

**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.

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

Pipeline Whistleblower Matter

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

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

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

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

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

Ms. Morley stated that the Township needs to decide when “enough is enough”.

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

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

Chairman's Report

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

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

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

WEGO Police Report

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

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

Fire Company Reports—September 2020

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

Approval of Minutes

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

Approval of Treasurer's Report

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

Consider Business Park Task Force

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

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

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

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

Consider PECO Green Region Grant Program

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

Consider Tree and Street Tree Resolution

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

Public Comment

None

Any Other Matter

None

Adjournment

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

Respectfully submitted,
Jon Altshul, Recording Secretary

Attached: October 15, 2020 Treasurer's Report

TREASURER'S REPORT		October 1, 2020 - October 15, 2020	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$5,660.21	Accounts Payable	\$158,742.89
Earned Income Tax	\$60,928.00	<u>Electronic Pmts:</u>	
Local Service Tax	\$4,070.85	Credit Card	\$0.00
Transfer Tax	\$81,722.69	Postage	\$1,075.00
<i>General Fund Interest Earned</i>	\$928.57	Debt Service	\$0.00
Total Other Revenue	\$497,346.90	Payroll	\$149,437.20
Total General Fund Receipts:	\$650,657.22	Total Expenditures:	\$309,255.09
STATE LIQUID FUELS FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$10.65		
Total State Liquid Fuels Receipts:	\$10.65	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$809.39		
Total Capital Reserve Fund Receipts:	\$809.39	Total Expenditures:	\$0.00
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$109.90		
Total Transportation Fund Receipts:	\$109.90	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$9,395.13	Accounts Payable	\$143,741.55
<i>Interest Earned</i>	\$190.51	<u>Electronic Pmts:</u>	
		Credit Card	\$0.00
		Debt Service	\$0.00
Total Sewer Operating Fund Receipts:	\$9,585.64	Total Expenditures:	\$143,741.55
REFUSE FUND			
Receipts	\$2,967.03	Accounts Payable	\$75,431.86
<i>Interest Earned</i>	\$78.73	Credit Card	\$0.00
Total Refuse Fund Receipts:	\$3,045.76	Total Expenditures:	\$75,431.86
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$511.75
<i>Interest Earned</i>	\$187.26		
Total Bond Fund Receipts:	\$187.26	Total Expenditures:	\$511.75
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$373.53		
Total Sewer Capital Reserve Fund Receipts:	\$373.53	Total Expenditures:	\$0.00
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$468.55		
Total Operating Reserve Fund Receipts:	\$468.55	Total Expenditures:	\$0.00