

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, July 20, 2021
FINAL MINUTES**

Note: This meeting was held in person at the East Goshen Township Board Room.

Present: Chairman David Shuey (via phone); Vice-Chairman Mike Lynch; Members: John Hertzog, Michele Truitt; Township Manager Derek Davis; Public Works Director Mark Miller; Zoning Officer Mark Gordon; Finance Director Dave Ware; Senior Staff Accountant Chris Boylan, Chief Brenda Bernot; Erich Meyer (Conservancy Board); Christina Morley (Pipeline Task Force); Christi Marshall, Tom Kilburn, and Brian Hutchinson (Sustainability Advisory Committee)

Call to Order & Pledge of Allegiance

Mike Lynch called the meeting to order at 7:00 p.m. Derek Davis led the Pledge of Allegiance. Michele Truitt asked for a moment of silence for the first responders and healthcare workers. Mike introduced all Board and staff members present and Michele shared information regarding Marty's health condition. Mike announced that the meeting is being recorded and livestreamed on YouTube.

Chairman's Report

Mike announced:

- a. Anyone interested in volunteering for an Authority, Board, or Commission (ABCs) position is welcome to visit our website link to fill out the application form (<https://eastgoshen.org/attention-east-goshen-residents/>).
- b. 2021 Neighborhood University in-person sessions will take place once a week from September 23 to November 18. Sign-up on the website at <https://wcacog.org/neighborhooduniversity>.

Public Hearing - Consider an ordinance amending the "Subdivision and Land Development" SALDO) section of the Township Code to create a new definition and a new section titled "Pipeline Awareness Study" as well as amending the Zoning Section of the Township Code to require a Pipeline Awareness Study to be submitted as part of certain conditional use applications.

The Board conducted a public hearing to adopt an ordinance that amends the "Subdivision and Land Development" SALDO section of the Township Code to create new a definition and a new section titled "Pipeline Awareness Study". Kristin Camp explained the procedural requirements and the advertisements that were documented. This ordinance requires a Pipeline Awareness Study, prepared by professional engineer, for any subdivision, land development, or conditional use application within 660 ft. of the centerline of a pipeline.

Mike Lynch thanked Kristin for her presentation and mentioned we are most likely the first township to adopt this type of ordinance. Michele voiced her appreciation for the work of Planning Commission and Pipeline Task Force. John echoed Michele's comments.

Christina Morley, 1530 Alison Dr, stated that she is a member of the Pipeline Task Force and encouraged the Board to separate the time and effort that goes into preparing these documents from the document itself. There were three significant actions; from Judge Barnes, the PUC proposed rules, and the County draft hazard mitigation plan, that Ms. Morley feels the Board should consider before voting.

Russ Frank, 451 Gateswood Dr. suggested this ordinance be communicated on Constant Contact.

Further discussion followed.

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.”

Michele Truitt made a motion that the ordinance be adopted. John Hertzog seconded.

Motioned carried 4-0.

Emergency Services Reports

Chief Brenda Bernot reported for the last 30 days, East Goshen Township had 450 calls for service. Chief mentioned the level of violence has escalated and there is a concern with mental health aspect of calls. The Police Department is a resource for residents and Chief Bernot encouraged residents to reach out to WEGO for assistance. Chief confirmed that WEGO mailed postcards to residents regarding fraud. She reminded residents to visit wego.org for more information.

Mike Lynch mentioned the Friends of Goshen Fire Company fundraiser and encouraged residents to contribute.

Derek Davis presented the June 2021 reports for Goshen Fire Company, Malvern Fire Company and Good Fellowship.

Cody Bright, 1331 Park Ave, questioned automatic alarms and associated fees. He inquired whether the fee considered covers the cost of emergency services who respond. Derek addressed the incremental amount and stated it does not cover the resources dedicated to call. Cody asked if the fees are different for resident or commercial. Dave Ware and Mark Gordon explained the fee structure.

Financial Report

Dave Ware presented the June 2021 financial report. Dave mentioned that Transfer Tax revenue is up 40% over year to date expectations due to unbudgeted commercial properties sold and a few residential properties that sold for over a million dollars. EIT is up 8% versus budget and Codes revenue is up over 50% versus budget due to an increase in building permits.

Approval of Minutes

Michele made a motion to approve the minutes of July 6, 2021. John seconded.

Motion carried 4-0.

Approval of Treasurer's Report

Michele question Brandywine Valley SPCA significant cost and asked how other townships are handling stray animals. Mike mentioned East Bradford had same issue. Derek stated that there are many municipalities with the same contract. He added that there are a couple of other options in Chester County, such as fee for service, however that is not financially beneficial. Mike stated that we have an obligation to provide this service but encouraged staff to invoice identifiable individuals for 'return to owners'.

Michele questioned Rembrandt expense, which is for art instruction. Dave explained this is part of summer rec program.

John made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the July 15, 2021 Treasurer's Report. Michele seconded.

Motion carried 4-0.

Old Business

None

New Business

Consideration of recommendation from the Sustainability Advisory Committee (SAC) to fully implement a township recycling toter program and to pursue a state grant that would cover 90% of the cost incurred for the recycling toters.

Mike explained that the SAC initiated a pilot program to provide 100 covered toters to residents.

Christi Marshall, 1576 Vassar Ct, explained the pilot program and would like to expand further by obtaining a State grant that would cover 90% of costs. SAC identified the State grant, with Township match, to provide recycle toters for all residents. At this time, Ms. Marshall is asking the Board allow a few staff members to meet with SAC before the September grant expiration date. After meeting, the committee would return to the Board with recommendations and cost estimates. 10% cost is anticipated to be incurred in 2022. Distribution of lidded totes would be made on a voluntary basis. Availability will allow recycle of cardboard and paper and keep from getting wet, thereby decreasing rejection rate.

Mike clarified that Ms. Marshall is asking only for the Board to consider the ability of staff to meet and discuss grant application. Following that meeting, the SAC would return to Board with their recommendation and determine if the Board would allow the application of the grant. If grant was awarded, toter usage would be encouraged but not mandatory. Ms. Marshall confirmed Mike's understanding.

Tom Kilburn, 312 Jefferson Dr., explained the survey conducted following the toter pilot program. 76 % responded; 55% positive response, overall increase to recycling estimated at 15%. Mr. Kilburn believes awareness is a key factor to success. Mike stated that the Township already invested approximately \$7,000, and the match required for the grant is estimated at \$9,000.

Dave explained the grant submission expires September 24, 2021, with grant funds awarded by end of year.

Brian Hutchinson, 1429 Cooper Cir, thanked the staff for providing data and reviewed additional survey results.

Michele made a motion to allow Township staff to schedule the pre-application meeting and identify the specific local funding match amount. John seconded.

Motion carried 4-0.

Further discussion ensued regarding the increased cost of recycling and the rejection rate. Other comments were that we need to figure out a method to innovate our own uses and educate residents regarding successful recycling.

David mentioned that recyclables are refused due to contamination and getting wet. Lidded containers would reduce the rejection rate.

Consider replacing two (2) fully depreciated pickup trucks and one (1) fully depreciated dump truck under discount COSTAR pricing.

Mike explained this would be a 2022 capital budget item. Dave Ware stated that accumulated capital replacement funds have been put aside for each of these vehicles. Mark Miller mentioned the dump truck is 16 years old and the 2 pickup trucks are 10 years old. Mark will use Municibid to sell old vehicles when new vehicles arrive.

Michele made a motion to authorize the purchase of two pickup trucks from Fred Beans, in the amount of \$146,996 and the purchase of a dump truck from G.L. Sayre, in the amount of \$200,529. John Hertzog seconded.

Motion carried 4-0.

Consider passing resolution for the Deer Management Program during the 2021-2022 season.

Mike stated this program functions effectively. Mark Gordon explained all four groups are active in their communities with great experience, who also participate in garbage collection in open areas. Mike acknowledged letters received from these groups. Mark clarified the benefits of this program.

Michele made a motion that we approve the 2021-22 DMP Resolution (resolution 2021-24) and the following Deer Management Groups to participate in the 2021 Township Archery Hunting program:

- Chester County Trackers will manage the Grand Oak & Mill Creek open space area.
- Main Line Whitetail Managers will manage the Supplee open space area.
- Keystone Archers will manage the Bow Tree & Clocktower open space.
- Tri County Whitetail Management will manage the Wentworth open space area.

John seconded.

Motion carried 4-0.

Consider storm water management, operations and maintenance agreements for 103 Rossmore & 632 N. Chester Rd.

Michele made a motion that the Board authorize the Chairman or Vice-Chairman to sign the storm water management, operations and maintenance agreements for 103 Rossmore Dr. and 632 N. Chester Rd. John seconded.

Motion carried 4-0.

Consider use of the Township-owned 2019 Red Explorer “pool car” by the Township Manager.

Mike explained that the Township Manager in municipalities need to have access to a vehicle 24/7, and this is a reasonable use of vehicle.

Michele made a motion that the we allow the Township Manager to use the township owned 2019 Red Ford Explorer "pool car" for township-business as well as "to and from" work. John seconded.

Motion carried 4-0.

Any Other Matter

Michele discussed Marty’s health condition and he is improving daily.

Public Comment

Brian Hutchinson 1429 Cooper Cir., recognized Mark Gordon and Code Officers for their quick response to his solar system project. Mark Gordon recognized Mr. Hutchinson for his involvement in seeking amendment to the Sol Smart ordinance.

Christina Morley asked the Board to consider writing a letter to the PUC following Chester County Commissioners letter regarding sinkholes opening in the area. John suggested this matter go through the Pipeline Task Force.

Michele stated that she will be visiting Sunoco Energy Transfer to view their control room and meet with one of their directors. She will not accept any compensation from the Township or Sunoco. Mike appreciates Michele communicating this with the Township.

Russ Frank spoke about the Hicks farm. He asked the Board to reevaluate the decision to exercise eminent domain. Mike responded and expressed his position on the matter. Mike mentioned that Section B is most complicated section, between Airport Rd and Hicks property.

Jen Hicks, 1325 Paoli Pk., asked why the Township would spend \$600K on a trail before obtaining agreement with Hicks. Mike explained that the Township had to show we were advancing engineering and easements in order to obtain grants. Earlier correspondence from Hicks family were comments about access, but not the equestrian operations. Mike expressed that the township was operating in good faith. Michele mentioned the breakdown occurred when the spray paint lines appeared. Jen Hicks commented that the alternate route would save money and Hicks would donate that land. Mike wants to see this easement secured for future generations. John Hertzog mentioned that he feels it is possible to open negotiations to look into alternate route. John and Michele are against eminent domain. David mentioned that he would entertain alternate plan, but echoes Mike’s comments.

Mark Kawecki, 1446 Cherry Ln., questioned whether consideration was given to use the High School side instead of Hicks side of Paoli Pike for the trail. Mark Gordon explained challenges near the School District, that there is already had easement from Corporate Park, and to meet PennDOT safety requirements. Mr. Kawecki mentioned Ms. Hicks offer of land to be donated for alternative route and asked if the Board would consider surrender easements. John mentioned this is a negotiation detail.

Christina Morley asked what the actual definition of what this project is; trail vs. sidewalk. Michele and Mark Gordon clarified it is a multi-modal trail.

Mark Gordon mentioned that in the beginning, around 2011, we were part of the County trail plan, then the Board decided to expand that concept to the Paoli Pike Trail. The Hicks were invited and attended. Mark state the Township invited every stakeholder and had a good turnout.

Correspondence

The Board acknowledged:

- a. April-June 2021 Quarterly Right-to-Know Report
- b. Thank you letter to Mark Miller and Sue Smith from resident Beverly West for assisting on an issue with a large Cherry Tree.
- c. Thank you to Mark Miller and his team for assistance with a Cherry Tree from resident Doris Kessler.

Adjournment

There being no further business, John made a motion to adjourn at 9:21 pm. Michele seconded.

Motion carried 4-0.

Respectfully submitted,
Chris Boylan
Recording Secretary

Attached: July 15, 2021 Treasurer's Report

TREASURER'S REPORT		June 30, 2021 - July 15, 2021	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$2,733.41	Accounts Payable	\$826,636.10
Earned Income Tax	\$128,572.41	<u>Electronic Pmts:</u>	
Local Service Tax	\$0.00	Credit Card	\$2,628.32
Transfer Tax	\$0.00	Postage	\$0.00
<i>General Fund Interest Earned</i>	\$231.50	Debt Service	\$0.00
Total Other Revenue	\$69,647.51	Payroll	\$222,916.02
Total General Fund Receipts:	\$201,184.83	Total Expenditures:	\$1,052,180.44
STATE LIQUID FUELS FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$0.08		
Total State Liquid Fuels Receipts:	\$0.08	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$15,000.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$141.15		
Total Capital Reserve Fund Receipts:	\$15,141.15	Total Expenditures:	\$0.00
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$48.25		
Total Transportation Fund Receipts:	\$48.25	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$12,529.95	Accounts Payable	\$143,121.32
<i>Interest Earned</i>	\$38.32	<u>Electronic Pmts:</u>	
		Credit Card	\$1,592.53
		Debt Service	\$0.00
Total Sewer Operating Fund Receipts:	\$12,568.27	Total Expenditures:	\$144,713.85
REFUSE FUND			
Receipts	\$6,252.67	Accounts Payable	\$563.47
<i>Interest Earned</i>	\$14.08	Credit Card	\$69,349.38
Total Refuse Fund Receipts:	\$6,266.75	Total Expenditures:	\$69,912.85
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$3,943.50
<i>Interest Earned</i>	\$45.98		
Total Bond Fund Receipts:	\$45.98	Total Expenditures:	\$3,943.50
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$62.60		
Total Sewer Capital Reserve Fund Receipts:	\$62.60	Total Expenditures:	\$0.00
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
<i>Interest Earned</i>	\$76.11		
Total Operating Reserve Fund Receipts:	\$76.11	Total Expenditures:	\$0.00