

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
TUESDAY, SEPTEMBER 20, 2022  
FINAL MINUTES**

**Present:** Chairman Michele Truitt; Vice Chairman John Hertzog; Members: Cody Bright, Mike Lynch, David Shuey; Township Manager Derek Davis; Finance Director Dave Ware; Attorney Bill Christman, Lamb McErlane; WEGO Chief Brenda Bernot; Fire Marshall Carmen Battavio; Erich Meyer (Conservancy).

**Call to Order & Pledge of Allegiance:**

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

Michele asked for a moment of silence for first responders.

Michele stated the meeting is being recorded via Zoom and will be available on the Township website.

**Chairman's Report:**

Michele announced:

- The Board met in executive session prior to tonight's meeting to discuss a legal matter.
- The Pipeline Task Force, Conservancy Board and Futurist Committee are all looking for new members. Please reach out to Township Manager Derek Davis directly if interested or fill out the "ABC Volunteer" form on our website located on the "Forms and Applications" page.

**Emergency Services Reports:**

Chief Bernot presented WEGO August 2022 activities in East Goshen Township. There was a rash of car thefts and ransacking in East Goshen and surrounding municipalities. The Chief requested if any resident has camera footage to provide it to the police. There has also been 11 check washing incidents in East Goshen Township last month. The Chief recommends processing electronic payments whenever possible. If residents must write a check, use a blue gel ink as this is more difficult to wash. There is an ongoing issue with people riding dirt bikes and ATVs on the road. The Chief warned parents that a fine for this occurrence is in excess of \$1,000 and the vehicle will be impounded.

Cody asked the Chief for clarification on the increase in crime in East Goshen Township. Chief responded that comparing August 2019 (pre-pandemic) to August 2022, the increase was 61%. David asked if the Chief sees any trends in the severity of calls for service. Chief responded.

Grant Everhart presented Goshen Fire Company August 2022 activities.

Carmen Battavio reported on Goshen Fire, Malvern, and Good Fellowship August 2022 activities.

**Public Hearings:**

**Ordinance Hearing and possible passage of 129-E-2022, an ordinance creating a “catch-all” definition in the I-1 District as a conditional use.**

Attorney Christman explained this ordinance amendment is designed to capture any lawful use not otherwise permitted in the Township. He provided exhibits to the Board and further explanation. The Court Reporter recorded this hearing.

David made a motion to amend Chapter 240 of East Goshen Code, the Zoning Ordinance, to permit in the I-1 Zoning District, by conditional use, any lawful use not otherwise permitted in the Township.

Mike seconded.

Motion carried 5-0.

Russ Frank, 451 Gateswood Dr., asked about using alternative methods of advertising, rather than Daily Local News. Attorney Christman responded.

Attorney Christman closed the hearing.

**Hearing in order to receive public input on Comcast Franchise Fee Renewal.**

Attorney Christman explained the public hearing regarding Cable Franchise Fee Renewal, pursuant to Section 626 of the Federal Cable Act sets forth a formal process for franchise renewal. Attorney Christman further explained. The Township has hired experts to represent them. The Court Reporter recorded this hearing.

Derek Davis feels it is very important that we continue to push at the Federal level to address this issue. Residents continue to receive these services, in some cases receiving more services with cord cutting, but we are limited to the coax cable connection. In future years, this revenue source could become non-existent. Municipalities should receive a portion of the new technology that provides this service to residents.

Michele would like to see Verizon and Comcast offer free services to the Township as they have in the past. Michele feels it would be nice if the Township did not have to pay a monthly fee to these providers for the digital signs along Paoli Pike since this is a public service.

Mr. Tony Perretta, 1601 Bane Way, asked why we have the blight of Verizon towers now that Verizon is moving to FiOS, and further, adjacent to his property, a particular Verizon box appears to be outside of the utility right-of-way. Attorney Christman responded that tonight’s hearing is specifically for Comcast. Attorney Christman further explained that most of the time, these boxes are typically on private property and not in the Township right-of-way. Mike suggested that the Township staff can make an inquiry to these entities on the status of these towers. Derek would like to broaden this idea to inquire about what legal requirement do cable providers have in order to disassemble and take away non-operational infrastructure that they are no longer using and in turn, what would that process look like if there is a legal requirement.

Ruth Ann Stewart, 401 Schofield Ln, asked Mr. Perretta about the size of the cable box.

Attorney Christman closed the hearing.

**Financial Report:**

Dave Ware presented the August, 2022 financial report.

Cody asked for an update on the Portnoff collections. Dave responded that we have collected 30%, or \$40K of what was turned over to Portnoff.

**Approval of Minutes:** None

**Treasurer's Report:**

Dave Ware presented the September 15, 2022 Treasurer's Report.

Michele asked about how much is owed to West Goshen for the Westtown Way Pump Station. Dave and Derek responded that we owe close to another million.

Cody made a motion to accept the receipts and approve the expenditures as presented in the Expenditure Register and as summarized in the September 15, 2022 Treasurer's Report.

John seconded.

Michele does not care for the new Edmunds report format but does like the additional information provided.

Mike asked if there was a way to indicate the Fund distinction for ease of review. Dave agreed to provide this on future reports.

Mike inquired about milling and paving expense and whether it would require an inter-fund transfer from Liquid Fuels at year end. Dave confirmed.

John commended Mark Miller and crew for the paving done on his street. Mike elaborated that the skills and ability of our Public Works staff results in a dramatic cost-savings to the Township.

Russ Frank, 451 Gateswood Dr., asked about Fund Balances. Dave responded.

Motion carried 5-0.

**Old Business:**

**Continued Noise Ordinance discussion.**

David commented that the current draft ordinance incorporates the robust discussion the Board had at the last meeting.

David made a motion to authorize the Township Solicitor and Township Manager to advertise the repealing of Chapter 156 of the East Goshen Code, titled “noise” and replace with a new Chapter 156 titled “Noise and Nuisances” that incorporates the new language discussed in previous meetings and tonight as well as authorization to advertise the removing of noise regulations in the East Goshen Zoning Ordinance.

Mike seconded.

Derek summarized the main changes made after the August 16, 2022 meeting; limit of 4 request per year for noise waivers, request must be made 14 days prior to event, added toxic chemicals as a nuisance health hazard. Attorney Christman stated because this is removing noise provisions from the zoning ordinance, this will go before the Township Planning Commission and the County Planning Commission for review and then Kara will be invited back for a hearing, most likely in November.

Motion carried 4-1, with Michele opposed.

**New Business:**

**Discussion on AJ Blosenski, Inc. change in ownership and possible authorization to execute Consent to Change of Control.**

Attorney Christman explained that AJ Blosenski notified the Township of an impending change of ownership. The Township contract with AJ Blosenski requires the Township’s consent to the change of ownership. Attorney Christman received assurances in writing that all of the provisions of the current contract will remain intact. Ownership will change to a subsidiary of Waste Connections Inc., a Canadian company.

John asked for confirmation that the contract remains as is and how long the price is expected to remain unchanged. Attorney Christman clarified.

Cody made a motion to direct the Township Manager to execute the Consent to Change of Control document provided by AJ Blosenski, Inc.

John seconded.

Mr. Perretta, 1601 Bane Way, commented that neighbors online have expressed concern about the services of this new company. He expressed concern that the Board did not discuss the quality of service that residents are familiar with. Michele responded that the Board was assured that AJ Blosenski will continue to drive the trucks and manage the local staff. The Board has hope the local management and service will not change. Mr. Perretta stated the reality is things will change. Mike responded the contract gives the Board assurance that the quality of service will continue, however if there is deterioration, then we can enforce. Attorney Christman added that the contract details every level of service and everything the hauler is required to do. The Township holds a performance bond in order to ensure the hauler adheres to the contract. Motion carried 5-0.

**Consideration of Resolution 2022-17, recognizing October 2022 as Childhood Cancer Awareness Month.**

Derek stated that American Cancer Fund for Children and Kids contacted the Township asking to consider this proclamation.

David made a motion to adopt Resolution 2022-17, establishing October 2022 as Childhood Cancer Awareness Month.

Mike seconded.

Michele read the proclamation.

Motion carried 5-0.

**Standing Issues/Projects:**

Hershey's Mill Dam Project – Derek stated by end of month we should receive the landscape architect maintenance schedule.

Mr. Ron Keplinger, 406 Schofield, asked about the landscape maintenance. Derek responded.

Milltown Dam Project – John stated we are waiting for DEP to send a certification. Derek added that an email was received recently stating this was going through the signature process and backtracked for an engineer's seal before signatures can be obtained.

**Any Other Matter:**

Derek spoke with Jason and will contact the original Marydell Pond Committee to propose October 20<sup>th</sup> or 21<sup>st</sup> as potential ribbon-cutting dates.

Michele stated the Art Walk and Goshen Quaker Friends bench and marker dedication is this Saturday. David added comments about the walking challenge and encouraged residents to log their steps during the Art Walk.

**Public Comment:**

Mr. Perretta, 1601 Bane Way, noted there is no link on the online Newsletter to sign up for the 'Anything with a Cord' recycling. Derek will address this tomorrow.

Mr. Russ Frank, 451 Gateswood Dr., asked about the dates of the quarters used for sewer bill calculation. Dave responded. Mr. Frank asked about the EV charging station topic. Michele and David responded. Mr. Frank asked why the grass isn't cut at Marydell Pond anymore. Mike responded.

Mr. Steve Bahnatka, 1601 E. Boot, asked what can be done about drivers not stopping for pedestrians at the crosswalk on E. Boot Rd. at Watermark. Derek responded. Mr. Bahnatka also commented that residents and Bellingham staff in uniform seem to be parking in the small lot across from the bees and disposing of their cigarette butts on the ground. Mike replied that Public Works will look into a remedy.

**Liaison Reports:** None

**Correspondence, Reports of Interest:** None

**Adjournment:**

There being no further business, Cody made a motion to adjourn at 8:18 p.m.

John seconded.

Motion carried 4-0.

Respectfully submitted,

*Derek Davis*

*Township Manager*

Attached: September 15, 2022 Treasurer's Report

| TREASURER'S REPORT  |                     | September 1, 2022 - September 15, 2022 |                     |
|---|---------------------|--|---------------------|
| RECEIPTS AND BILLS  |                     |  |                     |
| <b>GENERAL FUND</b>                                       |                     |  |                     |
| Real Estate Tax   | \$414.64            | Accounts Payable                       | \$563,865.21        |
| Earned Income Tax   | \$48,117.11         | Electronic Pmts:                       |                     |
| Local Service Tax   | \$6,587.45          | Debt Service                           | \$0.00              |
| Transfer Tax  | \$0.00              | Payroll                                | \$153,981.76        |
| General Fund Interest Earned                              | \$40.09             |  |                     |
| Total Other Revenue                                       | \$24,153.83         |  |                     |
| <b>Total General Fund Receipts:</b>                       | <b>\$79,313.12</b>  | <b>Total Expenditures:</b>             | <b>\$717,846.97</b> |
| <b>STATE LIQUID FUELS FUND</b>                            |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$0.00              |
| Interest Earned   | \$1.06              |  |                     |
| <b>Total State Liquid Fuels Receipts:</b>                 | <b>\$1.06</b>       | <b>Total Expenditures:</b>             | <b>\$0.00</b>       |
| <b>CAPITAL RESERVE FUND</b>                               |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$53,511.40         |
| Interest Earned   | \$8.27              |  |                     |
| <b>Total Capital Reserve Fund Receipts:</b>               | <b>\$8.27</b>       | <b>Total Expenditures:</b>             | <b>\$53,511.40</b>  |
| <b>TRANSPORTATION FUND</b>                                |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$0.00              |
| Interest Earned   | \$0.65              |  |                     |
| <b>Total Transportation Fund Receipts:</b>                | <b>\$0.65</b>       | <b>Total Expenditures:</b>             | <b>\$0.00</b>       |
| <b>SEWER OPERATING FUND</b>                               |                     |  |                     |
| Receipts  | \$51,314.45         | Accounts Payable                       | \$21,744.41         |
| Interest Earned   | \$20.91             | Electronic Pmts:                       |                     |
|   |                     | Debt Service                           | \$0.00              |
| <b>Total Sewer Operating Fund Receipts:</b>               | <b>\$51,335.36</b>  | <b>Total Expenditures:</b>             | <b>\$21,744.41</b>  |
| <b>REFUSE FUND</b>  |                     |  |                     |
| Receipts  | \$18,389.95         | Accounts Payable                       | \$5,330.34          |
| Interest Earned   | \$42.00             |  |                     |
| <b>Total Refuse Fund Receipts:</b>                        | <b>\$18,431.95</b>  | <b>Total Expenditures:</b>             | <b>\$5,330.34</b>   |
| <b>BOND FUND</b>  |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$0.00              |
| Interest Earned   | \$649.86            |  |                     |
| <b>Total Bond Fund Receipts:</b>                          | <b>\$649.86</b>     | <b>Total Expenditures:</b>             | <b>\$0.00</b>       |
| <b>SEWER CAPITAL RESERVE FUND</b>                         |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$0.00              |
| Interest Earned   | \$46.36             |  |                     |
| <b>Total Sewer Capital Reserve Fund Receipts:</b>         | <b>\$46.36</b>      | <b>Total Expenditures:</b>             | <b>\$0.00</b>       |
| <b>OPERATING RESERVE FUND</b>                             |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$0.00              |
| Interest Earned   | \$0.40              |  |                     |
| <b>Total Operating Reserve Fund Receipts:</b>             | <b>\$0.40</b>       | <b>Total Expenditures:</b>             | <b>\$0.00</b>       |
| <b>INFRASTRUCTURE SUSTAINABILITY FUND</b>                 |                     |  |                     |
| Receipts  | \$0.00              | Accounts Payable                       | \$0.00              |
| Interest Earned   | \$0.40              |  |                     |
| <b>Total Infrastructure Sustainability Fund Receipts:</b> | <b>\$0.40</b>       | <b>Total Expenditures:</b>             | <b>\$0.00</b>       |
| <b>ARPA - COVID RELIEF FUND</b>                           |                     |  |                     |
| Receipts  | \$952,823.85        | Accounts Payable                       | \$913,244.05        |
| Interest Earned   | \$0.34              |  |                     |
| <b>Total ARPA - COVID Relief Fund Receipts:</b>           | <b>\$952,824.19</b> | <b>Total Expenditures:</b>             | <b>\$913,244.05</b> |