

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, November 9, 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; Erich Meyer (Conservancy). Cody Bright, incumbent Supervisor.

Call to Order & Pledge of Allegiance

David Shuey called the meeting to order at 7:02 p.m. David led the Pledge of Allegiance.

Michele Truitt asked for a moment of silence remembering Josh Micun who passed away on October 31st.

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

Chairman's Report

- a. Condolences to the friends and family of WEGO Officer Josh Micun, who passed away on October 31 from a COVID-related illness. Michele added there have been over 756,000 COVID related deaths.
- b. The Board met in executive session prior to tonight's meeting to discuss legal matters and personnel matters.
- c. Township has retained its AAA Bond Rating from Kroll Bond Rating Agency. Mike added that the County and West Chester Area School District also achieved AAA rating.
- d. Potential passage of the 2022 Preliminary Budget is scheduled to take place on Tuesday, November 16. It will be the last budget discussion before final budget passage on December 21, 2021.

Public Hearing

Consider Street Closure policy change for special events.

Derek opened the hearing for considering the street closure policy for special events. Derek presented exhibit B1, proof of publication in the Daily Local News dated 11/1/21 and exhibit B2, an email from Buckley Brion law firm dated 11/1/21 to the Daily Local and the Chester County Law Library providing the proposed amendment, which was available for public inspection.

Derek explained the consideration for a special event street closure was previously determined by the Board of Supervisors. Derek and the solicitor determined the requests for a special event street closure could be handled administratively. Derek explained the process in detail. There were no witnesses for this hearing. Derek closed the hearing.

A motion was made by Michele to approve the proposed ordinance to amend Chapter 225 of the East Goshen Township Code, titled, "Vehicles and Traffic", Section 225-5, currently titled "Streets closed or restricted for construction, maintenance or special events" so that special event street closures will no longer be governed by said ordinance. John seconded.

John and David clarified that this motion amends the ordinance to remove ‘special events’.

Russ Frank, 451 Gateswood Dr. asked several times in the past, and asked again, why public hearings cannot be posted on Constant Contact. Mike replied that under current law, the Township is required to advertise public notices in a paper of general circulation. We cannot use the website to advertise public notices. David added there is legislation being considered to modernize public notices.

Motion carried 4-0.

A motion was made by Michele to pass Resolution 2021-2013 to adopt a policy allowing township-owned roads to be closed during special events. Mike seconded.

Mike questioned whether the Public Works Director or Fire Marshal would communicate with Police, if necessary, since it’s not referenced specifically in the resolution. Derek responded that the Public Works Director communicates with the Police, when necessary.

Michele inquired whether the noise ordinance would be included when residents download the petition for a special events street closure. Derek responded this is a good suggestion and he will include the noise ordinance in the packet.

John McMullen, 604 Milleson Ln, asked for the Board to consider requiring 100% of abutting properties to sign off on events. John Hertzog replied that requiring 100% was considered, but the Supervisors decided on 80% of abutting properties sign off the first year of an event, and 90% for the second year of event.

Motion carried 4-0.

Emergency Services Reports - None

Financial Report – None

Approval of Minutes - None

Approval of Treasurer’s Report

Dave Ware presented the Treasurer’s Report.

Michele made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the November 4, 2021 Treasurer’s Report. John seconded.

Mike asked about an Amazon photo storage charge for Parks & Rec. Derek will follow up with Jason for clarification. Mike also asked about an expenditure for line painting. Dave confirmed this expense will be reimbursed by State Liquid Fuels funds at year end. Mike inquired about Paoli Pike Trail sections A & B inspections that are just now being paid. Derek responded this was a September invoice that he and Dave questioned the accuracy of time billed. John asked about another expenditure relative to the Trail and Dave explained that was reimbursed by grant funds. John inquired if there is ongoing work on the Paoli Pike Trail that we will incur expenses

for in the future. Derek replied there are bumps on the Trail that will be fixed and proposed to be paid for with grant funds.

Michele pointed out a \$1,552.18 credit card charge made by Mark Miller for two DEF tanks and commended Mark for finding these tanks at a reasonable cost. Michele inquired about what the total spent so far on Hershey's Mill Dam and how much is available for this project. Dave replied that we have spent \$800K so far, with \$340K for total site construction and otherwise, engineering costs, with approximately \$1M outstanding to close out the project. This project should be finished by December. Once the project is complete, we anticipate being reimbursed about \$630K from grants.

Michele asked about Milltown Dam and Derek responded that Gannett Fleming stated that DEP Dam Safety is saying the permit is pending. Derek is hoping to proceed with bidding in early 2022. Dave added that we are planning on getting a new cost estimate prior to going out to bid.

Michele questioned \$575 monthly bank fees. Mike responded that these fees are for positive pay and assurances to protect against fraudulent bank issues. Dave responded that an RFP for banking services will be prepared shortly to evaluate fees and interest rates.

Motion carried 4-0.

Old Business:

Final Q&A before November 16th preliminary budget consideration.

David commented that this budget is being presented as a balanced budget. Mike commented this was a good budget process. Mike explained the Second Class Township code and the option to use fund balance to pass a balanced budget. Mike commented that the Board worked with staff in order to trim a \$600K budget deficit and not use fund balance to balance the budget.

David explained that we depreciate capital equipment so that funds are available when replacement is needed. The Board believes we need to look at aging infrastructure, such as parks, ponds, bridges. In 2022, we will establish the Sustainability Infrastructure Fund with \$1.2M, moving it from Operating Fund, to address proactive and reactive issues that arise. Mike commented that this is a long-term plan, funding it this year with a transfer from the Operating Fund, but we need to decide how to fund this in the future. Michele suggested that we could fund this account by transferring any budget surplus at year-end.

Dissolution of the Business Park Task Force (BPTF).

David stated the BPTF presented their findings at the last Board Meeting. Derek commented that, based on Section 8 of Resolution 2020-197, the Business Park Task Force was always meant to terminate upon the acceptance of their final report. The Business Park Task Force has officially dissolved.

Consider resolution establishing the ARPA (COVID Relief) Fund.

Derek explained that we allocated the funding but did not establish a resolution.

Michele made a motion to pass resolution 2021-214, ratifying the creation of an American Rescue Plan Act Fund and authorizing the implementation of a plan for the uses of the Federal relief act money deposited into the fund. Mike seconded.

John commented that we have \$900K sitting in the bank not making interest and inquired why projects are not moving ahead. Dave commented this will be spent before end of year.

Motion carried 4-0.

Public Comment:

Russ Frank, 451 Gateswood Dr., asked about the whether the motor vehicles tax can be used to cover bridge repairs. Mike replied that fee only covers state owned bridges. Mr. Frank also asked about Bonds. Mike explained the Supervisors receive a monthly breakdown of outstanding bonds. There are currently two General Fund bonds and three Sewer Fund bonds. Mike explained that the Board believes these bonds are manageable, and KBRA also has confidence in the Township as well. Mike further explained that for municipal bonds, a financial advisor works with staff to wrap bonds, meaning in the early years of wrapping a bond, just interest and very minimal principal is paid. Mr. Frank stated that the sewer and trash user fee does not sit well with residents. John explained a user fee is charged specifically to residents who use those services and the tax is for general use.

New Business:

Consider Westtown-East Goshen (WEGO) Regional Police Department proposed Request for Qualifications (RFQ) for a staffing study.

Michele made a motion to table the WEGO proposed RFQ for a staffing study. Mike seconded.

Motion carried 4-0.

Consider Futurist Committee's request for additional surveys.

Michele made a motion to table the Futurist Committee's request for additional surveys until a member can present. John seconded.

Motion carried 4-0.

Consider Deed of Dedication for 600 and 604 Reservoir Road.

Derek explained the same owner of both lots would like to combine the lots. Mike asked is there any question on deeds that would limit this action. Derek replied that he did not see any issues.

Mike made a motion to waive the subdivision plan submission requirement and authorize the consolidation of two adjoining parcels owned by Joseph L. and Elizabeth D. Mulcahy, 600 Reservoir Rd., West Chester, PA, 19380, consisting of tax parcels 53-4-98 and 53-4-98.2 (Lots 2 and 3). John seconded.

Michele asked if this would preclude them from subdividing in future. Derek replied they can subdivide in a different manner.

Motion carried 4-0.

Consider Willistown Township Sewer Agreement and Resolution.

David mentioned there are three homes in Willistown Township that use our sewer system. Derek commented that Willistown sold their sewer system to AQUA. Willistown Township requested this agreement.

Mike stated that we did not initiate this and feels we should not incur any legal or other costs related to this request.

Michele made a motion to pass Resolution 2021-2012, to approve an intermunicipal sewage agreement with Willistown for three lots along Line Road, with the provision that attorney and/or administrative fees are reimbursed by requestor. John seconded.

Michele asked if the Municipal Authority needs to review. Derek replied the Municipal Authority signed and passed the agreement last night.

Motion carried 4-0.

Derek commented that Mark Miller confirmed Willistown Township will pay the fees.

Consider re-approval of dump truck purchase due to price increase.

Derek explained the price agreed to back in summer 2021 is no longer valid due to increased prices. COSTARS assisted in negotiating a lower increase than initially expected.

Michele made a motion to re-approve the dump truck purchase, due to price increase from \$114,702 to \$125,285. John seconded. Mike made a friendly amendment, to reluctantly accept this motion.

Motion carried 4-0.

Approval of Stormwater O&Ms – 600 Reservoir Road & 1690 Hunters Circle.

Mike made a motion to authorize the Board Chair to sign the Stormwater O&Ms for 600 Reservoir Rd and 1690 Hunters Circle. John seconded.

Motion carried 4-0.

Consider *Designation of Agent Resolution* for Hurricane Ida FEMA process.

Derek explained we are going thru process with FEMA for reimbursement of expenses incurred during Hurricane Ida. Mark Miller's initial estimate of damages at \$25K-30K. FEMA requires a designated agent.

Mike made a motion to designate Staff Accountant Barbara Phillips as our agent during the Hurricane Ida FEMA process. Michele seconded.

Motion carried 4-0.

Consideration of Christmas tree sales at 1301 West Chester Pike.

Michele made a motion to approve request of Robert Wiggins to sell Christmas trees at 1301 West Chester Pike starting approximately 11/20/21 and ending 12/24/21. John seconded.

Motion carried 4-0.

Consider meeting date for ABC Annual Planning Session.

David explained this is an annual meeting for the ABCs to present their accomplishments and where they will focus their efforts in the future. This meeting will be held on January 25, 2022, at 6:00PM for the ABC Annual Planning Session.

David asked Derek to give the ABC a format to follow so their presentations are consistent.

Any Other Matter

Michele did research and found we have more ABCs in our township than any other neighboring township. Michele suggested to look into consolidating some committees. A staff member, a supervisor, and a recording secretary attend each meeting. Mike replied this is a good initiative. Derek stated this is the time of year that people express interest in groups. Michele would like to review this and have people who are interested, attend the ABC meetings. David commented this could be a February initiative. John commented that we would need to drop people or have large committees. Mike stated this will be a complex review. Michele feels it is important to streamline staff time and save costs. David suggested to add this as an agenda item on January 25th.

Michele mentioned, as a follow up from BPTF, she reached out to the PECO liaison regarding power outages. Michele reported the findings. PECO started Q4 aggressive vegetation removal in East Goshen Township.

John commented that left turn lights were installed on Greenhill left to Boot Rd.

Liaison Reports - None

Correspondence, Reports of Interest

David acknowledged receipt of correspondence from Mr. Buonanno regarding an accident on 352 and concern about people walking on roads. David also noted a consumer bulletin mentioned AQUA public hearings tomorrow and the 12th regarding AQUA's request for a rate increase.

Adjournment

There being no further business, Mike made a motion to adjourn at 8:38 pm. Michele seconded.

Motion carried 4-0.

Respectfully submitted,
Chris Boylan
Recording Secretary

Attached: November 4, 2021, Treasurer's Report

TREASURER'S REPORT		October 14, 2021 - November 4, 2021	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$21,688.98	Accounts Payable	\$542,159.06
Earned Income Tax	\$123,356.62	Electronic Pmts:	
Local Service Tax	\$8,778.29	Credit Card	\$6,470.16
Transfer Tax	\$0.00	Postage	\$0.00
General Fund Interest Earned	\$213.57	Debt Service	\$79,961.89
Total Other Revenue	\$39,413.11	Payroll	\$218,827.74
Total General Fund Receipts:	\$193,450.57	Total Expenditures:	\$847,418.85
STATE LIQUID FUELS FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.08		
Total State Liquid Fuels Receipts:	\$0.08	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$109,123.62	Accounts Payable	\$265,755.38
Interest Earned	\$129.44		
Total Capital Reserve Fund Receipts:	\$109,253.06	Total Expenditures:	\$265,755.38
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$46.64		
Total Transportation Fund Receipts:	\$46.64	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$370,182.96	Accounts Payable	\$156,083.57
Interest Earned	\$25.29	Electronic Pmts:	
		Credit Card	\$0.00
		Debt Service	\$178,084.54
Total Sewer Operating Fund Receipts:	\$370,208.25	Total Expenditures:	\$334,168.11
REFUSE FUND			
Receipts	\$99,024.58	Accounts Payable	\$84,308.67
Interest Earned	\$7.82	Credit Card	\$0.00
Total Refuse Fund Receipts:	\$99,032.40	Total Expenditures:	\$84,308.67
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$31,990.42
Interest Earned	\$50.94		
Total Bond Fund Receipts:	\$50.94	Total Expenditures:	\$31,990.42
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$34.50
Interest Earned	\$57.67		
Total Sewer Capital Reserve Fund Receipts:	\$57.67	Total Expenditures:	\$34.50
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$34.50
Interest Earned	\$67.33		
Total Operating Reserve Fund Receipts:	\$67.33	Total Expenditures:	\$34.50
ARPA - COVID RELIEF FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$8.07		
Total ARPA - COVID Relief Fund Receipts:	\$8.07	Total Expenditures:	\$0.00
	\$772,175.01		\$1,563,710.43
			\$218,827.74
			(\$1,344,882.69)