

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
TUESDAY, December 1, 2020  
FINAL 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; Solicitor Kristen Camp; Zoning Officer Mark Gordon; Interim Director of Finance Chris Boylan; Caroline Hughes, Bill Wegemann, and Christina Morley (Pipeline Task Force), Leo Sinclair (Conservancy Board), Maggie Stanton Malvern Public Library Director

**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 to recognize our police force, emergency services workers, and health care workers. Marty announced that the meeting is being livestreamed on YouTube.

**Public Hearing**

The Board conducted a public hearing on an ordinance amending Chapter 240 of the East Goshen Township Code titled "Zoning", regarding roof mounted solar systems. David made a motion to approve 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. Michele seconded.

Leo Sinclair, 217 North Lochwood Lane, said that he has solar panels and is glad to see the Township amending the ordinance.

The motion passed 5-0. A court reporter was present and will provide a full transcript of the hearing. A copy of the transcript will be appended to the minutes of this meeting when the decision becomes "final, binding and nonappealable."

**Chairman's Report**

- Marty announced that the Board met in an executive session on November 30, 2020, to discuss a legal matter and met tonight to discuss a personnel matter.
- Marty announced that the 2021 Budget is available for review on the Township website. It is expected to be adopted at the December 15<sup>th</sup> BOS meeting.
- Marty announced that PennDOT is looking for public feedback on transportation funding and the information is provided on the Township website.

**Approval of Minutes**

David made a motion to approve the minutes of November 10, 2020, as amended and November 17, 2020. Michele seconded. The motion passed 5-0.

### **Approval of Treasurer's Reports**

David asked Chris to provide an update on the year-to-date EIT revenue for the December 15th BOS meeting. Chris noted that as of now there is nothing that will significantly change the projections and all EIT has been recorded to date.

David made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the November 24, 2020, Treasurer's Reports. Michele seconded.

Leo requested a complete financial breakdown of the trail expenses outlining what has been paid by the grant versus the Township. Marty asked Leo to file a Right-To-Know request. Leo asked that due to the hiring of a new financial director and other potential staff / Board changes in 2021, the Township conduct a forensic audit to map out the Township's financial status.

The motion passed 5-0.

### **Acknowledge receipt of letters from PA DEP, PA PUC and Office of Attorney General denying our request for records related to subsidence reported by the whistleblower.**

Rick indicated that after consulting with counsel, we would not be successful if we appealed the Right to Know denials.

Rick updated that PennDOT has a professional geologist on staff and will be confirming that the subsidence is in the right-of-way. Rick added that Sunoco will not pay for geologic study but will share their photos and surveys and conduct ground penetration radar (GPR) testing.

Later in the meeting it was agreed that the Pipeline Task Force will provide input to file a new, more specific RTK requests.

### **Consider date for ABC Annual Planning Session**

The Board agreed to hold the ABC Annual Planning Session on January 26, 2021, starting at 6:30 pm.

### **Presentation by Malvern Library on East Goshen usage**

Chris provided background on the Malvern Library and their past request for the Township's contribution level.

Maggie Stanton requested that the Township reinstate their library funding to \$22,500 for the 2021 budget year. She explained that the library's general operating budget of \$250,000 is funded by four local government entities and annual fundraising.

Michele asked what the number of EG residents is that utilize the library and what are the number of checkouts by EG residents. Michele expressed concern about budget issues the Township will be facing in the future.

David made a motion that the Township continue to support the library funding at a level of \$22,500 by removing \$4,500 from the snow removal budget (\$174,905 → \$170,405) to offset this increase. Marty seconded.

Mike requested that Maggie share information with the Township when their annually outreach fundraising program is scheduled.

Kay Whittle, 1626 East Strasburg Road, stated she has uses the Malvern Library once a week and has done so for that last 20 years. She feels that the library is a valuable experience and service that should not be underestimated.

Mike Broennle, 1641 Hunters Circle, supports the proposed Township contribution amount of \$1.25 per capita (\$22,500) to the Malvern Library.

Christina Morley stated that keeping in line with past statements from the Board regarding budget “needs” versus budget “wants, she feels the library is a “want” not a “need”.

Patrick Hutchinson, 1613 Heron Lane, said that he is a volunteer member of the Board of Trustees for the Malvern Library. He feels that the additional \$4,500 is important for the Malvern Library to be able to continue providing its services.

The motion passed 3-2 with John and Michele opposed.

**Consider Group Bids for 2021**

Group bids were received in the following amounts:

<b><u>Fuel</u></b>	<b><u>89 Octane Gas &amp; Diesel Fuel</u></b>
Reilly & Sons Inc.	\$14,688.00

<b><u>Soda Ash</u></b>	<b><u>Soda Ash</u></b>	<b><u>Alum.</u></b>	<b><u>Total</u></b>
Univar Solutions USA Inc.	\$10,653.60	20,300.00	\$30,953.60
Main Pool and Chemical	\$9,432.00	21,980.00	\$34,412.00
Coyne Chemical	\$10,041.60	30,496.20	\$40,537.80

<b><u>Rental Equip. without Operators Weekly</u></b>	<b><u>Monthly</u></b>
Foley Inc	\$17,145.00 \$46,456.00

<b><u>Signs and Posts</u></b>	<b><u>Total Bid</u></b>
Vulcan Signs Inc.	\$ 5,825.85
Garden State Highway Products Inc.	\$11,325.10

<b><u>Milling Machine Rental</u></b>	<b><u>Daily Rental</u></b>	<b><u>10 Day Rental</u></b>
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No bids were received, this will go out for re-bid.

<b><u>Tri-Axle Dump Truck Rental</u></b>	<b><u>Per Hour</u></b>
R.W. Fetters, Inc	\$95.00 per hour

<b><u>Roadside Litter Collection</u></b>	<b><u>1 Collection</u></b>	<b><u>12 Collections</u></b>
A.J. Blosenski, Inc.	\$ 960.00	\$11,520.00

David made a motion to award the contract for fuel to Reilly & Sons Inc; for Soda Ash to Univar Solutions USA, Inc. for Rental Equipment without Operators to Foley Inc; for signs and posts to Vulcan Signs Inc.; for Tri-Axle Dump Truck Rental to R.W. Fetters Inc; and for Roadside Litter Collection to AJ Blosenski Inc. Mike seconded. The motion passed 5-0.

**Consider recommendation for Amphitheater Events**

Mike made a motion that the additional expense for an amphitheater line item be added to the 2021 budget such that the expenses are reflected at \$3,000 offsetting the revenues of \$3,000. David seconded. The motion passed 5-0.

**Consider proposal to allow for seamless hybrid meetings**

David made a motion to not to proceed with upgrading the Board Room to be able to conduct hybrid meetings. Mike seconded. The motion passed 5-0.

**Consider revised Police Agreement**

David made a motion that the Board authorize the Vice-Chair to execute the revised police agreement that:

- The Department will no longer contribute an additional \$225,000 to the Other Post Employment Benefit Trust
- The year-end surplus will be returned to the Townships.
- There will be a reconciliation if the actual PPU's vary by more the 0.5% from the target PPU allocation.
- The Capital Reserve Budget has been revised to reflect the increased cost for the new roof.

Mike seconded. Marty cautioned that if approved this may change in the future. He strongly stated that he does not agree with the method of calculation. The motion passed 4-1 with Marty opposed.

**Any Other Matter**

David made a motion to appoint Ken Lorence to fill an unexpired term on the Historical Commission. John seconded. The motion passed 5-0.

Chris informed the Board that she emailed to them the October 2020 Financial Report since it was not presented at the November meeting.

Michele thanked Chris on her diligence on compiling the membership list. This will be discussed during the budget during 12/15. Mike agreed with Michele. Michele will send out suggestion on what to cut.

### **Public Comment**

Bill Wegemann stated that he contacted Paul Rubin, an independent certified geologist, about the subsidence in question from the whistleblower's complaint. Bill said that Mr. Rubin's certification does not allow him to the work for the Township and recommended Ira Sasowsky, University of Akron. Bill stated that Ira is available to be hired and provided a list of what he proposes. Bill additionally requested that PennDOT send us the qualifications of the onsite geologist in advance. Bill asked who from the Township will be onsite when these studies take place. Bill strongly recommended that the Township not allow Sunoco to do their own boring and evaluation.

Christina Morley said that the Township needs to be assertive on stating what they expect from other entities that are doing the subsidence study. Christina supports resubmitting the RTK requests asking specifically about the geology and the subsistence.

Caroline Hughes stated that Sunoco has a history of not reporting or not being truthful on what they do. The Township cannot rely on state agencies. The Township needs to advocate and steer this investigation.

David summarized the that the Board agreed on the following items based on the input from the Public Comment and Pipeline Task Force:

- The Pipeline Task Force will help the Board determine what is expected and wanted from PennDOT regarding the qualifications, people hired and the processes to be used regarding the subsidence area.
- The Pipeline Task Force will help the Board narrow a Right-to-Know request to be submitted to the appropriate state organizations.
- The Pipeline Task Force will draft a letter that the Board will send to DCNR or other organizations to make inquiries of subsidence area and explain how they can help.

Leo thanked the Board for allowing the residents of East Goshen speak freely at their meetings.

### **Adjournment**

There being no further business, John made a motion to adjourn at 10:00 pm. Michele seconded. The motion passed 5-0.

Respectfully submitted,  
*Susan D'Amore*

Attached: November 24, 2020 Treasurer's Report

TREASURER'S REPORT		November 5, 2020 - November 24, 2020	
RECEIPTS AND BILLS			
<b>GENERAL FUND</b>			
Real Estate Tax	\$3,983.03	Accounts Payable	\$274,295.88
Earned Income Tax	\$187,666.51	Electronic Pmts:	
Local Service Tax	\$59,019.82	Credit Card	\$1,778.74
Transfer Tax	\$79,720.80	Postage	\$0.00
General Fund Interest Earned	-\$224.14	Debt Service	\$350,334.22
Total Other Revenue	\$99,809.67	Payroll	\$164,258.15
<b>Total General Fund Receipts:</b>	<b>\$429,975.69</b>	<b>Total Expenditures:</b>	<b>\$790,666.99</b>
<b>STATE LIQUID FUELS FUND</b>			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
<b>Total State Liquid Fuels Receipts:</b>	<b>\$0.00</b>	<b>Total Expenditures:</b>	<b>\$0.00</b>
<b>CAPITAL RESERVE FUND</b>			
Receipts	\$200,796.28	Accounts Payable	\$208,058.36
Interest Earned	-\$92.00		
<b>Total Capital Reserve Fund Receipts:</b>	<b>\$200,704.28</b>	<b>Total Expenditures:</b>	<b>\$208,058.36</b>
<b>TRANSPORTATION FUND</b>			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
<b>Total Transportation Fund Receipts:</b>	<b>\$0.00</b>	<b>Total Expenditures:</b>	<b>\$0.00</b>
<b>SEWER OPERATING FUND</b>			
Receipts	\$292,518.92	Accounts Payable	\$32,987.64
Interest Earned	-\$106.43	Electronic Pmts:	
		Credit Card	\$0.00
		Debt Service	\$23,863.52
<b>Total Sewer Operating Fund Receipts:</b>	<b>\$292,412.49</b>	<b>Total Expenditures:</b>	<b>\$56,851.16</b>
<b>REFUSE FUND</b>			
Receipts	\$80,535.64	Accounts Payable	\$95,607.36
Interest Earned	-\$48.93	Credit Card	\$0.00
<b>Total Refuse Fund Receipts:</b>	<b>\$80,486.71</b>	<b>Total Expenditures:</b>	<b>\$95,607.36</b>
<b>BOND FUND</b>			
Receipts	\$0.00	Accounts Payable	\$6,620.00
Interest Earned	\$0.00		
<b>Total Bond Fund Receipts:</b>	<b>\$0.00</b>	<b>Total Expenditures:</b>	<b>\$6,620.00</b>
<b>SEWER CAPITAL RESERVE FUND</b>			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	-\$34.50		
<b>Total Sewer Capital Reserve Fund Receipts:</b>	<b>-\$34.50</b>	<b>Total Expenditures:</b>	<b>\$0.00</b>
<b>OPERATING RESERVE FUND</b>			
Receipts	\$0.00	Accounts Payable	\$35.00
Interest Earned	-\$69.50		
<b>Total Operating Reserve Fund Receipts:</b>	<b>-\$69.50</b>	<b>Total Expenditures:</b>	<b>\$35.00</b>
			\$1,157,838.87
	\$1,003,475.17		\$164,258.15
			(\$993,580.72)