

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
Tuesday, November 10, 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.
- 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 (7:05 PM to 7:25 PM)
 - a. The Board will conduct a public hearing to consider a Pipeline Saturation Ordinance.
6. Chairman's Report (7:25 PM to 7:30 PM)
 - a. The Board met in Executive Session on November 9, to discuss a legal matter and a personnel matter.
7. Emergency Services Reports
 - a. WEGO -none
 - b. Goshen Fire Co -none
 - c. Malvern Fire Co –none
 - d. Good Fellowship – none
 - e. Fire Marshal –none
8. Financial Report – none
9. Approval of Minutes and Treasurer's Report (7:30 PM to 7:35 PM)
 - a. Minutes –October 20, 2020
 - b. Treasurers Report –November 5, 2020
10. Old Business
 - a. Consider Business Park Task Force (7:35 PM to 7:45 PM)
11. New Business
 - a. Presentation of 2021 Budget (7:45 PM to 8:00 PM)
 - b. Consider support of House Bill 531 (8:00 PM to 8:05 PM)
 - c. Consider Christmas Tree Sales at 1301 West Chester Pike (8:05 PM 8:10 PM)
 - d. Consider proposal for Construction Services for Segment A of Paoli Pike Trail (8:10 PM to 8:15 PM)
 - e. Consider recommendations from Pipeline Task Force (8:15 PM to 8:25PM)
 - f. Consider 2-year DVHT Agreement Addendum (8:25 PM to 8:30 PM)
 - g. Consider extension for Inspection Agreement for Segment C,D & E of the Paoli Pike Trail (8:30 PM to 8:35 PM)

- h. Consider DVRPC Regional Trail Grant Application (8:35 PM to 8:40 PM)
- i. Consider Declaration of Restrictive Covenant for Milltown Reservoir (8:40 PM to 8:45 PM)
- j. Consider Solar Ordinance Amendment (8:45 PM to 8:50 PM)
- 12. Any Other Matter
- 13. Public Comment – (8:50 PM to 9:20 PM)
- 14. Liaison Reports – none
- 15. Correspondence, Reports of Interest (9:20 PM to 9:25 PM)
 - a. October 14, 2020 Letter concerning Pipeline Saturation Ordinance
 - b. October 16, 2020 Keystone Collections Audit
 - c. October 18, 2020 Letter concerning Sunoco Pipeline Project
 - d. October 26, 2020 Letter concerning Sunoco Pipeline Project
 - e. October 27, 2020 Letter re Adelphia Pipeline Valve Project.
- 16. Adjournment (9:25 PM)

Meetings & Dates of Importance

Nov 09, 2020	Municipal Authority	07:00 pm
Nov 10, 2020	Board of Supervisors	07:00 pm
Nov 11, 2020	Veteran's Day – Office Closed	-----
Nov 12, 2020	Pipeline Task Force	06:30 pm
Nov 12, 2020	Historical Commission	Canceled
Nov 14, 2020	Neighbor-to-Neighbor Day	-----
Nov 14, 2020	Shredding at the Park	09:00 am
Nov 16, 2020	Sustainability Advisory Committee	07:00 pm
Nov 17, 2020	Board of Supervisors	07:00 pm
Nov 18, 2020	Conservancy Board	07:00 pm
Nov 19, 2020	Futurist Committee	07:00 pm
Nov 23, 2020	Police Commission	03:00 pm
Nov 26, 2020	Thanksgiving – Office Closed	-----
Nov 27, 2020	Office Closed	-----

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, and click the “E-notification & Emergency Alert” button on the left side of the homepage.

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

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

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>.

F:\Data\Shared Data\Agendas\Board of Supervisors\2020\2020-11-10_Board of Supervisors Agenda with time.doc

NOTICE IS GIVEN that the Board of Supervisors of East Goshen Township will conduct a public hearing on **Tuesday, November 10, 2020** as part of the regularly scheduled public meeting which begins at 7:00 p.m., prevailing time to consider and possibly adopt an Ordinance with the following title:

**AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP
CODE TO ADD A NEW CHAPTER 171 TITLED "PIPELINE
SATURATION ORDINANCE".**

If adopted, the Ordinance would prohibit new natural gas pipelines and hazardous liquid pipelines from being installed in the Township after the effective date of the Ordinance.

Due to the COVID-19 public health crisis, the hearing and public meeting will not be in-person and instead members of the public are invited to participate via tele-conference by dialing (929) 205-6099 or (301) 715 8592; Access Code: 880-7329-8513.

The complete verbatim text of the proposed Ordinance is available for public inspection and may be examined without charge or obtained for a charge not greater than the cost thereof by calling the Township's administrative offices at (610) 692-7171 from 8:00 a.m. to 5:00 p.m., Monday through Friday. The Ordinance is also on file for public inspection at the offices of the *Daily Local News* by calling 215-648-1066 and the Chester County Law Library, Chester County Justice Center, Suite 2400, 201 W. Market Street, West Chester, PA 19380, where the same may be examined without charge. If any person requires an accommodation to participate in the hearing, please contact the Township building at least 24 hours in advance of the hearing at (610) 692-7171.

Kristin S. Camp, Esquire
East Goshen Township Solicitor

PLEASE PUBLISH ON NOVEMBER 1, 2020

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2020-_____

**AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP
CODE TO ADD A NEW CHAPTER 171 TITLED “PIPELINE
SATURATION ORDINANCE”.**

WHEREAS, Article 1, Section 1 of the Pennsylvania Constitution reads as follows:

1. Inherent rights of mankind.

All men are born equally free and independent, and **have certain inherent and inalienable rights, among which are those of** enjoying and defending life and liberty, of acquiring, **possessing and protecting property** and reputation, and of pursuing their own happiness (emphasis added).

WHEREAS, Article 1, Section 2 of the Pennsylvania Constitution reads as follows:

2. Political powers.

All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends they have at all times an inalienable and inalienable right to alter, reform or abolish their government in such manner as they may think proper (emphasis added).

WHEREAS, Article 1, Section 25 of the Pennsylvania Constitution reads as follows:

25. Reservation of powers in people.

To guard against transgressions of the high powers which we have delegated, **we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate** (emphasis added).

WHEREAS, Article 1, Section 26 of the Pennsylvania Constitution reads as follows:

26. No discrimination by Commonwealth and its political subdivisions.

Neither the Commonwealth nor any political subdivision thereof **shall deny to any person the enjoyment of any civil right**, nor discriminate against any person in the exercise of any civil right (emphasis added).

WHEREAS, Article 1, Section 27 of the Pennsylvania Constitution reads as follows:

27. Natural resources and the public estate.

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people (emphasis added).

WHEREAS, the Second Class Township Code, 53 P.S. §65101 *et seq.*, (the "Code") was reenacted and amended on November 9, 1995.

WHEREAS, Section 607(1) of the Code, which sets forth the duties of Supervisors, reads as follows:

Section 607. Duties of Supervisors.--The board of supervisors shall:

(1) Be charged with the general governance of the township and the execution of legislative, executive and administrative powers in order to ensure sound fiscal management and **to secure the health, safety and welfare of the citizens of the township** (emphasis added).

WHEREAS, the Board of Supervisors of East Goshen Township ("the Board") finds that with the completion of the Sunoco Mariner East Project, East Goshen Township ("the Township") will be traversed by eleven natural gas and/or hazardous liquid pipelines (the "Pipelines").

WHEREAS, the location for most of the Pipelines was determined decades ago, when the Township was a rural township with much less density and a population of less than 1,000 residents.

WHEREAS, the Township is almost fully developed with over 18,000 residents.

WHEREAS, properties through which these Pipelines traverse that were once farms are now developed with single family homes, apartments, condominiums, life care facilities, businesses and commercial establishments.

WHEREAS, these Pipelines are in close proximity to these single-family homes, apartments, condominiums, life care facilities, businesses, commercial establishments, recreational facilities, churches and schools.

WHEREAS, the construction of a new pipeline necessarily involves sustained disruption to the residents of the Township.

WHEREAS, the Board finds that the installation of any new pipelines in the Township would infringe on Township resident's rights under Article 1, Sections 1, 2, 25, 26 and 27 of the Pennsylvania Constitution.

WHEREAS, each of the Board members took an oath of office to “**support, obey and defend** the Constitution of the United States and the **Constitution of this Commonwealth**” (emphasis added).

NOW THEREFORE, pursuant to the Board’s power to adopt ordinances necessary **to secure the health, safety and welfare of the citizens of the Township** pursuant to Section 1506 of the Second Class Township Code, 53 P.S. §66506, and pursuant to the aforementioned Sections 1, 2, 25, 26, and 27 of Article 1 of the Pennsylvania Constitution, the Board enacts and ordains as follows:

SECTION 1. A new Chapter 171 titled “Pipeline Saturation Ordinance” shall be adopted and codified in the East Goshen Township Code as follows:

“CHAPTER 171 PIPELINE SATURATION ORDINANCE.

§ 171-1. Definitions.

The following words and terms shall, for the purposes of this chapter, have the meanings shown herein:

Existing Natural Gas Pipeline- a Natural Gas Pipeline that is existing or in the process of being constructed in the Township as of the Effective Date of this Ordinance.

Existing Hazardous Liquid Pipeline - a Hazardous Liquid Pipeline that is existing or in the process of being constructed in the Township as of the Effective Date of this Ordinance.

Hazardous Liquid Pipeline - any pipeline regulated by CFR Title 49, subtitle B, Chapter 1, subchapter D, Part 192.

Natural Gas Pipeline – any pipeline regulated by CFR Title 49, subtitle B, Chapter 1, subchapter D, Part 195.

Person – a human being, partnership, company, firm, corporation.

Repair - to fix, restore or mend an Existing Natural Gas Pipeline or Existing Hazardous Liquid Pipeline.

Replace - to install a new Natural Gas Pipeline or Hazardous Liquid Pipeline in the same place of an Existing Natural Gas Pipeline or Existing Hazardous Liquid Pipeline.

§ 171-2. General Provisions.

After the Effective Date of this Ordinance, no Person shall construct a new Natural Gas Pipeline or Hazardous Liquid Pipeline within the boundaries of East Goshen Township.

§ 171-3. Replacement of an Existing Natural Gas and Existing Hazardous Liquid Pipeline.

An Existing Natural Gas Pipeline and Existing Hazardous Liquid Pipeline within the Township may be replaced provided that the location of the replaced pipeline is confined to the same property or easement.

§ 171-4. Repairs of an Existing Natural Gas and Existing Hazardous Liquid Pipeline.

An Existing Natural Gas Pipeline and Existing Hazardous Liquid Pipeline may be repaired without any limitation.

§ 171-5. Enforcement.

- A. Any Person who violates or permits the violation of any provision of this ordinance shall, upon conviction thereof in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000, plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each section of this ordinance violated shall constitute a separate offense and each day or portion thereof in which a violation of this ordinance is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines and penalties collected for the violation of this ordinance shall be paid to the Township Treasurer.
- B. If any Person constructs or installs a Natural Gas Pipeline or Hazardous Liquid Pipeline in violation of this ordinance, the Township, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such installation or construction.

SECTION 2. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 3. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4. Effective Date. This Ordinance shall become effective five days following enactment.

ENACTED AND ORDAINED this _____ day of _____, 2020.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

E. Martin Shane, Chairman

David Shuey, Vice-Chairman

Michael P. Lynch, Member

Michele Truitt, Member

John Hertzog, Member

F:\Data\Shared Data\Admin Dept\Township Code\Pipeline Saturation\Draft Ordinance 100720.docx

EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, OCTOBER 20, 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; Park & Recreation Director Jason Lang; Police Chief Brenda Bernot; Caroline Hughes, Bill Wegemann, Christina Morley and Judi DiFonzo (Pipeline Task Force); Fire Marshal Carmen Battavio

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. Marty also announced that the meeting is being livestreamed on YouTube.

Consider Zoning Hearing Board Application for Dimensional Variance Relief for Jordan property, 1631 E. Strasburg Rd

Richard Stratton, Chester Valley Engineers, and Brian Nagle, were present to discuss the application for dimensional relief at 1631 E. Strasburg Drive, where the property owners would like to build a house on a parcel with steep slopes and wetlands.

Michele asked a number of questions about the impact of the proposed project on adjacent property owners, to which Mr. Stratton replied there would be no impact.

David made a motion to support this dimensional variance request to permit encroachment into the steep slope areas of the lot as depicted in the grading and erosion control plan for Robert Jordan dated 5/29/2020 for the following reasons:

1. The unique physical circumstances of the parcel shape and topography have created this hardship.
2. The physical circumstances of the lot prohibit the parcel from being developed in accordance with the ordinance.
3. The unique physical shape of the lot was created to accommodate the previous historic structure and was not created by the applicant.
4. The dimensional variance relief sought by the applicant will have no adverse effect on the essential character of the neighborhood.
5. The relief sought is the minimal relief needed to construct a single family home in keeping with the surrounding character of the neighborhood.

1 Michele seconded. The motion passed 4-1, with Mike opposed on the ground that he
2 believes that the relief requested was not the minimum amount needed and because
3 he believes the Board should take no position on Zoning Hearing Board matters.

4
5 **Pipeline Whistleblower Matter**

6 David read the following statement: "The Board of Supervisors and the Pipeline
7 Task Force were recently made aware of a whistleblower complaint involving the
8 Sunoco/ET Mariner pipeline. This matter involves a dispute regarding geophysical
9 surveys required for Horizontal Directional Drilling conducted along North Chester
10 Road. The Board of Supervisors takes this matter very seriously and is conferring
11 with legal counsel to determine next steps."

12
13 David added that the Township, or its counsel, has taken the following steps:

- 14 • Coordinated with the Chester County's counsel on the matter
- 15 • Interviewed the whistleblower and their counsel
- 16 • Staff has received permission from the impacted property owner to mow and
17 monitor and stake a possible depression
- 18 • Reviewed the Township's Erosion and Stormwater permit
- 19 • Consulted with PennDOT, PUC and DEP on the matter
- 20 • Filed a Right-to-Know Requests with the PUC, DEP and the Attorney General

21
22 Ms. Hughes stated her concern about the lack of information and incomplete
23 information from Sunoco about these matters, and highlighted the need for a proper
24 geological study in these sensitive areas. She encouraged the Board to revoke
25 Sunoco's E&S permit.

26
27 Mr. Wegemann asked about the Township options and a timeline for stopping the
28 pipeline construction. David responded that we are still in the fact-finding stage, and
29 that we need to collect all the information before the Township can determine the
30 appropriate next steps. Rick added that we can revoke Sunoco's E&S permit, but we
31 need to work with our counsel on the appropriate course of action.

32
33 Ms. Morley stated that the Township needs to decide when "enough is enough".

34
35 Ms. DiFonzo asked for a timeline on when the Township learned about the
36 complaint. David stated that the Township was informed about the complaint on
37 Saturday, October 9, and had been working on it continuously since then. He noted
38 that the complaint was filed in August and that various state and County officials
39 were cc'd on the complaint, but that no one ever thought to notify the Township.

40
41 John noted that East Goshen is the only entity that's doing anything about the
42 complaint. Mike added that the Township would also be considering a pipeline
43 density ordinance, written to comply with the state constitution, at its next meeting.
44 He invited Ms. Hughes to participate in the Township's discussion with counsel on
45 the whistleblower matter.

1
2 **Chairman's Report**

3 Marty stated that Jon Altshul had accepted another position and would be leaving
4 the Township on November 5. He thanked Jon for his service.
5

6 He added that the Board met in Executive Session on Tuesday, October 13 at 6pm to
7 discuss a legal matter and a personnel matter and on Monday, October 19 at 10am
8 to discuss a personnel matter.
9

10 He announced that the polling locations for the November 3 General Election can be
11 found at [https://www.chesco.org/DocumentCenter/View/60356/Polling-Places-](https://www.chesco.org/DocumentCenter/View/60356/Polling-Places-2020-General-Election)
12 2020-General-Election. He noted that Precinct 7 (Bellingham retirement
13 Community) has temporarily moved to East Goshen Elementary School, 800 N
14 Chester Road, and Precinct 9 (Goshen Fire House) has temporarily moved to East
15 High School, 450 Ellis Lane.
16

17 **WEGO Police Report**

18 Chief Bernot reported that there were 529 calls for service in September, which is
19 up from a year ago, but that overall calls in 2020 are down due to COVID. She
20 reported that overseas criminals had recently stolen \$90,000 from three seniors and
21 encouraged residents to be vigilant about potential scams. She also noted that there
22 have been a rash of thefts of political signs recently and reminded residents that the
23 penalty for stealing political signs is up to a year in prison. She stated that officers
24 would be prepared to respond to any criminal issues that arise on Election Day.
25

26 She announced that the officers had begun their annual One Warm Coat drive and
27 that new or gently used winter coats could be dropped off in the East Goshen
28 Township Building. She also stated that many officers were now participating in a
29 Bears for Charity event.
30

31 **Fire Company Reports—September 2020**

32 Carmen summarized the Fire Company reports for September, copies of which are
33 available on the website.
34

35 **Approval of Minutes**

36 David made a motion to approve the minutes of October 6, 2020, as amended.
37 Michele seconded. The motion passed 5-0.
38

39 **Approval of Treasurer's Report**

40 David made a motion to approve the Treasurer's Report of October 15, 2020.
41 Michele seconded. The motion passed 5-0.
42

43 **Consider Business Park Task Force**

44 John and David agreed to be the BOS representatives on the Task Force.
45

1 **Consider Paoli Pike Trail, Segment B; PennDOT Multimodal Transportation**
2 **Fund Grant Application**

3 Jason outlined two options for applying for a MTF grant for Segment B of the Trail,
4 one which would waive any additional matching funds and the other which would
5 commit the Township to providing \$194,960 in matching funds for construction and
6 inspection. Jon noted that this amount is almost exactly what he projects as the
7 Bond Fund surplus. Jason noted that if we commit to the additional matching funds,
8 the chance of being successful in our grant application would increase and that we
9 could still apply for other grant opportunities to cover that matching requirement.
10 Marty raised concerns about the Township spending additional funds on the trail,
11 which would be contrary to what we've been telling residents, but noted that we
12 wouldn't need to spend local taxpayers dollars if we receive other grant awards.

13
14 Mike made a motion to authorize application for a PennDOT MTF Program Grant in
15 the amount of \$2,805,040 and approve matching funds in the amount of \$841,786,
16 including a new expenditure of \$194,960. David seconded. The motion passed 3-2,
17 with Michele and John opposed.

18
19 **Consider PECO Green Region Grant Program**

20 David made a motion to apply for a PECO Green Region grant in the amount of
21 \$10,000 for the Hershey's Mill Dam project and approve matching funds in the
22 amount of \$10,000. Michele seconded. The motion passed 5-0.

23
24 **Consider Tree and Street Tree Resolution**

25 Rick explained that the Conservancy Board had recommended that three new tree
26 species be added to the Township's tree resolution. Michele made a motion to adopt
27 the tree species list, Resolution 2020-20, as recommended by the Conservancy
28 Board. John seconded. The motion passed 5-0.

29
30 **Public Comment**

31 None

32
33 **Any Other Matter**

34 None

35
36 **Adjournment**

37 There being no further business, Michele made a motion to adjourn at 9:05pm.
38 David seconded. The motion passed 5-0.

39
40 Respectfully submitted,
41 *Jon Altshul, Recording Secretary*

42
43 Attached: October 15, 2020 Treasurer's Report

TREASURER'S REPORT
RECEIPTS AND BILLS

October 1, 2020 - October 15, 2020

GENERAL FUND

Real Estate Tax	\$5,660.21
Earned Income Tax	\$60,928.00
Local Service Tax	\$4,070.85
Transfer Tax	\$81,722.69
General Fund Interest Earned	\$928.57
Total Other Revenue	\$497,346.90

Total General Fund Receipts: \$650,657.22

Accounts Payable	\$158,742.89
<u>Electronic Pmts:</u>	
Credit Card	\$0.00
Postage	\$1,075.00
Debt Service	\$0.00
Payroll	\$149,437.20

Total Expenditures: \$309,255.09

STATE LIQUID FUELS FUND

Receipts	\$0.00
Interest Earned	\$10.65
Total State Liquid Fuels Receipts:	\$10.65

Accounts Payable	\$0.00
Total Expenditures:	\$0.00

CAPITAL RESERVE FUND

Receipts	\$0.00
Interest Earned	\$809.39
Total Capital Reserve Fund Receipts:	\$809.39

Accounts Payable	\$0.00
Total Expenditures:	\$0.00

TRANSPORTATION FUND

Receipts	\$0.00
Interest Earned	\$109.90
Total Transportation Fund Receipts:	\$109.90

Accounts Payable	\$0.00
Total Expenditures:	\$0.00

SEWER OPERATING FUND

Receipts	\$9,395.13
Interest Earned	\$190.51
Total Sewer Operating Fund Receipts:	\$9,585.64

Accounts Payable	\$143,741.55
<u>Electronic Pmts:</u>	
Credit Card	\$0.00
Debt Service	\$0.00
Total Expenditures:	\$143,741.55

REFUSE FUND

Receipts	\$2,967.03
Interest Earned	\$78.73
Total Refuse Fund Receipts:	\$3,045.76

Accounts Payable	\$75,431.86
Credit Card	\$0.00
Total Expenditures:	\$75,431.86

BOND FUND

Receipts	\$0.00
Interest Earned	\$187.26
Total Bond Fund Receipts:	\$187.26

Accounts Payable	\$511.75
Total Expenditures:	\$511.75

SEWER CAPITAL RESERVE FUND

Receipts	\$0.00
Interest Earned	\$373.53
Total Sewer Capital Reserve Fund Receipts:	\$373.53

Accounts Payable	\$0.00
Total Expenditures:	\$0.00

OPERATING RESERVE FUND

Receipts	\$0.00
Interest Earned	\$468.55
Total Operating Reserve Fund Receipts:	\$468.55

Accounts Payable	\$0.00
Total Expenditures:	\$0.00

1

**EAST GOSHEN TOWNSHIP
MEMORANDUM**

TO: BOARD OF SUPERVISORS
FROM: JON ALTSHUL
SUBJECT: PROPOSED PAYMENTS OF BILLS
DATE: NOVEMBER 5, 2020

Attached please find the Treasurer's Report for the weeks of October 15, 2020 – November 5, 2020.

The Expenditure Register also includes a \$2,500 payment to Matergenics for expert testimony on the Safety 7 case. This expenditure was authorized by the Board at its August 18 meeting.

On October 27, 2020, we received an annual rebate from the PLGIT P-CARD program in the amount of \$11,205.62. These funds were allocated to the General, Sewer and Refuse funds on a proportionate basis. A tip of the hat goes to Barb Phillips for managing this program and ensuring that the Township received the largest possible rebate.

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

October 15, 2020 - November 5, 2020

GENERAL FUND

Real Estate Tax	\$4,320.32
Earned Income Tax	\$640,400.00
Local Service Tax	\$6,700.00
Transfer Tax	\$0.00
General Fund Interest Earned	\$756.28
Total Other Revenue	\$95,882.89

Total General Fund Receipts: **\$748,059.49**

Accounts Payable	\$341,947.18
Electronic Pmts:	
Credit Card	\$2,840.26
Postage	\$0.00
Debt Service	\$81,384.22
Payroll	\$194,684.49

Total Expenditures: **\$620,856.15**

STATE LIQUID FUELS FUND

Receipts	\$0.00
Interest Earned	\$6.81
Total State Liquid Fuels Receipts:	<u>\$6.81</u>

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

CAPITAL RESERVE FUND

Receipts	\$333,606.32
Interest Earned	\$671.19
Total Capital Reserve Fund Receipts:	<u>\$334,277.51</u>

Accounts Payable	\$237,091.43
Total Expenditures:	<u>\$237,091.43</u>

TRANSPORTATION FUND

Receipts	\$0.00
Interest Earned	\$111.80
Total Transportation Fund Receipts:	<u>\$111.80</u>

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

SEWER OPERATING FUND

Receipts	\$319,400.35
Interest Earned	\$151.40

Total Sewer Operating Fund Receipts: **\$319,551.75**

Accounts Payable	\$21,412.13
Electronic Pmts:	
Credit Card	\$0.00
Debt Service	\$182,057.90
Total Expenditures:	<u>\$203,470.03</u>

REFUSE FUND

Receipts	\$102,689.70
Interest Earned	\$84.35
Total Refuse Fund Receipts:	<u>\$102,774.05</u>

Accounts Payable	\$688.00
Credit Card	\$0.00
Total Expenditures:	<u>\$688.00</u>

BOND FUND

Receipts	\$0.00
Interest Earned	\$140.18
Total Bond Fund Receipts:	<u>\$140.18</u>

Accounts Payable	\$26,425.13
Total Expenditures:	<u>\$26,425.13</u>

SEWER CAPITAL RESERVE FUND

Receipts	\$0.00
Interest Earned	\$306.35
Total Sewer Capital Reserve Fund Receipts:	<u>\$306.35</u>

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

OPERATING RESERVE FUND

Receipts	\$0.00
Interest Earned	\$365.07
Total Operating Reserve Fund Receipts:	<u>\$365.07</u>

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

EAST GOSHEN TOWNSHIP
MONTHLY DEBT PAYMENT BREAKDOWN
October 25, 2020

GENERAL FUND:

Interest payment	Principal payment	Year of Issuance	Loan Description	Original loan amount	Remaining Principal	Retirement Date
\$5,251.02	\$0.00	2003	Multi purpose 9 projects	\$5,500,000.00	\$1,462,000.00	2023
\$83.20	\$0.00	2000	Spray Irrigation	\$287,000.00	24,000.00	2021
\$71,050.00	\$5,000.00	2017	G Playground , Dams, & Paoli Pike Trail	\$5,310,000.00	\$5,295,000.00	2037

SEWER FUND:

Interest payment	Principal payment		Loan Description	Original loan amount	Remaining Principal	Retirement Date
\$19,295.10	\$0.00	2008	RCSTP Expansion	\$9,500,000	\$5,847,000.00	2032
\$4,568.42	\$0.00	2013	Diversion Projects	\$2,500,000	\$1,798,000.00	2033
\$38,194.38	\$120,000.00	2017	S West Goshen STP	\$2,840,000	\$2,585,000.00	2037

Report Date 10/19/20

Expenditures Register
GL-2010-75990

PAGE 1

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
03 CAPITAL RESERVE FUND										
36				MYERS L.P., ALLAN A.						
63452	1	03460	7403	PAOLI PK.TRAIL - SEGMT.C	APP.#7	10/19/20	10/19/20	10/19/20	1431	213,966.69
				APP.#7 - PAOLI PK.TRAIL SEGMT.C						
										213,966.69
1349				TRAFFIC PLANNING & DESIGN INC.						
63453	1	03460	7403	PAOLI PK.TRAIL - SEGMT.C	L00380 #6	10/19/20	10/19/20	10/19/20	1432	6,756.58
				PAOLI PIKE SHARED USE PATH 8/1-8/30/20						
63453	2	03460	7404	PAOLI PK.TRAIL - SEGMT.D	L00380 #6	10/19/20	10/19/20	10/19/20	1432	6,756.58
				PAOLI PIKE SHARED USE PATH 8/1-8/30/20						
63453	3	03460	7405	PAOLI PK.TRAIL - SEGMT.E	L00380 #6	10/19/20	10/19/20	10/19/20	1432	6,756.58
				PAOLI PIKE SHARED USE PATH 8/1-8/30/20						
										20,269.74
										234,236.43
										2 Printed, totaling 234,236.43

FUND SUMMARY

Fund	Bank Account	Amount	Description
03	03	234,236.43	CAPITAL RESERVE FUND
		234,236.43	

PERIOD SUMMARY

Period	Amount
2010	234,236.43
	234,236.43

Legend:

Expenditures Register Spooling to Windows Printers

Print those ready to UPDATE

Sorting by vendor

Printing for GL Period 2010

Doing a page break

Archiving to Expenditures Register-2010.txt

MARPO5 run by BARBARA 9 : 59 AM

Report Date 11/05/20

Expenditures Register
GL-2011-76211

PAGE 1

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
01	GENERAL FUND									
1471				WESTTOWN-EAST GOSHEN POLICE						
	63460	1	01410 5300	POLICE GEN.EXPENSE	110120	11/05/20	11/01/20	11/05/20	20228 p	311,838.25
				NOVEMBER 2020 CONTRIBUTION						
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25
										311,838.25

PAGE 1

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
01 GENERAL FUND										
6				ABC PAPER & CHEMICAL INC						
63461	1	01409	3740	TWP. BLDG. - MAINT & REPAIRS	109353A	11/05/20		11/05/20		28.21
				AIR FRESHENER & TALL TRASH BAGS						
63462	1	01454	2000	MAINTENANCE SUPPLIES	105900A	11/05/20		11/05/20		40.41
				HAND SANITIZER						
										68.62
1657										
				AQUA PA						
63464	1	01409	3605	PW BLDG - FUEL,LIGHT,SEWER & WATER	102320 PW	11/05/20		11/05/20		206.13
				000496917 0309798 9/21-10/21/20 PW						
63465	1	01409	3600	TWP. BLDG. - FUEL, LIGHT, WATER	102320 TB	11/05/20		11/05/20		298.92
				000309828 0309828 9/21-10/21/20 TB						
63466	1	01409	3600	TWP. BLDG. - FUEL, LIGHT, WATER	102320 FR	11/05/20		11/05/20		210.36
				000309820 0309820 9/21-10/21/20 FR						
										715.41
296										
				COMCAST 8499-10-109-0028306						
63472	1	01401	3210	COMMUNICATION EXPENSE	102220	11/05/20		11/05/20		128.40
				0028306 NOVEMBER 2020						
										128.40
2491										
				COMCAST 8499-10-109-0107472						
63471	1	01401	3210	COMMUNICATION EXPENSE	101020	11/05/20		11/05/20		34.72
				0107472 10/17-11/16/20 PW TV						
										34.72
3250										
				COMCAST 8499-10-109-0107704						
63470	1	01401	3210	COMMUNICATION EXPENSE	101520	11/05/20		11/05/20		108.35
				0107704 10/23-11/22/20 P&BOOT LED						
										108.35
3595										
				FETTERS INC.,R.W.						
63475	1	01438	3845	EQUIP. RENTAL -RESURFAC.	101420	11/05/20		11/05/20		855.00
				BLACKTOP HAULING -TO ENTERPRISE DR.						
				10/10/20						
										855.00

Report Date 11/05/20

Expenditures Register

GL-2011-76214

PAGE 2

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
4137	63474	1	01401	3210 FIRSTNET - #287290608802 COMMUNICATION EXPENSE SEPTEMBER 2020	802X10082020	11/05/20		11/05/20		619.04
										619.04
3131	63476	1	01401	3840 GREAT AMERICA FINANCIAL SERVICES RENTAL OF EQUIP. -OFFICE OCTOBER 2020 LANIER MP C6004ex	27987479	11/05/20		11/05/20		160.00
										160.00
2717	63478	1	01433	2500 HIGGINS & SONS INC. , CHARLES A. MAINT. REPAIRS.TRAFF.SIG.	52726	11/05/20		11/05/20		276.00
	63479	1	01433	2500 TRAF.LIGHT REPAIR - BOOT & WILSON MAINT. REPAIRS.TRAFF.SIG.	52728	11/05/20		11/05/20		65.00
				TRAF.LIGHT REPAIR - AIRPORT & PAOLI						341.00
638	63480	1	01430	2330 HOME DEPOT CREDIT SERVICES VEHICLE MAINT AND REPAIR	101320	11/05/20		11/05/20		24.97
	63480	2	01437	2460 TURBO BLADES -TRUCK #8 & 1 GENERAL EXPENSE - SHOP	101320	11/05/20		11/05/20		226.00
	63480	3	01437	2600 DREMEL TOOL & TARP SHOP - TOOLS	101320	11/05/20		11/05/20		221.41
	63480	4	01438	2450 DRILL DRIVER KIT AND BITS MATERIALS & SUPPLIES-HIGHWAYS	101320	11/05/20		11/05/20		52.45
	63480	5	01454	3740 MAILBOX & POST - REPLACEMENT DUE TO DROPPED LIMB ON RESIDENTS MAILBOX EQUIPMENT MAINT. & REPAIR	101320	11/05/20		11/05/20		36.81
				LUMBER 5/4"X6' - TRAIL BENCHES						561.64
2707	63481	1	01430	2330 HOSKIN'S FORD, BRIAN VEHICLE MAINT AND REPAIR	157280	11/05/20		11/05/20		395.19
				BRAKE LINING KIT & ROTOR ASSEMBLY						395.19
3990	63482	1	01454	3723 LANGS LAWN CARE & TREE CARE BALL FIELDS	314313	11/05/20		11/05/20		135.00
	63483	1	01454	3723 LAWN SERVICE - FIELD A BALL FIELDS	314311	11/05/20		11/05/20		170.00
	63484	1	01454	3723 LAWN SERVICE - FIELD B BALL FIELDS	314312	11/05/20		11/05/20		209.00
				LAWN SERVICE - FIELD C						514.00

PAGE 3

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
01	GENERAL FUND									
765				LEC - LENNI ELECTRIC CORPORATION						
	63486	1	01409 3745	PW BUILDING - MAINT REPAIRS WELDER OUTLET IN MECHANIC'S BAY	200941	11/05/20		11/05/20		203.00
										203.00
4391				MATERGENICS INC.						
	63488	1	01401 3000	GENERAL EXPENSE FLYNN CASE REVIEW OF DOCUMENTS	2586	11/05/20		11/05/20		2,500.00
										2,500.00
3548				OFFICE BASICS						
	63492	1	01401 2100	MATERIALS & SUPPLIES PRINTER CARTRIDGES & USB DRIVES	I-581201	11/05/20		11/05/20		227.84
										227.84
1554				OFFICE DEPOT						
	63493	1	01401 2100	MATERIALS & SUPPLIES HP TONER	129882918001	11/05/20		11/05/20		184.36
										184.36
4037				PATTON, ETHAN						
	63494	1	01438 3845	EQUIP. RENTAL --RESURFAC. TRUCK RENTAL & HAULING - GOSHEN CORP. PARK	20.80	11/05/20		11/05/20		1,025.00
										1,025.00
1555				PECO - 45168-01609						
	63497	1	01409 3840	DISTRICT COURT EXPENSES 45168-01609 9/17-10/19/20 DC-GAS	102120	11/05/20		11/05/20		273.09
	63497	2	01409 3605	PW BLDG - FUEL,LIGHT,SEWER & WATER 45168-01609 9/17-10/19/20 PW-ELEC.	102120	11/05/20		11/05/20		576.42
										849.51
2592				PECO - 45951-30004						
	63496	1	01454 3600	UTILITIES 45951-30004 9/17-10/16/20 RESTROOMS	101920	11/05/20		11/05/20		35.91
										35.91

PAGE 4

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
2591	63495	1	01454	3600 PECO - 59500-35010 UTILITIES 59500-35010 9/22-10/22/20 POND PUMP	102320	11/05/20		11/05/20		35.27
										35.27
1201	63498	1	01437	2460 SAFETY SOLUTIONS INC. GENERAL EXPENSE - SHOP 20 BOXES OF FACE MASKS	52405	11/05/20		11/05/20		600.00
										600.00
3834	63499	1	01486	1560 STANDARD INSURANCE CO., THE HEALTH, ACCID. & LIFE NOVEMBER 2020 PREMIUM	102020	11/05/20		11/05/20		3,682.24
	63499	2	01213	1010 VOL. LIFE INSURANCE W/H NOVEMBER 2020 PREMIUM	102020	11/05/20		11/05/20		143.91
										3,826.15
1297	63500	1	01401	2100 STAPLES CREDIT PLAN MATERIALS & SUPPLIES BATTERIES, SECURITY ENVELOPES, HP BLACK, MAGENTA & CYAN TONER	100920	11/05/20		11/05/20		229.92
										229.92
1324	63501	1	01409	3840 T&G WINDOW CLEANING DISTRICT COURT EXPENSES OCTOBER WINDOW CLEANING - DC	499612	11/05/20		11/05/20		150.00
	63502	1	01409	3740 TWP. BLDG. - MAINT & REPAIRS OCTOBER WINDOW CLEANING - TWP	499611	11/05/20		11/05/20		1,000.00
										1,150.00
1470	63503	1	01410	5310 WESTTOWN TOWNSHIP REGIONAL POLICE BLDG INTEREST NOVEMBER 2020 - INTEREST	110520	11/05/20		11/05/20		837.29
	63503	2	01410	5320 REGIONAL POLICE BLDG PRINCIPAL NOVEMBER 2020 - INTEREST	110520	11/05/20		11/05/20		9,583.33
										10,420.62

PAGE 5

2,855.00

Report Date 11/05/20

Expenditures Register
GL-2011-76214

PAGE 6

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
05 SEWER OPERATING										
40				ALLIED CONTROL SERVICES						
63463	1	05420	3700	C.C. METERS-MAINT. & REPRS. PROVIDE REPLACEMENT HMI	314893	11/05/20		11/05/20		1,935.00
										1,935.00
2914				BIG FISH ENVIRONMENTAL SERVICES INC.						
63467	1	05422	4500	R.C. STP-CONTRACTED SERV. SERVICES RE: RCSTP OCTOBER 2020	20-1032	11/05/20		11/05/20		13,882.15
										13,882.15
151				BLOSENSKI DISPOSAL CO, CHARLES						
63468	1	05422	4502	R.C. SLUDGE-LAND CHESTER SWITCH 20YDS WITH LINER 10/12/20	185392	11/05/20		11/05/20		186.00
63469	1	05422	4502	R.C. SLUDGE-LAND CHESTER SWITCH 20YDS WITH LINER 10/5/20	185381	11/05/20		11/05/20		186.00
										372.00
1747				EAST WHITELAND TOWNSHIP						
63473	1	05429	4520	CONTR. SERV. MALVERN INSTITUTE QTR.3 2020 SEWER	101220	11/05/20		11/05/20		2,535.80
										2,535.80
583				HACH COMPANY						
63477	1	05422	3700	R.C. STP-MAINT. & REPAIRS PHOSPHORUS & NITRITE TNT, DEIONIZED WATER, SULFURIC ACID & FILTER PAPER	12155024	11/05/20		11/05/20		1,836.56
										1,836.56
765				LEC - LENNI ELECTRIC CORPORATION						
63485	1	05422	3701	R.C. COLLEC.-MAINT. & REPR REPLACE LEDS - HERSHEY MILL STATION	200943	11/05/20		11/05/20		162.62

Lab Supplies

PAGE 7

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
07	MUNICIPAL AUTHORITY									
765	LEC - LENNI ELECTRIC CORPORATION									
63487	1	07429	1503	HERSHEYS MILL PUMP STATION CAPITAL	201001	11/05/20		11/05/20		6,876.50
				DISCONNECT GENERATOR, DEMO ATS &						
				BATTERY CHARGER, INSTALL NEW WIRING						
					<u>New Generator Completion</u>					
										7,039.12

Report Date 11/05/20

Expenditures Register
GL-2011-76214

PAGE 8

Vendor	Req #	Budget#	Sub#	Description	Invoice Number	Req Date	Check Dte	Recpt Dte	Check#	Amount
08 BOND FUNDS (CAPITAL PROJECTS)										
3551				MCAHON ASSOCIATES INC.						
63489	1	08459	6001	SEGMENTS A&B ENGINEERING	173646	11/05/20		11/05/20		13,126.68
				PROF.SERVICE 8/29-10/02/20 SEG.A&B						
63490	1	08459	6003	SEGMENT C ENGINEERING	173689	11/05/20		11/05/20		13,298.45
				PROF.SERVICE 8/29-10/02/20 C,D & E						
				CONSTRUCTION						
										26,425.13
										82,669.71
0 Printed, totaling										82,669.71

FUND SUMMARY

Fund	Bank Account	Amount	Description
01	01	25,788.95	GENERAL FUND
03	03	2,855.00	CAPITAL RESERVE FUND
05	05	20,724.13	SEWER OPERATING
07	07	6,876.50	MUNICIPAL AUTHORITY
08	08	26,425.13	BOND FUNDS (CAPITAL PROJECTS)
		82,669.71	

PERIOD SUMMARY

Period	Amount
2011	82,669.71
	82,669.71

Legend:

Expenditures Register Spooling to Windows Printers
 Print those ready to pay
 Sorting by vendor
 Printing for GL Period 2011
 Doing a page break
 Creating a CSV File
 Archiving to Expenditures Register-2011.txt
 ARP05 run by BARBARA 2 : 24 PM

Report Date 11/05/20

Procurement Card Entries

PAGE 1

MARPI7 run by BARBARA

3 : 34 PM

Per	Budget #	Sub#	Description	Vendr	Vendor Name	Invoice #	Inv Date	Credit	Srce Trx #	#	U
2011			CREDIT CARD PAYMENT								
	01401	3400	NOTICE - WEST CHESTER COG MEETING	2226	21ST CENT.MEDIA NEWS #884433	2074380	10/09/20	71.08	PC	76219	1
	01438	2450	PORTABLE TOILETS-CONSTRUCTION 9/30	3140	ACE PORTABLES INC.	166716	09/01/20	110.00	PC	76219	2
	01430	2320	680 GALS. DIESEL	1161	REILLY & SONS INC	193393 531	10/07/20	997.56	PC	76219	3
	01430	2320	198.4 GALS.GASOLINE	1161	REILLY & SONS INC	193392 530	10/07/20	313.67	PC	76219	4
	01430	2320	138.2 GALS. GASOLINE	1161	REILLY & SONS INC	193676 530	10/14/20	221.95	PC	76219	5
	01430	2320	550.9 GALS. DIESEL	1161	REILLY & SONS INC	193677 531	10/14/20	828.55	PC	76219	6
	01409	3840	10/16/20 - 11/15/20	2868	VERIZON-1420	7504490-101520	10/15/20	85.29	PC	76219	7
	01409	3605	10/15/20 - 11/14/20	2273	VERIZON - 0527	7504491-101420	10/15/20	212.16	PC	76219	8

2,840.26

2,840.26

GENERAL LEDGER SUMMARY

GL Account #	Debit	Credit	Description
014XX-XXXX	2,840.26		GENERAL FUND Expense Account
01107-1010		2,840.26	GENERAL FUND Bank Account

PLGIT 1107.1010

DATE	DESCRIPTION	TOTAL	1116.1000	1401.2100	1401.3210	1407.2130	1409.3740	1430.2330	1438.2450	1452.3509	1452.3601	1454.3740	1487.1910
			3430.7400										
	RICK SMITH												
8/30/2020	Zoom - Virtual Meetings 8/30-9/29/20	29.98			29.98								
9/7/2020	Apple.com - I-Cloud	0.99				0.99							
9/11/2020	Amazon - Webcam Camera	148.85				148.85							
9/12/2020	Amazon - Webcam shutter & tyvek envelopes	46.12		37.73		8.39							
9/16/2020	Amazon - Refund for Webcam shutter	-8.39				-8.39							
9/20/2020	Amazon - Ethernet Switch	89.91				89.91							
9/24/2020	Apple.com - I-Cloud	0.99				0.99							
	\$308.45												
	MARK MILLER												
9/1/20	Robert's Oxygen- deposit for mig welder	2,500.00	2,500.00										
9/3/20	Pep Boys - supplies for wash bay	263.60						263.60					
9/17/20	Vanos Pizza - pizza for PW Paving	120.00							120.00				
9/21/20	Walpole Outdoors - Replace damaged mailbox (sweeper accident)	484.59							484.59				
9/21/20	Moultrie Mobile - Park cameras	42.38										42.38	
9/24/20	Briar Rose Greenhouse - Mums for township bldg.	69.00					69.00						
9/24/20	Steeltoeshoes.com - Steel toe shoes - Billy Minahan	175.74											175.74
	\$3,655.31												
	JASON LANG												
9/11/20	Amazon - Leathercraft Gardening Gloves	33.28									33.28		
9/14/20	USPS - Supplies for Team Film Showcase	24.56									24.56		
9/24/20	Giant - Snacks for Lego Camp	18.22								18.22			
	\$76.06												
	GRAND TOTAL	4,039.82	2,500.00	37.73	29.98	240.74	69.00	263.60	604.59	18.22	57.84	42.38	175.74

J/E's made

X

Add to Master Cred.Card List

X

4,039.82

\$ 2,500.00 03 to reimburse 01 for 03 Credit Card Expense

X

ACH DEBITS TO GENERAL FUNDS

EXPENSE REPORT

Attachment 2 OF 2

Meeting Date

11/10/2020

10/1/20 - 10/31/20

01	Amount Charged	Date	Name	Description
GENERAL FUND	\$30.30	10/22/2020	AUTHNET FEES	September 2020 CRED.CARD BANK CHARGES
	\$249.86	10/22/2020	BANKCARD FEES	September 2020 CRED.CARD BANK CHARGES
	280.16			
05				
SEWER FUND	\$350.00	10/5/2020	REIMBURSMENT of BANK FEE	September 2020 LOCK BOX FEE
	\$338.00	10/27/2020	REIMBURSMENT of Credit Card Fee	September 2020 Paymentus
	688.00			
06				
REFUSE FUND	\$350.00	10/5/2020	REIMBURSMENT BANK FEE	September 2020 LOCK BOX FEE
	\$338.00	10/27/2020	REIMBURSMENT of Credit Card Fee	September 2020 Paymentus
	688.00			
	\$ 1,656.16			

Memo

Date: November 5, 2020
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Business Park Task Force

At your meeting on October 20 the Board agreed to have David and John serve on the Business Park Task Force.

I reached out to the Planning Commission and Futurist Committee and the following individuals would be willing to serve on the Task Force.

John Stipe, Ed Decker and Mike Koza will represent the Planning Commission; and Brian Sweet and Jeff O'Donnell will represent the Futurist Committee.

Attached is the resolution creating the Business Park Task Force.

You need two motions.

Motion 1 – I move that we adopt the Resolution creating the Business Park Task Force.

Motion 2 – I move that we appoint the following individuals to serve on the Business Park Task Force

David Shuey

John Hertzog

John Stipe

Ed Decker

Mike Koza

Brian Sweet

Jeff O'Donnell

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION 2020 - ____

**A RESOLUTION ESTABLISHING THE EAST GOSHEN TOWNSHIP
BUSINESS PARK TASK FORCE, SETTING FORTH ITS OBJECTIVE
AND ESTABLISHING THE MEMBERSHIP THEREOF, AND
PROVIDING FOR THE ORGANIZATION AND MEETINGS OF THE
TASK FORCE**

WHEREAS, the Township of East Goshen in Chester County, Pennsylvania, is a Township of the Second Class; and

WHEREAS, the 2015 East Goshen Township Comprehensive Plan sets forth a number of objectives; and

WHEREAS, Economic Development Strategy, Objective 7.3 reads as follows: “Allowing for new uses and smaller incubator business in the corporate parks and the industrial park;” and

WHEREAS, for the foregoing reasons the Board of Supervisors of East Goshen Township has determined it to be appropriate to establish a Business Park Task Force to provide guidance to the Board of Supervisors on how to achieve this Objective.

NOW THEREFORE BE IT HEREBY RESOLVED that the Board of Supervisors hereby establishes a Business Park Task Force:

Section 1. Name

The name of the body hereby established shall be the “East Goshen Township Business Park Task Force.”

Section 2. Objectives

The Business Park Task Force has the following objectives:

- Assess current revenue to the Township from the business parks.
- Create a document that is updated regularly with key information on each business.
- Assess the future outlook of the employment levels of each business in the business parks.
- Evaluate the permitted uses in the I1 and BP Districts.
- Create an action plan to address any concerns.

Section 3. Membership

The Business Park Task Force shall be composed of seven persons consisting of two Supervisors, three representatives from the Planning Commission and two representatives from the Futurist Committee, all of whom shall be appointed by and serve at the discretion of the Board of Supervisors.

Section 4. Compensation

Members of the Business Park Task Force shall receive no compensation for their services.

Section 5. Organization

The members of the Business Park Task Force shall elect their own Chairman and Vice Chair.

Section 6. Meetings

Regular public meetings shall be held to conduct the business of the Business Park Task Force. The Business Park Task Force shall keep records of its meetings and shall make a final report to the Board of Supervisors upon completion of their objectives.

Section 7. Funding

The Business Park Task Force, with the consent of the Board of Supervisors, may utilize any funds, personnel, or other assistance made available by Chester County, the Commonwealth of Pennsylvania, or the Federal Government; or any agencies of the County, State, or Federal Government; or funds made available from any other private or public sources. The Board of Supervisors may enter into agreements or contracts regarding the acceptance or utilization of such funds or other assistance as may be available.

Funds for the expenses to be incurred by the Business Park Task Force must be approved and appropriated by the Board of Supervisors.

Section 8. Sunset Provision

The Business Park Task Force shall terminate upon the acceptance of its final report by the Board of Supervisors, unless the Board directs otherwise.

Section 9. Effective Date

This resolution shall take effect five days after adoption and upon appointment by the Board of Supervisors of at least four members of the Business Park Task Force.

ADOPTED, this _____ day of _____ 2020.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Secretary

[Click here to view the power point.](#)



November 5, 2020

Dear Residents, Business Owners and the Board of Supervisors of East Goshen Township:

We are pleased to present East Goshen Township's 2021 Proposed Budget. This budget reflects the Township's three co-equal missions of respecting the past, serving the present and preparing for the future to ensure that East Goshen remains the premier municipality in which to live, work and play in Chester County.

Importantly, we are proposing to maintain tax rates at the existing level of 1.25 mills for the 18th consecutive year. However, there is no question that 2021 will be a challenging budget year. This proposed budget requires a transfer from fund balance of \$810,760, an increase of \$349,199 over the 2020 Adopted Budget, and \$561,876 over the 2020 Year-End Projection in order to be in balance, or approximately 10% of the available operating reserve fund and general fund balances. While the Township has ample reserves that will delay the need for tax increases in the short-to-medium term, there is no question that over the next decade, the Township will need to take proactive steps to either further control expenses or increase revenue to ensure that East Goshen retains its prized AAA credit rating and has access to capital markets at the lowest possible interest rates.

Roughly 39% of the deficit is due to one-time deferrals from 2020. While the 2021 deficit is significant, a substantial portion of the shortfall can be explained by \$318,400 in expenditures that the Township had originally planned to undertake in 2020 that were deferred until 2021 due to the on-going COVID crisis. These deferrals include the dredging and rehabilitation of Bow Tree Pond I, the plantings around Marydell Pond, and repaving Eastwick Circle, Great Oak Circle and Killern Lane.

This budget is extremely lean. The budget eliminates a number of discretionary expenditures, including the ABC holiday party, paper newsletters and road-side litter pick-up. The proposed budget also calls for aggressive draws down on existing surpluses in the Capital Reserve Fund and the Police Pension Trust in order to control the deficit. Moreover, the revenue side of the ledger reflects conservative projections for taxes on account of the on-going economic slowdown. In particular, Earned Income Tax and Real Estate Property Tax are essentially unchanged from their 2020 Year-End Projections, while Cable Franchise Fee, Interest Income and Local Services Tax are expected to fall on account of changing economic realities.

This proposed budget reflects the Township's continued commitment to public safety. In particular, the budget reflects the 2020 Act 111 Arbitration Award for the police officers, and a \$29,624 increase in funding for the Goshen Fire Company, as part of a two-year multi-municipal initiative to increase Goshen's funding level by approximately \$276,000 by 2022.

This proposed budget reflects a commitment to pro-actively maintaining aging infrastructure to avoid more costly repairs in the future. \$200,400 is budgeted to dredge and rehabilitate the Bow Tree I pond on Bow Tree Drive, as the second pond to be rehabilitated, after Marydell Pond, as part of a multi-year effort to ensure that the Township's ponds remain viable recreation areas for generations to come. In addition, on the sewer fund/Municipal Authority side of the ledger, \$130,000 is budgeted to continue relining brick manholes and asbestos cement sanitary sewer lines for the fifth straight year.

This proposed budget reflects the Township's continued commitment to ensuring that the Township has the recreational infrastructure to attract the next generation of homeowners. Specifically, the budget reflects the completion of both the Hershey's Mill Dam Park and Milltown Dam Park in 2021, while looking forward to the completion of the Paoli Pike Trail in 2022 and beyond.

Finally, this proposed budget is realistic and conservative in balancing the need to provide critical municipal services within prudent fiscal constraints. As noted above, no real estate tax increase is proposed for the 18th consecutive year.

Pursuant to Section 3202 of the Second Class Township Code, the Board may adopt the budget no earlier than 20 days after the proposed budget has been advertised in a newspaper of general circulation, which we expect to occur on November 11th, the day after the proposed budget is presented at the November 10th Board of Supervisors meeting. Therefore, the Board of Supervisors is scheduled to adopt the budget on the evening of December 1st. State law limits how much the budget can be change between the time it is advertised and it is adopted to "no more than ten percent in the aggregate or more than 25 percent in any major category."

In the meantime, staff welcomes feedback from all residents and business owners on the proposed budget. After all, these proposed expenditures are made with your tax dollars and fees. Everyone in East Goshen is an important stakeholder in this critical democratic process!

Sincerely,



Louis F. Smith
Township Manager



Jon Altshul
Assistant Township Manager & Finance Director

Rick Smith

From: mlynch@eastgoshen.org
Sent: Saturday, October 24, 2020 6:39 PM
To: Rick Smith
Subject: MikeL FW: RE: Please Ask Your State Legislators to Pass HB 531 and Help Boost Pennsylvania's Economy and Jobs

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

From: "mlynch@eastgoshen.org" <mlynch@eastgoshen.org>
Sent: Saturday, October 24, 2020 6:38pm
To: "Mary Ann Kusner" [REDACTED]
Cc: "David Shuey" <dshuey@eastgoshen.org>
Subject: RE: Please Ask Your State Legislators to Pass HB 531 and Help Boost Pennsylvania's Economy and Jobs

Thanks Mary Ann; I'm in. By cc to Rick Smith Township Manager I will ask him to review the pending legislation and add it to our next agenda for consideration by the Board.

With Appreciation,

MikeL

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

From: "Mary Ann Kusner" [REDACTED]
Sent: Friday, October 23, 2020 8:19pm
To: "Mr. Michael Lynch" <mlynch@eastgoshen.org>
Subject: Please Ask Your State Legislators to Pass HB 531 and Help Boost Pennsylvania's Economy and Jobs

Dear Mr. Lynch,

Community solar offers an incredible opportunity to provide an immediate boost to jobs and the economy when we need it the most. House Bill 531 would allow equal access to renewable energy to renters, those in multi-tenant buildings, and businesses and homeowners with roofs that are not suitable for installing solar panels. Community solar will create good-paying jobs for Pennsylvania residents, save consumers money on energy bills, pay farmers for allowing solar projects on their land, and generate much-needed tax revenue for municipalities without raising any taxes. As your constituent, I need you to urge our state legislators to pass HB 531.

Community solar has widespread support from key stakeholders across Pennsylvania. HB 531 has a Republican prime sponsor and 93 bipartisan cosponsors. It is championed by the Pennsylvania Farm Bureau, labor unions, and solar energy developers. A recent poll showed over 80% of Pennsylvanians support community solar, with equally strong support from rural and suburban voters. Eight in ten Pennsylvania voters said they want more choices for their electricity, and over 60% said they would consider subscribing to a community solar project if it was possible. The survey found bipartisan support for community solar, including 68% of Republicans and almost 80% of Independents.

There are over 200 shovel-ready community solar projects in over 40 counties that are ready to go once this legislation passes. Using a National Renewable Energy Laboratory model, Vote Solar

estimated that developing 1.5 gigawatts (GW) of new community solar in Pennsylvania could result in significant economic development growth, including:

3,159 sustained full-time jobs during construction in the first five years (a 75% increase).

\$2.08B in local economic benefits with an additional \$210 million in property tax revenues paid for by developers of community solar projects.

\$1.06B in earnings for those employed during construction activities.

Please contact your state senator and representative to ask them to advance HB 531 so that Pennsylvania can take advantage of the many economic benefits of community solar during these difficult times. Thank you.

Sincerely,
Mary Ann Kusner
1026 Kennett Way
West Chester, PA 19380

Memo

East Goshen Township

Date: November 5, 2020
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Community Solar Legislation

Most if not all of the Supervisors have received emails requesting that the Board contact their state legislators and ask to support HB 531 (Printer's No. 573). House Bill 531 is currently in the Committee on Consumer Affairs. There was a hearing on this bill in September, however there have been no votes on the bill to date. Representative Comitta is a sponsor of this bill, so we definitely have her support.

The companion legislation in the Senate is SB 705 (Printers No. 938), which is in the Consumer Protection and Professional Licensure Committee. Senator Killian is a sponsor of this bill, so we can assume that we have his support and he is Vice Chair of the Committee.

In order for the legislation to become law, both bills would need to get voted out of committee and get to the floor for a vote, before this legislative session ends.

I spoke to representatives from Senator Killian's and Representative Comitta's office who opined that it was unlikely that this legislation would pass this year, unless it was included in some sort of omnibus bill.

WIGGINS

ON LINE MESSENGER SERVICE

● AUTO TAGS ● NOTARY PUBLIC

610-692-5641 FAX 692-5724

1301 WEST CHESTER PIKE, WEST CHESTER, PA
HOURS: DAILY 9:00 TO 9:00 SAT. 9:00 TO 5:00

EAST GAITHER TWP

10/26/20

1580 PAOLI PIKE

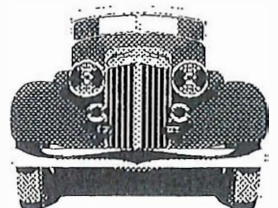
West Chester PA

I WOULD LIKE PERMISSION TO SELL CHRISTMAS TREES
AT 1301 WEST CHESTER PIKE WEST CHESTER PA

FROM NOV 25 2020 TILL DEC 24 2020



THANK YOU
Robert C Wiggins
ROBERT C WIGGINS



To: Board of Supervisors

**Christmas Tree sales are permitted in the C-1 District with the Board's approval.
Below is the standard letter we have issued in past years.**

Rick

November 11, 2020

Mr. Robert C. Wiggins
1301 West Chester Pike
West Chester, PA 19382

Re: Christmas Tree Sales

Dear Bob:

Please be advised that at their meeting on Tuesday, November 10, 2020 the Board of Supervisors approved your request for permission to sell Christmas trees on your property at 1301 West Chester Pike, provided adequate off-street parking is provided and clean-up takes place immediately after Christmas. All signs must also be removed at that time.

Please give me a call at 610-692-7171 or email me at rsmith@eastgosheh.org if you have any questions or need additional information.

Sincerely,

Louis F. Smith, Jr.
Township Manager

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 10/27/2020
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer *mlb*
Re: Proposal for Construction Services / Segment A of the Paoli Pike Trail

Dear Board Members,

McMahon Associates has completed construction plans for Seg. A of the Paoli Pike Trail (Airport Rd. to Ellis Ln.) and is prepared to submit them to PennDOT so the project can be advertised for bids.

Since this is a PennDOT project using federal funds for construction, an approved PennDOT inspector is required for the project. McMahon Associates Inc. has prepared us the attached Proposal for Construction Services for the project.

Staff recommends using McMahon to provide these services since they are the design engineer for the project and they are intimately familiar with the project and PennDOT procedures and processes.

Draft Motion:

Mr. Chairman, I move that the Board of Supervisors authorize the Chairman to sign the Proposal for Construction Services from McMahon Associates Inc. for the Construction of Segment A of the Paoli Pike Trail.



McMAHON ASSOCIATES, INC.
835 Springdale Drive, Suite 200
Exton, PA 19341
p 610-594-9995 | f 610-594-9565

PRINCIPALS

Joseph J. DeSantis, P.E., PTOE
John S. DePalma
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE
Christopher J. Williams, P.E.

ASSOCIATES

John J. Mitchell, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.
Jason T. Adams, P.E., PTOE
Christopher K. Bauer, P.E., PTOE

FOUNDER

Joseph W. McMahon, P.E.

August 10, 2020

Mr. Louis (Rick) Smith, Township Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

RE: **Proposal for Construction Services**
Paoli Pike Trail – Segments A Project
East Goshen Township, Chester County, PA
McMahon Project No. 820649.2P

Dear Mr. Smith:

McMahon Associates, Inc. is pleased to submit this proposal to provide engineering services during the construction of the above referenced project. As a result of the TA Set-Aside federal funding, the construction administration and construction inspection will have to follow PennDOT standards. McMahon will utilize Mr. Sean Hughes, **Lead Inspector-In-Charge** and Khasiem Sledge, **Transportation Construction Inspector** who are qualified construction professionals and has all of the required PennDOT certifications. Mr. Hughes will be the **Lead Inspector-In-Charge** and will have oversight from Mr. Seyi Akinlotan, County FAM Coordinator for PennDOT District 6-0 and will keep the Township's staff informed about the status of construction.

Scope of Services

Task 1 – Construction Administration

McMahon anticipates a duration of construction of 12 weeks. McMahon will attend the pre-construction meeting at the District office once the project is awarded. All project submittals related to shop drawings and materials will be reviewed and approved by McMahon. The review and acceptance of the shop drawings and other project submittals such as RFI's will be coordinated within the PennDOT PPCC (aka Sharepoint system, etc). During the construction period, McMahon will review and approve material quantity measurements submitted by the contractor and process payment applications submitted by the contractor on the project. All payment applications, additional work authorizations and work orders must go through PennDOT's Engineering and Construction Management System (ECMS). As Lead Inspector-In-Charge, McMahon will ensure compliance with the labor standards provisions of the contract and the related wage determination decisions of the Secretary of Labor and the equal

opportunity provisions of the construction contract, particularly Section II of the Required Contract Provisions and the EEO and MBE/WBE/DBE special provisions. Progress meetings will be conducted and meeting minutes will be prepared and distributed. PennDOT has several groups of auditors routinely checking the project documentation, job management and material reviews. They typically come to the project site two or more times during construction. McMahon will coordinate with all PennDOT audits to properly close out the project.

Task 2 – Construction Inspection

McMahon will provide full time inspection during construction. The Transportation Construction Inspector will be responsible for the following:

- 1) Day-to-day on-site construction inspection;
- 2) Daily Project Site Activity reports, including entry into PennDOT ECMS system;
- 3) Material certification & delivery ticket collection and organization;
- 4) Oversight of any unforeseen daily force account work and associated documentation;
- 5) Attendance at progress meetings.

McMahon's Lead Inspector-In-Charge will review and accept the Daily Project Site Activity reports. Copies of all project documentation will be emailed to the Township during construction and finalized at the completion of the project. We anticipate that our Transportation Construction Inspector will be on site for an average of thirty (30) hours per week for an estimated 360 hours during construction. Our office will contact you when we are at 75% of the budgeted hours to determine if additional will need to be authorized by the Township.

Schedule – We are prepared to initiate work on this project upon receipt of written authorization to proceed and the contractor's notice to proceed which is anticipated for early 2021.

Fee – Based on the scope of services described above, our fee for the above tasks is as follows:

Task 1 – Construction Administration	\$ 12,680
Task 2 – Construction Inspection	\$ 42,200

TOTAL	\$ 54,880 (Not to Exceed)
--------------	----------------------------------

This fee is exclusive of all expenses such as reproduction, plotting, graphics, and personal automobile usage. The services to be performed pursuant to this agreement are strictly limited to those expressly set forth herein. No additional services will be provided unless requested and agreed to in writing. Supplemental services not specifically described above, including but not limited to major engineering re-design, environmental studies and permitting, materials testing and construction stakeout are not

included in the scope of this proposal, but will be provided, as necessary and as authorized, on a time-and-materials basis. Please refer to our agreed upon Provisions for Professional Services.

Conditions

The conditions of this agreement call for the execution of this contract with the understanding that invoices for services will be submitted monthly and are payable within 30 days of issuance. All projects with overdue invoices exceeding 60 days will be subject to a stoppage of all work. Any changes in the specific work program described above will result in an adjustment of the conditions and fees. If the terms of this contract, as contained herein, and in the attached Standard Provisions for Professional Services are agreeable to you, please execute one copy of the agreement below in the space provided and return the signed copy to me. If you should have any questions, or require further information, please feel free to contact me at 610.594.9995, ext. 5129. We appreciate the opportunity to continue serving East Goshen Township on this project.

Sincerely,



Stephen C. Giampaolo, P.E.
Senior Project Manager

SCG/

Accepted for East Goshen Township by:

I have reviewed all terms of this contract, and I am authorized to sign in the space below for execution of this contract.

By: _____
(Signature of Authorized Representative)

(Printed Name of Authorized Representative)

Title: _____

Date: _____

McMAHON ASSOCIATES, INC.
STANDARD PROVISIONS FOR PROFESSIONAL SERVICES
2020

SERVICES

McMahon Associates, Inc. reserves the right to make adjustments for individuals within these classifications as may be desirable in its opinion by reason of promotion, demotion, or change in wage rates. Such adjustments will be limited to the manner in which charges are computed and billed and will not, unless so stated in writing, affect other terms of an agreement, such as estimated total cost. The following rates will apply to actual time devoted by McMahon Associates, Inc. staff to this project computed to the nearest one-half hour.

<u>PERSONNEL</u>	<u>HOURLY RATES</u>
Senior Project Manager	\$175
Project Manager/Survey Manager	\$155
Senior Project Engineer	\$135
Project Engineer	\$120
Staff Engineer/Survey Party Chief	\$100
Technician/Admin/Survey Tech	\$80
Field Personnel	\$50

TERMS

1. **Invoices** – Invoices will be provided on a monthly basis and will be based upon percentage of completion or actual hours, plus expenses. Payment is due to McMahon Associates, Inc. within 30 days of the invoice date. Unpaid balances beyond 30 days are subject to interest at the rate of 1.5% per month. This is an annual percentage rate of 18%.
2. **Rates** – Principal and Associate time will be billed at a rate of \$195 per hour, when involvement is requested by the client, or project needs dictate. The above billing rates are for invoices payable by the municipality.
3. **Confidentiality** – Technical and pricing information in this proposal is the confidential and proprietary property of McMahon Associates, Inc. and is not to be disclosed or made available to third parties without the written consent of McMahon Associates, Inc.
4. **Commitments** – Fee and schedule commitments will be subject to renegotiation for delays caused by the client's failure to provide specified facilities or information, or any other unpredictable occurrences.
5. **Expenses** – Automatic Traffic Recorder equipment usage will be billed at \$25.00 per 24-hour count. Incidental expenses are reimbursable at cost, plus an administration fee of 10%. These include subconsultants, reproduction, postage, graphics, reimbursement of automobile usage at the IRS-approved rate, parking and tolls. Expenses which by company policy are not billed as reimbursable expenses to clients and therefore, will not be billed as part of this contract include the following: air travel, rental car, lodging, meals, and long distance phone charges between McMahon Associates offices. If it becomes necessary during the course of this project to travel elsewhere, those travel costs will be treated as reimbursable expenses. These expenses will be reflected in the monthly invoices.
6. **Attorney's Fees** – In connection with any litigation arising from the terms of this agreement, the prevailing party shall be entitled to all costs including reasonable attorney's fees at both the trial and appellate levels.
7. **Ownership and Use of Documents** – All original drawings and information are to remain the property of McMahon Associates Inc. The client will be provided with copies of final drawings and/or reports for information and reference purposes.
8. **Insurance** – McMahon Associates, Inc. will maintain at its own expense Workman's Compensation Insurance, Comprehensive General Liability Insurance and Professional Liability Insurance and, upon request, will furnish the client a certificate to verify same.
9. **Termination** – This agreement may be terminated by the authorized representative effective immediately on receipt of written notice. Payment will be due for services rendered through the date written notice is received.
10. **Binding Status** – The client and McMahon Associates, Inc. bind themselves, their partners, successors, assigns, heirs, and/or legal representatives to the other party to this Agreement, and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Contract.

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Date: 10/30/2020
To: Board of Supervisors
From: Pipeline Task Force
Susan D'Amore
RE: Pipeline Task Force Motions to be considered

At their meeting on October 22, the Pipeline Task Force discussed the Sunoco/ME whistleblower complaint in East Goshen Township involving the geophysical survey dispute. In response, the following motions were passed and are asked to be considered.

- The Task Force unanimously approved a motion requesting that the Board of Supervisors ask Chester County to utilize the County's current geologist to conduct an independent investigation around the Bow Tree area.
- The Task Force unanimously approved a motion that the Board of Supervisors actively partner with Chester County and other municipalities that are experiencing the same and similar issues as the Township with respect to the Mariner East pipeline construction.
- The Task Force approved a motion that the Board of Supervisors revoke the existing municipal erosion and sedimentation permit that is held by Sunoco.

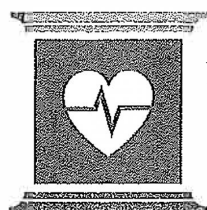
Memo

To: Board of Supervisors
From: Jon Altshul
Re: Consider 2-year DVHT Agreement Addendum
Date: October 30, 2020

Delaware Valley Health Trust (DVHT) is the Township's health insurance provider. For 2021, the Executive Committee authorized a new incentive to Trust members. Specifically, if the Township formally commits to staying with DVHT through 2022, we are eligible for a credit against our premium increase, which would cause premiums to decrease by 2.87% overall compared with 2020 premiums. This decrease is reflected in the 2021 proposed budget. By contrast, if we choose not to participate in this two-year agreement option, our premiums would increase by 1.63%.

Chris and I spoke with a DVHT representative to better understand the two-year agreement option, and we feel confident that there is little to no downside risk for the Township. Specifically, by signing up, DVHT agrees to cap the 2022 premium increase at 6.5% over 2021 levels, but when the likely 2022 Rate Stabilization Credit is factored in, this maximum increase probably falls to the 4%-4.5% range.

Recommended motion: Mr. Chairman, I move that we authorize the Chairman to execute the 2-year Agreement Addendum with the Delaware Valley Health Trust



DELAWARE VALLEY
HEALTH
TRUST

**ADDENDUM TO THE
DELAWARE VALLEY HEALTH TRUST AGREEMENT**

WHEREAS, East Goshen Township (the "Participant") desires to maintain its participation in the Delaware Valley Health Trust (the "Trust") for a minimum of two (2) full years after January 1, 2021 (through at least December 31, 2022) in exchange for the Trust providing the Participant's existing health benefits plans in accordance with the following terms and conditions:

- The Participant shall receive a 2021 premium credit in the amount of **\$32,015.00** which shall be allocated on a pro rata basis across each of the twelve monthly premium invoices for Year One (January 1, 2021 – December 31, 2021); and
- The Participant's gross premium increase for Year Two (January 1, 2022 – December 31, 2022) shall be capped at 6.5 percent (6.5%) from the unadjusted 2021 rates.

WHEREFORE, East Goshen Township hereby agrees to participate in the Delaware Valley Health Trust for a minimum of two (2) full years after January 1, 2021 (through at least December 31, 2022) in accordance with the terms and conditions set forth in the foregoing whereas clause. The parties therefore agree to amend the Delaware Valley Health Trust Agreement as set forth in this Addendum, with all other terms and conditions of the Trust Agreement remaining in full force and effect.

AGREED:

For The Delaware Valley Health Trust

BY:

DocuSigned by:
Robert Solarz
B9864DA9E3D544D...

Robert G. Solarz
Executive Director & Trust Administrator

For East Goshen Township

BY:

E. Martin Shane
Chairman
Board of Supervisors

Dated: _____

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380


Voice: 610-692-7171

Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 10/30/2020

To: Board of Supervisors

From: Mark Gordon, Township Zoning Officer 

Re: Paoli Pike Trail / Segments C,D,E / PennDOT Inspection Agreement Extension

Dear Board Members,

As you know the Township Paoli Pike Trail project is nearing completion. We currently have a Construction Inspection Agreement with Traffic Planning and Design (TPD) who is performing all the Construction Inspection services required by PennDOT. Our current agreement with TPD expires on November 29, 2020. This is not going to be enough time to complete all the closeout punch-list items, and all the final PennDOT reimbursement paperwork.

The contractor (Allan Myers) anticipated completing the project in early October; however, we are looking at mid-November now.

TPD does not anticipate any cost increases due to this agreement extension.

Staff Recommendation:

Staff recommends extending the Construction Inspection agreement with TPD Inc. until May 29, 2021.

Draft Motion:

Mr. Chairman, I move that the Board of Supervisors authorize the Township Manager to sign the letter to TPD granting an extension to the Construction Inspection agreement.



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

October 27, 2020

Mr. Mark Gordon
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380-6199

RE: Time Extension Request

Agreement L00380
Paoli Pike Shared Use Path Project
TPD No. PA06 00484

Dear Mr. Gordon,

Traffic Planning and Design, Inc. requests a time extension for the above referenced agreement. Currently, this Agreement is scheduled to expire on November 29, 2020. We are requesting an extension of this project to **May 29, 2021** to cover the extension of work by the Contractor. This will also allow time for the TPD team to complete and close-out the project. It is anticipated that there will be no increase in cost due to this time extension request.

If you have any questions or concerns, please feel free to contact me at 610-326-3100.

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.

Anthony Dougherty, PE
Vice President

ADougherty@TrafficPD.com

Cc: Mr. Mark Miller, East Goshen Township
Mr. Mohamed Elghawy, P.E., TPD

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

October 30, 2020

Mr. Anthony Dougherty, PE
Traffic Planning and Design, Inc.
2500 E. High Street
Pottstown, PA 19464

Re: Paoli Pike Trail Segments C, D, E
Construction Inspection Agreement Extension
PennDOT Agreement: L00380
TPD No. PA06 00484

Dear Mr. Dougherty:

In response to your letter dated October 27, 2020, East Goshen Township hereby grants Traffic Planning and Design, Inc.'s request for a time extension to May 29, 2021 for the above referenced agreement. This extension is needed because of unforeseen construction delays and as you stated in your letter, this extension will not add additional costs, but will serve to provide additional time to TPD to close out the project with PennDOT.

Sincerely,

Louis F. Smith Jr.
Township Manager

Enclosure

Memo

To: Board of Supervisors
From: Park and Recreation Commission
Re: Paoli Pike Trail, Segment B; DVRPC Regional Trails Grant Program Application
Date: November 4, 2020

The East Goshen Township Paoli Pike Trail Feasibility Study and Master Plan has identified a number of funding sources for its implementation. The DVRPC Regional Trails Grant (RTG) Program has been identified for trail segment B to offset Township funding of the project's construction inspection. The program requires a minimum 20% local match. It is important to note that no new expenditures would need to be authorized for this grant application, the construction inspection expenditure was recently approved as an aspect of the Township's DCED-CFA Multimodal Transportation Grant application. This grant application includes a discussion of how construction funding will be secured, and it will be noted that the Township has applied for both the PennDOT and DCED-MTF grant programs to fund Paoli Pike Trail Segment B construction. DVRPC and the Chester County Planning Commission are heavily involved in the selection process for the DVRPC RTG and DCED-MTF programs, and the Township would only accept an RTG award if successful with one of the two above construction grant applications.

DVRPC anticipates making grant selections, March 2021.

Suggested Motion: I move to authorize application for a DVRPC Regional Trails Grant Program Grant in the amount of \$147,568 and approve matching funds in the amounts of \$36,892.

Exhibit 1 - Cost Estimate

10/21/2020

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

Applicant: East Goshen Township

	Total	MTF Requests	Local Match Funding
Administrative	\$ 6,940		\$ 6,940
Contingency	\$ 134,100	\$ 123,600	\$ 10,500
Preliminary Engineering	\$ 228,000		\$ 228,000
Environmental Clearance	\$ 25,000		\$ 25,000
Final Design	\$ 192,586		\$ 192,586
Right-of-Way	\$ 179,300		\$ 179,300
Utilities	\$ 15,000		\$ 15,000
Construction	\$ 2,681,440	\$ 2,681,440	
Inspection	\$ 184,460		\$ 184,460
Total	\$ 3,646,826	\$ 2,805,040	\$ 841,786

Percent of Local Match

30.010%

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
Exton, PA 19341
(610) 594-9995
sgiampaolo@mcmahonassociates.com



Item No.	Description	Comment	Unit	Quantity	Unit Cost	Cost
Standard Items						
1	Clearing and Grubbing		LS	1	\$150,000.00	\$150,000.00
2	Excavation	Includes placing of excavated material required for fills as embankment.	CY	2,300	\$60.00	\$138,000.00
3	Class 1B Excavation	Removal of Existing Pavement	CY	310	\$85.00	\$26,350.00
4	Full Depth Bituminous Pavement + Wearing Course (10" Bituminous Base Course & 8" Subbase)		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)	Impervious	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		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	Replace Existing	LF	370	\$38.00	\$14,060.00
13	Permanent Impact Attenuating Device	Replace Existing	EA	2	\$3,000.00	\$6,000.00
14	Plain Cement Concrete Curb		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	at a signalized intersection	EA	6	\$3,500.00	\$21,000.00
18	Detectable Warning Surface	at a driveway	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		CY	840	\$75.00	\$63,000.00
25	Seeding and Soil Supplements, Formula B	Includes Mulching	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
Special Items						
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
Structure Spanning Ridley Creek						
34	Furnish Weathered Steel, Wooden Deck Structure	12' Walking Surface, 54" Railings	LS	1	\$940,000.00	\$940,000.00
35	Center Span Support Piers	Concrete Piers, Footings and Excavation	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	Subtotal Trail Construction Cost	Items 1 - 38				\$2,293,240.00
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	Total Trail Construction Cost	Items 39 - 43				\$2,815,540.00
45	Construction Inspection	6.5% of Item 44				\$184,460.00
46	Total Trail Construction + Inspection					\$3,000,000.00

Memo

East Goshen Township

Date: November 5, 2020
To: Board of Supervisors
From: Susan D'Amore

RE: Declaration of Restrictive Covenant for Milltown Dam

As you know, the Township has received a Department of Conservation and Natural Resources (DCNR) Grant for the Milltown Dam. I am currently compiling the documents for the design submission packet for DCNR.

The Chairman's signature is required on the attached document, Declaration of Restrictive Covenant. Our solicitor will then have it recorded for inclusion in the design submission packet for DCNR.

Mr. Chairman, I move that the Board approve your signature on the Declaration of Restrictive Covenant.

Prepared by/Return to:

Kristin S. Camp, Esquire
BUCKLEY, BRION, MCGUIRE & MORRIS LLP
118 West Market Street, Suite 300
West Chester, PA 19382

UPI No.: 53-6-87.1-E

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT ("Declaration") is executed this ____ day of _____, 2020, by **EAST GOSHEN TOWNSHIP**, a political subdivision of the Commonwealth of Pennsylvania having an address of 1580 Paoli Pike, West Chester, Pennsylvania 19380 (hereinafter referred to as "Declarant").

BACKGROUND

WHEREAS, Declarant acquired a certain tract of property identified as Chester County Tax Parcel No. 53-6-87.1-E located on the east side of Reservoir Road in East Goshen Township (the "Property") in a Deed dated January 16, 1985 from Robert C. Wiggins and Mary Ann Wiggins, which Deed was recorded in the Chester County Recorder of Deeds in Deed Book Y64, Page 499 on January 21, 1985; and

WHEREAS, a legal description of the Property is attached hereto as Exhibit A; and

WHEREAS, the Property, or interest in the Property, will be developed with funds provided by the Pennsylvania Department of Conservation and Natural Resources ("Department"). The source of the funds is the Land and Water Conservation Fund Act, 16 U.S.C. § 4601-4 et seq (the "Act"); and

WHEREAS, the Department requires Declarant to execute and record this Declaration to satisfy its obligations under the grant;

NOW, THEREFORE, Declarant for itself, its successors, grantees and assigns, for good and valuable consideration, the receipt and sufficiency whereof being hereby acknowledged, and intending to be legally bound hereby, covenants, declares, agrees, confirms and provides as follows:

1. **Incorporation of Background.** The background paragraphs above are incorporated as part of the terms of this Declaration.

2. **Restrictive Covenant.** The Property, or interest in property, was either acquired with, or developed with funds provided by the Pennsylvania Department of Conservation and Natural Resources ("Department"). The source of the funds is the Land and Water Conservation Fund Act, 16 U.S.C. §§ 4601-4 et seq. ("Act"), provided through the National Park Service. The Property, or any portion of it, may not be converted to purposes other than those authorized under the Act for property acquired and/or developed with Department funds. No change of use and no transfer of ownership, control, or interest in the Property may occur, and no encumbrance may be placed on the Property, without the written consent of the Department or its successor. The restriction in this paragraph applies to both the surface and subsurface of the Property. This restriction has the effect of a covenant running in perpetuity with the land and is binding upon the owner(s) of the Property and upon all subsequent owners, successors, and assigns. This restriction is enforceable by the Department and its successors.

3. **Recording.** This Agreement shall be recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania.

IN WITNESS WHEREOF, being duly authorized and empowered to do so, the Declarant has duly executed and delivered this Declaration of Restrictive Covenant as of the date and year first above written.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

By: _____
E. Martin Shane, Chairman

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF CHESTER

:

On this, the _____ day of _____, 2020, before me, the undersigned officer, personally appeared E. Martin Shane who acknowledged himself to be the Chairman of the Board of Supervisors of East Goshen Township and that he being authorized to do so, executed the within instrument for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 11/5/2020
To: Board of Supervisors
From: Mark Gordon, Zoning Officer
Re: Solar Ordinance Amendment (Accessory Use)

Dear Board Members,

Staff has determined the need for an amendment to the solar ordinance for rooftop solar energy systems. The Zoning Ordinance regulates rooftop solar energy systems as an Accessory use in §240-32. Specifically, it regulates the spacing on the roof, and as it turns out, the International Fire Code (IFC) already does that. Our requirements are significantly more stringent than outlined in the fire code, making rooftop solar systems less feasible in East Goshen Township because less solar panels can be installed on the roof.

§240-32 O.(1)(e)

A roof-mounted system may be mounted on a principal building or accessory building. A roof-mounted system, in the case of a flat roof, whether mounted on the principal building or accessory building, may exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district by no more than two feet. Rooftop solar energy systems shall be placed a minimum of three feet from any roof edge, valley or ridge in order to provide for adequate access paths on the roof. Rooftop solar energy systems shall not be included in the calculation of building height.

This standard is more restrictive than the International Fire Code (IFC), which makes the addition of solar panels, cost prohibitive in many cases.

Staff recommends amending the ordinance by striking the entire sentence highlighted above. Having this more stringent standard in the zoning ordinance is burdensome, unnecessary, and prevents the installation of solar energy systems in many cases.

Recommended Draft Motion:

Mr. Chairman, I move that the Board of Supervisors support a zoning ordinance text amendment eliminating the dimensional standards within section §240-32 O.(1)(e) pertaining to the placement of accessory use rooftop solar energy systems on roof tops, and direct staff to advertise a Zoning Ordinance amendment hearing for December 1, 2020.

EAST GOSHEN TOWNSHIP
PLANNING COMMISSION

1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

November 5, 2020

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

Re: Zoning Ordinance Amendment / Accessory Rooftop Solar Energy Systems

Dear Board Members:

At their meeting on November 4, 2020, the Planning Commission voted in favor of the following motion:

Mr. Chairman, I move that we recommend that the Board of Supervisors support a zoning ordinance text amendment to eliminate the dimensional standards within section §240-32 O.(1)(e), pertaining to the placement of accessory use rooftop solar energy systems on roof tops.

Sincerely,



Mark A. Gordon
Township Zoning Officer

NEW YORK
LONDON
SINGAPORE
PHILADELPHIA
CHICAGO
WASHINGTON, DC
SAN FRANCISCO
SILICON VALLEY
SAN DIEGO
LOS ANGELES
TAIWAN
BOSTON
HOUSTON
AUSTIN
HANOI
HO CHI MINH CITY

DuaneMorris®

FIRM and AFFILIATE OFFICES

GEORGE J. KROCULICK
DIRECT DIAL: +1 215 979 1386
PERSONAL FAX: +1 215 689 2910
E-MAIL: GJKroculick@duanemorris.com

www.duanemorris.com

SHANGHAI
ATLANTA
BALTIMORE
WILMINGTON
MIAMI
BOCA RATON
PITTSBURGH
NEWARK
LAS VEGAS
CHERRY HILL
LAKE TAHOE
MYANMAR
OMAN
A GCC REPRESENTATIVE OFFICE
OF DUANE MORRIS
ALLIANCES IN MEXICO
AND SRI LANKA

October 14, 2020

Kristin Camp
Solicitor, Township of East Goshen
Buckley, Brion, McGuire & Morris
118 W. Market St., Suite 300
West Chester, PA 19382
kcamp@buckleyllp.com

Re: East Goshen Proposed Pipeline Saturation Ordinance

Dear Ms. Camp:

I represent Sunoco Pipeline L.P. ("Sunoco Pipeline"), which is a certificated public utility corporation regulated by the Pennsylvania Public Utility Commission (the "PUC"). *See In re Condemnation by Sunoco Pipeline L.P. ("Martin")*, 143 A.3d 1000 (Pa. Cmwlth. 2016) (*en banc*), *allocatur denied*, 164 A.3d 485 (Pa. Dec. 29, 2016). As you know, Sunoco Pipeline owns and operates and/or is constructing several natural gas liquids pipelines through easements it owns in East Goshen Township. The easements in East Goshen Township form part of an interconnected line of easements stretching hundreds of miles across the Commonwealth, allowing pipeline service authorized by the PUC to operate.

I write to address the East Goshen Board of Supervisors' ("Board") recent consideration of a so-called Pipeline Saturation Ordinance ("Proposed Ordinance"), discussed at the Board's October 6, 2020 meeting. According to the current language of the Proposed Ordinance made available to the public prior to the October 6 meeting, the Proposed Ordinance would provide that "no Person shall construct a new Natural Gas Pipeline or Hazardous Liquid Pipeline within the boundaries of East Goshen Township." Proposed Ordinance, § 2. In addition, the Proposed Ordinance would allow replacement of an existing pipeline "provided that the location of the replaced pipeline is confined to the same property or easement" and would allow repair of

existing pipelines without limitation. Proposed Ordinance, §§ 3, 4. And finally, the Proposed Ordinance would create criminal liability for a violation of its prohibitions, carrying the possibility of fines and imprisonment. Proposed Ordinance, § 5.

The Proposed Ordinance runs afoul of Pennsylvania law in numerous respects and, if enacted, would be struck down in its entirety upon judicial challenge. For your information, a brief summary of the Proposed Ordinance's legal infirmities follows.

A. The Proposed Ordinance is preempted by state regulation.

Pennsylvania municipalities have no authority to regulate the implementation and construction of public utility facilities, because the PUC has exclusive jurisdiction over the regulation of public utilities and their facilities. *See Duquesne Light Co. v. Monroeville Borough*, 298 A.2d 252, 256 (Pa. 1972) (noting that the PUC has exclusive regulatory jurisdiction over the implementation of public utility facilities). The policy behind this principle is that subjecting public utilities to a multitude of jurisdictions would result in “twisted and knotted” public utilities, with consequent harm to the general welfare. *See County of Chester v. Philadelphia Electric Co.*, 218 A.2d 331 (Pa. 1966).

In contrast to other businesses, “the General Assembly has sought to ensure that utilities are bound to a uniform, statewide regulatory scheme rather than a crazy quilt of local regulations.” *PPL Elec. Utils. Corp. v. City of Lancaster*, 214 A.3d 639, 643 (Pa. 2019). Thus, for public utilities like pipelines, “the legislature plainly intended that discretionary decision-making be vested in one regulatory body, in furtherance of uniformity of application.” *Id.* at 656. “Local authorities not only are ill-equipped to comprehend the needs of the public beyond their jurisdiction, but, and equally important, those authorities, *if they had the power to regulate*, necessarily would exercise that power with an eye toward the local situation and not with the best interests of the public at large as the point of reference.” *Duquesne Light Co.*, 105 A.2d at 293 (emphasis added); *see also Delaware Riverkeeper Network v. Sunoco Pipeline L.P.*, 179 A.3d 670, 690-92 (Pa. Cmwlth. 2018) (holding that counties are preempted from regulating the location of the Mariner East 2 pipeline).

In *County of Chester*, the county enacted an ordinance that prohibited the construction of pipelines unless the company proposing to construct a pipeline first submitted plans and specifications to the Chester County Planning Commission for review and approval. This ordinance, which prohibited pipeline construction without Planning Commission approval, was less draconian than the Proposed Ordinance, which would prohibit pipeline construction outright. And the Supreme Court struck down the ordinance in *County of Chester*, stating that the legislature “has vested in the Public Utility Commission exclusive authority over the complex and technical service and engineering questions arising in the location, construction and maintenance of all public utilities facilities.” *Id.* at 333.

Because the Proposed Ordinance would prohibit all construction of new natural gas and hazardous liquid pipelines in East Goshen, it clearly intrudes on regulatory territory reserved exclusively to the PUC. In addition, because the Proposed Ordinance would purport to limit the location of replacement of existing pipelines, it would also intrude on the PUC's regulatory authority as well as that of the Department of Environmental Protection ("DEP"), which has authority to regulate pipeline routes and siting. For these reasons, the Proposed Ordinance is preempted.

B. The Proposed Ordinance lacks a rational basis.

A rational basis must underlie any legislative enactment regulating economic activity. *Germantown Cab Co. v. Philadelphia Parking Auth.*, 206 A.3d 1030, 1043-44 (Pa. 2019). The enactment also must further a legitimate state purpose. *Id.* at 1044.

The recitals of the Proposed Ordinance cite numerous provisions of the Pennsylvania Constitution, including those related to inherent rights of mankind (Section 1), political powers of the people (Sections 2 and 25), discrimination and civil rights (Section 26), and natural resources (Section 27). But the Proposed Ordinance does not detail in any way *how* it would promote or achieve these legitimate state purposes. The Proposed Ordinance lacks any findings of fact that could substantiate that its overt interference in economic activity will advance a legitimate legislative purpose. Accordingly, a court would certainly strike down the Proposed Ordinance as lacking a rational basis.

C. The Proposed Ordinance would impair private property rights.

Pipelines, including the natural gas and hazardous liquid pipelines that would be prohibited by the Proposed Ordinance, are constructed over an uninterrupted series of permanent easements acquired by the pipeline operator along the route of the pipelines. The vast majority of those permanent easements are voluntarily given by private landowners, who receive compensation in exchange for the property rights granted to the pipeline company. In many cases, that compensation can be substantial. The right to alienate a portion of one's property in exchange for money, in the form of an easement, is among the "bundle of sticks," or individual rights, that constitute property. *See, e.g., U.S. v. Craft*, 535 U.S. 274, 278 (2002).

But the Proposed Ordinance would deprive private landowners in the Township of potential remuneration given in exchange for easement rights. It would take a stick out of the bundle of sticks that all property owners now enjoy.

Furthermore, the Proposed Ordinance would unilaterally alter the terms of easements already granted within the Township. Owners of existing pipelines operate those pipelines according to permanent easements, which specify, among other things, whether, how, and in what fashion the company may repair or replace existing lines. These easements are recorded with the Office of Recorder of Deeds of Chester County and run with the land on which they are given. But the Proposed Ordinance would purport to unilaterally rewrite the terms of all of these

Duane Morris

Kristin Camp
October 14, 2020
Page 4

easements by declaring that existing pipelines “may be replaced provided that the location of the replaced pipeline is confined to the same property or easement.” Proposed Ordinance, § 3. The Township lacks the power to unilaterally rewrite the terms of recorded easement agreements in this way.

For all of the above reasons, the Proposed Ordinance is invalid. We urge the Board to reconsider its proposed adoption.

This letter is for the Board’s information only and is not submitted for any approval or other action by the Board. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ George J. Kroculick
George J. Kroculick

GJK

cc: Rick Smith, Township Manager

**EAST GOSHEN TOWNSHIP
MEMORANDUM**

TO: BOARD OF SUPERVISORS
FROM: CHRIS BOYLAN
SUBJECT: INDEPENDENT AUDIT REPORT RE: KEYSTONE COLLECTIONS
DATE: OCTOBER 16, 2020

East Goshen Township received Boyer & Ritter LLC's Independent Audit Report from the CCTCC in reference to Boyer & Ritter's audit performed relative to Keystone Collections for the period July 1, 2019 through June 30, 2020.

Please see the enclosed cover letter of their 50-page report. If you would like to review the entire report, please reach out to me and I will share it with you.

**KRATZENBERG & ASSOCIATES, INC.,
d/b/a KEYSTONE COLLECTIONS GROUP**

**Report on Keystone Collection Group's Description of its
Tax Collection System, the Suitability of the Design and
Operating Effectiveness of its Controls**

System and Organization Controls ("SOC") Report – SOC 1, Type 2

FOR THE PERIOD JULY 1, 2019 to JUNE 30, 2020



INDEPENDENT SERVICE AUDITOR'S REPORT

Board of Directors
Kratzenberg & Associates, Inc.
d/b/a Keystone Collections Group
Irwin, Pennsylvania

Scope

We have examined Kratzenberg & Associates, Inc.'s, d/b/a Keystone Collections Group, description of its tax collection system throughout the period July 1, 2019 through June 30, 2020, the suitability of the design and operating effectiveness of controls to achieve the related control objectives stated in the description, based on the criteria identified in Keystone Collections Group Assertion. The controls and control objectives included in the description are those that management of Keystone Collections Group believes are likely to be relevant to user entities' internal control over financial reporting, and the description does not include those aspects of the tax collection system that are not likely to be relevant to user entities' internal control over financial reporting.

Keystone Collections Group uses First Data, a subservice organization for the processing of taxpayer credit card transactions. The description includes control objectives and related control objectives of Keystone Collections Group and excludes the control objectives and related controls of the subservice organization. The description indicates that certain control objectives specified by Keystone Collections Group can only be achieved if complementary subservice organization controls, assumed in the design of Keystone Collections Group's controls, are suitably designed and operating effectively, in conjunction with related controls of Keystone Collections Group. Our examination did not extend to controls of the subservice organization, and we have not evaluated the suitability of the design or operating effectiveness of such complementary subservice organization controls.

The description indicates that certain control objectives specified in the description can be achieved only if complementary user entity controls assumed in the design of Keystone Collections Group's controls are suitably designed and operating effectively, along with related controls at the service organization. Our examination did not extend to such complementary user entity controls and we have not evaluated the suitability of the design or operating effectiveness of such complementary user entity controls.

Service Organization's Responsibilities

In Section II of this report, Keystone Collections Group has provided an assertion about the fairness of the presentation of the description and suitability of the design and operating effectiveness of the controls to achieve the related control objectives stated in the description. Keystone Collections Group is responsible for preparing the description and for the assertion, including the completeness, accuracy, and method of presentation of the description and the assertion, providing the services covered by the description; specifying the control objectives and stating them in the description; identifying the risks that threaten the achievement of the control objectives, selecting the criteria; and designing, implementing and documenting controls to achieve the related control objectives stated in the description.

Service Auditor's Responsibilities

Our responsibility is to express an opinion on the fairness of the presentation of the description and on the suitability of the design and operating effectiveness of the controls to achieve the related control objectives stated in the description, based on our examination. We conducted our examination in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform our examination to obtain reasonable assurance about whether, in all material respects based on the criteria in management's assertions, the description is fairly presented and the controls were suitably designed and operating effectively to achieve the related control objectives stated in the description throughout the period July 1, 2019 through June 30, 2020.

An examination of a description of a service organization's system and the suitability of the design and operating effectiveness of the service organization's controls to achieve the related control objectives stated in the description involves performing procedures to obtain evidence about the fairness of the presentation of the description and the suitability of the design and operating effectiveness of those controls to achieve the related control objectives stated in the description, based on the criteria in management's assertions. Our procedures included assessing the risks that the description is not fairly presented and the controls were not suitably designed or operating effectively to achieve the related control objectives stated in the description. Our procedures included testing the operating effectiveness of those controls that we considered necessary to provide reasonable assurance the related control objectives stated in the description were achieved. An examination engagement of this type includes evaluating the overall presentation of the description and the suitability of the control objectives stated therein, and the suitability of the criteria specified by the service organization as described in Section III of this report. We believe the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Inherent Limitations

The description is prepared to meet the common needs of a broad range of user entities and their auditors who audit and report on user entities' financial statements and may not, therefore, include every aspect of the system that each individual user entity may consider important in its own particular environment. Because of their nature, controls at a service organization may not prevent or detect and correct, all errors or omissions in processing or reporting transactions. The projection to the future of any evaluation of the fairness of the presentation of the description, or conclusions about the suitability of the design or operating effectiveness of the controls to achieve the related control objectives, is subject to the risk that controls at a service organization may become inadequate or fail.

Other Information

The information in Section V of management's description of the service organization's system, "Other Information Provided by Keystone Collections Group," that describes Keystone Collections Group's business continuity and disaster recovery plan, is presented by management of Keystone Collections Group to provide additional information and is not part of Keystone Collections Group's description of its tax collection system made available to user entities during the period July 1, 2019 to June 30, 2020. Information about Keystone Collections Group's business continuity and disaster recovery plans has not been subjected to the procedures applied in the examination of the description of the tax collection system and of the suitability of the design and operating effectiveness of controls to achieve the related control objectives stated in the description of the system and accordingly, we express no opinion on it.

Opinion

In our opinion, in all material respects, based on the criteria described in Keystone Collections Group's assertion in Section II of this report:

- a. The description fairly presents the tax collection system that was designed and implemented throughout the period July 1, 2019 through June 30, 2020.
- b. The controls related to the control objectives stated in the description were suitably designed to provide reasonable assurance the control objectives would be achieved if the controls operated effectively throughout the period July 1, 2019 through June 30, 2020, and subservice organization and user entities applied the complementary controls assumed in the design of Keystone Collections Group's controls throughout the period July 1, 2019 through June 30, 2020.
- c. The controls operated effectively to provide reasonable assurance the control objectives stated in the description were achieved throughout the period July 1, 2019 through June 30, 2020, if the complementary subservice organization and user-entities controls assumed in the design of Keystone Collections Group's controls operated effectively throughout the period July 1, 2019 through June 30, 2020.

Description of Tests of Controls

The specific controls tested and the nature, timing, and results of those tests are listed in Section IV of this report.

Restricted Use

This report, including the description of tests of controls and results thereof in Section IV of this report, is intended solely for the information and use of Keystone Collections Group, user entities of Keystone Collections Group's tax collection system during some or all of the period July 1, 2019 through June 30, 2020, and the independent auditors of such user entities, who have a sufficient understanding to consider it, along with other information including information about controls implemented by user entities themselves, when assessing the risks of material misstatements of user entities' financial statements. This report is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "Boyer & Ritter". The signature is written in black ink and is positioned centrally on the page.

Camp Hill, Pennsylvania
September 28, 2020

REC'D 10/21/20

10/18/20

Dear Valley Rd Neighbor:

- **A hydrotest started at 143 Valley Rd on 10/10/20 that filled my pond.** I reported the issue but nothing is being done.
- **Sunoco refuses to conduct a geophysical assessment on my property** stating my property is 'out of the profile'. My property line is exactly 30 feet from the LOD (Limit of Disturbance). Sunoco's engineering firm called out the location of my property (SE of the entry site) needs to be monitored during HDD operations, but was not. I have over 70%+ in very steep slope conditions, weathered bedrock, and loamy silty soil types. My land should NEVER have been subdivided from the property which Sunoco now owns.
- **20+ deep holes appeared in the pond at the start of the 20" HDD. The pond has a direct feed to Rocky Run.** I have proved the contamination in the pond is coming from the migration path when water tests by location in the pond were done on 5/12/20. I have stopped waters going in/out to the creek to control further pollution. **Rocky Run is one of the last HQ's left in Delco.**
- **A migration path exists on my property. My well and pond remain contaminated.** I have over 1000 photos, videos, and emails over the last 3 years to support my claims. I have yet to retain an attorney.
- **We need to tell the township to STOP MARINER 2 on Valley Rd immediately. We need to recognize the steps that East Goshen Township is doing.**
- Please read the following 3 articles which have similar conditions or potential to the Valley Rd HDD. These are extracts from the Dragonpipe site, StateImpact.

A sinkhole caused by pipeline construction along a busy road in suburban East Goshen Township, Chester County, could easily have caused a major disaster. The sinkhole threatened the integrity of operational pipelines carrying highly volatile explosive materials. Sunoco was able to cover up the incident for six months, and we might never have known if the whistleblower hadn't stepped forward. A sinkhole near Bowtree Drive on Route 352. Two active Mariner East pipelines run in the easement here, and two more are under construction. The whistleblower, a professional geologist working for Sunoco, was concerned that if the sinkhole caused the supporting earth to drop away from under one of the pipelines, the pipeline might rupture. As the whistleblower pointed out, that is similar to what happened in the Beaver County explosion on Sunoco's Revolution pipeline.

This is exactly the sort of situation that those of us concerned about Mariner East safety issues worry about, and if it involved Mariner East it would be far more dangerous than the Beaver County explosion, which involved natural gas. Natural gas is lighter than air and disperses readily; the highly volatile liquids carried by Mariner East (ethane, butane, and propane) are heavier than air and pool along the ground, forming a flammable vapor cloud.

Who would be endangered? In the event of a Mariner East rupture at the Bowtree site, if the cloud didn't immediately ignite, it would cover a large area of East Goshen Township until it finally reached a source of ignition. The area threatened by this type of event depends on several factors, such as the size of the pipe, the size of the release, and the weather. If Sunoco completes the 16-inch and 20-inch pipelines here, those two pipelines would also be vulnerable to rupture. In that case, the area affected would be far larger, stretching out to well over a mile from the rupture location. It is worth emphasizing that, although Sunoco filled in the sinkhole, we don't know what's happening underground. The earth may still be unstable, which means that the danger from a rupture is not over—and it still won't be over, even when construction is complete. **East Goshen Township will act. Once the township recognized the extent of the risk that Sunoco was attempting to hide, they decided that action was necessary.** The following announcement was posted on the website: "The Board of Supervisors and the EGT Pipeline Task Force were recently made aware of a whistleblower complaint involving the Sunoco/ET Mariner pipeline in East Goshen Township. This matter involves a dispute regarding geophysical surveys required for Horizontal Directional Drilling conducted along Route 352 (North Chester Road). The Board of Supervisors takes this matter very seriously and is conferring with legal counsel to determine next steps." It is my understanding that this situation is prompting other jurisdictions to consider their own legal action or to join in whatever action East Goshen decides to take. It's not just East Goshen, it's all across the state. Sunoco's construction has triggered sinkholes at many locations that we know about besides East Goshen. And if Sunoco has made a general practice of covering up these events, as the whistleblower suggests, there could be many more sinkhole locations in less-populated areas that we don't yet know about. There may well be the potential for the same kind of rupture at many locations across the state.

Sunoco sued for covering up pipeline problems

A new legal battle over the Dragonpipe (Mariner East pipeline system) was launched yesterday (October 7, 2020) with the announcement of a suit against Sunoco for covering up adverse geological findings. The Clean Air Council has announced its intent to file suit under Pennsylvania's Clean Streams Act. Under its DEP pipeline permits, Sunoco was required to hire

professional geologists (PGs) to monitor its worksites for potential environmental problems. But starting in 2020, according to the suit, those PGs were systematically prevented from reporting information that might result in work being slowed down. The "Notice of Intent to Sue" lists two major problem areas. First, Sunoco is preventing its PGs from properly reporting problems, such as sinkholes, which may lead to pollution. Instead, the PGs must report the sinkholes as "earth features", which means they do not require DEP investigation and approval for continued work. Sunoco is also preventing the PGs from investigating and reporting any problems that lie outside a Sunoco-defined "limit of disturbance", even if the problem is clearly construction-related. Further, PGs were ordered to stop monitoring problems after a week, even if the problem continued. The second area addressed by the suit is the fraudulent modification of data. Sunoco is requiring PGs to submit editable reports, which non-geologists then modify before submitting them to the DEP. The company also insists that the PGs make their findings match those of Sunoco's own inspectors. Sunoco will not permit the PGs to speak to third parties (such as drillers or inspectors from the PUC and DEP). They can speak only to Sunoco's own inspectors. The role of the PGs in the construction process is supposed to be to provide an independent assessment, separate from that of the company, on environmental issues. These Sunoco policies have removed that independence. StateImpact reports that the suit was triggered by a professional geologist who was terminated because his reports did not conform to these rules.

Drilling fluid: no possible harm, right?

Those of us who went to any of Sunoco/ETP's public presentations know what a show they made of the innocuous nature of drilling fluid. It is composed almost entirely of bentonite clay and water and is routinely used for drilling water wells. Sunoco/ETP will tell you that you could consume it—if you could face drinking mud—and not be harmed. That is probably true, and yet it does not prove that drilling fluid is harmless. The problem is not what happens when drilling fluid is consumed. The problem is that drilling fluid can do unexpected things underground.

Problems at Chester Creek. This problem was already evident shortly after drilling began at the very first drill site in our area: Judy Way in Aston, PA. The drilling of the pilot hole had only gone a few hundred feet when, on May 11 and 12, drilling fluid started welling up in people's lawns on Chester Creek Road (in Brookhaven) and in the bed of Chester Creek itself. Drilling was stopped for a time. But when it resumed, on June 25, a new outflow of drilling fluid occurred in Chester Creek.

This incident is instructive because it shows how drilling fluid can flow uncontrollably underground. In a public meeting, Sunoco/ETP reported that the drill was about 50 feet below ground level when the fluid emerged. And the locations where it surfaced were about 100 feet laterally from the intended route of the pipeline. (The fluid emerged in Brookhaven Borough, no part of which is actually on the pipeline route.) Clearly, the drilling fluid had travelled far from the location of the drill bit. Drilling fluid is pumped through the drill pipe, and it serves as a lubricant for the drill bit. In addition, its fluid pressure is used to turn the drill bit and to re-direct drilling when the bit strays from the intended route. Normally, the fluid flows back up along the drill hole to the drill site, where it is collected in a pit at the point where the drill enters the ground. It is pumped from the pit and filtered to remove rock chips and other bits of debris, and then the fluid is used again.

Drilling fluid does not necessarily go where it is supposed to. But nothing forces the fluid to return along the hole if there are other places it can go. The pressure of the drilling fluid also causes it to flow into any available cracks and gaps that the drill bit encounters. The pressure of the fluid can itself cause the rock to fracture. (In drilling industry jargon, the name for this is a "frac-out".) If the cracks lead to the surface, the fluid will emerge there. ETP refers to this situation by the euphemism "inadvertent return". That really means "uncontrolled release" or "frac-out". If the cracks in the rock lead to the water table, the fluid will emerge in wells, streams, and wetlands. If the cracks lead to a sizeable cavern, drilling becomes impossible because all the fluid simply disappears into the cavern. What can a driller do when faced with drilling fluid flowing in unexpected directions? The only two solutions I've read about are to back out the drill part way and resume drilling in a slightly different direction, in hopes that the new route will avoid the problem area; or else to inject "grout" (e.g. plaster or something similar) into the area where drilling is occurring, to fill in the cracks. It is not yet clear, to me at least, how the problem at Chester Creek will be circumvented.

An Ohio spill that was really a "frac-out". In looking at the problems at Chester Creek, I am reminded of the "spill" of about 2 million gallons (!) of drilling fluid that recently devastated a wetlands area in Stark County, Ohio, on April 13—a few weeks before the Judy Way/Chester Creek event. The same company that is building the Dragonpipe, Energy Transfer Partners, was responsible for that problem, which occurred during horizontal drilling for the "Rover" natural gas pipeline. The Ohio event wasn't a "spill" in the usual sense (a pipe failure or a valve left open in error). It was also an "inadvertent return" (frac-out) in which the company failed to notice until far too late that a vast amount of drilling fluid was surfacing. ETP had exactly the same problem on a different section of the Rover pipeline (in Richland County, Ohio) on the very next day. There was an "inadvertent return" of 50,000 gallons of drilling fluid. Two more frac-outs from Dragonpipe drilling. And now we learn that another "inadvertent return" from Dragonpipe drilling happened in Upper Uwchlan Township, north of Exton, on June 17, followed by another (on a different stretch of Chester Creek, behind the Tunbridge Apartments in Middletown Township) on July 17.

The lesson from the Ohio wetlands incident is that drilling fluid, while non-toxic in small amounts, can still do a lot of damage in bulk. And an additional lesson, from Ohio and from our local problems, is that horizontal directional drilling is an imperfect technology. Even when used exactly as intended, horizontal drilling technology can produce massive environmental damage, and there is no way to anticipate where or when it will occur.

Rick Smith

From: mshane@eastgoshen.org
Sent: Monday, October 26, 2020 2:01 PM
To: Rick Smith
Subject: FW: Pipeline Information
Attachments: DER Pipeline 10202020.pdf

FYI

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

From: "David Reidinger" <[REDACTED]>

Sent: Monday, October 26, 2020 12:09pm

To: "David Shuey" <dshuey@eastgoshen.org>, "Michele Truitt" <mtruitt@eastgoshen.org>, "Mike Lynch - BOS -- East Goshen Twp" <mlynch@eastgoshen.org>, "Marty Shane" <mshane@eastgoshen.org>, "John Hertzog" <jhertzog@eastgoshen.org>, "Jon Altshul" <jaltshul@eastgoshen.org>, carolinechughes2@gmail.com

Subject: Pipeline Information

To the East Goshen Board of Supervisors and EGT Pipeline Task Force:

My name is David Reidinger and I am a resident of East Goshen Township. Please consider the attached letter and my recommendation to act immediately to revoke the township permits and rights of Energy Transfer Partners / Sunoco and its subsidiaries and contractors until recently uncovered and professionally certified dangerous geological conditions in the township can be credibly disproven or remediated. The safety of Township residents is at stake.

Thank you for your consideration. I look forward to a response or action at the next Board of Supervisors meeting.

Sincerely,

David Reidinger

1605 Alcott Circle

West Chester, PA 19380
[REDACTED]

David Reidinger
1605 Alcott Circle
West Chester, PA 19380
East Goshen Township
10/25/2020

REC

10-26-2020

Chairman E. Martin Shane
East Goshen Township Board of Supervisors
1580 Paoli Pike
West Chester, PA 19380

Dear Supervisors of East Goshen Township:

Thank you for considering this letter and your service to East Goshen Township over your different terms.

Like many of you, I was concerned when the Mariner East Pipeline construction started years ago and became even more concerned when the true nature of the material that passes through this new construction came to light.

I am confident we all share the goal of making sure that Mariner East is safe for East Goshen residents. I applaud you for the creation of the Pipeline Task Force two years ago. I have followed your interactions with the Task Force by video and in the minutes of your meeting for several years.

I was concerned but not surprised to learn of the whistleblower complaint alleging yet another dangerous hydrologic condition in the Township. I was stunned, however, in your response on the advice you are receiving from Township counsel. Factual foundation is, of course, the basic tenet of a rule of law and your quick action to interview the involved parties is noteworthy. However, there are a multitude of reasons that the whistleblower's legal remedies could fail that do not nullify his professional opinion. The ONLY fact that is relevant now is that a nationally and PA state-certified Geologist in due function of his official role for the pipeline identified and reported a serious safety issue at a jobsite in EGT and has formally notified you of that knowledge. His credentials at the time are not invalidated by his current state of employment. That information, alone, supports any challenge to a temporary revocation of permit rights until the condition can be disproven or remediated. Three years of a mosaic of similar situations is also supportive.

Temporarily restricting the Mariner East Pipeline is no different than EGT code enforcers or construction inspection professionals halting a job site for unsafe working conditions or building methods.

10/25/2020

Page 2

While I generally applaud the candor of your BOS meetings, I was shocked to hear comments from Chairman Shane and others indicating that delay in action on this subject was about fear of legal challenge. No one challenged the veracity of the geology. Those comments on the public record seem to open the Township up to more vicarious legal liability than any quicker action on revoking permits should any unfortunate accident happen with the Pipeline. Supervisor Hertzog also correctly stated that the Chester County Commissioners are equally responsible for acting on this problem on behalf of all Chester County residents. I have copied them on this letter.

As I began this letter, I appreciate your service to EGT. You have all pledged to serve this community with "fidelity." We should not be concerned with the difficulty of a task or its likelihood of challenge if you are faithfully acting to protect the safety of EGT residents. Indeed, failing to do so is malpractice.

I urge you to follow the clear recommendation of your Pipeline Task Force and vote immediately to temporarily revoke the appropriate permits of Sunoco / ETP while you continue your fact-finding mission or until another PA agency can certify the safety of the disturbance. You already have the relevant data. Acting now will do no harm to Township residents. Failing or delaying to correct an unsafe condition in our community could be tragic.

I believe there is an opportunity for you to take action on this subject by the second week of November. I look forward to seeing your actions on this issue at the next BOS meeting.

Sincerely,



David Reidinger
(610)-613-9353
email: davereidinger@gmail.com

cc:

Chester County Commissioner Marian Moskowitz
Chester County Commissioner Josh Maxwell
Chester County Commissioner Michele Kichline
East Goshen Township Pipeline Task Force, Chair, Caroline Hughes



ADELPHIA GATEWAY

October 27, 2020

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

From: Scott Aharonian
Supervisor Public Awareness and ROW
Adelphia Gateway, LLC
214 Shoemaker Rd
Pottstown, PA 19646
(610) 327-5331

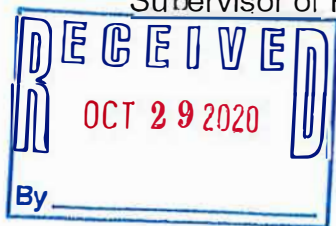
Subject: Adelphia Gateway, LLC Valve Maintenance Project

Dear Mr. Smith,

I wanted to confirm my voice mail message on October 27, 2020 regarding the upcoming Adelphia Gateway, LLC valve replacement work. As stated in my message, you will receive a more detailed construction start date notice from our team about two weeks prior to the start of construction activities. The work consists of excavating the existing valve assembly, cutting it out and installing a new valve assembly. In the interim you may see our survey crews or project team members onsite as they finalize the plans. Enclosed you will find both Gary Warfield and my business cards should you have any questions or concerns about the upcoming work feel free to reach out to us.

Thank you for your consideration.
Sincerely,

Supervisor of Public Awareness and ROW



Know what's below.
ALWAYS call 811 before you dig.

