

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, APRIL 19, 2022
FINAL MINUTES**

Note: This meeting was held in person at the East Goshen Township Board Room. This was a hybrid meeting conducted via Zoom.

Present: Chairman Michele Truitt; Vice Chairman John Hertzog; Members: Cody Bright, Mike Lynch, David Shuey; Township Manager Derek Davis; Finance Director Dave Ware; Senior Staff Accountant Chris Boylan; Fire Marshal Carmen Battavio; Chief Brenda Bernot; Goshen Fire Executive Director Grant Everhart; Tom Kilburn (Futurist); Erich Meyer (Conservancy).

Call to Order & Pledge of Allegiance:

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

John asked for a moment of silence for first responders and the Ukrainians.

Michele explained the meeting is being recorded and will be available on YouTube.

Chairman's Report:

Michele announced:

- a. *Keep East Goshen Beautiful Day* will take place on Saturday, April 23rd. Please stop at the township building between 8 AM – 9 AM to register, pick-up supplies, and discuss street assignment.
- b. Saturday, April 23rd is also our Arbor Day Celebration. Proclamation and tree planting will take place at 9:30 AM in the Clymer's Woods section of the park (Corner of Line Road and Paoli Pike).
- c. East Goshen Sustainability Expo will take place on Sunday, April 24th from 12 PM to 4 PM. More information can be found on our website under the calendar.
- d. Township Yard Sale in on Saturday, April 30th. Please call the Township to register.
- e. The Board met in a joint Executive Session on April 11th with WEGO partner, Westtown Township, to discuss personnel matters.

Public Hearings: None

Emergency Services Reports:

Chief Brenda Bernot presented East Goshen Township March 2022 statistics. Chief encouraged all residents 'if you see something, say something' and also to register Ring cameras with the police department. WEGO participated in collecting vests for first responders in Ukraine. April is Autism Awareness and Alex Mann was invited to give a presentation regarding autism and first responders.

Mike commended the Chief regarding last week's presentation and asked the Chief for an update on the Milltown Dam area. Chief responded WEGO worked with Public Works, performed foot patrol in the area, and communicated zero tolerance to neighbors in the area. They received no

complaints or reports of damage. Derek added that he and Michele went there as well, but Derek has not heard from any residents. Michele added Mr. D'Antonio relayed, on behalf of residents, they are grateful for all the efforts from WEGO and Public Works.

Cody echoed Mike's comments on the presentation last week and he heard residents are happy with how Public Works and WEGO addressed Milltown Dam area.

Grant Everhart presented the March 2022 report for Goshen Fire Company. The Fire Company placed an order for two replacement vehicles.

Michele asked about monthly automatic alarms that are reported to the Zoning Officer. Michele inquired what is being done about these alarms. Derek will communicate with Mark Gordon. Grant talked to Hershey's Mill and learned they upgraded their systems and are able to avert dispatch of emergency services. Dave Ware commented Giant Supermarket owes outstanding fire alarm fees and Mark Gordon will visit there to discuss because we have not received a response from their corporate office.

David asked about legislation allowing insurance checks to go directly to EMS providers instead of going to residents. Grant responded this is still under consideration and he will follow-up.

Carmen Battavio presented the March 2022 statistics for Goshen Fire, Malvern Fire, and Good Fellowship. Carmen gave an updated on the beehives.

Financial Report:

Dave Ware presented the March, 2022 financial report.

Approval of Minutes: None

Treasurer's Report:

Dave Ware presented the April 13, 2022 Treasurer's Report.

Mike asked about quarterly building permit revenue of \$194K. Dave clarified that \$90K of that was from CTDI. Mike questioned the SeaTrustIT migration expense. Dave responded.

David inquired about Westtown Township for Summit House/Cider Knoll. Dave explained this is for sewer flows through Westtown.

Cody made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the April 14, 2022 Treasurer's Report.

Mike seconded.

Motion carried 5-0.

John asked if we know if and how many people are on Zoom. Derek explained.

Old Business: None

New Business:

Zoning Hearing Board Application for 14 Broad Street.

Heather Hines, Kilpenny Law, representing property owners at 14 & 16 Broad St. Attorney Hines presented the case following Mark Gordon's denial. These lots were conveyed together, with the main structure on lot 44 and a garage/barn and small residence on lot 38. The current property owners wish to rent out the structure on lot 38 so they are looking for a variance to permit this rental.

Mike explained that the Board can provide comments to the Zoning Hearing Board (ZHB) but this request will be decided by the ZHB. Mike stated that having another primary residence on a single lot is not consistent with past practice. Mike asked if the accessory structure is currently occupied. Attorney Hines responded no. Mr. Philip Winicov, 14 Broad, added that the previous owners used this structure as office space, and prior to that, about 30 years ago it was used as a rental.

David asked if there are two separate USPS addresses. Mr. Winicov confirmed and added that the two lots share water meters and sewer lines.

John asked size of the two lots. Attorney Hines explained the combined total for both lots is .34 acres, or 14,800 sq. ft.

Michele asked if taxes are paid on both properties. Mr. Winicov explained that he pays one tax bill for both lots combined.

John stated if an exception is made for this property, we don't know how many other East Goshen Township properties are in similar situations.

Mr. Christman explained that he and Mark Gordon looked at this property extensively before Mark Gordon made the determination to deny the application for the second residence. Mr. Christman and Mark Gordon looked at the fact that this property has been two lots on the original plot plan from 1910 and conveyed together as one lot since 1910. When the Township adopted SALDO and Zoning, this property was treated as one lot. Mr. Christman thought possibly this could be considered under non-conforming use, however non-conforming use on this property has been abandoned per Township ordinance. Based on this information, the decision was made to deny the request. This has been appealed and, in the alternative, the applicant asked for a variance. This is a unique application and Mr. Christman explained that because this was an appeal of the Zoning Officer's determination, the Township has the burden to go first. It is the Township's obligation to uphold the Zoning Officer's determination. Mr. Christman explained further. Everyone is looking at the Board tonight for a decision on both, separately; will the Board uphold the Zoning Officer's determination and separately, will the Board take a position or no position on the variance application.

Cody asked prior to purchase was there any communication with Township. Mr. Winicov confirmed that he spoke with Mark Gordon prior to purchase.

Michele asked if they decided on a purpose of this unit. Mr. Winicov stated he would like all options available.

Mike made a motion to authorize the Township Solicitor to defend the Zoning Officer's determination in the zoning appeal to defend the ordinance.

David seconded.

Pam Coleman, 18 Broad, hopes the Board will uphold the Zoning Officer's determination in this case.

John asked Mr. Winicov if the photos provided are actual or staged. Mr. Winicov confirmed the photos are staged.

Cody asked Mr. Christman how it would affect future properties if the Board votes not to have Mr. Christman defend the Zoning Officer's determination. Mr. Christman stated this would not affect other properties but the Zoning Officer would be required to defend himself in front of the Zoning Hearing Board.

Motion carried 5-0.

David made a motion to refer the applicant's request for variance relief to the Zoning Hearing Board without prejudice.

Mike seconded.

Michele's preference is to consider the option of allowing the Board to make the determination and could recommend that the rental is permitted.

David added that the ZHB is a quasi-judicial Board, all qualified to consider this issue. David feels the Board of Supervisors should rely on the ZHB before the Board makes a determination.

Cody commented he would prefer to rely on the ZHB without a recommendation. Mike clarified that would be a neutral position.

Motion carried 4-1, with Michele opposed.

Discussion of the possibility of a park in the Milltown neighborhood of the township. (not to be confused with the Milltown Dam Project).

Michele explained this is about 1 acre of Township property.

Derek added it was brought up in February about establishing recreational activities in this area.

David commented he is supportive of a park in that area and for the Board to follow a process. David would like to see a committee formed with neighbors in that area. Michele concurred.

Mike echoed David's comments. When resident input is received, the Township needs to manage expectations.

Cody added that he wants to see where we are with the Milltown Dam project first, get the DEP permit, before getting resident input. Mike echoes this thought. Cody suggested that Tom Kilburn and the Futurist Committee could be involved in surveying residents in that area.

John agrees that input from residents is a good idea, but feels we can entertain two projects at same time; Milltown Dam and this project.

Michele is supportive of a park in this area. Michele would like Parks & Rec involved now, in order to gauge interest.

Mike would like to learn about grant funds available. Derek responded the next grant cycle is Fall/Winter.

David recommended to ask the staff to begin the process of looking at possible uses and gather residents' input.

Cody is not opposed to entertaining two projects at once but is considering budget. Derek added he will need to come back to the Board to consider expenses.

Further discussion followed.

Joe Zugg, 1417 Center, appreciates the Board but does not want anything that will increase traffic in this area.

Pam Coleman, 18 Broad, is a Parks Coordinator in Westtown Township and feels she could be helpful with this project. Ms. Coleman thinks it would be great to see this area mulched regularly and doesn't see pickleball as a good fit.

Discussion on East Goshen's Authorities, Boards, and Commissions (ABCs) and future structure of such ABCs.

Michele sent a memo to fellow Board members to start the conversation of potentially bringing some ABCs together. Michele would like to modernize the system and eliminate duplication of efforts among committees.

Derek added that he put together a Committees spreadsheet with universal suggestions.

David feels Sustainability Advisory Committee could evolve into Environmental Advisory Council (EAC), and roll Conservancy into this group. The Board would elect an EAC chair. John is agreeable to this combination but is concerned how the positions would be filled. Mike replied to pass this back to the current Committees to gather their input. Mr. Christman added that this would be a recommending body to the Board of Supervisors with 3-7 members and can have alternate members.

Michele suggested to eliminate Ponds (ad hoc committee) and Futurist due to dwindling membership. Mike supports continuation of the Futurist Committee. This Committee is eager to undertake topics and issues. David feels it is important to keep this Committee for tremendous value from the Futurist Committee and community connectivity. Cody concurs. John does not like surveys, but likes the idea to give this Committee suggestions.

Michele feels all ABC members should have term expiration. Derek asked Mr. Christman if it doesn't exist on paper, is it assumed year to year. Mr. Christman confirmed that, if it is not documented, the members serve at the Board's pleasure, or year to year.

Michele is reluctant to eliminate Pipeline Task Force. Michele feels we need to have a group to look at emergency preparedness and identify hazards, not limited to pipelines. David agrees that we need the Pipeline Task Force, and suggested to charge them with a 2-year sunset clause, and if we need a Hazard Mitigation & Risk Management Committee, roll this into this Committee. Discussion followed.

Michele discussed Historical Committee and feels we need to keep this Committee. John feels it may be good to include the Parks & Rec Commission into the Historical Committee. Mike asked for Mr. Christman's input. Discussion followed. Mr. Christman would not recommend eliminating this Committee. He explained they have a role per Township Code.

Michele commented that ABCs need to stop reschedule meetings because this is costly. Mike feels Derek could address this as it comes up. Cody asked if ABCs could call in and count as a quorum. Derek confirmed. Derek would like to train ABCs how to use Zoom. To summarize, Derek would like to come up with a memo regarding the proposed changes discussed tonight and review with Solicitor.

Discussion on long-range planning session date.

Derek explained how this was handled in the past. Derek and Dave proposed June 21st meeting to be held in conjunction with Long Range Planning meeting. The Board was in agreement.

Standing Issues/Projects:

Derek gave updates:

Hershey's Mill Dam Project – construction ongoing, stream work completed, on schedule for late summer completion.

Milltown Dam Project – Derek spoke with Senator Kane's Chief of Staff and they will make an inquiry on our behalf to Dam Safety.

Any Other Matter: None

David mentioned the Pension Committee met and voted to allow the non-uniformed defined contribution plan to add an option for employees to self-direct their portfolio at no cost.

David asked for a status update of building boosters, enforcing this ordinance, and our own building. Dave commented, for our building, it is budgeted this year. Michele remembered that

the Board voted to postpone this because, during COVID, the Codes Department could not access buildings to inspect.

Cody added that he would like the Board to remember we have proposals for the Trail and should address that first, before considering a pocket park.

Derek mentioned Mr. Jim Williams inquired whether the Board would be interested in a ribbon-cutting ceremony for Marydell Pond. The Board agreed.

Michele traveled out to Harrisburg with Jason to accept an award for Parks & Rec Young Filmmaker Festival. Michele added that the West Chester Garden Club flower show was successful.

Dave gave an update on LED signs and Milltown Park Dam project. Dave said that the County has \$200M in ARPA funds and they opened up a grant submission process and we have to get it in by May 16th. Dave reached out to Gannett Fleming (engineers for Milltown Dam Project, which is the proposed project to apply for the grant) and Dave is trying to put a rush on information needed from Gannett Fleming. There was no objection from the Board for Dave's proposal for the grant application.

Michele asked about the Hershey's Mill Estates sewer project. Dave and Derek responded bids will go out in late Fall.

Public Comment:

Pam Coleman, 18 Broad, asked for guidance on the Zoning Hearing Board process. Mr. Christman responded.

Russ Frank, 452 Gateswood, asked about the Trail. Michele responded estimates will be provided at the May 3rd meeting.

Liaison Reports: None

Correspondence, Reports of Interest: None

Adjournment:

There being no further business, Cody made a motion to adjourn at 9:15 pm.

John seconded.

Motion carried 5-0.

Respectfully submitted,
Chris Boylan
Recording Secretary

Attached: April 13, 2022 Treasurer's Report

TREASURER'S REPORT		March 30, 2022 - April 13, 2022	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$2.89	Accounts Payable	\$473,948.09
Earned Income Tax	\$88,660.80	Electronic Pmts:	
Local Service Tax	\$4,468.29	Credit Card	\$4,491.33
Transfer Tax	\$98,528.11	Postage	\$0.00
General Fund Interest Earned	\$801.47	Debt Service	\$0.00
Total Other Revenue	\$815,465.15	Payroll	\$109,366.86
Total General Fund Receipts:	\$1,007,926.71	Total Expenditures:	\$587,806.28
STATE LIQUID FUELS FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$84.31		
Total State Liquid Fuels Receipts:	\$84.31	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$304.65	Accounts Payable	\$304.65
Interest Earned	\$551.67	Credit Card	\$0.00
Total Capital Reserve Fund Receipts:	\$856.32	Total Expenditures:	\$304.65
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$46.66		
Total Transportation Fund Receipts:	\$46.66	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$28,946.03	Accounts Payable	\$152,508.17
Interest Earned	\$84.27	Electronic Pmts:	
		Credit Card	\$1,460.00
		Debt Service	\$0.00
Total Sewer Operating Fund Receipts:	\$29,030.30	Total Expenditures:	\$153,968.17
REFUSE FUND			
Receipts	\$4,819.30	Accounts Payable	\$0.00
Interest Earned	\$54.98	Credit Card	\$88,313.07
Total Refuse Fund Receipts:	\$4,874.28	Total Expenditures:	\$88,313.07
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$32,427.85
Interest Earned	\$188.45		
Total Bond Fund Receipts:	\$188.45	Total Expenditures:	\$32,427.85
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$251.00		
Total Sewer Capital Reserve Fund Receipts:	\$251.00	Total Expenditures:	\$0.00
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$247.41		
Total Operating Reserve Fund Receipts:	\$247.41	Total Expenditures:	\$0.00
INFRASTRUCTURE SUSTAINABILITY FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$25.25		
Total Infrastructure Sustainability Fund Receipts:	\$25.25	Total Expenditures:	\$0.00
ARPA - COVID RELIEF FUND			
Receipts	\$0.00	Accounts Payable	\$769.00
Interest Earned	\$15.54		
Total ARPA - COVID Relief Fund Receipts:	\$15.54	Total Expenditures:	\$769.00