

**AGENDA**  
**EAST GOSHEN TOWNSHIP**  
**BOARD OF SUPERVISORS**  
Tuesday, September 15, 2020

During this tele-conference BOS meeting, public comment will be handled as follows:

- Participants are asked to call in by 6:55 pm.
- Participants will be asked to identify themselves when being accepted into the meeting.
- The public will be muted during the meeting when the Board is talking.
- For each agenda item that requires a Board vote, the public will be given an opportunity to comment and ask questions.
- Participants wishing to comment must state their name and must speak one at a time.
- Comments or questions can also be submitted via email to [info@eastgoshen.org](mailto:info@eastgoshen.org).
- Participants should turn down the volume if they are livestreaming the meeting on YouTube.

1. Call to Order (7:00 PM)
2. Pledge of Allegiance
3. Moment of Silence
4. Announce that the meeting is being livestreamed on YouTube
5. Public Hearing- None
6. Chairman's Report (7:05 PM to 7:25 PM)
  - a. [Auditor Interviews](#)  
Brian Nowak – 1590 Wineberry Lane  
Karen Miller – 702 Hillary Court
7. Emergency Services Reports (7:25 PM to 7:35 PM)
  - a. WEGO – Chief Brenda Bernot
  - b. [Goshen Fire Co – August 2020](#)
  - c. [Malvern Fire Co – August 2020](#)
  - d. [Good Fellowship – August 2020](#)
  - e. [Fire Marshal – August 2020](#)
8. [Financial Report – August 2020](#)
9. Approval of Minutes and Treasurer's Report (7:25 PM to 7:35 PM)
  - a. [Minutes – September 1, 2020](#)
  - b. [Treasurers Report – September 10, 2020](#)
10. Old Business - None
11. New Business
  - a. [Consider recommendation regarding Malvern Institute ZHB application. Also attached is information submitted from East Goshen, Willistown and East Whiteland residents. \(7:35 PM to 8:05 PM\)](#)
  - b. [Consider recommendation for Paoli Pike Trail – Segment B Grant Application \(8:05 PM to 8:10 PM\)](#)
  - c. [Consider recommendation for Paoli Pike Trail rules and regulations. \(8:10 PM to 8:20 PM\)](#)
  - d. [Consider Brandywine Valley SPCA Fees \(8:20 PM to 8:30 PM\)](#)
  - e. [Consider Linden Lane Emergency Access \(8:30 PM to 8:40 PM\)](#)
  - f. [Consider Stormwater Maintenance Agreement for \(8:40 PM to 8:45 PM\)](#)
12. Any Other Matter

13. Public Comment – (8:45 PM to 9:15 PM)
14. Liaison Reports – none
15. Correspondence, Reports of Interest (9:15 PM to 9:20 PM)
  - a. [August 28, 2020 Note from Chuck and Ruth Florian](#)
16. Adjournment (9:20 PM)

## Meetings & Dates of Importance

### Zoom Meetings

Sept 16, 2020	SAC Seminar #4 (Single Use Plastics)	07:00 pm
Sept 17, 2020	Futurist Committee	07:00 pm
Sept 23, 2020	SAC Seminar #5 (Clean Car Campaign)	07:00 pm
Sept 24, 2020	Pipeline Task Force	06:30 pm
Sept 26, 2020	Township-Wide Yard Sale	09:00 am
Sept 28, 2020	Sustainability Advisory Committee	07:00 pm
Oct 01, 2020	Park and Rec Commission	07:00 pm
Oct 03, 2020	Keep East Goshen Beautiful Day	08:00 am
Oct 06, 2020	Board of Supervisors	07:00 pm
Oct 07, 2020	Planning Commission	07:00 pm
Oct 08, 2020	Historical Commission	07:00 pm
Oct 12, 2020	Municipal Authority	07:00 pm
Oct 14, 2020	Conservancy Board	07:00 pm
Oct 15, 2020	Futurist Committee	07:00 pm
Oct 20, 2020	Board of Supervisors	07:00 pm

### In Person Meeting

Sept 30, 2020	Zoning Hearing Board (Malvern Institute)	07:00 pm
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Newsletter Deadline for Winter 2020: November 25, 2020

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 each 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](http://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](http://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](http://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.

### **Westtown East Goshen Regional Police Department**

Do you want to get the latest news about what is happening with the Westtown-East Goshen (WEGO) Police Department? WEGO has an online tool called CRIME WATCH that gives the public direct access to crime and public safety related information happening in our community. Local residents are encouraged to visit the website and connect with the police department social media sites.

To sign up for CRIME WATCH, <https://chester.crimewatchpa.com/wegopd/53548/content/links>.

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# Memo

Date: September 10, 2020  
To: Board of Supervisors  
From: Rick Smith, Township Manager  
Re: Auditor Vacancy

Vince Murphy resigned from the Board of Auditors on August 27, 2020. His 6-year term expires at the end of 2025.

Pursuant to the Second Class Township Code the Board has 30 days to fill the vacancy. The person selected to fill the vacancy shall serve until the voters select a person to fill the unexpired term in the 2021 municipal election. Pursuant to the Sunshine Law since this is an elected position any interviews must be done at a public meeting.

Two residents have expressed an interest in filling the position. I have advised both of them that this is an uncompensated position and that since the Board utilizes a CPA firm they do not "audit" the Township accounts.

I have advised them that they would each be given 3-5 minutes to provide the Board with whatever information they feel is appropriate. Then the Board would have an opportunity to ask them questions.

- Brian Nowak, 1590 Winebury Lane
- Karen Miller, 702 Hillary Court

# Goshen Fire Company Monthly Operations Report

## August 2020



Fire Responses per Municipality	Monthly Responses	Monthly Manhours	YTD Responses	YTD Manhours
East Goshen	41	139	188	515
West Goshen	16	47	119	639
Westtown	7	20	54	182
Willistown	7	14	29	82
Other	5	78	44	297
<b>Total - Fire</b>	<b>76</b>	<b>298</b>	<b>434</b>	<b>1715</b>

Fire Police Responses per Municipality	Monthly Responses	Monthly Manhours	YTD Responses	YTD Manhours
East Goshen	15	57	80	229.9
West Goshen	10	27	66	276.2
Westtown	4	63	35	201.6
Willistown	5	15	20	48.8
Other	6	33	36	217.4
<b>Total - Fire Police</b>	<b>40</b>	<b>195</b>	<b>237</b>	<b>973.9</b>

EMS Responses per Municipality	Monthly Responses	Monthly Manhours	YTD Responses	YTD Manhours
East Goshen	154	224	1324	2001
West Goshen	87	117	703	1088
Westtown	24	30	193	260
Willistown	29	40	172	284
Other	13	13	71	112
<b>Total - EMS</b>	<b>307</b>	<b>424</b>	<b>2463</b>	<b>3745</b>

Total Responses per Municipality	Monthly Responses	Monthly Manhours	YTD Responses	YTD Manhours
East Goshen	210	420	1592	2746
West Goshen	113	191	888	2003
Westtown	35	113	282	644
Willistown	41	69	221	415
Other	24	124	151	626
<b>Total - Goshen Fire Company</b>	<b>423</b>	<b>917</b>	<b>3134</b>	<b>6434</b>

# Goshen Fire Company Monthly Operations Report

## August 2020



### Monthly Updates

#### Key Indicators

Patients Treated	237	
Patients 65 and Over	190	80%
EMS Calls to Assisted Living and Retirement Facilities	112	32%
Automatic Fire/CO Alarms	40	53%

#### Major Incidents

Multiple Storm-Related Calls	8/4/2020
Assist Delco 64 Dwelling Fire 1017 Madison Lane Edgmont	8/7/2020
Dwelling Fire 261 Chatham Way East Goshen	8/8/2020
Water Rescue 599 Franklin Way East Goshen	8/17/2020

#### Events

Both stations still on restricted access due to COVID-19	
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#### Fundraising Activities

Goshen Country Fair- July 27 through August 1	Cancelled
15 Week Club Drawing	In Progress

#### Personnel Updates

None	
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#### Apparatus Updates

Sold the retired Ambulance 562	8/28/2020
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## **Malvern Fire Company**

424 East King Street  
Malvern, PA 19355

Main 610-647-0693

Fax 610-647-0249

[www.malvernfireco.com](http://www.malvernfireco.com)

### **East Goshen Township 2020 EMS Statistics**

#### **January:**

30 Calls; 6 BLS (4 Transports); 24 ALS (15 Transports)  
1 Fire; 29 Medical

#### **February:**

35 Calls; 4 BLS (3 Transports); 31 ALS (19 Transports)  
1 Fire; 24 Medical

#### **March:**

36 Calls; 6 BLS (4 Transports); 30 ALS (16 Transports)  
1 Fire, 1 Auto Accident, 34 Medical

#### **April:**

32 Calls; 9 BLS (7 Transports); 23 ALS (13 Transports)  
1 Auto Accident, 31 Medical

#### **May:**

18 Calls; 6 BLS (5 Transports); 12 ALS (6 Transports)  
18 Medical

#### **June:**

28 Calls; 3 BLS (2 Transports); 25 ALS (14 Transports)  
28 Medical

#### **July:**

30 Calls; 4 BLS (4 Transports); 26 ALS (16 Transports)  
30 Medical

#### **August:**

18 Calls; 3 BLS (2 Transports); 15 ALS (7 Transports)  
1 Fire; 17 Medical



**Malvern Fire Company EMS  
2020 Statistics**

2020		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
<b>Calls</b>		178	165	142	155	148	156	148	148					1240
<b>Call Types</b>	Emer. Transfer	0	0	2	0	1	0	0	0					3
	Event Standby	0	0	0	0	0	0	0	0					0
	Fire	7	4	10	0	2	9	12	12					56
	Medical	155	159	124	151	140	142	129	133					1133
	MVA	16	2	6	4	4	5	6	3					46
	Relocate	0	0	0	0	0	0	1	0					1
	Routine	0	0	0	0	0	0	0	0					0
	Standby	0	0	0	0	1	0	0	0					1
<b>ALS/BLS</b>	ALS	106	130	105	116	98	109	106	95					865
	BLS	72	35	37	39	50	47	42	53					375
<b>Municipalities</b>	Charlestown Twp.	4	10	3	2	2	3	3	1					28
	E. Coventry Twp.	0	0	0	0	0	0	1	0					1
	E. Goshen Twp.	30	35	36	32	18	28	30	18					227
	E. Whiteland Twp.	34	26	25	22	31	39	31	26					234
	Malvern Boro.	27	10	17	14	22	25	18	15					148
	N. Coventry Twp.	0	0	0	0	0	0	2	0					2
	Tredyffrin Twp.	2	4	1	0	2	1	1	6					17
	Uwchlan Twp.	0	1	0	0	0	0	0	0					1
	W. Goshen Twp.	1	0	0	1	0	0	0	0					2
	W. Whiteland Twp.	0	1	0	0	0	0	0	0					1
	Westtown Twp.	0	1	0	0	1	0	0	0					2
	Willistown Twp.	80	77	60	84	72	60	62	82					577
<b>Hospital - Outcome</b>	AID	0	1	0	0	0	0	0	0					1
	BMH	1	2	3	0	3	1	0	1					11
	CCH	3	13	4	10	12	8	6	9					65
	LH	1	0	0	0	0	1	0	0					2
	PMH	108	97	76	80	81	89	82	85					698
	PVH	0	1	0	1	0	0	2	0					4
	RMH	1	0	1	0	0	0	0	0					2

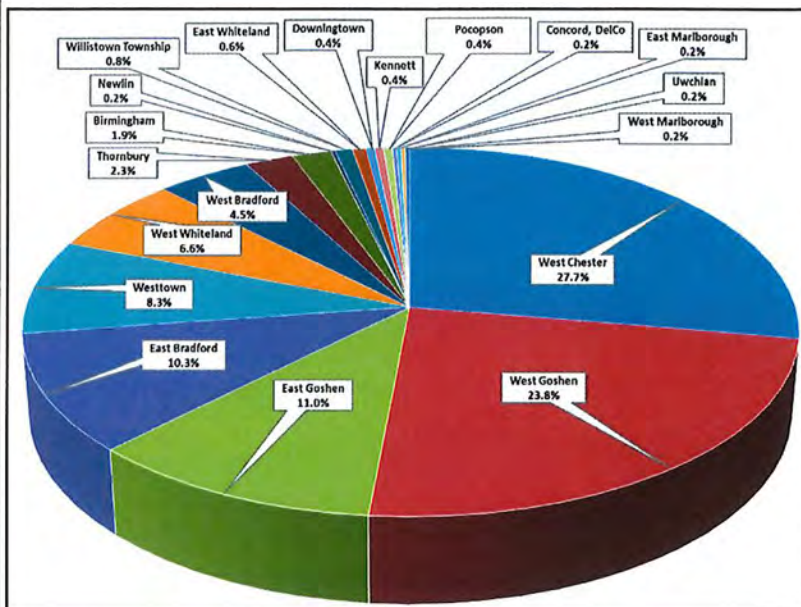




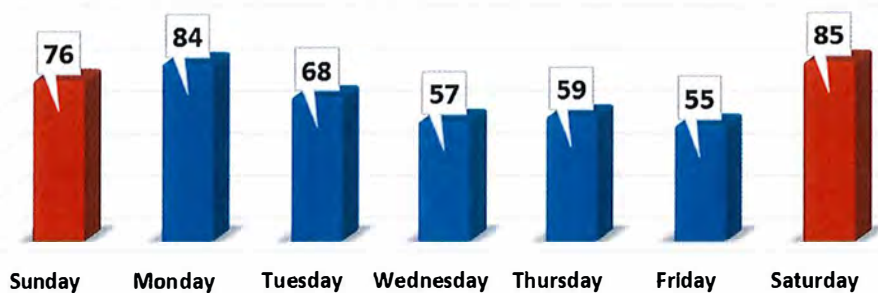
***August 2020***  
**OPERATIONS REPORT**

## CALL VOLUME

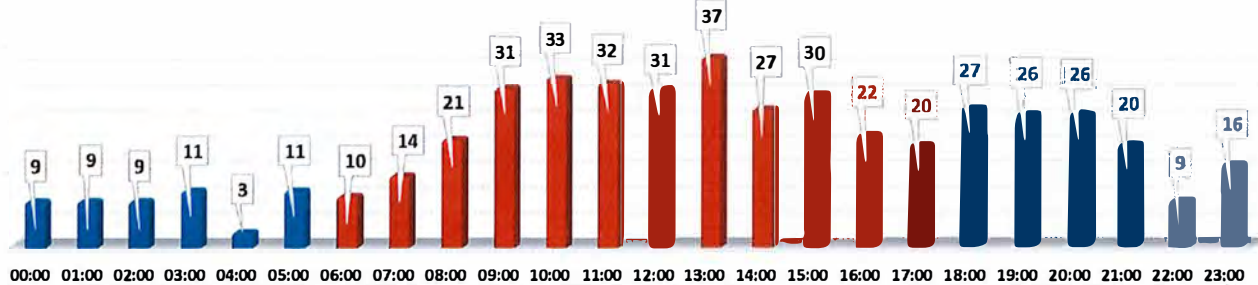
Municipality	Month	% of Calls	YTD
West Chester	134	27.7%	930
West Goshen	115	23.8%	857
East Goshen	53	11.0%	386
East Bradford	50	10.3%	368
Westtown	40	8.3%	342
West Whiteland	32	6.6%	208
West Bradford	22	4.5%	162
Thornbury	11	2.3%	90
Birmingham	9	1.9%	55
Newlin	1	0.2%	9
Willistown Township	4	0.8%	
East Whiteland	3	0.6%	
Downingtown	2	0.4%	
Kennett	2	0.4%	
Pocopson	2	0.4%	
Concord, DelCo	1	0.2%	
East Marlborough	1	0.2%	
Uwchlan	1	0.2%	
West Marlborough	1	0.2%	
	484		



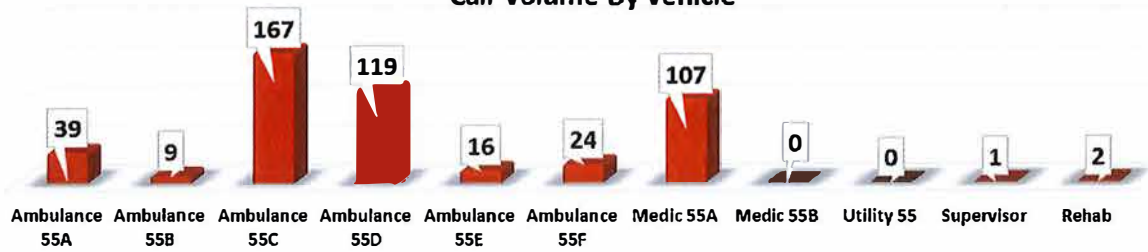
### Call Volume By Day of Week



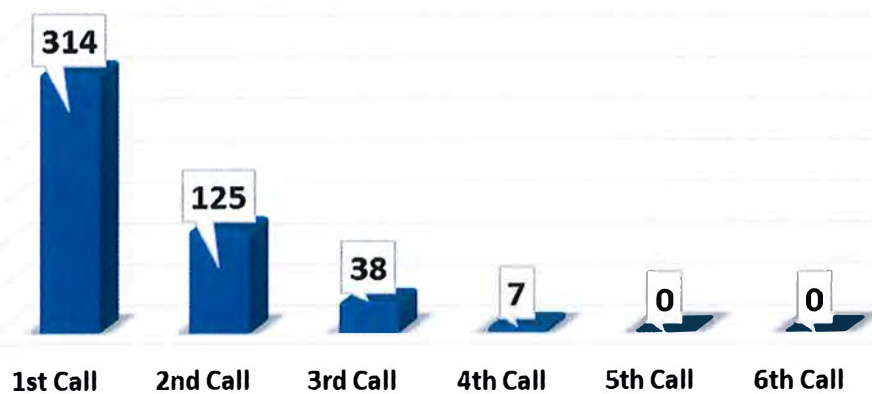
### Call Volume By Hour



**Call Volume By Vehicle**



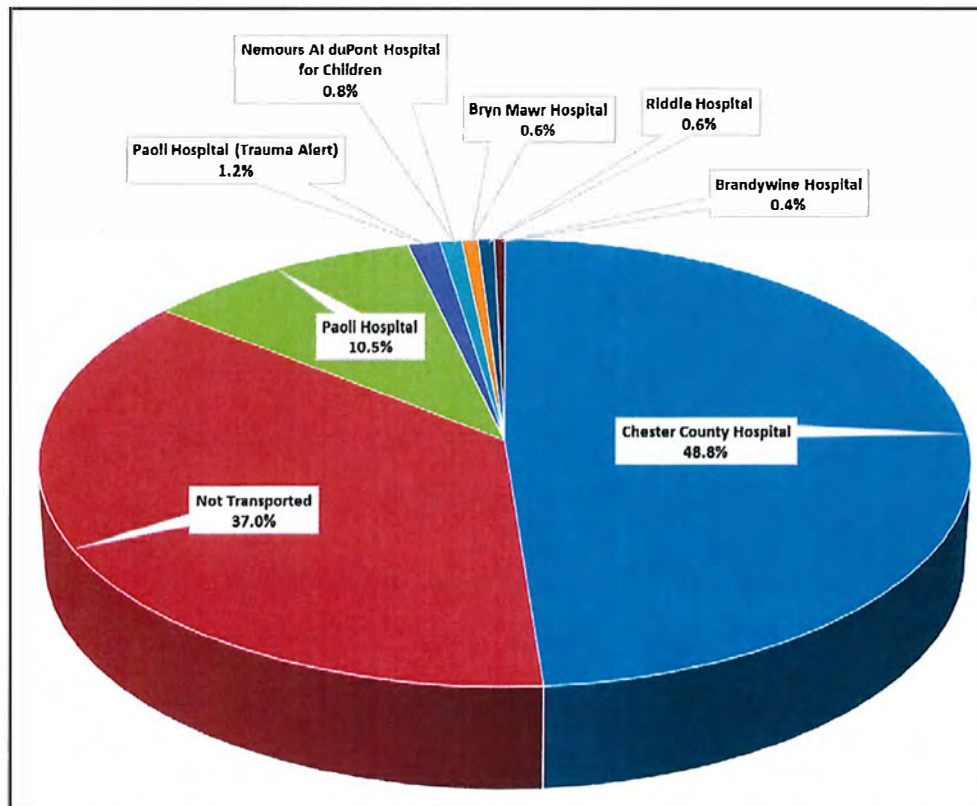
**Call Sequence**



## ***HOSPITAL DESTINATION INFORMATION***

Receiving Hospital	Total	%
Chester County Hospital	236	48.8%
Not Transported	179	37.0%
Paoli Hospital	51	10.5%
Paoli Hospital (Trauma Alert)	6	1.2%
Nemours Al duPont Hospital for Children	4	0.8%
Bryn Mawr Hospital	3	0.6%
Riddle Hospital	3	0.6%
Brandywine Hospital	2	0.4%
	<b>484</b>	
Transported:	<b>305</b>	<b>63.0%</b>
Not Transported:	<b>179</b>	<b>37.0%</b>
	<b>484</b>	

Non-Transport Breakdown	
Refusal	40
Recalled Enroute	31
Recalled On Scene	48
No Services	35
Lift Assist	17
DOA	5
Released to BLS	3
External ALS Assist	0
	<b>179</b>





## MISCELLANEOUS CALL INFORMATION

Average Times	
Dispatch To Enroute	1.27
Enroute To On Scene	6.50
On Scene Time	14.43
Transport Time	10.36
Dispatch To Available	41.77

Alcohol / Drug Suspicion		
	Total	%
Alcohol	27	5.6%
Alcohol and Drugs	3	0.6%
Drugs	17	3.5%
Total:	47	9.7%
Unknown / Unable to Determine	24	5.0%

Calls Covering Other Agencies	
Goshen Fire Co	17
Uwchlan Ambulance	8
Malvern Fire Co	6
Longwood Fire Co	5
Concordville Fire Co	2
Minquas Fire Co	2
	40

Responses By Station	
Main Station (Station 55)	409
East Goshen (Station 155)	26
East Bradford (Station 255)	49

West Chester University Calls		
	Total	%
Total WCU Calls	2	0.4%
WCU Calls in West Chester	0	0.0%
WCU Calls in West Goshen	1	0.2%
WCU Calls in East Bradford	1	0.2%

Call Types		
BLS - Sick Person	63	13.0%
ALS - Cardiac Problems	49	10.1%
BLS - Fall / Lift Assist	47	9.7%
ALS - Respiratory Difficulty	35	7.2%
BLS - Emotional Disorder	22	4.5%
Accident - BLS	20	4.1%
ALS - Fall	18	3.7%
ALS - Seizures	15	3.1%
EMS - Stand By - Fire	15	3.1%
ALS - CVA/Stroke	12	2.5%
ALS - Syncope	12	2.5%
ALS - Unresponsive Person	12	2.5%
Fire - Water Rescue	12	2.5%
ALS - Abdominal Pain	11	2.3%
ALS - Overdose	11	2.3%
BLS - Injured Person	11	2.3%
BLS - Back Pain	10	2.1%
BLS - Overdose	10	2.1%
ALS - Allergic/Med Reaction	9	1.9%
ALS - Hemorrhaging	9	1.9%
BLS - Abdominal Pain	8	1.7%
ALS - Cardiac/Resp Arrest	7	1.4%
ALS - Unconscious Person	7	1.4%
BLS - DOA	7	1.4%
ALS - Hypotension	6	1.2%
Alarm - BLS Medical	6	1.2%
BLS - Hemorrhaging	6	1.2%
BLS - Syncope	6	1.2%
ALS - Diabetic Emergency	5	1.0%
ALS - Emotional Disorder	3	0.6%
ALS - Choking	2	0.4%
ALS - Injured Person	2	0.4%
Accident - ALS	2	0.4%
Accident - Entrapment	2	0.4%
BLS - Unknown Nature	2	0.4%
Fire - Hazmat	2	0.4%
ALS - Exposure to Heat/Cold	1	0.2%
Alarm - Carbon Monoxide	1	0.2%
BLS - Allergic/Med Reaction	1	0.2%
BLS - Assault w/Injury	1	0.2%
BLS - Maternity/Labor Pain	1	0.2%
BLS - Seizures	1	0.2%
EMS - Stand By - Event	1	0.2%
Fire - Other Type Rescue	1	0.2%
	484	

# **East Goshen Fire Marshal Monthly Report**

**August 2020**

August 8, 2020 – Fire in Chatham Village, Hershey Mill Village

August 17, 2020 - Medical incident at Franklin Village Pool, Hershey Mill Village

August 31, 2020 – Notice from ReMed facility on North Chester Road



# Memo

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To: Board of Supervisors  
From: Jon Altshul  
Re: August 2020 Financial Report  
Date: September 8, 2020

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As of August 31<sup>st</sup>, the general fund had revenues of \$7,393,302 and expenses of \$6,691,623 for a year-to-date surplus of \$701,679 and a positive budget variance of \$121,674. Please note that this is the first positive budget variance that the Township has experienced in several months. As of August 31<sup>st</sup>, the general fund balance is \$5,893,354.

On the expense side, the Township is under budget by \$348,726. The main drivers of this increase are a combination of the 2020 budget cuts enacted in May and a later start to paving season than normal. These savings are offset by the Act 111 arbitration award for WEGO in the amount of \$229,282. Except for Emergency Services, all other operating departments are under budget.

On the revenue side, we are under budget by \$227,056, an improvement of about \$112,000 since last month. In particular, Earned Income Tax is now under budget by \$112,218, an improvement of about \$84,000 since the end of July, due to so-called "Quarter 5" receipts related to the Jul 15<sup>th</sup> EIT deadline. Real Estate Property tax also had a solid month and is only \$16,789 under budget despite the elimination of the 10% late penalty in 2020 due to the receipt of the last major commercial tax payment. Real Estate Transfer Tax is \$125,809 under budget, but we anticipate at least one major commercial sale in the second half of 2020 and substantial residential sales activity as well.

## Other funds

- The **State Liquid Fuels Fund** had \$551,169 in revenues and \$0 in expenses. The fund balance was 552,317.
- The **Capital Reserve Fund** had \$848,832 in revenues and \$1,677,149 in expenses. The fund balance was \$4,582,218.
- The **Transportation Fund** had \$2,544 in revenues and \$305,342 in expenses. The fund balance was \$608,926.
- The **Sewer Operating Fund** had \$2,539,075 in revenues and \$2,222,188 in expenses. The fund balance was \$1,293,323.
- The **Refuse Fund** had \$749,042 in revenues and \$741,041 in expenses. The fund balance was \$637,195.
- The **Bond Fund** had \$20,521 in revenues and \$333,478 in expenses. The fund balance was \$3,402,683.
- The **Sewer Capital Reserve Fund** had \$37,315 in revenues and \$250,482 in expenses. The fund balance is \$2,124,621.
- The **Operating Reserve Fund** had \$32,693 in revenues and no expenses. The fund balance is \$2,628,817.

## **Year-end Projection**

I have not made any changes since last month to the year-end projections, I have amended some projections primarily on the revenue side (EIT and Transfer Tax) and am now projecting that the General Fund finishes the year with a deficit of \$341,315, or about \$150,000 better than what I had projected in early July. Year-end projections for other funds are unchanged since last month.

**EAST GOSHEN TOWNSHIP**  
**GENERAL FUND SUMMARY**  
As of August 31, 2020

Account Title	2020 Annual Budget	2020 YTD Budget	2020 YTD Actual	\$ Variance	% Variance
EMERGENCY SERVICES EXPENSES	4,379,933	3,171,906	3,382,672	210,766	6.6%
PUBLIC WORKS EXPENSES	2,774,562	1,648,908	1,305,871	(343,037)	-20.8%
ADMINISTRATION EXPENSES	1,886,456	1,198,186	1,181,745	(16,441)	-1.4%
CODES EXPENSES	522,011	348,236	277,133	(71,103)	-20.4%
PARK AND RECREATION EXPENSES	881,005	560,490	431,146	(129,344)	-23.1%
<b>TOTAL CORE FUNCTION EXPENSES</b>	<b>10,443,967</b>	<b>6,927,726</b>	<b>6,578,566</b>	<b>(349,160)</b>	<b>-5.0%</b>
EMERGENCY SERVICES REVENUES	72,000	57,917	38,081	(19,836)	-34.2%
PUBLIC WORKS REVENUES	1,000,284	246,064	326,024	79,960	32.5%
ADMINISTRATION REVENUES	318,829	160,824	198,364	37,540	23.3%
CODES REVENUES	272,870	201,708	193,087	(8,621)	-4.3%
PARK AND RECREATION REVENUES	132,620	73,471	56,834	(16,637)	-22.6%
<b>TOTAL CORE FUNCTION REVENUES</b>	<b>1,796,603</b>	<b>739,984</b>	<b>812,390</b>	<b>72,406</b>	<b>9.8%</b>
<b>NET EMERGENCY SERVICES</b>	<b>4,307,933</b>	<b>3,113,989</b>	<b>3,344,591</b>	<b>230,602</b>	<b>7.4%</b>
<b>NET PUBLIC WORKS</b>	<b>1,774,278</b>	<b>1,402,844</b>	<b>979,847</b>	<b>(422,997)</b>	<b>-30.2%</b>
<b>NET ADMINISTRATION</b>	<b>1,567,627</b>	<b>1,037,362</b>	<b>983,380</b>	<b>(53,982)</b>	<b>-5.2%</b>
<b>NET CODES</b>	<b>249,141</b>	<b>146,528</b>	<b>84,046</b>	<b>(62,482)</b>	<b>-42.6%</b>
<b>NET PARK AND RECREATION</b>	<b>748,385</b>	<b>487,019</b>	<b>374,312</b>	<b>(112,707)</b>	<b>-23.1%</b>
<b>CORE FUNCTION NET SUBTOTAL</b>	<b>8,647,364</b>	<b>6,187,742</b>	<b>5,766,176</b>	<b>(421,566)</b>	<b>-6.8%</b>
DEBT - PRINCIPAL	349,999	-	-	0	0.0%
DEBT - INTEREST	203,872	112,623	113,058	435	0.4%
<b>TOTAL DEBT</b>	<b>553,871</b>	<b>112,623</b>	<b>113,058</b>	<b>435</b>	<b>0.4%</b>
<b>TOTAL CORE FUNCTION NET</b>	<b>9,201,235</b>	<b>6,300,365</b>	<b>5,879,234</b>	<b>(421,131)</b>	<b>-6.7%</b>
<b>NON-CORE FUNCTION REVENUE</b>					
EARNED INCOME TAX	5,130,800	3,760,951	3,648,733	(112,218)	-3.0%
REAL ESTATE PROPERTY TAX	2,042,779	2,017,610	2,000,821	(16,789)	-0.8%
REAL ESTATE TRANSFER TAX	650,000	435,000	309,191	(125,809)	-28.9%
CABLE TELEVIS.FRANCHISE	457,200	342,900	325,957	(16,943)	-4.9%
LOCAL SERVICES TAX	345,000	252,980	230,944	(22,036)	-8.7%
OTHER INCOME	575,456	70,928	65,266	(5,662)	-8.0%
<b>TOTAL NON CORE FUNCTION REVENUE</b>	<b>9,201,235</b>	<b>6,880,369</b>	<b>6,580,912</b>	<b>(299,457)</b>	<b>-4.4%</b>
<b>NET RESULT</b>	<b>0</b>	<b>580,004</b>	<b>701,678</b>	<b>121,674</b>	

SUMMARY OF FUNDS REPORT (AKA "JOE REPORT")  
ALL FUNDS AUGUST 2020  
\* 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
<b>01/01/20 BEGINNING BALANCE</b>	<b>\$5,625,871</b>	<b>\$1,148</b>	<b>\$5,410,535</b>	<b>\$911,724</b>	<b>\$976,435</b>	<b>\$629,194</b>	<b>\$2,337,788</b>	<b>\$2,596,124</b>	<b>\$18,488,820</b>	<b>\$24,873</b>	<b>\$3,715,640</b>
<b>RECEIPTS</b>											
310 TAXES	\$6,231,038	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,231,038	\$0	\$0
320 LICENSES & PERMITS	\$333,618	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$333,618	\$0	\$0
330 FINES & FORFEITS	\$36,637	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$36,637	\$0	\$0
340 INTERESTS & RENTS	\$124,330	(\$327)	\$163,407	\$2,544	\$4,362	\$2,086	\$35,864	\$32,693	\$364,958	(\$116)	\$20,521
350 INTERGOVERNMENTAL	\$5,097	\$551,495	\$684,925	\$0	\$0	\$0	\$0	\$0	\$1,241,518	\$3,231	\$0
360 CHARGES FOR SERVICES	\$253,451	\$0	\$0	\$0	\$2,463,038	\$746,956	\$0	\$0	\$3,463,446	\$846	\$0
380 MISCELLANEOUS REVENUES	\$1,091,081	\$0	\$500	\$0	\$1,620	\$0	\$0	\$0	\$1,093,202	\$423	\$0
390 OTHER FINANCING SOURCES	\$291,978	\$0	\$0	\$0	\$70,054	\$0	\$1,451	\$0	\$363,484	\$271,536	\$0
	<b>\$8,367,230</b>	<b>\$551,169</b>	<b>\$848,832</b>	<b>\$2,544</b>	<b>\$2,539,075</b>	<b>\$749,042</b>	<b>\$37,315</b>	<b>\$32,693</b>	<b>\$13,127,899</b>	<b>\$275,920</b>	<b>\$20,521</b>
<b>EXPENDITURES</b>											
400 GENERAL GOVERNMENT	\$864,635	\$0	\$70,425	\$0	\$0	\$0	\$0	\$0	\$935,060	\$0	\$0
410 PUBLIC SAFETY	\$4,736,884	\$0	\$162,415	\$0	\$0	\$0	\$0	\$0	\$4,899,298	\$0	\$0
420 HEALTH & WELFARE	\$118,040	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$118,040	\$0	\$0
426 SANITATION & REFUSE	\$0	\$0	\$0	\$0	\$1,586,939	\$741,041	\$0	\$0	\$2,327,980	\$295,232	\$0
430 HIGHWAYS,ROADS & STREETS	\$996,805	\$0	\$680,997	\$305,342	\$0	\$0	\$0	\$0	\$1,983,144	\$0	\$14,538
450 CULTURE-RECREATION	\$366,916	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$366,916	\$0	\$318,941
460 CONSERVATION & DEVELOPMENT	\$1,310	\$0	\$763,312	\$0	\$0	\$0	\$0	\$0	\$764,622	\$0	\$0
470 DEBT SERVICE	\$137,043	\$0	\$0	\$0	\$612,744	\$0	\$0	\$0	\$749,786	\$0	\$0
480 MISCELLANEOUS EXPENDITURES	\$897,133	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$897,133	\$0	\$0
490 OTHER FINANCING USES	\$0	\$0	\$0	\$0	\$22,505	\$0	\$250,482	\$0	\$272,987	\$0	\$0
	<b>\$8,118,765</b>	<b>\$0</b>	<b>\$1,677,149</b>	<b>\$305,342</b>	<b>\$2,222,188</b>	<b>\$741,041</b>	<b>\$250,482</b>	<b>\$0</b>	<b>\$13,314,967</b>	<b>\$295,232</b>	<b>\$333,478</b>
<b>2020 SURPLUS/(DEFICIT)*</b>	<b>\$248,465</b>	<b>\$551,169</b>	<b>(\$828,317)</b>	<b>(\$302,798)</b>	<b>\$316,888</b>	<b>\$8,001</b>	<b>(\$213,167)</b>	<b>\$32,693</b>	<b>(\$187,067)</b>	<b>(\$19,312)</b>	<b>(\$312,957)</b>
<b>CLEARING ACCOUNT ADJUSTMENTS</b>	<b>\$19,018</b>										
<b>08/31/20 ENDING BALANCE</b>	<b>\$5,893,354</b>	<b>\$552,317</b>	<b>\$4,582,218</b>	<b>\$608,926</b>	<b>\$1,293,323</b>	<b>\$637,195</b>	<b>\$2,124,621</b>	<b>\$2,628,817</b>	<b>\$18,320,770</b>	<b>\$5,561</b>	<b>\$3,402,683</b>

SUMMARY OF FUNDS REPORT (AKA "JOE REPORT")  
2020 YEAR END PROJECTION ALL FUNDS, AS OF AUGUST 31, 2020

	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
1/1/20 FUND BALANCE	\$5,625,871	\$1,148	\$5,410,535	\$911,724	\$976,435	\$629,194	\$2,337,788	\$2,596,124	\$18,488,820	\$24,873	\$3,715,640
310 TAXES	\$7,879,979								7,879,979		\$0
320 LICENSES & PERMITS	\$448,159								448,159		\$0
330 FINES & FORFEITS	\$52,000								52,000		\$0
340 INTERESTS & RENTS	\$175,120	\$10,000	\$80,556	\$4,000	\$16,000	\$7,500	\$35,000	\$40,000	368,176		\$50,000
350 INTERGOVERNMENTAL	\$394,766	\$541,604	\$3,011,000						3,947,370		\$0
360 CHARGES FOR SERVICES	\$345,372				\$3,477,053	\$1,051,498	\$160,000		5,033,923		\$0
380 MISCELLANEOUS REVENUES	\$2,003,169								2,003,169	\$565	\$0
390 OTHER FINANCING SOURCES	\$996,653		\$635,982						1,632,635	\$354,435	\$0
	12,295,218	551,604	3,727,538	4,000	3,493,053	1,058,998	195,000	40,000	21,365,411	\$355,000	\$50,000
<b>EXPENDITURES</b>											
400 GENERAL GOVERNMENT	\$1,350,904		\$344,245						1,695,149		
410 PUBLIC SAFETY	\$6,736,013								6,736,013		
420 HEALTH & WELFARE	\$6,000								6,000		
426 SANITATION & REFUSE	\$126,739				\$2,123,329	\$1,136,729			3,386,797	\$355,000	\$56,636
430 HIGHWAYS,ROADS & STREETS	\$2,057,827	551,604	\$592,749	\$315,342					3,517,522	\$0	\$0
450 CULTURE-RECREATION	\$568,969		\$796,336						1,365,305	\$0	\$974,165
460 CONSERVATION & DEVELOPMENT	\$2,277		\$2,904,987						2,907,264	\$0	\$0
470 DEBT SERVICE	\$578,188				\$977,510				1,555,698	\$0	\$0
480 MISCELLANEOUS EXPENDITURES	\$1,209,616								1,209,616	\$0	\$0
490 OTHER FINANCING USES					\$474,435		\$195,000		669,435	\$0	\$0
	\$12,636,533	\$551,604	\$4,638,317	\$315,342	\$3,575,274	\$1,136,729	\$195,000	\$0	23,048,799	\$355,000	\$1,030,801
SURPLUS/(DEFICIT)	(\$341,315)	\$0	(\$910,779)	(\$311,342)	(\$82,221)	(\$77,731)	\$0	\$40,000	(\$1,683,388)	\$0	(\$980,801)
PROJECTED YEAR-END FUND BALANCE	\$5,284,557	\$1,148	\$4,499,756	\$600,382	\$894,214	\$551,463	\$2,337,788	\$2,636,124	\$16,805,432	\$24,873	\$2,734,839

**East Goshen Township**  
**2020 General Fund Year End Projection, as of August 31, 2020**

Account Title	2020 Adopted	2020 Projected
POLICE EXPENSES	3,884,680	4,113,962
OTHER EMERGENCY SERVICE EXPENSES	495,253	469,096
PUBLIC WORKS EXPENSES	2,760,338	2,444,563
ADMINISTRATION EXPENSES	1,900,680	1,866,806
ZONING/PERMITS/CODES EXPENSES	522,011	449,192
PARK AND RECREATION EXPENSES	881,005	632,143
<b>TOTAL CORE FUNCTION EXPENSES</b>	<b>10,443,967</b>	<b>9,975,762</b>
POLICE REVENUES	38,000	32,000
OTHER EMERGENCY SERVICES REVENUES	33,905	21,646
PUBLIC WORKS REVENUES	1,000,284	1,036,281
ADMINISTRATION REVENUES	318,829	355,518
ZONING/PERMITS/CODES REVENUES	272,870	250,892
PARK AND RECREATION REVENUES	132,620	75,307
<b>TOTAL CORE FUNCTION REVENUES</b>	<b>1,796,508</b>	<b>1,771,644</b>
<b>NET POLICE</b>	<b>3,846,680</b>	<b>4,081,962</b>
<b>NET OTHER EMERGENCY SERVICES</b>	<b>461,348</b>	<b>447,450</b>
<b>NET PUBLIC WORKS</b>	<b>1,760,054</b>	<b>1,408,282</b>
<b>NET ADMINISTRATION</b>	<b>1,581,851</b>	<b>1,511,288</b>
<b>NET ZONING/PERMITS/CODES</b>	<b>249,141</b>	<b>198,300</b>
<b>NET PARK AND RECREATION</b>	<b>748,385</b>	<b>556,836</b>
<b>CORE FUNCTION NET SUBTOTAL</b>	<b>8,647,459</b>	<b>8,204,118</b>
DEBT - PRINCIPAL	349,999	349,999
DEBT - INTEREST	203,872	203,872
<b>TOTAL DEBT SERVICE</b>	<b>553,871</b>	<b>553,871</b>
<b>TOTAL CORE FUNCTION NET</b>	<b>9,201,330</b>	<b>8,757,989</b>
<b>NON-CORE FUNCTION REVENUE</b>		
EARNED INCOME TAXES	5,130,800	4,950,000
REAL ESTATE PROPERTY TAX	2,042,779	2,032,779
REAL ESTATE TRANSFER TAX	650,000	600,000
CABLE TV FRANCHISE TAX	457,200	440,000
LOCAL SERVICES TAX	345,000	300,000
OTHER INCOME*	113,895	93,895
<b>TOTAL NON CORE FUNCTION REVENUE</b>	<b>8,739,674</b>	<b>8,416,674</b>
<b>NET RESULT</b>	<b>(461,656)</b>	<b>(341,315)</b>

\* EXCLUDING TRANSFER FROM FUND BALANCE

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
TUESDAY, SEPTEMBER 1, 2020  
DRAFT MINUTES**

***Note:** In light of the Coronavirus pandemic, this was a virtual video-conference meeting conducted via the Zoom platform. In response to media reports about the vulnerability of the Zoom platform, public participation was limited to telephone.*

**Present:** Chairman Marty Shane; Vice-Chairman David Shuey; Members Michele Truitt, Mike Lynch and John Hertzog; Township Manager Rick Smith; Assistant Township Manager and Finance Director Jon Altshul; Public Works Director Mark Miller

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:00 p.m. and led the pledge of allegiance. David called for a moment of silence in honor of our troops, public health workers and first responders.

**Chairman's Report**

Marty made the following announcements:

- The meeting is being livestreamed on YouTube
- The Board met in Executive Session on August 31 with our Solicitor to discuss an issue in which identifiable complaints are expected to be filed
- Bids are due for the Hershey's Mill Dam project on September 29 at 1pm and that all bid documents are available on the Penn Bid website
- Vince Murphy has resigned from the Board of Auditors and that residents interested in filling the vacancy should contact the Township.

**Approval of Minutes of August 18, 2020**

David made a motion to approve the minutes of August 18, 2020 as corrected. Michele seconded. The motion passed 5-0.

**Approval of Treasurer's Reports of August 27, 2020**

David made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the August 27, 2020, Treasurer's Reports. John seconded. The motion passed 5-0.

**Any Other Matter**

John asked about the new prescription medication drop box that had been installed earlier in the day at the Township building.

**Public Comment**

None



1 **Correspondence, Reports of Interest**

2 The Board acknowledged the following correspondence and reports of interest:

- 3 • Goshen Volunteer Fire Relief Association Compliance Audit, 2018-2019  
4 • August 27, 2020, letter regarding the September 30, 2020 Zoning Hearing  
5 Board hearing on the Malvern Institute at 7pm in the Public Works Garage  
6

7 Jon noted that the Auditor General had minor findings about the Fire Company's  
8 expenditure of Volunteer Relief Association funds, but that it appeared the Fire  
9 Company had appropriately addressed the findings.  
10

11 David asked whether participants in the ZHB hearing could participate by Zoom. Jon  
12 indicated that that was unlikely, but that he and Susan would research the matter.  
13

14 **Adjournment**

15 There being no further business, Mike made a motion to adjourn at 7:23pm. Michele  
16 seconded. The motion passed 5-0.  
17

18 Respectfully submitted,  
19 *Jon Altshul, Recording Secretary*  
20

21 Attached: August 27, 2020 Treasurer's Reports

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

August 13, 2020 - August 27, 2020

**GENERAL FUND**

Real Estate Tax	\$62,117.49
Earned Income Tax	\$148,500.00
Local Service Tax	\$7,400.00
Transfer Tax	\$0.00
General Fund Interest Earned	\$0.00
Total Other Revenue	\$97,800.72
<b>Total General Fund Receipts:</b>	<b>\$315,818.21</b>

Accounts Payable	\$39,033.98
<u>Electronic Pmts:</u>	
Credit Card	\$0.00
Postage	\$0.00
Debt Service	\$5,334.22
Payroll	\$134,237.28
<b>Total Expenditures:</b>	<b>\$178,605.48</b>

**STATE LIQUID FUELS FUND**

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

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**CAPITAL RESERVE FUND**

Receipts	\$90,000.00
Interest Earned	\$0.00
<b>Total Capital Reserve Fund Receipts:</b>	<b>\$90,000.00</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**TRANSPORTATION FUND**

Receipts	\$0.00
Interest Earned	\$0.00
<b>Total Transportation Fund Receipts:</b>	<b>\$0.00</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**SEWER OPERATING FUND**

Receipts	\$262,943.95
Interest Earned	\$0.00
<b>Total Sewer Operating Fund Receipts:</b>	<b>\$262,943.95</b>

Accounts Payable	\$164,132.44
<u>Electronic Pmts:</u>	
Credit Card	\$0.00
Debt Service	\$24,143.01
<b>Total Expenditures:</b>	<b>\$188,275.45</b>

**REFUSE FUND**

Receipts	\$73,050.69
Interest Earned	\$0.00
<b>Total Refuse Fund Receipts:</b>	<b>\$73,050.69</b>

Accounts Payable	\$23,561.38
Credit Card	\$0.00
<b>Total Expenditures:</b>	<b>\$23,561.38</b>

**BOND FUND**

Receipts	\$0.00
Interest Earned	\$0.00
<b>Total Bond Fund Receipts:</b>	<b>\$0.00</b>

Accounts Payable	\$240.00
<b>Total Expenditures:</b>	<b>\$240.00</b>

**SEWER CAPITAL RESERVE FUND**

Receipts	\$0.00
Interest Earned	\$0.00
<b>Total Sewer Capital Reserve Fund Receipts:</b>	<b>\$0.00</b>

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

**OPERATING RESERVE FUND**

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

Accounts Payable	\$0.00
<b>Total Expenditures:</b>	<b>\$0.00</b>

1

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**EAST GOSHEN TOWNSHIP  
MEMORANDUM**

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**TO:** BOARD OF SUPERVISORS  
**FROM:** JON ALTSHUL  
**SUBJECT:** PROPOSED PAYMENTS OF BILLS  
**DATE:** SEPTEMBER 10, 2020

---

Attached please find the Treasurer's Report for the weeks of August 27, 2020 – September 10, 2020.

**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.

**TREASURER'S REPORT  
RECEIPTS AND BILLS**

**August 27, 2020 - September 10, 2020**

**GENERAL FUND**

Real Estate Tax	\$14,825.79
Earned Income Tax	\$90,266.00
Local Service Tax	\$7,433.15
Transfer Tax	\$0.00
<i>General Fund Interest Earned</i>	\$1,181.05
Total Other Revenue	\$22,696.07

**Total General Fund Receipts: \$136,402.06**

Accounts Payable	\$494,934.37
<u>Electronic Pmts:</u>	
Credit Card	\$0.00
Postage	\$1,000.00
Debt Service	\$0.00
Payroll	\$133,787.64

**Total Expenditures: \$629,722.01**

**STATE LIQUID FUELS FUND**

Receipts	\$0.00
<i>Interest Earned</i>	\$12.88
<b>Total State Liquid Fuels Receipts:</b>	<b><u>\$12.88</u></b>

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

**CAPITAL RESERVE FUND**

Receipts	\$248,482.25
<i>Interest Earned</i>	\$999.29
<b>Total Capital Reserve Fund Receipts:</b>	<b><u>\$249,481.54</u></b>

Accounts Payable	\$250,279.75
<b>Total Expenditures:</b>	<b><u>\$250,279.75</u></b>

**TRANSPORTATION FUND**

Receipts	\$0.00
<i>Interest Earned</i>	\$144.50
<b>Total Transportation Fund Receipts:</b>	<b><u>\$144.50</u></b>

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

**SEWER OPERATING FUND**

Receipts	\$150,943.41
<i>Interest Earned</i>	\$218.38

**Total Sewer Operating Fund Receipts: \$151,161.79**

Accounts Payable	\$17,263.67
<u>Electronic Pmts:</u>	
Credit Card	\$0.00
Debt Service	\$0.00
<b>Total Expenditures:</b>	<b><u>\$17,263.67</u></b>

**REFUSE FUND**

Receipts	\$47,652.75
<i>Interest Earned</i>	\$110.75
<b>Total Refuse Fund Receipts:</b>	<b><u>\$47,763.50</u></b>

Accounts Payable	\$63,656.61
Credit Card	\$0.00
<b>Total Expenditures:</b>	<b><u>\$63,656.61</u></b>

**BOND FUND**

Receipts	\$0.00
<i>Interest Earned</i>	\$372.64
<b>Total Bond Fund Receipts:</b>	<b><u>\$372.64</u></b>

Accounts Payable	\$72,141.14
<b>Total Expenditures:</b>	<b><u>\$72,141.14</u></b>

**SEWER CAPITAL RESERVE FUND**

Receipts	\$0.00
<i>Interest Earned</i>	\$393.60
<b>Total Sewer Capital Reserve Fund Receipts:</b>	<b><u>\$393.60</u></b>

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

**OPERATING RESERVE FUND**

Receipts	\$0.00
<i>Interest Earned</i>	\$552.15
<b>Total Operating Reserve Fund Receipts:</b>	<b><u>\$552.15</u></b>

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

Report Date 09/03/20

Expenditures Register  
GL-2009-75414

PAGE 1

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>03 CAPITAL RESERVE FUND</b>										
36				MYERS L.P., ALLAN A.						
63019	1	03460	7403	PAOLI PK.TRAIL - SEGMT.C	APP.#5	09/03/20	09/03/20	09/03/20	1423	224,441.44
				PAOLI PK.TRAIL C - APPLIC.5						
										224,441.44
										224,441.44
										224,441.44
										1 Printed, totaling 224,441.44

FUND SUMMARY

Fund	Bank Account	Amount	Description
03	03	224,441.44	CAPITAL RESERVE FUND
		224,441.44	

PERIOD SUMMARY

Period	Amount
2009	224,441.44
	224,441.44

Legend:

Expenditures Register Spooling to Windows Printers  
 Print those ready to UPDATE  
 Sorting by vendor  
 Printing for GL Period 2009  
 Doing a page break  
 Archiving to Expenditures Register-2009.txt  
 MARP05 run by BARBARA 9 : 23 AM

Report Date 09/03/20

Expenditures Register  
GL-2009-75422

PAGE 1

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>01 GENERAL FUND</b>										
1471				WESTTOWN-EAST GOSHEN POLICE						
	63029	1	01410 5300	POLICE GEN.EXPENSE	090120	09/03/20	09/01/20	09/03/20	19995 p	311,838.25
				SEPTEMBER 2020 CONTRIBUTION						
										311,838.25
										311,838.25
										1 Prepays, totaling 311,838.25
										0 Printed, totaling 0.00

## FUND SUMMARY

Fund	Bank Account	Amount	Description
01	01	311,838.25	GENERAL FUND
		311,838.25	

## PERIOD SUMMARY

Period	Amount
2009	311,838.25
	311,838.25

## Legend:

Expenditures Register Spooling to Windows Printers

Print those ready to UPDATE

Sorting by vendor

Printing for GL Period 2009

Doing a page break

Archiving to Expenditures Register-2009.txt

MARPO5 run by BARBARA 1 : 45 PM



Report Date 09/03/20

Expenditures Register  
GL-2009-75423

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
03	CAPITAL RESERVE FUND									
1349				TRAFFIC PLANNING & DESIGN INC.						
63030	1	03460	7403	PAOLI PK. TRAIL - SEGMT.C	INV.#4	09/03/20	09/03/20	09/03/20	1424	24,040.81
				PAOLI PK. TRAIL - 6/1-6/30/20						
										24,040.81
										24,040.81
										24,040.81
										1 Printed, totaling 24,040.81

FUND SUMMARY

Fund	Bank Account	Amount	Description
03	03	24,040.81	CAPITAL RESERVE FUND
		24,040.81	

PERIOD SUMMARY

Period	Amount
2009	24,040.81
	24,040.81

Legend:  
Expenditures Register Spooling to Windows Printers  
Print those ready to UPDATE  
Sorting by vendor  
Printing for GL Period 2009  
Doing a page break  
Archiving to Expenditures Register-2009.txt  
MARPO5 run by BARBARA 1 : 54 PM

Report Date 09/03/20

Expenditures Register  
GL-2009-75426

PAGE 1

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>05 SEWER OPERATING</b>										
1393				US POSTMASTER	6475 507.68					
63031	1	05429	3250	ADMIN.- POSTAGE	090320	09/03/20	09/03/20	09/03/20	4317	133.72
				LATE NOTICES QTR.3 2020						
										133.72
<b>06 REFUSE</b>										
1393				US POSTMASTER						
63031	2	06427	3250	POSTAGE	090320	09/03/20	09/03/20	09/03/20	719	133.72
				LATE NOTICES QTR.3 2020						
										133.72
										267.44
2 Printed, totaling										267.44

**Report Date** 09/10/20

## Expenditures Register

### GL-2009-75489

**PAGE 1**

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>01 GENERAL FUND</b>										
6				ABC PAPER & CHEMICAL INC						
63032	1	01409	3740	TWP. BLDG. - MAINT & REPAIRS	105206	09/09/20		09/09/20		161.84
				HAND SANITIZER & DISPENSER						
63033	1	01454	3740	EQUIPMENT MAINT. & REPAIR	108575	09/09/20		09/09/20		610.44
				PINE SOL CLEANER, C-FOLD TOWELS,						
				ROLL TOWELS, TRASH CAN LINERS &						
				BLEACH						
										772.28
68				AMS APPLIED MICRO SYSTEMS LTD.						
63034	1	01401	3120	CONSULTING SERVICES	67016	09/09/20		09/09/20		1,097.00
				AUGUST 2020						
63034	2	01414	5001	ZONING IT CONSULTING	67016	09/09/20		09/09/20		28.00
				AUGUST 2020 - GEO PLAN						
										1,125.00
1657				AQUA PA						
63035	1	01409	3600	TWP. BLDG. - FUEL, LIGHT, WATER	082720-BS	09/09/20		09/09/20		20.63
				000309801 0309801 7/24-8/25/20 BS						
63036	1	01409	3600	TWP. BLDG. - FUEL, LIGHT, WATER	082520-FR	09/09/20		09/09/20		208.92
				000309820 0309820 7/21-8/20/20 FR						
63037	1	01409	3600	TWP. BLDG. - FUEL, LIGHT, WATER	082520-TB	09/09/20		09/09/20		202.31
				000309828 0309828 7/21-8/20/20 TB						
63038	1	01409	3605	PW BLDG - FUEL,LIGHT,SEWER & WATER	082520 PW	09/09/20		09/09/20		312.74
				000496917 0309798 7/21-8/20/20 PW						
										744.60
4217				AQUA PA						
63044	1	01411	3630	HYDRANT & WATER SERVICE	090120 HY6	09/09/20		09/09/20		155.16
				000309987 039987 7/31-8/31/20 HY6						
63045	1	01411	3630	HYDRANT & WATER SERVICE	090120 279	09/09/20		09/09/20		4,809.96
				000310033 0310033 7/31-8/31/20 186						
63045	2	01411	3631	HYDRANTS - RECHARGE EXPENSE	090120 279	09/09/20		09/09/20		2,404.98
				000310033 0310033 7/31-8/31/20 93						
										7,370.10
2898				AQUASCAPES UNLIMITED						
63046	1	01454	3711	POND TREATMENT	3591	09/09/20		09/09/20		789.50
				POND SERVICE 8/18 MARY DELL, UPPER						
				& LOWER BOW TREE POND						
										789.50

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## Expenditures Register

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Report Date 09/10/20

Expenditures Register  
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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
3613				DELAWARE VALLEY HEALTH TRUST						
	63059	1	01486 1560	HEALTH, ACCID. & LIFE	19054	09/09/20		09/09/20		57,209.19
				SEPTEMBER 2020 PREMIUM MEDICAL/RX						
	63059	2	01213 1000	DENTAL INSURANCE W/H	19054	09/09/20		09/09/20		2,053.74
				SEPTEMBER 2020 PREMIUM DENTAL						
										59,262.93
3987				DUNRITE SAND & GRAVEL						
	63060	1	01454 3724	TOT LOT	36114	09/09/20		09/09/20		225.96
				37.66 TONS FINE SAND TOT LOT						
										225.96
418				EAGLE POWER AND EQUIPMENT						
	63061	1	01430 2330	VEHICLE MAINT AND REPAIR	W02283	09/09/20		09/09/20		241.44
				BACKHOE REPAIR						
										241.44
489				FISHER & SON COMPANY INC						
	63062	1	01438 2450	MATERIALS & SUPPLIES-HIGHWAYS	0000213519-IN	09/09/20		09/09/20		570.00
				COMMERCIAL GRASS SEED MIX 6 50LB						
				BAGS						
										570.00
1876				FOLEY INC.						
	63063	1	01438 3845	EQUIP. RENTAL -RESURFAC.	A6903802	09/09/20		09/09/20		2,911.00
				COMPACT TRACK LOADER RENTAL 8/10-9/7/20						
	63064	1	01436 3840	STORMWATER EQUIPMENT RENTAL	A6954101	09/09/20		09/09/20		5,627.00
				EXCAVATOR, COUPLER & KLAU RENTAL						
				8/12-8/21/20						
	63065	1	01438 3840	EQUIPMENT RENTAL	A6720005	09/09/20		09/09/20		3,911.00
				MINI EXCAVATOR, BUCKET, THUMB & COUPLER RENTAL 7/30-8/27/20						
										12,449.00
2631				GRAPHIC IMPRESSIONS OF AMERICA INC.						
	63066	1	01401 2110	STATIONERY	20-839	09/09/20		09/09/20		140.00
				BOS WINDOW ENVELOPES - 2 BOXES						
										140.00

ENTERPRISE

DR

Enterprise Dr. Skid w/han

Enterprise Dr.

Enterprise Dr.

Report Date 09/10/20

Expenditures Register  
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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
598				HANSON AGGREGATES PENNSYLVANIA LLC						
	63071	1	01436 2450	STORMWATER MATERIALS & SUPPLIES	3783817	09/10/20		09/10/20		1,296.00
				110.77 TONS 2A SUBBASE						
				Dickens, Enterprise Dr.						1,296.00
2717				HIGGINS & SONS INC., CHARLES A.						
	63072	1	01433 2500	MAINT. REPAIRS.TRAFF.SIG.	52345	09/10/20		09/10/20		455.00
				TRAF.LIGHT REPAIR RT3 & MANLEY						
	63073	1	01433 2500	MAINT. REPAIRS.TRAFF.SIG.	52380	09/10/20		09/10/20		225.50
				TRAF.LIGHT REPAIR PAOLI PK. & RESERVOIR RD.						
										680.50
627				HIGHWAY MATERIALS INC.						
	63074	1	01438 2450	MATERIALS & SUPPLIES-HIGHWAYS	178507	09/10/20		09/10/20		5,175.72
				107.94 TONS 9.5mm 0.3<3 H IVY LANE						
										5,175.72
679				INTERCON TRUCK EQUIPMENT						
	63075	1	01430 2330	VEHICLE MAINT AND REPAIR	1080153-IN	09/10/20		09/10/20		35.84
				A-FRAME JACK, JACK FOOT, AMBER MARKER LIGHTS - STUD MOUNTS						
										35.84
3838				KNIGHT BROS. INC.						
	63076	1	01438 2460	TREE REMOVAL	14904	09/10/20		09/10/20		1,440.00
				MISC.TREE SERVICE - RAEWYK, HERRON & TOWNE - STORM DAMAGE						
	63076	2	01438 2460	TREE REMOVAL	14904	09/10/20		09/10/20		1,680.00
				MISC.TREE SERVICE - TOWNE DR. STORM DAMAGE						
	63076	3	01438 2460	TREE REMOVAL	14904	09/10/20		09/10/20		1,440.00
				MISC.TREE SERVICE - LINE RD & GATES WOOD DR. STORM DAMAGE						
	63076	4	01438 2460	TREE REMOVAL	14904	09/10/20		09/10/20		3,360.00
				MISC.TREE SERVICE - GATESWOOD DR. STORM DAMAGE						
	63076	5	01438 2460	TREE REMOVAL	14904	09/10/20		09/10/20		1,680.00
				MISC.TREE SERVICE -LOCHWOOD - DROP DEAD TREES						
	63077	1	01454 2460	TREE REMOVAL-PARK	14888	09/10/20		09/10/20		9,600.00
				MISC.TREE SERVICE -EAST GOSHEN PARK 6/22-6/29						
	63077	2	01454 2460	TREE REMOVAL-PARK	14888	09/10/20		09/10/20		1,920.00
				MISC.TREE SERVICE -E.G.PARK & APPLE BROOK PARK 6/30						



**Report Date** 09/10/20

## Expenditures Register

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**Report Date** 09/10/20

## Expenditures Register

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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
827				NEW ENTERPRISE STONE & LIME INC.						
	63091	1	01436	2450 STORMWATER MATERIALS & SUPPLIES 95.39 TONS 2A STONE	7358436	09/10/20		09/10/20		3,328.81
										3,328.81
2352				PECO - 99193-01400						
	63093	1	01434	3610 STREET LIGHTING	082820	09/10/20		09/10/20		699.64
	63093	2	01433	2470 UTILITIES - TRAFFIC LIGHTS	082820	09/10/20		09/10/20		600.79
										1,300.43
3153				PECO - 01360-05046						
	63095	1	01409	7505 BOOT & PAOLI LED SIGN	082720	09/10/20		09/10/20		52.88
										52.88
2591				PECO - 59500-35010						
	63094	1	01454	3600 UTILITIES	082420	09/10/20		09/10/20		34.98
										34.98
4091				PECO 02280-03067						
	63092	1	01454	3717 MARYDELL POND REHAB	082820	09/10/20		09/10/20		52.91
										52.91
2711				R.S. SALES & SERVICE INC.						
	63096	1	01409	3740 TWP. BLDG. - MAINT & REPAIRS	77418	09/10/20		09/10/20		382.50
										382.50
1783				STATE WORKERS INSURANCE FUND						
	63097	1	01411	6000 VOLUNTEER FIREFIGHTER WORKERS COMP	090120	09/10/20		09/10/20		3,082.00
										3,082.00
2109				TRAFFIC SAFETY STORE, THE						
	63098	1	01438	2450 MATERIALS & SUPPLIES-HIGHWAYS	INV000748271	09/10/20		09/10/20		404.50
										404.50

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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>03 CAPITAL RESERVE FUND</b>										
3551				MCMAHON ASSOCIATES INC.						
	63087	1	03460 7406	PAOLI PK.TRAIL - SEGMT.F PROF.SERVICE 6/27-7/31/20 PAOLI PK. TRAIL F & G CONSTRUCTION	172864	09/10/20		09/10/20		898.75
	63087	2	03460 7407	PAOLI PK.TRAIL - SEGMT.G PROF.SERVICE 6/27-7/31/20 PAOLI PK. TRAIL F & G CONSTRUCTION	172864	09/10/20		09/10/20		898.75
										1,797.50

**Report Date** 09/10/20

## Expenditures Register

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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>05 SEWER OPERATING</b>										
1658				AQUA PA						
63039	1	05420	3602	C.C. COLLECTION -UTILITIES 000309826 0309826 7/24-8/25/20 TH	082720 TH	09/09/20		09/09/20		29.06
63040	1	05420	3602	C.C. COLLECTION -UTILITIES 000300141 0300141 7/21-8/20/20 GH	082520 GH	09/09/20		09/09/20		20.63
63041	1	05420	3602	C.C. COLLECTION -UTILITIES 000305003 0305003 7/27-8/26/20 WW	082820 WW	09/09/20		09/09/20		31.28
63042	1	05420	3604	MILL VAL./BARKWAY UTILITIES 000363541 0357724 07/21-8/20/20 BK	082520 BK	09/09/20		09/09/20		18.22
63043	1	05422	3601	R.C. COLLEC.-UTILITIES 001533998 1087842 7/24-8/25/20 TWN	082720 TWN	09/09/20		09/09/20		95.30
										194.49
139				BFMC INC.						
63049	1	05429	3400	ADMIN. - PRINTING V-FOLDED PRESSURE SEAL BILLS	22535	09/09/20		09/09/20		884.00
										884.00
151				BLOENSKI DISPOSAL CO, CHARLES						
63050	1	05422	4502	R.C. SLUDGE-LAND CHESTER SWITCH 20 YDS W/LINER 8/17/20	184832	09/09/20		09/09/20		186.00
63051	1	05422	4502	R.C. SLUDGE-LAND CHESTER SWITCH 20 YDS W/LINER 8/24/20	184837	09/09/20		09/09/20		186.00
										372.00
583				HACH COMPANY						
63068	1	05422	3700	R.C. STP-MAINT.& REPAIRS AMMONIA TNT & BUFFER SOLN	12097871	09/10/20		09/10/20		388.01
63069	1	05422	3700	R.C. STP-MAINT.& REPAIRS PHOSPHORUS TNT	12098907	09/10/20		09/10/20		237.04
										625.05
594				HAMMOND & MCCLOSKEY INC.						
63070	1	05422	3700	R.C. STP-MAINT.& REPAIRS REPAIR LEAKING BACKFLOW PREVENTER	9521	09/10/20		09/10/20		268.50
										268.50
3043				MAIN POOL & CHEMICAL COMP. INC.						
63083	1	05422	2440	R.C. STP- CHEMICALS 1980 GALS ALUMINUM SULFATE SOLUTION 191 50LB BAGS SODIUM CARBONATE	2084579	09/10/20		09/10/20		6,559.40
										6,559.40

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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
06	REFUSE									
139				BFMC INC.						
	63049	2	06427	3400 ADVERTISING & PRINTING V-FOLDED PRESSURE SEAL BILLS	22535	09/09/20		09/09/20		884.00
										884.00



Report Date 09/10/20

Expenditures Register  
GL-2009-75489

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Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
<b>08 BOND FUNDS (CAPITAL PROJECTS)</b>										
3551				MCMAHON ASSOCIATES INC.						
63086	1	08459	6003	SEGMENT C ENGINEERING	172872	09/10/20		09/10/20		3,725.04
				PROF.SERVICE 6/27-7/31/20 PAOLI PK.						
				TRAIL C CONSTRUCTION						
63086	2	08459	6005	SEGMENTS D&E ENGINEERING	172872	09/10/20		09/10/20		7,450.07
				PROF.SERVICE 6/27-7/31/20 PAOLI PK.						
				TRAIL D & E CONSTRUCTION						
63088	1	08459	6001	SEGMENTS A&B ENGINEERING	172858	09/10/20		09/10/20		60,966.03
				PROF.SERV. 6/27-7/31/20 PAOLI PIKE						
				TRAIL A&B						
										72,141.14
										269,313.28
										0 Printed, totaling 269,313.28

## FUND SUMMARY

Fund	Bank Account	Amount	Description
01	01	179,617.83	GENERAL FUND
03	03	1,797.50	CAPITAL RESERVE FUND
05	05	14,872.81	SEWER OPERATING
06	06	884.00	REFUSE
08	08	72,141.14	BOND FUNDS (CAPITAL PROJECTS)
		269,313.28	

## PERIOD SUMMARY

Period	Amount
2009	269,313.28
	269,313.28

## Legend:

Expenditures Register Spooling to Windows Printers

Print those ready to pay

Sorting by vendor

Printing for GL Period 2009

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Creating a CSV File

Archiving to Expenditures Register-2009.txt

MARPO5 run by BARBARA 11 : 44 AM

Report Date 09/10/20

Procurement Card Entries

PAGE 1

MARF17 run by BARBARA

12 : 48 PM

Per	Budget #	Sub#	Description	Vendr	Vendor Name	Invoice #	Inv Date	Credit	Src	Trx #	#	U
2009			CREDIT CARD PAYMENT									
	01436	2450	HAULING FEE - SCRAP METAL 8/24/20	2762	AJB A.J. BLOSENSKI INC.	08000945	08/24/20	400.00	PC	75491	1	
	06427	4500	RESIDENTIAL PICK-UP SEPT.2020	2762	AJB A.J. BLOSENSKI INC.	09121661	09/01/20	57,910.03	PC	75491	2	
	05422	4500	LAB TESTING RCSTP 7/28/20	2918	ALS ENVIRONMENTAL	40-2423095	08/11/20	120.00	PC	75491	3	
	05422	4500	LAB TESTING RCSTP 7/28/20	2918	ALS ENVIRONMENTAL	40-2425691	08/24/20	189.00	PC	75491	4	
	05422	4500	LAB TESTING RCSTP 7/28 -8/4/20	2918	ALS ENVIRONMENTAL	40-2424580	08/18/20	63.00	PC	75491	5	
	06427	4502	WEEK 8/17/20 - 8/21/20	241	C.C. SOLID WASTE AUTHORITY	57961-R	08/22/20	4,728.86	PC	75491	6	
	05422	4502	WEEK 8/17/20 - 8/21/20	241	C.C. SOLID WASTE AUTHORITY	57961-S	08/22/20	521.64	PC	75491	7	
	01401	2100	COFFEE	1990	CRYSTAL SPRINGS	3154612 082820	08/28/20	174.86	PC	75491	8	
	01401	2100	COFFEE, CREAMER, SWEETENER & HOT	1990	CRYSTAL SPRINGS	3154612 070320	07/03/20	262.84	PC	75491	9	
	05422	3700	HEX CAP SCREWS & WASHERS	2442	KENT AUTOMOTIVE	9307817074	08/24/20	1,251.51	PC	75491	10	
	01430	2320	362.1 GALS. GASOLINE	1161	REILLY & SONS INC	191161-530	08/19/20	618.10	PC	75491	11	
	01430	2320	1250. GALS. DIESEL	1161	REILLY & SONS INC	191162-531	08/19/20	1,912.50	PC	75491	12	
	01401	3210	8/28/20 - 9/27/20	2829	VERIZON - TWP.FIOS 0001-74	5527634-082720	08/27/20	109.99	PC	75491	13	
	05422	3601	8/28/20 - 9/27/20	2773	VERIZON - PW FIOS 0001-15	7528031-082720	08/27/20	111.99	PC	75491	14	

68,374.32

68,374.32

## GENERAL LEDGER SUMMARY

GL Account #	Debit	Credit	Description
014XX-XXXX	3,478.29		GENERAL FUND Expense Account
01107-1010		3,478.29	GENERAL FUND Bank Account
054XX-XXXX	2,257.14		SEWER OPERATING Expense Account
05100-1005		2,257.14	SEWER OPERATING Bank Account
064XX-XXXX	62,638.89		REFUSE Expense Account
06100-1005		62,638.89	REFUSE Bank Account


# Memorandum

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**East Goshen Township**  
**1580 Paoli Pike**  
**West Chester, PA 19380**

Voice: 610-692-7171  
Fax: 610-692-8950  
E-mail: [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org)

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Date: 9/9/2020  
To: Board of Supervisors  
From: Mark Gordon, Township Zoning Officer   
Re: Malvern Institute ZHB Application for Special Exception and Variances

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**Background:**

In 2017 the Malvern Institute (Applicant) submitted an application to the Zoning Hearing Board for a special exception and two variances in order to expand their facility. The application called for among other improvements the construction of a 6,200 square foot second floor over part of the Main Building. (Original Proposal).

During the hearing process the Applicant, at the recommendation of the Planning Commission, submitted an alternative proposal that would forgo the second floor addition and replace it with a one-story 6,980 square foot addition to the Main Building. (Alternative Proposal).

During the various hearings, the Applicant asserted that the expansion was necessary to accommodate the natural expansion of their pre-existing legal nonconforming use.

The Board of Supervisors took "no position" with respect to the question of whether or not the applicant was entitled to the special exception and variances or met the burden of proof under the doctrine of natural expansion.

However, the Board of Supervisors did authorize the Township Solicitor and Township Engineer to appear at the zoning hearing and advocate for the one story addition option (Alternative Proposal) and for conditions to be imposed if the expansion was approved. These conditions are set forth in the Board's letter of February 7, 2018.

On February 28, 2019, the Zoning Hearing Board denied both the Original and Alternative Proposals and the Applicant appealed the denial to the Court of Common Pleas. On December 10, 2019, the Court issued a Decision that overturned the Zoning Hearing Board decision and issued an Order that "the Record shall be remanded to the Zoning Hearing Board of East Goshen Township for hearing, findings and issuance of a decision consistent herewith."

Unfortunately, the Court did not indicate whether or not the Zoning Hearing Board should approve the Original Proposal or Alternative Proposal. The Court also did not give a concise explanation of what the basis for its decision overturning the Zoning Hearing Board's decision either although certain statements in the Decision indicate that the Court agreed that the expansion was necessary in order for the Institute to survive.

On February 11, 2020, the Zoning Hearing Board held a public hearing to discuss how they should proceed, at which they solicited comments from the solicitors for the Applicant, the Township and the Residents. At this hearing, the solicitor for the Applicant indicated that the decision on which proposal should be approved was solely up to the Zoning Hearing Board and that either proposal was acceptable to the Applicant. The solicitors for the Township and Residents indicated that the Board should take additional testimony on this issue.

At the conclusion of the hearing, the Zoning Hearing Board scheduled another hearing for April 23, 2020, however that hearing was cancelled and postponed indefinitely due the COVID-19 pandemic.

The Zoning Hearing Board has re-scheduled and properly advertised the April 23, 2020 hearing for September 30, 2020 at 7 PM. That hearing will be an in-person hearing, held in the Township Public Works Garage, in order to maintain appropriate distancing as recommended by County, State and Federal agencies.

**Staff Recommendation:** After consultation with the Township Solicitor, staff is recommending that because the Court has determined that the Applicant is entitled to expand their pre-existing legal nonconforming use, the Board should authorize the Township Solicitor, Township Manager and Zoning Officer to appear at the September 30, 2020 hearing and advocate for the following: The Zoning Hearing Board should approve the Alternative Proposal to construct the one-story addition as shown on the site plan dated 02/24/2017, last revised 12/11/2017, and that the Zoning Hearing Board should impose all of the conditions set forth in the Board's letter of February 7, 2018 which were accepted by the Applicant.

Staff is of the opinion that the one-story addition, with the conditions set forth in the Board of Supervisor's letter, is the better approach, will create less impact to the surrounding community, and it will help to mitigate any new impacts the expansion may have on the surrounding community.

**Draft Motion:**

Mr. Chairman, I move that the Board of Supervisors authorize the Township Solicitor, Township Manager and Zoning Officer to appear at the Zoning Hearing Board hearing and advocate that the Zoning Hearing Board approve the Alternative Proposal to construct the one-story addition as shown on the site plan dated 02/24/2017, last revised 12/11/2017, and that the Zoning Hearing Board should impose all of the conditions set forth in the Board's letter of February 7, 2018 which were accepted by the Applicant.

# BOARD OF SUPERVISORS

EAST GOSHEN TOWNSHIP

CHESTER COUNTY

February 7, 2018

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

East Goshen Township Zoning Hearing Board  
1580 Paoli Pike  
West Chester, PA 19380

Re: Malvern Institute  
Special Exception and Variance

Dear Board Members:

At their meeting on February 6, 2018 the Board of Supervisors unanimously approved a motion to take "no position" on the special exception and variances requested by the Malvern Institute or the legal argument advanced by the Applicant with respect to the right to expand the legal non-conforming treatment center use based on the doctrine of natural expansion. Should the ZHB determine that the Applicant has met its legal burden and is entitled to expand the non-conforming use either by the grant of variances, special exception or based on the doctrine of natural expansion of a nonconforming use, the Board of Supervisors recommends that the ZHB impose the following conditions on the Applicant in order to mitigate the impacts that the expansion of the non-conforming use will have on the surrounding community. The Board of Supervisors authorizes the Township Solicitor and the Township Engineer to enter an appearance on behalf of the Board of Supervisors at the zoning hearing and advocate that the following conditions be imposed in any decision approving the expansion of the treatment center.

1. The Applicant shall restrict the drug and alcohol treatment programming at the King Road facility (the "Facility") to in-patient treatment only.
2. The Applicant shall limit the number of patients receiving treatment at the Facility to a maximum of 80 patients on-site at any one time. The Applicant shall forward a letter to the Commonwealth of PA Department of Drug and Alcohol Programing or successor licensing agency agreeing to permanently cap the licensing of the Facility to 80 in-patients in perpetuity.
3. The Applicant shall add cameras at the front entrance and at various locations along the main driveway entrance to supplement its existing video security system. The video cameras shall be set up and monitored to alert staff and security personnel of incoming and outgoing pedestrians at the front driveway entrance. The eastern parking lot gate shall be locked by 11 p.m. to ensure that any vehicle entering the site must approach the main building. The Applicant shall have no less than one security guard on site during the nighttime shift when the clinical staff is reduced in number. In addition, the Applicant shall implement and maintain the use of security cameras which are continually monitored by properly trained staff including a certified clinical supervisor during the overnight shift.

4. The Applicant may build only a one-story addition as identified in the site plan dated 02/24/2017, last revised 12/11/2017 (the "Plan") to facilitate the expansion of the use. The new addition shall be set back a minimum of 45 feet from any property line.
5. The Applicant shall submit a land development application that includes the proposed improvements to the Property which are approved in the Zoning Hearing Board Decision and which are consistent with the testimony and exhibits presented at the zoning hearing and with the conditions of approval within 180 days of final unappealable, and unappealed zoning approval.
6. King Road is assumed to run in and east-west direction for the purpose of this condition. The Applicant shall install and maintain an 8 foot high fence, approved by the Board of Supervisors, along the entire western and southern boundaries of the Property except for any areas within the floodplain.
7. The Applicant shall submit and implement a landscape plan in accordance with §240-27.C.(2) of the East Goshen Code for the western and southern portions of the property except for any areas within the floodplain.
8. The Applicant shall plant and maintain the aforesaid buffer yard landscaping in accordance with §240-27.C.(3), as long as the Property is used as a treatment center, subject to accommodation of the fence and wood chip walking path within said buffer yard landscaping. Provided however that the high-level screen shall consist of a combination of evergreen and deciduous trees planted with specimens no less than ten feet in height. These plantings are intended to mitigate the view of the 8 foot fence from the neighboring properties. As part of the land development plan approval process, the Applicant shall meet with the Conservancy Board to present its proposed landscape plan. The Conservancy Board shall provide recommendations to the Board as to whether the Applicant's landscape plan complies provides a completely planted visual barrier or landscape screen to mitigate the view of the fence.
9. King Road is assumed to run in and east-west direction for the purpose of this condition. The Applicant shall install 6 foot high estate fencing and deer resistant landscaping to buffer the fencing along the eastern property boundary in accordance with the Willistown Township ordinances. The Applicant shall install deer resistant understory landscape buffer plantings in the wooded area on the eastern side of the Property prior to the installation of any proposed walking paths and/or meditation areas on the east side of the Ridley Creek. The fencing and landscaping shall be shown on the landscape plans submitted with the land development application and shall be approved by the Board of Supervisors as part of land development.
10. King Road is assumed to run in and east-west direction for the purpose of this condition. The Applicant shall install 6 foot high estate fencing along the right of way line for King Road. The fencing shall go around the pump station. This fencing shall be connected to the 8 foot fence and the estate fencing referred to in this condition and condition 9. The purpose of the fencing referred to in this condition and conditions 6 and 9 are to limit ingress and egress to the main entrance of the Facility.

11. The proposed fencing shall be detailed on the land development plan and shall be continually maintained by the owner.
12. The Applicant shall identify the fencing types and styles and provide details, samples and/or images if available, of each style of fencing in the land development plan. The fencing shall be approved by the Board of Supervisors during land development.
13. The Applicant shall agree to permit no recreational activity in the area between the existing and/or proposed building and the southern and western property lines other than the garden, the greenhouse, and the pedestrian walking paths.
14. The Applicant shall identify the existing and proposed active recreation areas on the land development plan. If Applicant proposes to add new outdoor recreation facilities that are not shown and approved on the land development plan, they shall be reviewed by the Township Engineer who shall recommend the installation of appropriate sound attenuation measures if necessary to mitigate potential noise from these facilities.
15. The Facility shall be restricted to one outdoor smoking area for patients (smoking pavilion). The Applicant shall agree to require all patients to smoke within the limit of the smoking pavilion. Staff and visitors shall be restricted to smoking in the front of the building.
16. The smoking pavilion shall be equipped with a "Smoke Eater" type of ventilation and filtration system to minimize the effects of smoke for the surrounding property owners.
17. The Applicant shall screen the new smoking pavilion from the neighboring properties to the west and north with a temporary 8 foot fence which shall remain in place until the one story addition is built.
18. The Applicant shall demonstrate during the land development application review that the "Smoke Eater" system can effectively ventilate and filter cigarette smoke in the proposed smoking pavilion.
19. The Applicant shall install sound attenuation blankets or similar sound dampening material inside the existing emergency generator fencing to mitigate noise from the generator.
20. The following site improvements shall be completed prior to issuance of a building permit for the building addition or barn renovations:
  - a. Parking lot renovations;
  - b. Installation of estate fence and the 8 foot fence;
  - c. Installation of the smoking pavilion, including the installation of screening and smoke mitigation measures;
  - d. Installation of sound blankets inside the generator fencing;
  - e. Installation of plantings as required on the landscape plan that is approved as part of the land development plans.
21. The Applicant shall construct and maintain all walking paths with pervious wood chips.

22. The Applicant shall comply with the parking allocation presented on the Plan.
23. The Applicant shall agree to only permit outdoor patient activities on the property between the hours of 7 AM and 10 PM, with the following exceptions. A maximum of 8 patients at any one time, with active staff supervision shall be permitted to use the smoking pavilion between 10 PM and 11:30 PM. A maximum of 4 patients at any one time, with active supervision from staff shall be permitted to use the smoking pavilion between 11:30 PM and 7 AM.
24. In the event that the Applicant's requested relief is granted, the Applicant shall record a deed restriction with the Chester County Recorder of Deeds that prohibits any further expansion of the treatment center for a period of 30 years. The deed restriction shall be enforceable by the Township.
25. The Applicant shall establish and adhere to a written protocol for responding to neighbors who contact the Facility to complain about adverse impacts from the operation of the Facility. This protocol shall require that a properly trained employee respond to neighbor's calls and advise the neighbors how to respond to a situation where a patient has left the Facility and is seeking assistance from the neighbors.
26. The Applicant shall annually make a presentation to the Board of Supervisors at a public meeting to provide an update on the state of affairs at the Facility. This report shall advise the Board on the status of the expansion project, identify any issues that the Facility has encountered in the last year with neighboring property owners and identify any new programs or policies that the Facility has implemented to improve the relationship with neighbors.
27. When the Applicant becomes aware that a patient has left the Facility AWOL, it shall notify the Westtown East Goshen Regional Police Department of such fact provided that such notification does not violate any patient privacy laws. The intent of this notification is not to reveal the patient's identity or to require the police to respond but simply to advise the police that someone has left the Facility.
28. If Applicant is granted zoning relief to expand the Facility, it shall obtain a building permit for the building addition within three years from the date of an unappealed and unappealable zoning decision and it shall obtain a building permit for the barn renovations within four years from the date of an unappealed and unappealable zoning decision.

At the meeting Brian Nagle, the attorney for the Applicant indicated that the conditions were acceptable to the Malvern Institute.

Sincerely,



Louis F. Smith Jr.  
Township Manager



**Cc:**     **Brian Nagle, Esquire**  
          **Dave Burman, Willistown Township Manager**  
          **John Nagle, East Whiteland Township Manager**

Marty Shane



9-15-20

Malvern Institute  
Meeting Information  
From the East Goshen,  
Willistown and East  
Whiteland residents

**On Thursday September 10, 2020 the Township received five packets of information (one for each Supervisor) containing information related to the Malvern Institute Application.**



September 9, 2020

Dear Board of Supervisors,

Attached are documents the neighbors prepared regarding the Malvern Institute's proposal. Some are to inform you of the history, some are to summarize the past 4 years of meetings and others just to report facts that pertain to the issues in question.

We hope you will take the time to read them as we think it will help you better understand why the neighborhood is so opposed to the subject expansion. As we have stated over and over throughout the process, the neighbors are not opposed to Drug Rehabilitation facilities, just this one which has consistently demonstrated a total disregard for our desire as Township residents to have a safe and peaceful neighborhood. The Board of Supervisors has taken the position that it is NOT OPPOSED to the expansion of this non-conforming facility directly adjacent to our residential neighborhood. No facility like this would be permitted under current zoning and we continue to be mystified as to why, even after the Zoning Hearing Board ruled against the expansion, that the Board as our elected officials would take no position on this facility's massive expansion and detriment to our neighborhood. We understand that the Malvern Institute has a right to continue operating but we do not believe, like the Zoning Hearing Board, that they have not even come close to meeting the standard that would allow them to expand as they have proposed. WE URGE the Board to take a position against the expansion and in favor of its Zoning Ordinance.

Listed below are a few of the important points:

- Economics cannot be justification for relief. The BOS would be setting a precedent for all future applicants that the new standard for relief in EGT will be Economics is a justified hardship. This would open the floodgates to any party wishing to expand solely based on this new standard. Nothing has changed in the Application. The ZHB saw that there was no hardship and the reason for the requested relief was Economics.
- The ZHB made a definitive decision based on multiple meetings and testimony. The MI did not prove their case on any one of the 7 variances or special exceptions needed. It was not even close. We highlighted the most important ones in the "Hearing and Decision" document.
- Recent police activity at the MI is getting more violent in nature. The regular stream of profanity heard by neighbors is getting more vulgar.
- Recent reviews by ex-employees and patients justify our concerns for the neighbors' safety and wellbeing.
- Each time the MI submits an application for expansion (there has been 6 including this one), promises are made to the neighbors to improve conditions. After each application is denied, promises have not been kept proving the MI has no intention of being a good neighbor unless something is in it for them.
- Doctrine of Natural Expansion does not give a non-conforming business the inherent right to expand. The law gives them the right to ask with clear definitions of what is needed for approval. The MI did not meet those needs.
- In addition, the State Supreme Court has ruled that an expansion of a non-conforming use can be halted if the expansion would have a negative effect on Public Health, Safety and Welfare. The ZHB's decision clearly states the subject expansion would be detrimental to the surrounding neighborhood. This statement is undeniable.

- With all the cases in the news of Special Rules for Special People lately the Neighbors can only feel that they seem to be simply "Less Equal" than the MI. MI has not proven any hardship and under Pa MPC is not entitled to relief. The Neighbors believe that all property owners should be treated fairly and in this case the Malvern Institute has been receiving special treatment to the detriment of our neighborhood and rights of Township residents to enjoy a peaceful neighborhood. We request that the Township support its zoning ordinance and take a position against the proposed expansion.

Thank you again for taking the time to read through our thoughtfully prepared documents. We would of liked to of presented them in person but unfortunately this cannot happen during the pandemic. We look forward to having a robust Zoom meeting next Tuesday.

Thank you

## **HISTORY - MALVERN INSTITUTE**

As of March 2020

(Page 1 of 3)

### **1948:**

- Malvern Institute open as an Alcohol Treatment Center
- 6200 sq. ft. facility
- Patient census: 10 beds

### **1953:**

- East Goshen adopts its first zoning ordinance and Malvern Institute becomes a non-conforming use.

### **1960's:**

- The Brookmont Drive, Treemont Drive, and Line Road neighborhood is built.

### **1979-1982:**

- Malvern Institute becomes a "For Profit" organization.

### **1980's:**

- Malvern Institute adds chemical dependencies to its treatment including heroin use. This is a new and different use from alcohol.
- Outside use expands to include a basketball court, volleyball court, walking trail, picnic tables, smoking area, etc.

### **1982:**

- Malvern Institute applies for a 10,000 sq. ft. addition for the use of an "Alcohol Treatment Center." There is no township code at the time to limit the expansion of a non-conforming use.
- Malvern Institute expands to 16,200 sq. ft.
- A 161% expansion from their original size.
- Barn only used for storage.

### **1983:**

- East Goshen Township establishes new zoning ordinance enacted to limit expansion of non-conforming use to 50%.

### **1996:**

- Neighbors complain to East Goshen Township and the Malvern Institute of raw sewage runoff to the west and south. Neighbors also complain about storm runoff since the 1982 addition causes severe flooding. Pooling in these same properties continues to this day despite promises to amend this problem.

### **1996:**

- The Malvern Institute applies for a 3,500 sq. ft. addition to treat adolescents
- Patient census: 40 beds
- March – First ZHB meeting held
- April – Both the BOS and P.C. rescinds their support of the application
- ZHB denies the Malvern Institute's application

**1996:**

- In September, Rick Smith, EGT Manager and Ronald Nagle EGT Solicitor , work to change the East Goshen Township code to limit natural expansion of a non-conforming use to an aggregate total of 25%.

**1997:**

- East Goshen Township reduces the allowable natural expansion to 25% and all previous expansions are to be included in the aggregate total.

**1998:**

- Patient census – 48 beds
- It is at this point that the Malvern Institute is in violation of the East Goshen parking code.

**1997-2000's:**

- At some point Malvern Institute's basement is converted into usable space to accommodate the increase in patient census. When questioned in 2017, Mark Gordon, East Goshen, Zoning Officer, is not sure if the necessary permits were applied for or given by the township.

**2000:**

- Concerns expressed by multiple neighbors of the overgrown vegetation killing off neighbor's trees, shrubs, grass to the East Goshen Township and Malvern Institute. Calls to the Institute regarding this issue go unaddressed for 5 years.
- Increasing complaints from neighbors to East Goshen police department and Malvern Institute because of noise levels, foul language, drug drop off on neighbor's properties, drug drop offs on Malvern Institute's unused lot on Brookmont Drive. Neighbors witness this during morning bus stop times, among other times. Patients, who have left the facility against medical advice and are AWOL, knock on neighborhood doors ask for money, to use the phone, or for a ride to the train station

**2003:**

- Raw sewage runoff from the Institute property
- Pipes directed onto neighbor's property with raw sewage spilling out.
- Foul odor permeates neighborhood.
- Malvern Institute employees seen filling buckets from drainage pipes and dumping on the lawn.
- Wood chips placed to cover up raw sewage.
- East Goshen township is again called.
- Health department is notified.
- Patient census : 53 beds

**2005:**

- Malvern Institute submits an application to renovate barn and change its use from storage to office space. The neighbors express their concerns at the township meetings.
- Application is withdrawn or denied.

**2006:**

- Patient census: 58 beds

**2007:**

- Neighbors meet with local police, EGT officials and Malvern Institute representatives to address security issues and recent home invasions in the neighborhood. Raising concerns with the lack of security at the Malvern Institute.

**2008:**

- Patient census: 70
- Malvern Institute submits an application again to renovate the barn to change its use from storage to outpatient services. The neighbors express their concerns at the township meetings.
- Malvern Institute arranges a meeting with neighbors to discuss neighborhood concerns.
- Application is withdrawn
- No changes are implemented to mitigate neighbors concerns.

**2012:**

- Malvern Institute proposes to convert the barn to office space.
- Multiple meetings are scheduled with the Malvern Institute and neighbors to address the neighbors concerns.
- Application denied or withdrawn.
- No changes are implemented to mitigate neighbors concerns.

**2017:**

- Patient census: 80 beds (**NOTE:** 4/26/17, the Malvern Institute website stated that they had 106 beds)
- The average length of stay : 16 days.
- 1,760 new patients per year on average enter the facility.

## **TIMELINE OF EVENTS**

As of March 2020

(Page 1 of 3)

### **2016:**

- The Malvern Institute discussed with the East Goshen Township their desire to build an **800 sq. ft. smoking pavilion**.
- The East Goshen Township BOS visit the Malvern Institute.
- Reportedly, per Mark Gordon, it was during this time that Marty Shane recommended that the Malvern Institute develop a 15-year plan outlining any further development.

### **December 2016:**

- Residents of the Brookmont neighborhood receive an invitation to visit the Malvern Institute to view the 15 yr. plan.
- A few neighbors did visit. Overwhelming majority did not visit due to the distrust the neighbors have towards the Malvern Institute from failed promises to tighten control of the patients over the past 20 years.

### **April 2017:**

First Planning Commission Meeting:

- The Malvern Institute presented its **"15-year Master Plan"**. Timeline included.
- Numerous neighbors attended.
- Neighbors expressed serious issues with lack of security and excessive noise all hours of the day and night coming from the Institute. Marty Shane, who lives in the neighborhood, stated, "I can hear noise from outside conversations, and I am not that close."
- Malvern Institute proposed 10,030 sq. ft. of additional space. Plans submitted states that existing square footage in main treatment building as 22,232 ; which is 4,232 more sq. ft. than testified to at the 1996 ZHB hearing.
- Malvern Institute proposed 33 additional parking spots. Plan submitted states "Treatment center use not listed in off street parking ordinance; therefore, required parking tabulated for most similar use listed in accordance with 240-33A(1)(b)."
- A **287% increase** from original sq. ft. of 6,200 in 1953, when the Institute first became non-conforming.
- A **35% increase** from the 1982 addition.
- 15-year timeline.
- Six (6) variances or special exceptions are required.

### **July 2017:**

- Brookmont neighborhood voted to hire legal counsel. Scott and Terri Relick, along with Greg and Lisa O'Neill, agree to sign as representatives for all the neighbors.

### **October 2017:**

- 69 neighbors from 3 townships, including East Goshen, East Whiteland and Willistown, sign a petition against any expansion.



### **November 1, 2017:**

#### **Planning Commission Meeting:**

- Mark Gordon notified a few neighbors by email that the Malvern Institute was removed from the agenda. The Malvern Institute is exploring a one-story option suggested by the township.
- Neighbors still attended this meeting.
- Mark Gordon reviewed some of the township solicitors' comments. He stated, "especially no matter what the position the Planning Commission takes, **yes or no or no position**, conditions should be added for the Zoning Hearing Board to see."
- Mark Gordon provided a draft of a recommended motion and conditions.
- Conditions were discussed.
- Security and noise were neighbors' #1 concern.
- 24/7 security is discussed as one of the conditions.
- Malvern Institute proposes building a commercial turnpike sound barrier to mitigate noise coming from the facility patients when outdoors. Neighbors are strongly against using this type of sound barrier in a residential neighborhood.

### **November 15, 2017:**

#### **Malvern Institute submitted a one-story proposal and new 15-yr. timeline, including:**

- Main building **10,200 (40 x 164) sq. ft.** addition with basement (**5,371 more** sq. ft. than 1<sup>st</sup> proposal)
- **43.6** ft. from neighboring property lines; an 82% reduction from the **250 sq. ft.** set back requirement.
- Corridor connecting new to old building – 720 sq. ft.
- Smoking pavilion – 800 sq. ft.
- Greenhouse – 480 sq. ft.
- Barn – 2,320 sq. ft.
- Walking paths
- Meditation Garden in previously unused outdoor space
- 8 ft. commercial sound barrier surrounding west, south and east abutting neighboring properties.
- 6 ft. estate fence along King Road
- Widen front entrance way
- 33 additional parking spaces
- **14,520** – total additional sq. ft.
- Six (6) special exceptions or variances required
- **592% increase** from original sq. ft. in 1953 when Malvern Institute became non-conforming
- **53% increase** from the 1982 addition
- 15-year timeline

### January 17, 2018:

- Planning Commission voted unanimously in favor of taking a ***"No Position"***
- Planning Commission recommended 24 conditions **excluding** the 24/7 security request (***with no explanation as to why***) and including the turnpike barrier which neighbors DO NOT WANT. It is noteworthy that Willistown Twp. objected to using this type of barrier for use in a residential neighborhood, and will not allow it on their township's portion of the Institute's property.
- Only ***one*** question was asked of Malvern Institute by a B.O.S. member.
- 11 neighbors asked questions
- Minutes are attached

### February 6, 2018:

#### Second B.O.S. Meeting:

- Many neighbors attended
- Kristen Camp advised the B.O.S. if they vote to ***"Not Support"*** the application, then ***no conditions*** could be added. This advice differs from what Mark Gordon told the Planning Commission.
- Again, multiple neighbors asked questions or made statements.
- Most importantly, Debbie Marovich, 8 Brookmont Drive, directly behind the Malvern Institute, presented ***74 documented incidents*** that have occurred at the Malvern Institute ***since 2015***. ***They include: disorderly conduct, alcohol use, car vandalism, drug paraphernalia and transfer of possible contraband to patients***. She has spoken to the police and Malvern Institute management about these issues. The Malvern Institute repeatedly tell her that they are trying to address the issues, but no improvements are ever made.
- EG Board of Supervisors member Mike Lynch asked the Malvern Institute for a 2-4 week extension so the board would have more time to deliberate.
- Janet Emanuel stated that the Planning Commission had already discussed the issues so no more time was needed.
- Janet Emanuel then asked for a vote on the motion.
- A ***"No Position"*** was passed, 5-0. Twenty-eight (28) conditions were allowed
- Malvern Institute agrees to the conditions
- Condition #4 – tells the Malvern Institute to ***build only the first story addition***
- Minutes are attached

**NOTE:** During the time period that the Planning Commission hearings were underway re: the Malvern Institute, many meetings were rescheduled at the last minute and four extensions were granted to the Institute:

## EAST GOSHEN ZONING HEARING BOARD

### HEARINGS & DECISION

#### FEBRUARY 2018

- Six (6) Zoning Hearing Board hearings are held through September, 2018
- The Malvern Institute uses the majority of these meetings to present their case
- Malvern Institute is granted the unusual request of an on-site visit by board members, residents, and the representing attorneys

#### FALL 2018

- Briefs are submitted by all parties to the Zoning Hearing Board
- Malvern Institute asks to submit a reply brief to respond to the neighbors' brief over the objections of EG Township this request was granted
- December 21, 2018 Malvern Institute submits its 2<sup>nd</sup> brief
- New decision date is scheduled for February 28, 2019. This date represents two (2) years from the first EG Planning Commission meeting re: the Institute expansion

#### TESTIMONY:

- Malvern Institute states without the additional space for added amenities, it cannot attract self-pay patients. It would have to close its doors or rely on public-funded patients

#### BOARD RESPONSE:

- The Board states, "no evidence of record supports this claim and indeed applicant's witness described other established facilities in the region that primarily emphasize the treatment of publicly funded patients."
- The Board also states, "Board found no evidence of record establishes the additional floor area is required in order to maintain the economic viability of the treatment center use."

#### TESTIMONY:

- Malvern Institute asserts it must expand and improve its facility due to lack of office space and treatment space

#### CONCLUSION:

- "Board found that the evidence adduced by the Applicant is entirely insufficient to permit that either proposal is required in order to meet the Applicant's pragmatic needs."
- The neighbor who went to the site visit pointed out that there have been **NO UPGRADES** to any part of the 28,000sq. feet of existing space to improve its function or appearance
- Two proposals were submitted. Condition #4 states the Malvern Institute can only build the one story addition.

- EGT code states: the variance if authorized will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue."

#### **CONCLUSION:**

- "The Board finds the one story addition an industrial style structure, 160 ft. in length and an 8 ft. high solid sound wall 45 ft. from the property lines will have the inevitable effect of altering the essential character of this residential neighborhood and substantially and permanently impairing the appropriate use or development of adjacent property, thereby causing detriment to the public welfare."
- The ZHB "has the statutory power to grant variance relief only when the relief requested is the minimum necessary to address the proven need. "
- "At no point in the extensive testimony did any witness for Malvern Institute testify that the smaller original proposal was insufficient to meet its existing or projected programmatic needs. At most, these witnesses testified that the original proposal constituted the 'bare minimum' that would provide relief. It is only the bare minimum variance relief that the Board is authorized to grant."

#### **TESTIMONY:**

- A reduction to the 250 sq. ft. setback to 45 ft. is required

#### **CONCLUSION:**

- "No documentary or testimonial evidence was offered by applicant that could allow this board to make the necessary finding that the minimum possible deviation is an 82%, 205 ft. reduction in the required buffer."

#### **TESTIMONY:**

- "The imposed conditions would alleviate the neighbors' concerns."

#### **CONCLUSION:**

- "The Board took the neighbors' concerns quite seriously. The Malvern Institute did not deny the burden created by the patients, to the contrary, conceded such events occur with some frequency. The Board received with great interest the testimony of neighbors to the effect that during the period that commenced with the filing of this application with the Township, the difficulties with the Malvern Institute patients and their activities has been substantially curtailed. The neighbors asked but received no response to the question why measures employed since the filing could not have been earlier implemented and made permanent."
- "With respect to the Applicant's witness's confidence in their ability to prevent these incursions and other disruptions by fences and cameras, the Board is for the reasons described above, less sanguine. " (less optimistic)

#### **TESTIMONY:**

- Brian Nagle, (Institute Attorney) stated that they will not address any of the neighbors' concerns if the application is denied.

#### **CONCLUSION:**

- "Burdens experienced by the neighbors ought not to be held hostage to approval of a facility expansion."

#### **DECISION:**

- "We must conclude, however, with the most fundamental absence from Applicant's evidence the failure to offer substantial evidence that in the absence of the relief here sought, Applicant will no longer be viable as an enterprise as opposed to being unable to alter its business model to one that produces greater profit."
- "It is remarkable that with the centrality of the issue of enterprise viability to the authority of this Board to grant the relief requested no evidence on the subject was forthcoming. Applicant's witnesses testified at great length over many sessions but no one gave an opinion within their area of expertise that the survival of Malvern Institute depended on the implementation of either proposal. The fact that each expansion is proposed to be implemented over a period of fifteen years eliminates any argument or the exigency usually accompanying issues of business survival. One of the Applicant's witnesses testified that the current economic difficulties could be rectified by reducing patient population while another of Applicant's witnesses testified to the contrary. This Board cannot derive certainty from the Applicant's own witnesses lack thereof."
- "The Applicant failed to meet its burden for the requested variances and without that relief the special exception requested has no effect."
- "The application should therefore be denied."

## The Malvern Institute Appeal to the Chester County Court of Common Pleas

Brian Nagle, the Malvern Institute's attorney, Ronald Nagle, former East Goshen Township attorney, who in 1997, re-wrote the code limiting non-conforming expansions to 25%, and a recently retired Chester County Commons Pleas judge as of December 31st 2018; as well as Matthew McKeon fellow attorney, submitted an appeal on March 27, 2019.

On December 10, 2019, Judge Mark Tunnell returned his decision. Let's be very clear here. He did not overturn the Zoning Hearing Board's denial, which is commonly done if a higher court disagrees with a lower court's decision. What he did do was to "Remand" the case back to the Zoning Hearing Board. The definition of "Remand" is to return a case to a lower court; and in this case, the Zoning Hearing Board for reconsideration. This is where we find ourselves now.

In Judge Tunnell's decision, he totally disregards our testimony on safety and welfare. He is incorrect that only a few neighbors had complaints. Sixty-nine (69) neighbors from three townships signed a petition against any expansion of the Malvern Institute. Not because we are against Drug Rehabs and the important work they do, but rather **THIS** drug rehab who is clearly not interested in addressing our many concerns unless forced to do so. Only two neighbors were made a party to the complaint, because it was impossible to list all the neighbors involved. Twenty-six (26) neighbors contributed to the legal fees, some multiple times.

The Judge dismisses Deb Marovick's extensive documented testimony. He stated, "it bore no relationship to the Institute or its patients". That is a slap in the face to a woman who has had to bear the brunt of the Institute's disregard for its neighbors suffering at their expense. Her family has endured severe flooding and sewer runoff for years, a home invasion, verbal abuse, vandalism, drug and alcohol paraphernalia, including used needles, excessive noise at all hours of the day and night, cigarette smoke and patients trespassing on her property, as recently as last fall. She has had so many incidents tied to the Malvern Institute that the police stated at one time they would no longer respond.

Joe Fenimore's property does not sit at a higher elevation as the judge stated. His property may not abut the Institute's, but the Institute is in full view from Joe Fenimore's backyard. To say he objects to the Malvern Institute because "People are sitting on a bench" is absurd. The Fenimore's were unable to allow their children to play outside in their backyard unsupervised for fear of them picking up drug paraphernalia. They often had to bring them inside when the language from the patients playing outside got vulgar. They stopped using their patio for the same reason.

Terri Relick's property is not a street away but is across the street from the Institute. She can clearly see and hear the Institute and keeps her windows closed during the warmer weather months to keep out the persistent Institute noise. She did not take up the offer from the Institute to preview the expansion plans along with 98% of the neighborhood. Previous offers

like this from the Institute never resulted in any change. The Institute only extends these offers when they have an application pending and want something from the neighbors.

The judge's decision also concluded if the one-story addition is approved, the conditions imposed would supposedly solve all the neighbors' issues. The neighbors feel that the Township agrees with this assumption. It may improve the noise level heard by the East Goshen residents but would exacerbate the noise heard by our friends and neighbors in East Whiteland. Our Willistown neighbors would now have walking paths on their side where there once was just woods. In addition, there is no amount of trees or bushes that would hide the 8 ft. sound barrier, as confirmed by Mark Gordon at a Planning Commission meeting. Neighbors have spent thousands of dollars planting trees and bushes only to have them rot from the roots up and fall over from the excessive runoff that the Malvern Institute and the Township have been promising to correct since the 1982 addition. So, forgive us if we don't sound grateful for the conditions imposed. We, as well as the Zoning Hearing Board, do not have much faith in the Malvern Institute's commitment to impose or follow through with any of the conditions that they agreed to. That is what 25 years of failed promises will do to your faith in someone.

There were also multiple neighbors who wished to testify but given the fact that the Malvern Institute stretched out its testimony over 4 hearings and countless township meetings where our attorney was in attendance, it was cost prohibitive to continue the hearings any longer. We also felt the Malvern Institute had failed to prove its case; therefore, no more testimony was needed. We were right.

The Zoning Hearing Board issued a strongly worded, fact based, thorough conclusion based on countless hours of direct testimony. The Malvern Institute failed to prove hardship. The law states a property owner must show by competent financial evidence that he cannot realize a reasonable return by continuing the nonconforming use in its unaltered condition. They spent hours testifying on what they needed, but never once did they produce a single document to back up what they were saying. Courts rely on proof. But more importantly, the undisputed fact that either plan would alter the essential character of the neighborhood, substantially and permanently impair the appropriate use and development of adjacent properties and continue to be a detriment to the public welfare. Those last words, "Detriment to the public welfare" are the very words used by the Pennsylvania Supreme Court as a deal breaker on any proposed expansion of a non-conforming use. Doctrine of Natural Expansion does not protect you.

We are fighting for our right and our children's right to this peaceful and safe existence.

The neighbors are prepared to fight this all the way to the Pennsylvania Supreme Court. We know we have the law on our side.

## **Doctrine of Natural Expansion**

Some people in this room feel that the Malvern Institute has an inherent right to expand its facility under the guise of the Doctrine of Natural Expansion. If that was true, we would not have spent the last three years in endless meetings with different Commissions and Boards. The Malvern Institute would have just submitted it's application and the Township would have been required to give them all that they asked for.

That is not the case. What the Pennsylvania Zoning Law states is that businesses have the right to continue a preexisting, non-conforming use. Pennsylvania's Natural Expansion Doctrine protects the right of property owners to expand a non-conforming use, which the Malvern Institute has done with a 10,000 sq. ft addition in 1982, an increase of 161%.

But the right to expand has limits and communities have the power to impose restrictions on non-conforming uses, which the township did in 1983 with a 50% expansion limit; and then again in 1997 with a 25% allowable natural expansion and all previous expansions were to be included in the aggregate total.

All expansions must follow the current zoning ordinances dimensional regulations applicable to the property e.g: setbacks, building coverage, parking etc. There is no similar right to expand a non-conforming structure that would exacerbate the structures dimensional non-conformity.

In addition, the States Supreme Court has ruled that an expansion of a non-conforming use can be halted if the expansion would have a negative effect on Public Health, Safety and Welfare. The Zoning Hearing Decision clearly states it would.

No non-conforming use has an inherent right to expand. As stated in EGT code 240-44 Rules of Interpretation. What the law gives them is the right to ask, which the Malvern Institute did. The law also provides the individual townships or municipalities the right to say no, which the Zoning Hearing Board did in this case.

When you don't get the decision you were seeking, you then can't bully the Township and neighbors into getting what you want. Everyone in the township must abide by the rules. The Malvern Institute should be no different.



## **MALVERN INSTITUTE – INCIDENTS**

As of September 2020

(Page 1 of 5 )

### **April 7, 2015:**

- A man enroute to the Malvern Institute for treatment shot his father in the head.

### **October 31, 2015:**

- Patient overdosed on site after visitor delivered 3 bags of heroin to Malvern Institute.

### **March 20, 2016:**

- Officer dispatched for theft at Malvern Institute. Patient trying to leave against medical advice. Had a stolen check in possession.

### **March 28, 2016:**

- Officers were dispatched to Malvern Institute. Male client refusing to leave grounds, breaking furniture, refusing medications.

### **June 2, 2016:**

- Officers were dispatched to Malvern Institute for disturbance.

### **December 12, 2016:**

- A patient from the Malvern Institute was dropped off at the Malvern train station by Malvern Institute Staff. He then called a taxi and asked to be driven to the Malvern Federal Savings Bank. He then passed a note to the teller stating, "he had a gun and to give him all the money." It was later determined by police that he was the same man who had committed the armed robbery at the ATM in King of Prussia one week earlier on December 5 2016.
- As per the Planning Commission meeting in October 2017, Malvern Institute continues the practice of dropping their patients off at the Malvern train station.

### **March 25, 2017:**

- Ex-patient causing disturbance at Malvern Institute.

### **May 27, 2017:**

- Drug overdose by patient in parking lot.

### **July, 2017**

- Two police officers wrestled a man to the ground on the front lawn of a King Circle residence, directly across from the Institute. When the homeowner asked what was going on, the police replied that it was none of his business.

### **July 5, 2017:**

- Nurse at facility reported that patient became enraged and began pounding on door attempting to force his way into the nurse's station.

**July 31, 2017:**

- Two neighbors called about excessive noise and profanity coming from volleyball court of the Malvern Institute. An officer came on the scene and observed the noise and informed the resident of the township nuisance law. The complaint stated, "while the officer was speaking to both complainants, numerous obscenities could be heard clearly coming from the area of the treatment center".

**August 31, 2017:**

- Verbal dispute between patients escalates into physical contact. Charges filed against offender.

**September 3, 2017:**

- Agitated patient causing disturbance in lobby.

**October 4, 2017**

- Twice police were called for excessive noise and vulgarity coming from the Institute.
- Police advised resident that due to the East Goshen Township noise disturbance ordinance, they were unable to act upon the complaint.
- East Goshen Township was notified of the complaint.

**November 13, 2017:**

- Disturbances; verbal dispute

**April 21, 2018:**

- Disorderly conduct. Patient leaving facility became disruptive and was requested to leave the facility.

**April 21, 2018:**

- Drug violations. Subject reported that a resident has been selling prescription medication to others.

**June 2, 2018:**

- Disorderly conduct – disturbing the peace

**September 4, 2018:**

- Car stolen from Malvern Institute's parking lot

**September 19, 2019**

- Individual identified as a Malvern Institute patient, walked out of the rear of the Malvern Institute property through a Brookmont resident's backyard. Police were called.

**2019:**

- Do not have access to 2019 online police reports.

**January 18, 2020:**

- Assaults – one patient punched another patient and fled the facility

**March 28, 2020:**

- **Public drunkenness:** Employees at Malvern Institute facility reported that four patients who had just received doses of suboxone had just entered a vehicle and drove away from a facility. Due the drug side effects, the employees were concerned that their driving would be impaired. A check of the area was made with negative results.

**April 8, 2020:**

- **Assault.** Officers were dispatched to a report of a physical disturbance between two patients at the rehabilitation facility. The investigation indicated that one patient had assaulted another patient in the bathroom by repeatedly punching him in the face. The assault was witnessed by staff members who stopped the assault. The responsible party, who had been removed from the facility prior to the police report, was advised that charges would be filed against him.

**April 10, 2020:**

- **Disturbances.** Officers were dispatched for a report that a patient, who was being discharged due to causing numerous disruptions, had refused to leave the facility. When the security staff physically escorted the subject from the facility and transported the individual to the train station, the subject made numerous threats against staff members. A police report was filed to document the incident.

**April 29, 2020:**

- **A Treemont neighbor called police to report excessive noise and profanity from Malvern Institute patients playing sports outside. Neighbor was unable to enjoy their outside patio. No special distancing nor masks were observed.**

**May 17 2020:**

**Assault-** Client at rehab center reported that another patient assaulted him during a poker game. The victim indicated that he did not want to pursue charges, however the hospital removed the actor from the facility due to his repeated behaviors.

**May 31 2020:**

**Neighbor called MI to report excessive noise and profanity from patients outside. Neighbor was unable to enjoy their outside patio.**

**June 14 2020:**

**Neighbor called MI to report excessive noise and profanity from patients outside. Neighbor was unable to use their outside patio. Told MI next time they will call the police.**

**June 27 2020**

**Neighbor called MI at 3:30 am to report loud voices that woke up the household coming from the back of the MI building. The MI claims that area is not used by staff and patients.**

**June 28th 2020:**

Neighbor called police to report ongoing excessive noise and profanity. Police called neighbor back to report he had driven by the MI and that "They were just playing a game". Neighbor told police they had on video a patient yelling "Suck my c...". It was only then police responded to the house to hear the video. Police said he would instruct the MI to control the noise and profanity from the patients. Neighbor ask that a report be written up to document the incident.

**June 28 2020:**

Neighbor called MI again at 3:45 am to report a loud conversation filled with profanity coming from the back of the building. MI was unaware that a resident was outside. Neighbor reported to the MI that the back of the building is being used at all hours of the day and night. Neighbor left message at the MI for a return call to address this ongoing issue. No response. Neighbor emailed Mark Gordon asking for help. Mark Gordon responded that the EGT ordinances do not regulate the human voice and complaints like this need to be forwarded to the police dept. Mark Gordon said he would reach out to David Lumpkin the Executive Director of the King Campus location to ask him to get in touch with her. Mr Lumpkin never did.

**July 5 2020:**

Neighbor called MI. Patient kept yelling "F..k" over and over. The neighbor asked them to control their patients while they are outside where neighbors and their children can hear them.

**Aug 3 2020:**

Disturbances- staff at the rehabilitation center reported that a patient, who wanted to leave the facility, was causing a disturbance.

## **ADDITIONAL FACTS**

**FACT:** According to Malvern Institute testimony, 8 patients/month on average leave the facility against medical advice often without money or cell phones.

Neighbors have testified that these patients have knocked on multiple households near the Institute seeking help, money, phone use, and rides.

**FACT:** Due to HIPPA laws, police cannot be contacted when patients go AWOL from the facility

**FACT:** No criminal background checks are done when admitting patients

**FACT:** When asked at the 10/4/17 Planning Commission meeting by a Brookmont neighbor how many Institute patients have a history of violence, i.e. muggings, physical assault, etc. Brian Nagle would not let his client comment. At the same meeting, another neighbor asked if a person is taken from a prison and brought to Malvern Institute for treatment and leaves AWOL, are the police contacted? Brian Nagle commented that police are contacted under certain circumstances, i.e. if the person is a danger to anyone.

**FACT:** In a July 10, state inspection the Malvern Institute failed to have sufficient numbers to ensure safe operations of the facility.

**FACT:** 8 Brookmont Drive – recorded 74 incidents involving the Malvern Institute since 2015 includes:

- disorderly conduct
- alcohol use
- car vandalism
- drug paraphernalia

### **Miscellaneous Complaints:**

- Needles found on neighbor's property
- Patient found passed out on lawn chair in neighbor's backyard. Was instructed by police to put on shoes before they walked outside for fear of needles.
- Drugs being dropped off on perimeter of the Malvern Institute
- Excessive noise and profanity at any given time of day or night. (At the 10/4/17 Planning Commission meeting, Mark Gordon agreed that the noise and language coming from the Institute is very bad because he has heard it firsthand.)
- Several attempted break-ins at a residence on Treemont Drive ; all offenders were connected to the Malvern Institute.
- Break-in at residence on Brookmont Drive.

## **Malvern Institute Reviews**

### Ex-Employees:

- No staff training
- Inappropriate relationships between staff and patients
- Lack of management support in upholding patient code of conduct
- High turnover
- Unsafe environment for staff and patients
- Only care is money coming in
- Staff members sleeping on overnight shifts
- Do not hold people accountable for using in treatment or having sex in treatment
- Take many patients who do not belong due to severe psychiatric disturbances whom they are not qualified in treating
- Suicide in facility due to poor monitoring of patient safety by staff
- Simply interested in filling beds
- Staff having sex with patients
- Patients get away with getting high and sharing drugs with other patients
- Malvern Institute is focused on money and that's it
- Value is no longer placed on client care but "client access" aka cramming as many bodies in as possible
- This place only cares about money
- Patients are abusive and hostile, most are there to avoid jail time and as an excuse to avoid court dates
- Most patients are just here to get completed paperwork faxed to their Probation Officers to avoid jail time for violating their probation with new charges
- Most have criminal mindsets and are overly hostile towards staff

- The worst behaved patients will sometimes just come right back a month later and they're let right back in where they will proceed to continue to shout at staff, disrupt the community and undermine rules

# Malvern Institute reviews

## Patient reviews

- Staff member slept with a client , got her high and got themselves high
- Patients run the facility
- People were having sex in the bathrooms
- I was offered drugs while there
- New people not being properly searched
- Very chaotic rules not enforced
- Malvern seemed to be under staffed with trying to deal with 80 patients
- The court ordered clients obviously forced to be there
- The staff had a lack of control
- Poorly ran
- There are patients that come in with drugs
- They are high during meetings
- People have visitors coming up that aren't approved that bring drugs
- No security checks male patients going into female patients rooms to have sex
- There was so much drug dealing going on I couldn't believe it. And some even had sex behind the barn
- During my stay ,people were dealing and doing drugs right in the facility , even nodding off during groups with untrained counselors
- No daytime security
- In one week drugs were brought in on three separate occasions and distributed among the community
- There is a huge amount of theft within the facility
- Rather than take fewer patients and offer better care they choose to keep the place as packed as possible
- Staff overworked and understaffed
- When I left treatment staff kept all of my belongings including my cell phone,my wallet,my money,my ID. I was stranded 2 hours from home and had to walk 45 minutes to a Wawa to use the phone.



## **NEARBY IN-PATIENT DRUG REHABS**

As of March 2020

The Malvern Institute argued at a 2019 Zoning Hearing Board meeting that they were the only in-patient treatment facility in Chester County.

There are at least 10 in-patient nearby treatment facilities in and near Chester County  
(The list of those facilities is included in the document provided)

1. \*Recovery Centers of America at Devon - Devon, PA
2. Mirmont Treatment Center - Media, PA
3. \*Gaudenzia – Kindred House – West Chester, PA
4. \*Behavioral Wellness & Recovery - West Chester, PA
5. \*Bowling Green Brandywine – Kennett Square, PA
6. Sober Life Drug Rehab – Haverford, PA
7. Livengrin – Bensalem, PA
8. Providence Treatment – Media, PA; Haverford, PA
9. Harwood House – Upper Darby, PA
10. \*Pennsylvania Recovery Center – Phoenixville, PA

**\*Note:** these facilities are in Chester County

- Malvern Institute has 80 beds. According to a 2017 Substance Abuse and Mental Health Services Administration, SAMHSA, Survey, the average number of beds at residential treatment facilities in Pennsylvania is 48.
- The PA Department of Drug and Alcohol Programs approved 158 addiction treatment centers between 2010 and 2014; 50 of which were in southern Pennsylvania,
- Between 2015 and 2017, the state licensed 179 new addiction treatment centers of which 45, more than 25%, opened in the five county, Philadelphia area.
- During the first 4 months in 2018, 5 addiction treatment centers have opened in the region. The state also has another 47 license applications pending; 20 in southeastern Pennsylvania
- Pennsylvania has over 800 licensed treatment centers

## **LEADERSHIP AT THE MALVERN INSTITUTE**

As of March 2020

Malvern Health has replaced 15 of their 20 top executives since October 2018. They include the following:

- President 10/18
- Vice President/Chief Financial Officer 11/18
- Assistant Vice President of Ambulatory Services 10/18
- Psy. D VP of Substance Abuse Treatment Programs 5/19
- Corporate Director of Human Resources and Environment of Care 4/19
- Director of Human Resources at Malvern Health 10/19
- Corporate Director of Risk and Quality Improvement 9/19
- Divisional Director of Business Development 5/19
- Divisional Director of Business Development 5/19
- Attending Psychiatrist 9/19
- Medical Director of the Kind Road campus 12/19
- Executive Director 5/19
- Executive Director – Malvern – Willow Grove 6/19
- Director of Nursing 6/19
- Director of Finance 5/19

To: Board of Supervisors  
From: Park and Recreation Commission  
Re: Paoli Pike Trail, Segment B; CFA-Multimodal Transportation Fund Application  
Date: September 8, 2020

Computer/H:/East Goshen Township/Budget

**Exhibit 2 - Engineer's Conceptual Opinion of Cost**

9/10/2020

Project: Paoli Pike Trail - Segment B (Ellis Lane to Reservoir Road)

Applicant: East Goshen Township

Web Application ID: 8482157

	Total	MTF Request
Construction	\$ 2,815,540	\$ 2,815,540
Inspection	\$ 184,460	\$ 184,460
<b>Total</b>	<b>\$ 3,000,000</b>	<b>\$ 3,000,000</b>

East Goshen Township requests a waiver from the 30% required match for this grant request. The township has already committed funds and initiated pre-construction activities necessary for Paoli Pike Trail - Segment B. The township's actual costs incurred and paid for this project, as well as estimated additional costs to be paid by the township are listed below. The township currently projects that it will spend \$2.5 million in local tax dollars on the Paoli Pike Trail projects (Segments A through G).

	Total	Costs Incurred and Paid by East Goshen Township (thru 9/2020)	Estimated Additional Costs to be Paid by East Goshen Township	Status
Administrative	\$ 6,940	\$ 1,940	\$ 5,000	Underway
Preliminary Engineering	\$ 228,000	\$ 228,000		Complete
Environmental Clearance	\$ 25,000	\$ 20,000	\$ 5,000	Underway
Final Design	\$ 192,586	\$ 93,801	\$ 98,785	Underway
Right-of-Way	\$ 179,300	\$ 19,200	\$ 160,100	Underway
Utilities	\$ 15,000		\$ 15,000	Underway
<b>Total</b>	<b>\$ 646,826</b>	<b>\$ 362,941</b>	<b>\$ 283,885</b>	

**Notes and Assumptions:**

Construction estimates are based on quantities derived from the trail plans and unit prices from recently bid local projects with PennDOT oversight. (Estimated quantities and unit costs are provided on the following page.)

The costs for utility relocations are rough estimates for budgeting purposes only. The costs associated with these items will need to be determined through the development of the project. The Engineer's Conceptual Opinion of Cost does not include the provision of any future utilities.

The estimate includes a contingency of 5% of infrastructure cost.

The Engineer's Conceptual Opinion of Cost does not include any environmental remediation (including but not limited to removal and replacement of contaminated soils) or environmental impact mitigation. Post-construction stormwater management is included in the estimate. However, these estimates do not consider credits or deductions from other Township capital projects.

**Disclaimer:** This opinion of cost was prepared at the request of East Goshen Township for the purpose of the Multimodal Transportation Fund (MTF) grant application. This opinion of cost is based on the trail plans developed to date. Please note that opinions of cost are subject to change based on plan/design revisions, fluctuations in unit costs, field conditions, and differences in locale. Opinions of cost are provided for use in budgeting, but in no way intended to be construed as a final cost for the project. Final costs are contingent only on actual bids from contractors.

Cost estimate prepared under the direction of:



Stephen C. Giampaolo, P.E.  
McMahon Associates, Inc.  
835 Springdale Drive, Suite 200  
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Engineer's Conceptual Opinion of Cost

9/10/2020

Project: Paoli Pike Trail - Segment B (Ellis Lane to Reservoir Road)

Applicant: East Goshen Township

Item No.	Description	Comment	Unit	Quantity	Unit Cost	Cost
<b>Standard Items</b>						
1	Clearing and Grubbing	Includes placing of excavated material required for fills as embankment. Removal of Existing Pavement	LS	1	\$150,000.00	\$150,000.00
2	Excavation		CY	2,300	\$60.00	\$138,000.00
3	Class 1B Excavation		CY	310	\$85.00	\$26,350.00
4	Full Depth Bituminous Pavement + Wearing Course (10" Bituminous Base Course & 8" Subbase)	Impervious	SY	80	\$175.00	\$14,000.00
5	Driveway Adjustments		SY	240	\$75.00	\$18,000.00
6	Full Depth Trail Pavement (Wearing, Base and Subbase)		SY	900	\$55.00	\$49,500.00
7	1.5" Pervious Bituminous Wearing Course		SY	2,080	\$17.00	\$35,360.00
8	2.5" Pervious Bituminous Binder Course		SY	2,080	\$26.00	\$54,080.00
9	No. 57 Coarse Aggregate	Replace Existing	CY	60	\$90.00	\$5,400.00
10	No. 3 Coarse Aggregate		CY	1,800	\$55.00	\$99,000.00
11	Geotextile, Class 4, Type A		SY	3,160	\$3.00	\$9,480.00
12	Type 31-SC Guiderail		LF	370	\$38.00	\$14,060.00
13	Permanent Impact Attenuating Device		EA	2	\$3,000.00	\$6,000.00
14	Plain Cement Concrete Curb	Replace Existing	LF	280	\$55.00	\$15,400.00
15	Cement Concrete Sidewalk		SY	90	\$150.00	\$13,500.00
16	Construction Surveying, Schedule, Equipment Package		LS	1	\$20,000.00	\$20,000.00
17	ADA Accessible Curb Ramp at signalized intersection		EA	6	\$3,500.00	\$21,000.00
18	Detectable Warning Surface		EA	120	\$50.00	\$6,000.00
19	Traffic Signal Upgrades	Push Button upgrades	LS	1	\$35,000.00	\$35,000.00
20	24" White Pavement Markings, Hot Thermoplastic Paint		LF	850	\$8.00	\$6,800.00
21	White Yield Line, Hot Thermoplastic Paint		LF	26	\$60.00	\$1,560.00
22	"HWY XING" Legend, Hot Thermoplastic Paint		EA	6	\$150.00	\$900.00
23	Signage		EA	24	\$150.00	\$3,600.00
24	Placed Stockpiled Topsoil	Includes Mulching	CY	840	\$75.00	\$63,000.00
25	Seeding and Soil Supplements, Formula B		LB	100	\$30.00	\$3,000.00
26	Amended Soils		CY	880	\$90.00	\$79,200.00
27	Sodding		SY	3,200	\$12.00	\$38,400.00
<b>Special Items</b>						
28	Cleanout		EA	1	\$1,600.00	\$1,600.00
29	8" HDPE (Perf)		LF	85	\$50.00	\$4,250.00
30	Impervious Clay Block		EA	18	\$1,350.00	\$24,300.00
31	Tree Replacement		EA	5	\$1,000.00	\$5,000.00
32	Relocate Ground Light		EA	1	\$1,000.00	\$1,000.00
33	Split Rail Fence		LF	2,100	\$35.00	\$73,500.00
<b>Structure Spanning Ridley Creek</b>						
34	Furnish Weathered Steel, Wooden Deck Structure	12' Walking Surface, 54" Railings Concrete Piers, Footings and Excavation	LS	1	\$940,000.00	\$940,000.00
35	Center Span Support Piers		LS	1	\$100,000.00	\$100,000.00
36	Placement of Structure		LS	1	\$100,000.00	\$100,000.00
37	Construction of Concrete Footings and Abutments		LS	1	\$80,000.00	\$80,000.00
38	Excavation, Backfill		LS	1	\$37,000.00	\$37,000.00
39	<b>Subtotal Trail Construction Cost</b>	<b>Items 1 - 38</b>				<b>\$2,293,240.00</b>
40	Maintenance and Protection of Traffic	Approx. 12% of Items 1 - 33				\$124,400.00
41	Erosion and Sediment Control	Approx. 5% of Item 39				\$126,200.00
42	Mobilization	6% of Item 39				\$137,600.00
43	Contingency	Approx. 5% of Items 1 - 38				\$134,100.00
44	<b>Total Trail Construction Cost</b>	<b>Items 39 - 43</b>				<b>\$2,815,540.00</b>
45	Construction Inspection	6.5% of Item 44				\$184,460.00
46	<b>Total Trail Construction + Inspection</b>					<b>\$3,000,000.00</b>

**EAST GOSHEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2020-**

Be it RESOLVED, that East Goshen Township of Chester County hereby requests a Multimodal Transportation Fund grant of \$1,538,600 from the Commonwealth Financing Authority to be used for The Paoli Pike Trail Project, Segment B.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Mr. Louis F. Smith Jr.; Township Manager as the official(s) to execute all documents and agreements between East Goshen Township and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Mr. Louis F. Smith Jr., duly qualified Secretary of the East Goshen Township, Chester County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the East Goshen Township Board of Supervisors at a regular meeting held September 15, 2020 and said Resolution has been recorded in the Minutes of East Goshen Township and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the East Goshen Township this \_\_\_\_ day of September 2020.

East Goshen Township  
Name of Applicant

Chester  
County

\_\_\_\_\_  
Secretary

# Memo

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To: Board of Supervisors  
From: Park and Recreation Commission  
Re: Paoli Pike Trail, Rules & Regulations  
Date: September 9, 2020

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## Overview:

Paoli Pike Trail segments C-G (Reservoir Road to Line Road) are currently under construction, with the anticipation they will be inspected and open to the public by the end of 2020. The Park Commission discussed rules and regulations over the course of three meetings, and recommended adopting the attached rules and regulations at its September 3<sup>rd</sup> meeting.

## Rules & Regulations Goals:

- Allow for safe trail usage by all user types (walkers, bikers etc.)
- Clearly define trail use expectations
- Reduce the frequency and severity of potential negative interactions amongst user groups

## Traditional travel methods:



## Emerging travel methods:



A. Hover board (8)



B. One wheel (19)



C. e-bike (20-28)

The above, emerging travel methods are a combination of self-propel and e-power. Their silhouette falls within acceptable limits of traditional methods, not creating an unsafe, user bypass scenario. The number listed above is the max speed of the device. As with a traditional bike or skateboard, the user would be responsible to maintain a safe cruising speed that follows trail speed limits.

Reference: The Chesco County trail system rules and regulations were utilized for benchmarking.

Motion: I move to accept the Paoli Pike Trail rules and regulations as presented.

*Computer/H:/East Goshen Township/Budget*

## **East Goshen Township Parks and Recreation**

### **Trail Rules and Regulations**

#### **Trail Rules and Regulations:**

- A. Please stay to the right side of the trail and pass on the left.
- B. Please yield when entering the trail and at all trail intersections.
- C. All pets must be on a 6ft. leash or shorter at all times on Township property, including the trails. Please walk your pet directly next to your body and do not take up the width of the trail. Please clean up after your pets and place in trash receptacles.
- D. Take trash with you or place in trash receptacles.
- E. Operate a bicycle as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit.

#### **Additional considerations for those on bicycles:**

- 1. Speed limit is 15 MPH.
- 2. Slower bikes STAY right.
- 3. Stop and obey all traffic signs.
- 4. Stop at all cross walks and only cross when safely able to do so.
- 5. When passing someone, make an audible sign well in advance.
- 6. Trail users under 12 must wear helmet at all times.
- 7. Please be courteous to those on foot, pedestrians have the right-of-way.

#### **The following is prohibited:**

- A. Operating any bicycle while upon any path, trail or roadway to carry any person upon the handlebar or frame of the bicycle, except in the case where a bicycle is equipped to carry more than one person.
- B. Operating a bicycle upon such paths, trails or roadways before sunrise and after sunset unless otherwise permitted.
- C. Leaving or parking any bicycle upon any road or parking lot that is open to the public on which motor vehicles may be driven.
- D. Leaving or parking bicycles in walkways or active play areas, unless using appropriate racks when available.
- E. Riding or operating a bicycle, or mountain bicycle on grass, hillsides, steep slopes, in play areas, in picnic areas, on ball fields, or in congested areas.



F. Operating a bicycle upon any path or trail which is designed or designated for pedestrian use only. The East Goshen Township Park (EGTP; north side of Paoli Pike) is a pedestrian use only trail. ***Bicycles are allowed on the driveway of EGTP, following all applicable vehicular laws.***

G. Motorized vehicles, to include motorized carts, except when used in an ADA capacity, are prohibited from the Township trail system. This includes, but is not limited to, traditional motor vehicles and ATVs.

H. Trespassing onto properties adjacent to the trail or onto other private property.

# Memo

## East Goshen Township

Date: August 31, 20120  
To: Board of Supervisors  
From: Rick Smith, Township Manager  
Re: Brandywine Valley SPCA Fees

Following up on the question about an invoice from the BVSPCA we contract with them to enforce the state dog law and take care of stray cats and dogs in the Township.

When a stray animal is dropped off at the BVSPCA by a Township resident, or a stray animal was picked up in the Township and dropped off by a nob resident we are charged an acquisition fee of \$112.55 which is the cost to house, feed, water, clean and vaccinate the animal. In addition we are also charge an activity fee of \$45.00 if the SPCA staff had to go out to collect the stray animal.

If the owner goes to the BVSPCA and claims his animal the BVSPCA charges them a returned animal fee of \$50.00, although they can waive this fee in some circumstances.

As of the July 2020 we have four dogs that have been returned to their owner.

If the Board wants to recoup our costs for animal that have been returned to the owner we would need to add the following language to our Animal Ordinance, advertise the amendment and adopt it at a public hearing.

### Suggested Language

#### *Recoupment of Fees paid by the Township.*

*If a seized animal is claimed by its owner or keeper, or their agent, such person shall pay all reasonable expenses incurred by reason of its detention which shall include the repayment to the Township of all the costs incurred by the Township due the seizure and keeping of the owner's animal. The Township shall send a bill to the owner documenting any and all expenses which were incurred due the seizure and detention of that owner's animal. The owner shall reimburse the Township for those expenses within fifteen (15) days of receipt of written notice of the amount owed to the Township.*

If the animal owner did not pay the fee we would file a citation with the District Justice and if found guilty they would be liable for a fine of not less the \$100 and not more of \$1,000.

# Memo

## East Goshen Township

Date: September 10, 2020  
To: Board of Supervisors  
From: Rick Smith, Township Manager  
Re: Linden Lane Access

At your meeting on August 11, 2020 the Board requested that I look into the feasibility of creating an emergency access from the cul-de-sac on Linden Lane to Goshen Parkway.

**Background** – Linden Lane terminates at a cul-de-sac. The Chester Creek crosses under Linden Lane via two 41" X 71" in culverts. The flood flow from a 10 year storm (5 inches of rain in 24 hours) overtops Linden Lane. There are six houses located west of the culvert which are cut off when the Linden Lane is overtopped.

Comment: According to FEMA six inches of water will reach the bottom of most passenger cars causing loss of control and possible stalling, 1 foot of water will float many vehicles, and 2 feet of rushing water will carry away most vehicle sport utility vehicles and pickups.

The cul-de-sac on is only 450 feet from Goshen Parkway. However, an emergency access that runs directly to Goshen Parkway would run thru the middle of Lot 5 in the Goshen Corporate Park West and would severely impact the development of that lot. Consequently the emergency access would need to run around the perimeter of Lot 5 to access Goshen Parkway

Lot 5 is owned by Synthes USA and it is currently vacant. They also own Lot 4 (which is vacant) that is located north of Lot 5. We would need to acquire an easement for this project

Mark, Nate Cline and I looked at the area and concluded that.

- There is a significant change in elevation on Lot 5 south of the Linden Lane cul-de-sac. This would require a significant amount of grading to run the emergency access around the south side of lot 5.
- If we ran the emergency access along the north side of the lot 5, however, this impact Synthes USA if they wanted to combining Lots 4 and 5 in the future.
- Therefore, the emergency access would need run north along rear of Lots 4 and 5, then west along the edge of the retention basin. (see attached)
- Since the access would only be used for emergencies and there are only 6 houses that would need to utilize it, we could get by with a 10 foot wide cartway provided we incorporated a widened area that would enable two vehicles to pass. However, the access would need to be paved.

### Costs

#### Engineering:

Survey	\$5,500 - \$6,000
Engineering	\$7,000 - \$7,500
SWM Design	<u>\$6,500 - \$7,000</u>
Engineering Total	\$19,000 - \$20,500

**Construction:**

Soil and Erosion Materials	\$3,800
Labor S&E	\$2,800
Tree removal	\$1,200

**Rental Equipment**

Track loader	\$4,700
Dozer	\$3,800
Trucks	\$4,750
Labor	\$4,800

Rock filters	\$600
Restoration	\$1,000
Gates	<u>4,450</u>

Construction Total	\$31,300
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Grand Total	\$50,330 to \$51,800
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Right of Way	To be determined
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**Conclusion**

The construction of an emergency access is feasible but expensive.

F:\Data\Shared Data\Public Works Dept\Roads\Township Roads\Linden Lane\Emergency Access\Memo 091020.docx



# Linden Lane Access 2

COUNTY OF CHESTER  
PENNSYLVANIA



Map Created:  
Monday, August 17, 2020

County of Chester



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# Memorandum

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East Goshen Township  
1580 Paoli Pike  
West Chester, PA 19380

Voice: 610-692-7171  
Fax: 610-692-8950  
E-mail: [mgordon@eastgoshen.org](mailto:mgordon@eastgoshen.org)

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Date: 9/10/2020  
To: Board of Supervisors  
From: Mark Gordon, Township Zoning Officer   
Re: SWM O&M Agreements

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Dear Board Members:

The Code Department has received the following Stormwater Management Operation and Maintenance agreements for authorization by the Board of Supervisors:

1. 1316 West Cheser Pike
2. 980 Hershey Mill Rd.
3. 1538 Glenmont Ln.

**Staff Recommendation:**

Staff has reviewed these projects and the SWM O&M Agreements. Staff recommends that the Board authorize the Chairman to sign the SWM agreements.

**Draft Motion:**

Mr. Chairman, I move that the Board authorize the Chairman to sign the storm water management, operation and maintenance agreements for:

1. 1316 West Cheser Pike
2. 980 Hershey Mill Rd.
3. 1538 Glenmont Ln.

Note included with 3Q2020 utility bill payment:

8/28/2020

TO EGT - STAFF -  
HOPE YOU ALL CONTINUE TO BE  
HEALTHY & ARE STAYING SAFE -  
THANKS FOR ALL YOUR GOOD  
WORK CONTINUING IN E. GARDEN  
DURING THIS SUMMER OF COVID-19.  
HAVE A PLEASANT FALL SEASON  
CHUCK & RUTH FLOIAN - 7005 KAMPA RD

