

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, October 5, 2021
FINAL MINUTES**

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

Present: Chairman David Shuey; Vice Chairman Mike Lynch; Members: John Hertzog, Michele Truitt; Township Manager Derek Davis; Finance Director Dave Ware; Senior Staff Accountant Chris Boylan, Erich Meyer (Conservancy), Christina Morley (Pipeline Task Force).

Call to Order & Pledge of Allegiance

David Shuey called the meeting to order at 7:00 p.m. David led the Pledge of Allegiance.

Michele Truitt announced that October is Breast Cancer Awareness month. Michele asked for a moment of silence for the people who are taking care of breast cancer survivors and all survivors, both male and female.

Mike Lynch expressed condolences for George Fasic, former Executive Director of Chester County Planning Commission and Mike's mentor, who passed this week.

David announced that the meeting is being recorded and livestreamed on YouTube.

Chairman's Report

- a. Our annual Pumpkin Fest will take place at East Goshen Park on Saturday, October 16 at 10 AM.
- b. Our Food Truck and Music Festival will take place at East Goshen Park on Saturday, October 16 from 2:30-6:30 PM.
- c. Planning Commission meeting originally scheduled for October 6th is canceled. The Malvern Institute and land development discussion will take place during the regularly schedule Planning Commission meeting on Wednesday, November 3rd.

Public Hearing - None

Emergency Services Reports -None

Financial Report - None

Approval of Minutes

Michele made a motion to approve the minutes, as amended, for September 14, September 21, and September 28, 2021.

John seconded.

Motion carried 4-0.

Approval of Treasurer's Report

Dave Ware presented the Treasurer's Report.

Mike noted that, in regard to the Volunteer Firefighter Relief funds, municipalities have the discretion to distribute funds. We contribute about 95% to Goshen Volunteer Fire Relief Association and about 5% to Malvern Volunteer Fire Relief Association.

Mike asked if the phone system upgrade is in the capital schedule. Dave confirmed.

Michele made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the September 30, 2021 Treasurer's Report.

Mike seconded.

Motion carried 4-0.

Old Business

Consider Resolution 2021-210, amending a resolution passed in September regarding tax services provided by Chester County.

Derek explained that the Board passed a resolution on September 7th authorizing Chester County to start collecting real estate taxes on behalf of East Goshen Township. There was language in the original resolution that the County felt needed clarification. Additionally, a correction was needed to the statute cited in the original resolution that the County provided to us. The County also corrected the deputizing of the County Treasurer to collect the taxes on our behalf.

Mike clarified the date of December 31, 2021 on page 2 of the resolution. Derek confirmed that is correct. Mike referenced the use of the word "insure" multiple times within the resolution, and believes it should be "ensure".

Michele questioned if this agreement would need to be revised each time the County Treasurer changes, since it references the current County Treasurer by name. Derek believes we need to revise as needed.

Michele made a motion to pass resolution 2021-210, amending the previously passed resolution 2021-207, authorizing the collection of East Goshen real estate taxes by the Chester County Treasurer.

Mike seconded.

Motion carried 4-0.

New Business

Small Wireless Facility (SWF) Ordinance discussion and hearing advertisement authorization led by Kim Venzie with Buckley Brion.

Kim Venzie explained the ordinance and the design guidelines. The effort is to pull any provisions that regulate small wireless facilities out of the zoning ordinance and separately regulate them with a stand-alone ordinance. Kim explained that while we cannot control the location of SWF, we can control the design. In areas where all utilities are required to be located

underground, Act 50 does provide mechanism of small wireless companies to request an exception with a hearing before the Board of Supervisors.

David and Mike commented that East Goshen Township has several communities with underground utilities.

David asked whether Act 50 as referenced in the design guidelines are enforceable. Kim confirmed.

Mike asked what happens if a property owner, in a residential district with underground utilities, objects to a request to place an above-ground device on their property. Kim confirmed it would not be placed on that property.

John asked how many SWF may come into East Goshen Township, do we have any here now, or any applications for such. Derek replied that DAS and SWF are different and he would need to clarify. John inquired if we could charge a fee. Kim responded the fee is \$270/year set per ordinance.

David asked if we could insist on street light installation. Kim confirmed this is stipulated in the design regulations.

Michele asked if we could require solar. Kim confirmed. Michele asked if it must be a certain height. Kim responded, by definition, all small wireless would be less than 50 ft.

Derek recommended to hold a public hearing the first meeting in December 7th.

Michele made a motion to authorize the solicitor and staff to advertise the Small Wireless Facility Ordinance hearing to be held on Dec 7th.

Kim will add the solar requirement.

Mike seconded.

Joe Buonanno, 1606 Herron, asked if these are for air or land rights. Kim responded small wireless facilities would seek placement in public right of ways. Joe asked if there is a surety bond requirement. Kim believes no escrow or bond can be required but will double check. Michele asked if a small wireless company goes bankrupt, could another company come in and take over. Kim confirmed.

Motion carried 4-0.

Consider authorization for an auditing firm selection process update for Westtown-East Goshen Police Department.

Derek explained that the WEGO auditor retired. WEGO submitted multiple Request for Proposals for an auditing firm and received no responses. There is a stipulation in the police contract that WEGO cannot use the same professional services as Westtown, East Goshen, and Thornbury. However, there are only three audit firms in the area and the three municipalities already use them. This resolution would change the provision and allow WEGO to use one of the

same audit firms. Derek confirmed Westtown approved this same motion last night. The WEGO Business Manager will handle issuing the RFP to the audit firms.

David made a motion to authorize Resolution 2021-209, amending the police services agreement with Westtown, to allow the Police Commission to hire an auditor that may be affiliated with a participating municipality.

Michele seconded.

John added that we continue to disallow attorneys to work for the Police Commission and participating municipalities.

Motion carried 4-0.

Consider authorizing advertisement for a hearing in November to consider amendment to the LED sign ordinance.

David explained that Giant wants to put in an EV charging station in exchange advertisement on the equipment. This would require an amendment to the current ordinance.

Derek explained this amendment would apply to two shopping centers, Giant at Hershey's Mill and Goshen Village Shopping Center. This would allow an LED sign to advertise and be specific to EV charging stations.

David explained that the Planning Commission has reviewed and completed a lot of work on this issue.

Michele made a motion to authorize staff to advertise a hearing in November to consider this amendment to the LED Sign ordinance.

Mike seconded.

Michele clarified this she believed this already went to the County for their suggestions. Derek will confirm.

Derek suggested to hold this hearing on November 16th.

John asked if we could put this information in the advertisement, announcement, or newsletter. Derek confirmed that we can put this on the website under Latest News.

David noted the staff recommendation memo written on September 29th stated that the Planning Commission recommendations are ready to forward to the County.

Motion carried 4-0.

Consider accepting results of the township cleaning contract bid.

Derek explained there were only two cleaning contract bids and our current contractor did not bid. There is a large discrepancy between the two bids. The low bidder did not view the facility as recommended. Mark Miller had positive past experience with Clean Right Building Services.

The preliminary 2022 budget has \$20K for cleaning services. Staff attempted, unsuccessfully, to contact current cleaning company to inquire if they would be willing to work on a month to month basis.

Derek confirmed this is a 3-year contract.

John asked if there is an exit clause in the contract. Derek will look at the contract.

Mike acknowledged that this is a large increase over the current contract. The Township also provide cleaning services to the District Justice office. Mike suggested to review this expense and make sure it is captured in the landlord agreement with the District Justice office.

Michele asked if we could add an exit clause in the contact. Derek confirmed that can be added to the motion.

Michele made a motion to award the township cleaning contract to the second lowest bidder, Clean Right Building Services, in the amount of \$1,845.00 a month, totaling \$22,140.00 a year, with an exit clause provision for a minimum 30-day notice.

John seconded.

Motion carried 4-0.

Consider request by Goshen Monthly Meeting/Goshen Friends to erect a Historical Marker near SE corner of the intersection of N. Chester Road and Paoli Pike.

Jack Embick represented Goshen Friends and stated they would like to place a historic sign near the intersection to assist residents understanding of this group and to memorialize the history.

Mike commented this is a nice idea but suggested the wording for the plaque be revised.

John inquired who will pay for the bench and the sign. Jack stated that if the Township would support this effort, it would be gratefully received. Jack suggested the bench be made in-house and that could be a way the Township contributes.

John commented that the Historical Commission is in favor of this item.

David made a motion to support the Goshen Monthly Meeting request for a Historical Marker and commemorative bench to be placed adjacent to the Paoli Pike Trail on the north side of the Goshen Monthly Meeting property, located at 814 N. Chester Rd. Upon completion, the final design and location shall be presented to the Board for review and approval.

John suggested that the Board authorize township staff to negotiate with Friends the cost and construction of the bench and sign.

David prefers metal historical marker sign.

John seconded.

Michele echoed David's comments regarding the metal sign. Michele feels an enclosure containing information explaining the Quaker meetings would be helpful to educate the community. Michele acknowledged the cost of a metal sign will be significantly higher and suggested Goshen Friends work this out with township staff.

Motion carried 4-0.

Consider Sustainability Advisory Committee (SAC) proclamation request.

Michele stated this year is the 11th National celebration of Energy Efficiency Day, and this is the first time East Goshen is proclaiming this day. The SAC asked the Board of Supervisors to proclaim this day and Michele hopes township staff and residents will use half their normal energy tomorrow.

David made a motion, on the recommendation of our Sustainability Advisory Committee, to approve Resolution 2021-211, proclaiming the first Wednesday in October 2021 as "ENERGY EFFICIENCY DAY" in East Goshen Township, and urged citizens to join us in supporting our clean energy goals and moving toward more energy efficiency now and in the future.

John seconded.

Motion carried 4-0.

Mike commended the Sustainability Advisory Committee on the excellent job they are doing educating the Board and community with a long-term message to change lifestyles.

Consider Stormwater O&M Agreement at 1630 Margo Lane.

Mike made a motion to authorize the Chairman to sign the storm water management, operation and maintenance agreement for 1630 Margo Lane.

John seconded.

Motion carried 4-0.

Any Other Matter

Mike stated that correspondence was received from Good Fellowship requesting the Board to support HB1293, regarding changing the law to require insurance companies to reimburse first responders directly, rather than residents, when providing service. Mike would like the Board to support this request.

David commented that ambulance services invoice residents and residents get paid from the insurance company and sometimes keep the money. David supports this request.

Derek would like to contact Good Fellowship to obtain more information prior to moving forward with formal action.

Public Comment

Joe Buonanno, 1606 Herron, does not believe insurance companies will issue check directly to first responders.

David commented that Josh Shapiro issued 48 criminal charges against Energy Transfer for their state-wide activities.

Mike mentioned he received Pipeline Safety information from Adelphia Gateway in their recent publication.

Liaison Reports - None

Correspondence

David acknowledged the following correspondence:

- a. Email from Joe Buonanno regarding recycling totes and other budgetary issues.
- b. Email from Joe Buonanno regarding sewer rates and general budgetary issues.
- c. Email from Joe Buonanno regarding Paoli Pike Trail Segment A.
- d. Email from John and Lorraine McMullen regarding a comment at the September 7th board meeting during the discussion of the Milleson Lane street closure.

Adjournment

There being no further business, Michele made a motion to adjourn at 8:05 pm. John seconded.

Motion carried 4-0.

Respectfully submitted,
Chris Boylan
Recording Secretary