

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
TUESDAY, APRIL 5, 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 (via Zoom); Township Manager Derek Davis; Finance Director Dave Ware; Director of Codes Enforcement/Zoning Officer Mark Gordon; Senior Staff Accountant Chris Boylan.

Call to Order & Pledge of Allegiance:

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

Michele asked for a moment of silence for first responders, WEGO, and the folks in Ukraine.

Michele explained the Zoom participation rules.

Chairman's Report:

Michele announced:

- a. The Chester County Solid Waste Authority's next Household Hazardous Waste Collection will be Saturday, 4/9 in Phoenixville. Online registration is required and the link to register can be found on tonight's agenda posted on our website.
- b. The Board met in Executive Session tonight prior to this meeting to discuss personnel and legal matters.

Public Hearings: None

Emergency Services Reports: None

Financial Report: None

Approval of Minutes:

John made a motion to approve the minutes of March 1, 2022 and March 15, 2022.

Cody seconded.

Motion carried 5-0.

Treasurer's Report:

Dave Ware presented the March 30, 2022 Treasurer's Report.

Michele asked Dave for an update on the Paoli Pike Trail expenses. Dave explained that we spent \$3,071,750 in grant money, \$2,176,369 in Bond money, \$233,374 in Capital money, for a total of \$5,481,493. The Trail was funded 56% by grant money. We are \$40K over the original allocation of Bond funds for this project.

John asked about \$11K expense for Bellingham. Dave commented this was for a court ordered real estate tax reassessment.

Michele asked about Excel Elevator Co. Dave responded these expenses are for required monthly maintenance on elevator. This expense was previously \$44/month, now they are charging an additional \$25/month for COVID supply chain processing fee. Mark Miller will look into this further. This company recently billed for all of 2021 to current. Michele would like other vendors researched for this service. Mike inquired why delayed billing was received but no previous communication from this vendor questioning outstanding balance.

Cody made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the March 31, 2022 Treasurer's Report.

John seconded.

Motion carried 5-0.

Old Business: None

New Business:

Discussion and consideration of Planning Commission initiatives.

Ernie Harkness, Planning Commission Chair, explained the background and the function of the Planning Commission. Mr., Harkness explained that in PA, municipalities are required to have a comprehensive plan, developed or reviewed every 10 years. East Goshen's comprehensive plan was most recently revised in 2015. He stated that the Town Center ordinance was put together and passed by the Planning Commission for their input and reviewed by the County Planning Commission. The next step would be for this ordinance to come before the Board of Supervisors. Mr. Harkness requested if the Board saw something in the goals that they would like the Planning Commission to focus on, let them know. He recommended, that if Board chooses to move forward with the Town Center ordinance, to have Planning Commission support the Board in providing proper communication to the public regarding this topic.

David commented that the ordinance originally written had the TND proposal and after public input, it was no longer the TND, but the Planning Commission revised the homogenization of the zoning in the corridor. Ernie confirmed.

David talked about residential density and set back requirement and asked Mr. Harkness if he feels the Board should read the revised ordinance that was developed after public input from two years ago. Mr. Harkness suggested to start the process by the Board of Supervisors looking at the ordinance again, with a Planning Commission liaison, and gather feedback before moving forward.

Mike recalls the changes that were made moving away from the name TND. Mike is very supportive of the recommendation of the Planning Commission to bring this forward and rejuvenate this discussion. He would like to see the Board's input, in concert with the Planning Commission, then open it up to public comment. Mike is interested in investing in the corridor to improve the marketability, aesthetics, and curb appeal of this area.

Cody echoes Mike's sentiments to review the latest ordinance.

John gave a reminder that he and Michele ran for office opposed to the Trail, the TND, the overlay, and the idea of apartments. John reiterated that he stands firmly on this. He called attention to the 12/17/19 meeting, where hundreds of people attended, the vast majority opposed to the TND, the overlay area, to middle of town looking like Exton or West Whiteland, and adamantly opposed to apartments. David commented people were misinformed about what was being proposed. David said it was never the proposal for East Goshen to look like Exton or West Whiteland. David stated that people did not educate themselves and this would be an opportunity to address those concerns. John wants to be clear that he will oppose apartments totally, and oppose any extension beyond 352 or Boot Rd. He was opposed to the Paoli Pike Trail, but acknowledged the Board seems to have compromised on an alternative trail route.

Michele echoes John's comments to a certain extent. Michele does not want to see apartments in this area of Paoli Pike. Michele is interested in seeing a proposal to make this a homogenous type of zoning that possibly can be applied to other areas of the township. Michele does not want to see TND referenced at all. The residents came out opposed to this TND overlay, and she would rather see a rebranding so people can have a fresh perspective and not have as much opposition to possibly rezoning. Mr. Harkness's personal opinion is that he does not feel the TND was communicated properly.

Cody asked for clarification about apartments in the current ordinance at the Board level right now. Mr. Harkness explained it includes apartments above businesses.

Mike does not recall using TND in the revised draft ordinance. Mike added that it was ill-advised to have that Dec 2019 meeting when there were two outgoing supervisors. The meeting occurred and the ideas of the TND were distorted. Mike will not support a TND when we can do a lot of positive things with zoning and subdivision ordinance changes for this corridor.

David feels we are going to miss an opportunity to beautify East Goshen if we don't look at this corridor and homogenize the zoning so we have rational development in that area.

Michele commented that all five Board members have agreed to move forward and allow the Planning Commission to send that ordinance back to the Board and work with it from there.

Michele asked staff to provide the previous and current ordinances to the Board. Mark Gordon will meet with Mr. Christman and Mr. Harkness to discuss.

As far as reviewing the Business Park Task Force report to identify action items, Michele explained that the Board took into consideration the suggestion for a breakfast and this was something that was discussed at the Planning meeting, moving this to potentially Sept/Oct.

Michele reviewed all other points of Planning Commission objectives.

With regards to the Trail, Derek suggested that the Board review Pennoni's estimates for the alternate routes, decide which loop to consider, then submit to the Planning Commission for their review and informal comments. Mike would like the Planning Commission involved in a collaborative way. John added that the Board would like the Planning Commission's help, but does not need their approval.

David would like single topic special meeting for the Board to read the ordinance and sit down with the Planning Commission, ask questions, and address what the corridor should look like.

Michele feels the Board needs to focus on giving the Planning Commission direction and can discuss having a special meeting in the future.

Michele continued reviewing Planning Commission objectives.

Regarding the West Chester Pike corridor, Cody will take this topic to the COG for other municipalities' input.

Mr. Harness reminded the Board that the Comprehensive Plan is up for review in 2025. Michele commented this is not required by law.

Cody looks forward to the ordinance and hopes the Board can learn from the past and have transparency and good communication. He asked how many of the 6-7 variances presented did the Board approve. Mark Gordon and Mr. Harkness replied all of them.

David echoed Cody's comments.

Consider amendment to the Township's "Rental Occupancy Reports" Ordinance to have owner reporting requirements go from semi-annually to annually.

Derek stated this was introduced at previous meeting. The current process is cumbersome for staff and residents. This reporting requirement is proposed for annually, June 30.

Mike made a motion to adopt the amendment to Chapter 182 of the East Goshen Township Code of Ordinances titled "Rental Occupancy Reports" in order to reduce the required reporting from semi-annually to annually.

David seconded.

Motion carried 5-0.

Consider amendment to the Township’s “Peddling and Soliciting” Ordinance to further specify corrective action when not complying with the “Do Not Knock” List.

Derek explained this is a change due to a specific situation that occurred. It was determined that corrective measures are needed if this ordinance is violated. Derek explained the particular enforcement actions.

Mike made a motion to adopt an amendment to Chapter 169 of East Goshen Township Code of Ordinances titled “Peddling and Soliciting” to authorize the revocation of a peddling and soliciting license for failure to abide by the Township’s “Do Not Call” and “Do not Knock” list.

Cody seconded.

Bill Christman commented that this is already in the ordinance and it is up to Derek for enforcement interpretation but if someone disagrees with Derek’s interpretation, they could come before the Board.

Motion carried 5-0.

Consider approval of Proxus HR as the consultant for the employee evaluation/compensation structure project.

Derek explained management wants to look at annual employee evaluations and annual staff compensation. Proxus HR is in Radnor and they were the low quote and Derek looks for Board approval to move forward. Dave added Proxus comes highly recommend by West Whiteland.

Cody made a motion to approve engaging with Proxus for HR consultant services for an amount not to exceed \$14,700.

Mike seconded.

Mike asked if Proxus had any municipal clients. Derek responded West Whiteland.

David commented that access to data on this type of project is critical and he looks forward to this and is glad we are taking this step.

Motion carried 5-0.

Consider Subdivision and Land Development Agreements for 1501 Meadowbrook Lot #1.
Mark Gordon presented details on this topic.

Mike made a motion to approve and sign the following agreements for the Subdivision & Land Development (SD&LD) Plan for 1506 Meadowbrook Ln, LOT 1 (706 Hemlock Hill Ln.):

1. SD&LD Construction and Maintenance Agreement
2. Financial Security Agreement
3. Storm Water Management O&M Agreement

Cody seconded.

Michele asked how long this project will take. Mark responded must be finished by 4/1/23. Mike asked if the escrow includes a contingency. Mark replied a 10% contingency is included. Bill Christman clarified once they hit 50%, the resident may request a release of funds.

Motion carried 5-0.

Consideration of moving 2nd meeting in May.

Michele announce that Primary Elections are May 17th and the Board Meeting will need to be moved the another day or just have one meeting in May.

John asked Derek how much business will have to be considered. Derek replied it fluctuates.

Discussion followed.

The meeting will be held on May 24th.

Consideration of windscreen purchase for tennis/pickleball area.

Mike made a motion to approve the purchase of windscreens from BSN Sports in the amount of \$2,122.85.

Cody seconded.

John noted this item is budgeted.

Motion carried 5-0.

Consider awarding of HVAC service contract based on bid results.

Derek explained this is for HVAC service contract. Precision Mechanical is low bid.

John asked if budgeted. Dave confirmed.

Mike made a motion to award bid to Precision Mechanical for the HVAC service contract in the amount of \$14,511 for a one-year contract and two additional years that we can re-sign.

Mike asked if this contract will be an annual review subject to Board approval each year.

John seconded.

John asked if the future years are at the same rate. Dave was unsure.

Michele stated this is a large amount of money for an HVAC maintenance contract. Mark Gordon stated this system was redone about 6-8 years ago with geothermal, including the District Court.

Motion carried 5-0.

Consider replacement of two mowers.

Michele stated there is 6-8 months delivery time and these are budgeted.

Cody made a motion to approve the purchase of two mowers from Messick's, in the amount of \$14,998.00, with the trade in of two Exmark mowers.

John seconded.

Motion carried 5-0.

Consider ATV/Gator purchase.

Mike made a motion to approve the purchase of a John Deere ATV/Gator from Littles, in the amount of \$16,696.28.

Cody seconded.

Motion carried 5-0.

Consider Stormwater Operation & Maintenance Agreement for 614 Beaumont Circle.

Mike made a motion to authorize Chair to sign the storm water management, operation, and maintenance agreement for the home improvements proposed for the Cooper project at 614 Beaumont Cir.

Cody seconded.

Michele asked Mark Gordon to explain further. Mark stated that this resident will build a new addition, patio, deck that requires this stormwater operation and maintenance agreement.

Discussion followed.

Dan Truitt, 1430 Grand Oak, asked if the State law have any provisions to allow us to make our ordinance more flexible. Mark responded the Board decided to set a threshold of 10 sq. ft. of impervious surface. Additionally, Act 167 is being revised now. Derek added the sq. ft. is not completely up to us. Derek commented relief is available via credit systems if one goes above and beyond what is expected.

Motion carried 5-0.

Consider request from Pipeline Task Force (PTF) to submit comments to the PUC.

Derek emailed the addendum to the Board. Mike commented he is in favor of supporting the PTF in this effort. David read the document and confirmed these are points that the PTF has discussed in the past and he endorses sending a letter to the PUC. Derek clarified the motion is to send comments to the PUC from the Board of Supervisors, not from the Pipeline Task Force.

Cody made a motion to allow East Goshen Board of Supervisors to submit comments to the PA Public Utility Commission on the updated version of the proposed rulemaking order regarding Hazardous Liquid Public Utility Safety Standards.

John seconded.

Michele appreciates the PTF for staying on this issue. David echoed Michele's appreciation.

Gerald Sexton, 1617 Bow Tree, PTF member, appreciates the Board being in favor of this action. Mr. Sexton asked Derek if he can comply with the deadline. Derek replied he will address this tomorrow.

Cody asked Derek to notify Mr. Sexton and PTF when the submission is complete.

Michele agrees there will be more comments this time because our PTF is typically ahead of our neighboring municipalities and the Board appreciates their efforts.

Motion carried 5-0.

Standing Issues/Projects:

Derek gave updates:

Hershey's Mill Dam Project is progressing nicely, work is needed on the boardwalk, and the project is expected to wrap up by end of summer.

Milltown Dam Project- Derek communicated with State Rep, Diane Herrin, who reached out to DEP Division of Dam Safety, and we received a response from the Division Head. They acknowledged everything was submitted and the permit should be here soon. As soon as the permit is received, the bid documents will go out. Grants are tied to this project and the bid documents must be reviewed by the grant entities before the bids go out to contractors.

Michele commented she was in contact with a resident in that area and subsequently followed-up with the Chief of Police. Public Works went out right away and cleaned up debris, barricades were installed, and cameras are in various locations in this area.

Mike asked if we heard from any residents after the clean-up. Michele acknowledged one resident expressed appreciation.

Cody thanked Michele, Derek, WEGO and Public Works for working quickly to address this issue.

Any Other Matter:

Michele announced the following upcoming events:

4/9 Easter Egg Hunt

4/13 Governor Award for Young Filmmakers Showcase

4/23 Keep East Goshen Beautiful Day

4/24 Sustainability Advisory Committee Expo

4/30 Township yard sale

Mark Gordon added that 4/23 is also Arbor Day. We have not heard back from the Arbor Day committee if we were selected, but Mark suggested we move forward as if we were selected. Michele commented we do need to have an annual Arbor Day event.

Public Comment: None

Liaison Reports: None

Correspondence, Reports of Interest: Acknowledged receipt of numerous emails from Mr. Buonanno and an email from a resident on Alison Drive expressing appreciation for Public Works' prompt attention to a tree issue.

Adjournment:

There being no further business, Cody made a motion to adjourn at 9:01 pm.

John seconded.

Motion carried 5-0.

Respectfully submitted,

Chris Boylan

Recording Secretary

Attached: March 30, 2022 Treasurer's Report

TREASURER'S REPORT		March 10, 2022 - March 30, 2022	
RECEIPTS AND BILLS			
GENERAL FUND			
Real Estate Tax	\$305,425.45	Accounts Payable	\$139,056.21
Earned Income Tax	\$169,800.00	Electronic Pmts:	
Local Service Tax	\$1,000.00	Credit Card	\$16,384.28
Transfer Tax	\$0.00	Postage	\$0.00
General Fund Interest Earned	\$0.00	Debt Service	\$2,726.08
Total Other Revenue	\$54,447.81	Payroll	\$285,782.49
Total General Fund Receipts:	\$530,673.26	Total Expenditures:	\$443,949.06
STATE LIQUID FUELS FUND			
Receipts	\$512,934.63	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total State Liquid Fuels Receipts:	\$512,934.63	Total Expenditures:	\$0.00
CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$53,990.19
Interest Earned	\$0.00	Credit Card	\$115.00
Total Capital Reserve Fund Receipts:	\$0.00	Total Expenditures:	\$54,105.19
TRANSPORTATION FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total Transportation Fund Receipts:	\$0.00	Total Expenditures:	\$0.00
SEWER OPERATING FUND			
Receipts	\$46,321.62	Accounts Payable	\$128,997.57
Interest Earned	\$0.00	Electronic Pmts:	
		Credit Card	\$3,910.16
		Debt Service	\$22,290.16
Total Sewer Operating Fund Receipts:	\$46,321.62	Total Expenditures:	\$155,197.89
REFUSE FUND			
Receipts	\$21,417.22	Accounts Payable	\$19,224.22
Interest Earned	\$0.00	Credit Card	\$99,132.63
Total Refuse Fund Receipts:	\$21,417.22	Total Expenditures:	\$118,356.85
BOND FUND			
Receipts	\$0.00	Accounts Payable	\$1,844.00
Interest Earned	\$0.00		
Total Bond Fund Receipts:	\$0.00	Total Expenditures:	\$1,844.00
SEWER CAPITAL RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total Sewer Capital Reserve Fund Receipts:	\$0.00	Total Expenditures:	\$0.00
OPERATING RESERVE FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total Operating Reserve Fund Receipts:	\$0.00	Total Expenditures:	\$0.00
INFRASTRUCTURE SUSTAINABILITY FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total Infrastructure Sustainability Fund Receipts:	\$0.00	Total Expenditures:	\$0.00
ARPA - COVID RELIEF FUND			
Receipts	\$0.00	Accounts Payable	\$0.00
Interest Earned	\$0.00		
Total ARPA - COVID Relief Fund Receipts:	\$0.00	Total Expenditures:	\$0.00