

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
November 12, 2003**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Edward G. Meakim, Jr., at 4:00 p.m. on Wednesday, November 12, 2003, at the West Goshen Township Administration Building. Dr. White was not present. Mr. Meakim opened the meeting with the Pledge of Allegiance to the Flag.

Mr. Meakim opened the floor for public comment.

Mr. Leroy Glauner, 1200 Greenhill Avenue, stated his objections to the Final Subdivision Plan for two residential lots for ARI Builders, Inc., located at 515 Greenhill Road that is to be considered for approval at this meeting by the Board of Supervisors. He said neighbors were not notified of the plan and that the two story design of the house being considered does not fit in with the rest of the neighborhood which is made up of ranch style houses. Ms. Sharon Lynn informed the Supervisors that Mr. Richard J. Craig, Township Engineer, has looked at the property and can advise them on the details of the plan. Mr. Craig stated that he had looked at the property which will be a flag lot and that it meets all requirements of the West Goshen Township Ordinance. Mr. Glauner restated that the house does not fit in with the neighborhood and Mr. Craig replied that the Township is not permitted to consider the aesthetics of a plan. He added that corner pins will be established for the new lot and that this is not required to be done until after approval of the plan. Mrs. Evelyn Baker, 900 Sheridan Drive, asked about the sewer connection for both houses and Mr. Craig replied that both houses will be connected to the West Goshen Township Sewer Authority line.

Mr. James Pizii, 616 Airport Road, stated that his property has a stone wall that abuts the property at 618 Airport Road which is to be considered for approval by the Supervisors at this meeting for a ten lot subdivision. He said he is concerned that children may fall over the wall and he asked if fencing will be placed in that area as part of the plan. He added that it could be dangerous and he is worried about his legal liability if someone were to be hurt. Mr. Pizii also stated that he does not want heavy equipment operating near the wall and damaging it. He inquired about who would be responsible for the cost of removing the electrical poles he shares with the property if the wiring is placed underground. Mr. Craig answered that the plan has been reviewed for compliance with the West Goshen Township Code but the wall was not reviewed as it is not on the property under consideration. He added that there is no requirement for fencing of the property. He added that the houses to be built on the property are not close to Mr. Pizii's retaining wall and therefore the heavy equipment should not be a problem. Mr. Craig said that PECO is responsible for removing the utility poles and that this is not in West Goshen Township's jurisdiction. Mr. Meakim said that PECO will be required to contact to Mr. Pizii and negotiate an agreement.

Ms. Lynn announced that a budget meeting of the Board of Supervisors and Senior Staff will be conducted immediately following the Board of Supervisors meeting today. She added that the public is welcome to attend.

Ms. Lynn announced that there will be a special meeting of the Board of Supervisors on Wednesday, November 19, 2003 at 4:00 p.m., and that the November 26, 2003 Board of Supervisors meeting is cancelled.

Ms. Lynn announced that the West Goshen Township Zoning Hearing Board will conduct a public hearing on Thursday, November 13, 2003, at 7:00 p.m. at the Township Administration Building. This hearing was continued from October 23, 2003. The applicant is Omnipoint Communications Enterprises, L.P., d/b/a T-Mobile Wireless, 400 Street Road, Bensalem, PA. The legal owner of the real estate affected is SSW Partners, 2401 Pennsylvania Avenue, Suite 1A-11, Philadelphia, PA. The conforming property is located at 1153 West Chester Pike. The applicant is seeking a Variance for relief from Use Regulations to establish a wireless telecommunications facility consisting of a 110' monopole structure and related radio equipment cabinets.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved the Board of Supervisors minutes from October 8 and October 22, 2003.

On motion by Ms. McIlvaine, seconded by Meakim, the Board unanimously approved the Treasurer's Report dated October 31, 2003 for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, as well as the bills to be paid from the General Fund, the Sewer Fund, the Capital Reserve Fund, and the Waste and Recycling Fund.

Chief Michael Carroll gave the Police Report for the month of October, 2003. Chief Carroll announced that Santa Claus will arrive at the West Goshen Township Community Park on Saturday, December 13, 2003 at 2:00 p.m.

Ms. Lynn announced that Chief Carroll was installed as Sixth Vice President of the International Association of Chiefs of Police at their annual meeting in October which was held in Philadelphia. She added that this is an honor for Chief Carroll and West Goshen Township and a highlight of Chief Carroll's career.

Mr. Ralph Brown, Fire Marshal, gave the Fire Marshal Report for the month of October, 2003. Mr. Brown also gave the report for Goshen Fire Company, Good Fellowship Ambulance and West Chester Fire Company.

Mr. Brown also gave the Building Inspection Activity Report for October, 2003.

Ms. Lynn commended Mr. Brown for the job he has done filling in for the Township Building Official the past four weeks. She also thanked Mr. Brown for his superior participation when he lectured to the current session of Neighborhood University at the Goshen Fire Company on October 23, 2003.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously adopted Resolution 29-03 setting the date of January 14, 2004 to hold a Public Hearing for Westtown Road Associates, L.P., to consider a zoning change to the I-3 District on the west side of Westtown Road between Nields Street and Union Street to permit new automobile sales and service agencies including used car sales as accessory thereto.

The following bids for sludge and waste hauling disposal were opened and read by Mr. Craig:

Vendor	1 Four-Yard Dumpster	2 Twenty-Five Yard Dumpsters
BFI Waste Services of Brandywine 1 Briar Lane West Grove, PA 19390	\$25.00 per load	\$174.50 per load
Charles Blosenski Disposal Co. 265 Lippitt Road Honeybrook, PA 19344	\$60.00 per load	\$160.00 per load
Waste Management 1121 Bordentown Road P. O. Box 759 Morrisville, PA 19067	\$23.25 per load	\$197.00 per load

The following bids for Generator Maintenance and Service were opened and read by Mr. Craig:

Vendor	Total Cost
Steve Parker Emergency Systems Service Company 401 O'Neill Road Quakertown, PA 18951	\$9,018.24
Jim Marks Enerwise Global Technologies 511 Schoolhouse Road Kennett Square, PA 19348	\$4,449.00
Kathryn Doran Electrical Motor Repair Company 809 E. State Street Trenton, NJ 08609	\$4,865.00
Power Tech Services, Inc. 7A South Gold Drive Hamilton, NJ 08691	\$4,925.00
Core Mechanical Contractors 7905 Browning Road Suite 112B Pennsauken, NJ 08109	\$5,675.00
Eastern Generator 304 Baltimore Avenue Folcroft, PA 19032	\$6,546.80

The following bids for Dry Polymer were opened and read by Mr. Craig:

Vendor	10,000 lbs. More or Less Dry Polymer
Paul Jacoby Custom Environmental Technology 8 Iron Bridge Drive Collegeville, PA 19426	\$1.37 per lb.
Neo Solutions, Inc. 3730 Dutch Ridge Road Beaver, PA 15009	\$1.459 per lb.
Coyne Chemical 3015 State Road Croydon, PA 19021	\$1.197 per lb.

The following bids for Liquid Aluminum Sulfate were opened and read by Mr. Craig:

Vendor	45,000 Gallons More or Less of Liquid Aluminum Sulfate
Delta Chemical Corporation 2601 Cannery Avenue Baltimore, MD 21226-1595	\$169.38 per ton
General Chemical Corporation 90 E. Halsey Road F13 Parsippany, NJ 07054	\$179.00 per ton

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved awarding the bids to the lowest bidders pending a review of the bids by Mr. Craig.

Prior to the consideration of Ordinance 2003-11, amending the Code of West Goshen Township to adopt a new Chapter 71 titled "Stormwater Management", Kristin Camp, Esquire, Township Solicitor, explained that the Stormwater Management Act is a state statute commonly referred to as Act 167 which requires the Pennsylvania Department of Environmental Protection (DEP) to designate watersheds in each county and that the DEP has designated the Chester Creek Watershed which includes West Goshen Township. She said that the various county planning commissions are then required to develop planning models for properties in the areas. Ms. Kamp added that Mr. Craig was on the Watershed Plan Advisory Committee (WPAC) committee formed by the Chester County Planning Commission and the Delaware County Planning Commission to develop the model stormwater plan for the Chester Creek Watershed. She said that Act 167 requires that the plan be adopted within six months of DEP adoption and that there was not a lot of leeway to change the provisions. She added that her law firm, Buckley, Nagle, Brion, McGuire, Morris & Sommer, had worked with Mr. Craig to put together the ordinance and that anyone submitting a subdivision or land development plan will have to adhere to its regulations. She said the Township does not have any discretion not to adopt this plan as it is mandated by the Commonwealth but that efforts were made to mesh the new regulations with the existing Township Ordinance in relation to the enforcement issues by making changes where it was possible to do so.

Ms. Camp presented for the record the following exhibits: B1 – the Proof of Publication in the Daily Local News; B2 – Ms. Camp's letter to the Daily Local News enclosing a certified copy of the ordinance for public inspection; B3 – Ms. Camp's letter to the Chester County Law Library enclosing a certified copy of the ordinance for public inspection; B4 – a letter from the Chester County Planning Commission stating they have reviewed the ordinance and B5 – West Goshen Township Planning Commission minutes recommending approval of the ordinance.

Mrs. Baker stated that she was concerned this would create undue expenses for a small property owner and Mr. Craig replied that there is a requirement to go through stormwater management now as part of the subdivision plan and that this is just a different way to complete the procedure. He added that the only applicants who will now be affected are those whose projects are very small with impervious surfaces in excess of 2,000 square feet. Mrs. Baker asked about large projects with a great amount of impervious surfaces and Mr. Craig replied that this ordinance changes the way stormwater is to be handled in that it requires infiltration, riparian buffers and water quality control. He added that this is an improvement of the ordinance that is presently in place.

Mrs. Baker said that all of what Mr. Craig has described applies to subdivisions but she wanted to know about garages and Ms. Camp replied that Section 105D defines what a regulated activity is and that garages are included. Mrs. Baker expressed concern that this could force a builder to comply by building a system that will

not work and Mr. Craig replied that the new ordinance does not require infiltration where it will not work such as in clay soil. Mrs. Baker asked if Ms. Camp could foresee any situations where this ordinance will keep land from being developed and Ms. Camp replied it might limit development but not prohibit it.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Ordinance 2003-11, amending the Code of West Goshen Township to adopt a new Chapter 71 titled "Stormwater Management" to regulate and control the quantity and quality of stormwater runoff from new development in the Township.

Prior to the consideration of Ordinance 2003-12 amending the Code of West Goshen Township, Chapter 72, titled "Subdivision", Ms. Camp stated that this proposed ordinance will change Chapter 72 to be consistent with the newly passed stormwater regulations in Ordinance 2003-11, Chapter 71. She added that information regarding electronic submissions, benchmarks and monuments are also included in Sections 2, 3, 4 and 5 of the ordinance.

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On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Ordinance 2003-12, amending the Code of West Goshen Township, Chapter 72, titled "Subdivision" to be consistent with the regulations in Chapter 71, titled, "Stormwater Management" in accordance with the Stormwater Management Act. Ms. McIlvaine included in her motion changing the reference in Section 6 from Chapter 72 to Chapter 71.

Prior to the consideration of approval of a Final Subdivision Plan for Steve Janiec located at 618 Airport Road, Mrs. Baker asked how close to steep slopes houses could be built and Mr. Craig replied that houses can be built up to the slope but not on it. Ms. McIlvaine asked Mr. Pizii where his house was located in relation to this proposed development and Mr. Pizii replied that his property adjoins the proposed development site.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved a Final Subdivision Plan for ten residential lots for Steve Janiec located at 618 Airport Road. Mr. Janiek and Mr. Matthew Reaney were present to represent the plan.

Prior to the consideration of approval for a Final Subdivision Plan for two residential lots for ARI Builders, Inc., located at 515 Greenhill Road, Mr. Meakim asked Mr. Glauner where his property was located in relation to this proposed subdivision and Mr. Glauner answered that it is located between 515 Greenhill Road and Greenhill Avenue. Mr. Meakim said that the plan meets all specifications of the West Goshen Township Ordinance. Mr. Craig said the area is sufficient to do the subdivision of the property and that if it is not approved by the Board of Supervisors, the Township would have legal liability for not approving the plan.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved a Final Subdivision Plan for two residential lots for ARI Builders, Inc., located at 515 Greenhill Road. Mr. Nicholas Vastardis was present to represent the plan.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved the signing of an agreement with the Borough of West Chester for fire protection services for the annual sum of \$173,197 commencing on January 1, 2004 and ending on December 31, 2008.

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Mr. Meakim opened the floor for public comment.

Mrs. Baker asked if the Budget meeting scheduled to commence after this meeting was to approve the preliminary budget for 2004 or to prepare the budget and Mr. Meakim replied the meeting is to prepare the budget.

There being no further business, on motion by Mr. Meakim, seconded by Ms. McIlvaine, the meeting was adjourned at 4:57 p.m.

Respectfully submitted,

Sharon Lynn
Township Manager