. The motion passed 5-0. Mike made a motion to approve the Treasurer's Report of February 13, 2020. Michele seconded. The motion passed 5-0.

Consider Recommendation for Community Day

Based on Jason Lang's February 14th memo, David made a motion to select Bixler Pyrotechnics and One Stop Party Shop for Community Day services. John seconded. The motion passed 5-0.

Consider Request to Support Redistricting Legislation

Carole Rubley, 1515 Ulster Way, requested that the Board consider adopting a resolution spearheaded by Fair Districts PA, in support of pending legislation that would address gerrymandering and ensure fairness in the legislative re redistricting process. Marty asked Rick to provide the Board with copies of the various PA House and Senate bills on this issue so that the Board could review and make a decision at a future meeting.

Christina Morley asked how Township residents can become educated on the issue. Mike noted that the Township has no legislative authority over redistricting. John and Michele raised concerns that the existing process for redistricting is outlined in the Pennsylvania Constitution. Michele noted that she took an oath to defend the Constitution.

Patricia Rooney, representing Fair Districts PA, stated that when the Pennsylvania Constitution was written over 200 years ago, computer mapping was never envisioned.

David noted that both parties are engaged in gerrymandering and that this is the time to address the issue.

Kay Whittle, 1626 E. Strasburg Road, stated that she thinks the Board is selling itself short if it thinks that its position on redistricting doesn't matter.

Mike asked about the status of the bills, to which Patricia responded that the House bills, which have more sponsors than the Senate bills, stand a better chance of getting out of Committee.

Marty thanked Carol and Patricia for their comments, and advised this matter would be placed on an upcoming agenda.

Consider Construction Ordinance

Rick updated the Board on a proposed ordinance that would prohibit any construction activity between the hours of 10:00 pm and 7:00 am. The ordinance could be enforced by the township staff or a police officer. He then reviewed the exemptions in the ordinance, noting that while public utilities could make emergency repairs at night they could not install new facilities. By way of example, if Aqua needs to repair a broken water line they could do that at night. However, if Aqua was replacing a section of water main, the work would have to take place during the day. This would create more of a disruption in traffic than if the work was being done at night.

Christina Morley asked the Board to consider changing the time from 10:00 pm to 7:00 pm.

Marty provided background on the noise ordinance, noting that 10:00 pm to 7:00am limits were to protect the “normal sleeping hours”. The Board recognized that some residents work on their own homes, typically after they have come home from their job and that these hours were consistent with the hours for other prohibitions in the ordinance.

Graepel Whittle, 1626 E. Strasburg Road, asked if the township could have different rules for contractors and residents and Rick advised it could not.

Mike suggested that the terms “public utilities” and “governmental agencies” be defined. David made a motion to advertise the ordinance for adoption. Michele seconded. The motion passed 5-0.

Marty asked about the status of the ordinance amendment to remove the noise provisions from the Zoning Ordinance, and Rick advised he would begin working on that next.

Consider Applying for Grant for Gas Leak Detectors

Rick advised the Board that township staff has recommended that the Township apply for a grant in the amount of \$6,487.05 from the Energy Transfers First Responder Fund to purchase two Sensit Gold G2 gas detection meters for use by the Public Works Department. The meters would be able to detect butane, propane and ethane. David asked if the price included a “survey drag tube” and Rick stated he did not know. The Board agreed to table this until this information was available.

Consider Recommendation for Tri-Axle Dump Truck Rental

Rick advised the Board that the township had opened bids for the rental of tri-axle dump trucks and that we had received one bid in the amount of \$100.00 per hour

from Ethan Patton Transport, LLC. In response to questions from John, Rick advised that this cost included the driver, and that the actual hours would be based on the time the Public Works Department spent paving. Rick added that during a paving project, we had a lot of money wrapped up in equipment and manpower, and that having plenty of trucks enabled the paving to be completed faster, which in turn reduced the cost.

Mike made a motion to award the bid to Ethan Patton Transport LLC in the amount of \$100 per hour. John seconded. The motion passed 5-0.

Any Other Matter

David made a motion to appoint Bryan Hutchinson to the Sustainability Advisory Committee. Mike seconded. The motion passed 5-0.

Correspondence, Reports of Interest

The Board acknowledged the following correspondence and report of interest:

- Green Region Letter of January 28, 2020, regarding grant application.
- PHMSA February 6, 2020, Notice of Proposed Rulemaking, comments due April 6, 2020.

Review ABC Goals and Comp Plan Update

Rick stated that historically the Board has reviewed goals submitted by the various ABCs and has provided guidance about specific goals that support one or more of the objectives in the Comp Plan.

To facilitate this review he suggested that the Board first review the Comp Plan Update, dated 2/10/20, which listed the actions taken to achieve the objectives set forth in the Comp Plan.

Rick noted that under the Housing Plan the Board had considered and rejected allowing semi-detached homes in the R-2 Zoning District and apartments in the BP Zoning District. Under the Land Use Plan he noted that the TND Ordinance was still pending, that Segments F & G of the Paoli Pike Trail were under construction, that the new traffic signal has been installed at the Park Entrance, that the contract for Segments C, D & E had been awarded to Allan Meyers, with construction scheduled for this spring, and that a new day care facility has been constructed on Wilson Drive.

Rick stated that pursuant to the Economic Development Strategy, the Board had adopted an incubator ordinance, allowed alcohol sales at the Food Truck Festival, and the TND Ordinance was still pending. He said he has received calls about the status of the TND Ordinance and asked if the Board had any thoughts about what it wanted to do with it.

Michele said we should to postpone doing anything with it until after the trail was completed. This would allow residents want to see how the ordinance would fit in with the trail.

John said he agreed with Michele, adding that this was a very divisive issue with the residents.

David felt it would be beneficial to have some informational session or open houses in the spring in order to counteract some of the misinformation that is out there.

Rick advised that the dentist has purchased the dental office on the corner, so there would be no changes to that property and the Township had not received any calls about the former M&T Bank.

Mike believed the TND ordinance had value from a planning perspective, which needed to be communicated to the residents; however, he was ambivalent about the time frame.

Marty stated that since the likelihood for any new development on Paoli Pike in the near future was unlikely, he would be ok with waiting to the fall.

Rick said he would post a notice summarizing the Board's action on the website.

Mike offered to write an article about the TND Ordinance for the Summer Newsletter.

Marty commented that the hour was getting late and asked Rick to provide recommendations for the ABC Goals.

Public Comment

None

Adjournment

The meeting was adjourned at 9:50.

Respectfully submitted,
Jon Altshul & Louis F. Smith
Recording Secretary

Attached: February 13, 2020 Treasurer's Report

TREASURER'S REPORT		January 30, 2020 - February 13, 2020	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$255,571.11	Accounts Payable	\$572,791.34
Earned Income Tax	\$797,850.54	<u>Electronic Pmts:</u>	
Local Service Tax	\$70,600.26	Credit Card	\$0.00
Transfer Tax	\$50,101.02	Postage	\$1,000.00
<i>General Fund Interest Earned</i>	\$5,559.34	Debt Service	\$0.00
Total Other Revenue	\$76,154.60	Payroll	\$132,594.95
Total General Fund Receipts:	\$1,255,836.87	Total Expenditures:	\$706,386.29
STATE LIQUID FUELS FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$1.67		
Total State Liquid Fuels Receipts:	\$1.67	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$280,855.61
<i>Interest Earned</i>	\$4,228.90		
Total Capital Reserve Fund Receipts:	\$4,228.90	Total Expenditures:	\$280,855.61
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$737.66		
Total Transportation Fund Receipts:	\$737.66	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$234,660.70	Accounts Payable	\$295,576.21
<i>Interest Earned</i>	\$956.55	<u>Electronic Pmts:</u>	
		Credit Card	\$0.00
		Debt Service	\$0.00
Total Sewer Operating Fund Receipts:	\$235,617.25	Total Expenditures:	\$295,576.21
REFUSE FUND			
Receipts	\$45,431.66	Accounts Payable	\$67,029.29
<i>Interest Earned</i>	\$394.55		
Total Refuse Fund Receipts:	\$45,826.21	Total Expenditures:	\$67,029.29
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$70,309.00
<i>Interest Earned</i>	\$6,657.96		
Total Bond Fund Receipts:	\$6,657.96	Total Expenditures:	\$70,309.00
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$1,216.34		
Total Sewer Capital Reserve Fund Receipts:	\$1,216.34	Total Expenditures:	\$0.00
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$808.24		
Total Operating Reserve Fund Receipts:	\$808.24	Total Expenditures:	\$0.00