

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
December 10, 2008**

Township Supervisors:

Ms. Patricia B. McIlvaine, Chairman
Mr. Edward G. Meakim, Jr., Vice Chairman
Dr. Robert S. White, Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Ms. Jeanne M. Denham, Finance Director
Ms. Sandra K. Turley, Township Secretary
Mr. Richard J. Craig, Township Engineer
Mr. Raymond D. McKeeman, Zoning Officer
Ms. Kristin Camp, Township Solicitor

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine at 4:00 p.m. on Wednesday, December 10, 2008 at the West Goshen Township Administration Building. All members were present. Mrs. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Mrs. McIlvaine opened the floor for public comment.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked if questions would be taken during the consideration of the 2009 Budget and Ms. McIlvaine responded that questions would be taken. Mrs. Baker asked about the status of the group home to be opened by Melmark in the Roslyn development and Mr. Raymond McKeeman, Zoning Officer, responded that Melmark is in the very early stages of gathering information for permits for work to be done on the home before it can open.

Ms. McIlvaine announced that the October 22, 2008 Board of Supervisor's minutes as approved on November 12, 2008 were incorrect in stating that Ms. Kristin Camp, Esquire, was in attendance as Township Solicitor. Mr. Joseph E. Brion, Esquire, was in attendance as Township Solicitor.

Ms. McIlvaine announced that on December 11, 2008, Senior Trash Rebate checks in the amount of \$176.00 each will be mailed to 63 residents who applied and were approved to receive a rebate as part of the Township's Trash Rebate Program.

Dr. White announced that the Board met in Executive Session on December 3, 2008 to discuss legal matters.

Mr. Casey LaLonde, Township Manager, announced that West Goshen Township has received a check in the amount of \$1,428.07 as a 25% rebate on the 2006 Household Hazardous Waste costs for its participation in the Chester County Household Hazardous Waste Collection Program.

Mr. McKeeman announced that the West Goshen Township Zoning Hearing Board will hold a public hearing on Tuesday, December 30, 2008 at 7:00 p.m. at the West Goshen Township Administration Building for the following appeal: ZHB 8-08: The applicant and legal owner is Gloria Renish, 551 Richmond Road, West Chester, PA 19380. The non-conforming property for which the application is made consists of 11,326 square feet and is zoned R-3 Residential Zoning District. The applicant is seeking variance relief from the area and bulk requirements, Rear Yard 30 feet minimum and any other relief necessary to construct a deck and patio room.

On a motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved the Board of Supervisors minutes of November 12, 2008.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved the Treasurer's Report dated November 30, 2008 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.

Captain Joseph Gleason gave the Police Report for the month of November 2008.

Mrs. Baker asked about the number of citations issued on Spruce Avenue and Captain Gleason responded that he would have to check further for that information.

Mr. John Beswick, Building Official, gave the Fire Marshal Report for the month of November 2008. Mr. Beswick also gave the report for Good Fellowship Ambulance Company. The report for Goshen Fire Company was not available.

Mr. John Beswick, Building Official, gave the Building Inspection Activity Report for November 2008.

Ms. McIlvaine introduced Ms. Mary Lou Enoches, Chairman of the Park and Recreation Board and Mr. Lee McFadden from the Friends of West Goshen Parks who presented certificates to the following sponsors of Park and Recreation events:

- Platinum Level: TD Bank
Park Valley Associates
- Gold Level: Faulkner Auto of West Chester
- Silver Level: First National Bank of Chester County
PECO Energy
Krapf's Coaches
West Goshen Automotive and Fleet Services
- Community Day: TD Bank

The following bids for the 2009 Fuel Bid were opened and read by Mr. Richard Craig, Township Engineer:

Vendor	Clear Ultra Low Sulfur Diesel Fuel	Unleaded Gasoline	#2 Heating Oil	Low Sulfur Diesel 500 ppm
Reilly & Sons Inc. P. O. Box 183 601 E. Lincoln Highway Exton, PA 19341	\$1.924 per gal	\$1.3876 per gal	\$2.034 per gal	\$2.155 per gal
Sheller Oil Company P. O. Box 3311 West Chester, PA 19381-3311	No Bid	No Bid	\$1.9777 per gal	\$1.989 per gal

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved awarding the bid to Reilly & Sons, Inc., for the Clear Ultra Low Sulfur Diesel Fuel and the Unleaded Gasoline and to Sheller Oil Company for the #2 Heating Oil and the Low Sulfur Diesel pending a review of the bids.

The following bid for Sludge and Waste Hauling Disposal was opened and read by Mr. Craig:

Vendor	1 Four-Yard Dumpster	2 Twenty-Five Yard Dumpsters
Charles Blosenski Disposal Company 265 Lippitt Road Honey Brook, PA 19344	\$72.00	\$185.00

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved awarding the bid to Charles Blosenski Disposal Company pending a review of the bid.

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

Vendor	10,000 Lbs, More or Less Dry Polymer
Coyne Chemical 3015 State Road Croydon, PA 19021-6962	\$2.497 per lb.
Custom Environmental Tech 8 Iron Bridge Drive Collegeville, PA 19426-2045	\$2.29 per lb.
Randal Vickery Polydyne Inc. One Chemical Plant Road Riceboro, GA 31323	No Bid
Lorie Siegele 6207 Bee Caves Road Suite 180 Austin, TX 78746	\$1.91 per lb.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved awarding the bid to the low bidder pending a review of the bids.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved the signing of Amendment No. 1 of the Sewage Treatment Agreement between the West Goshen Sewer Authority, the Township of West Goshen and the Township of Thornbury. In answer to a question from Mrs. Baker, Dr. White stated that the West Goshen Township Sewer Authority has adequate capacity for any future development in West Goshen Township.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Ordinance 09-2008 amending the Code of Ordinances Chapter 84, Zoning, to delete the definition of "Open Space" and add a new definition for "Common Open Space", "Greenway Lands", "Passive Open Space" and "Gross Development Tract Area" in Section 84-8; adding a new Article IV-B to provide for a new R-3B Flexible Design Conservation District and by specifying the use regulations, area and bulk requirements and design standards for such flexible design conservation district and to rezone parcels 52-02-0114, 52-02-0114.01, 52-02-0114.02, 52-02-0114.04, , 52-03-0061.010, 52-03-0062, 52-03-0075, 52-03-0181, 52-03-0182, 52-03-0183, 52-03-0184, 52-03-0185 and a portion of 52-02-0114.5 from R-3 Residential District to R-3B Flexible Design Conservation District. The hearing for this ordinance was closed on November 12, 2008.

Mrs. Baker questioned who would have ownership of the greenway lands and Dr. White said that either the Township or a conservation group would control the greenways.

Dr. White announced that consideration and possible approval of the Decision and Order for the Jerrehian Conditional Use application will be on January 5, 2009 at the Annual Organization meeting.

Prior to the consideration of the possible approval of Ordinance 10-2008 amending the Code of Ordinances of West Goshen Township, Chapter 84 (entitled "Zoning") to amend the definition of "Family" in Section 84-8; to add a definition for "Independent Living Facility" in Section 84-8; to amend the use regulations for the R-3

District to allow an Independent Living Facility by Conditional Use in the R-3 District and to add area and bulk requirements, design standards, parking requirements and specific criteria for such use; to amend certain regulations for group homes in Section 84-57.7; to delete Section 84-72.A(2) and 84-74.D(1); to delete Section 84-57.03.B(5)(3) and 84-57.03.B(24); to amend Sections 84-21.D, 84-28.J and 84-32.D to allow a use similar to a restaurant where food is prepared and served in C-2, C-4 and C-5 Districts and to amend screening and landscaping requirements in Section 84-55.A and 84-55.C, Ms. Kristin Camp, Esquire, presented the following exhibits: The Proof of Publication in the Daily Local News, the filing with the Chester County Law Library, the filing with the Daily Local News, the review letter from the Chester County Planning Commission and the review letter from the West Goshen Township Planning Commission. Ms. Camp explained that this is a comprehensive ordinance that covers independent living, amendment changes to the landscaping ordinance and other general items.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved Ordinance 10-2008.

Prior to the consideration of the possible approval of Ordinance 11-2008 amending the Code of Ordinances of West Goshen Township, Chapter 66, Titled "Sewers and Sewage Disposal", specifically Article V Titled "Pretreatment Standards and Regulations for Industrial and Wastewater Discharges" to comply with the regulations issued by the United States Environmental Protection Agency, Ms. Camp presented the following exhibits: Proof of Publication in the Daily Local News, filing with the Chester County Law Library and filing with the Daily Local News.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Ordinance 11-2008.

Prior to the consideration and possible approval of Ordinance 12-2008 amending the West Goshen Township Police Pension Plan, Ordinance 13-2008 amending the Administrative and Road Employees' Pension Plan, and Ordinance 14 – 2008 amending the West Goshen Township Sewer Employees' Pension Plan by adopting the amended and restated plans which are attached as Exhibit "A" and which shall be effective as of January 1, 2008 and to authorize the Board of Supervisors to enter the Amended and Restated Trust Agreement which is attached as Exhibit "B" to effectuate the plans, Ms. Camp presented the following exhibits: Proof of Publication in the Daily Local News, filing with the Chester County Law Library and filing with the Daily Local News.

On a motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved Ordinance 12-2008, Ordinance 13-2008 and Ordinance 14-2008.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved Resolution 26-2008 appointing Sandra K. Turley Open Records Officer for the Township and Captain Joseph Gleason Open Records Officer for the West Goshen Township Police and adopting a new Open Records policy pursuant to Act 3 of 2008 which amended the Right to Know Law, 53 P.S. §66.1 et. Seq.

Ms. Camp explained that the Open Records Law was changed in February by the Commonwealth and that the new regulations are effective January 1, 2009.

Ms. Shirley Colvin, 830 Spruce Avenue, inquired about the cost of obtaining a copy of a public record and Ms. Turley replied that the cost would be 25 cents for a standard 8 ½ by 11 inch sheet of paper.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Resolution 27-2008 setting the date of January 5, 2009 at 5:00 p.m. for a public hearing for the Conditional Use application of Metro PCS of Pennsylvania, LLC.

On a motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the adoption of the Waste and Recycling Fund Budget for 2009.

Board of Supervisors Meeting
December 10, 2008
Page 5

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the adoption of the Sewer Fund Budget for 2009.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved Resolution 28-08 adopting the General Fund Budget for 2009.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 29-08 establishing the Real Estate Tax at 1.5 mills for 2009.

The Board answered Mrs. Baker's questions concerning a new Public Works Garage, signals at Paoli Pike and the Route 202 ramp and PennDOT signs for High Street.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved Resolution 30-08 setting the date of January 21, 2009 at 4:00 p.m. for a Conditional Use hearing for Metro PCS LLC for the co-location of six antennas for wireless telephone service on an existing tower and installation of radio-related equipment on the ground.

Mrs. McIlvaine opened the floor for public comment.

In response to Mrs. Baker's question, Dr. White said that no funds were included in the 2009 budget for changes to the Louis H. Close Firing Range.

Ms. McIlvaine thanked all of the department heads, Ms. Jeanne Denham, Finance Director, Ms. Jennifer Latzer, Assistant Finance Director, and Mr. LaLonde for all of their work on the budget. She stated that it had been a tough budget season with serious budget cuts and that she appreciated the cooperation that the Board received.

Dr. White said that through the fiscal responsibility of the Finance Department there would be no tax increase for 2009.

There being no further business, on motion by Dr. White, seconded by Mr. Meakim, the meeting was adjourned at 5:02 p.m.

Respectfully submitted,

Sandra K. Turley
Township Secretary

**West Goshen Township
Supervisor Hearing
December 10, 2008**

S-09-08

Supervisors Hearing S-09-08 which was continued from November 12, 2008 was called to order by Chairman Patricia McIlvaine at 5:13 p.m. Ms. Kristin Camp, Esquire, was present to represent the Township and Mr. Christopher Schubert, Esquire, was present to represent the applicant.

Consideration and possible approval of a Conditional Use application for Metro PCS of Pennsylvania, LLC who is seeking conditional use approval pursuant to Sections 84-57.03.B(5) and 84-74 of the West Goshen Township Zoning Ordinance for the co-location of six additional telecommunications antennas on an existing water tank located at 1201 Boot Road located in the R-3 Residential District. Applicant also seeks approval to install radio equipment cabinets on a proposed 10' x 16' concrete pad on the ground at the base of the water tank.

See Court Reporter's Transcript

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the application.

The hearing ended at 5:16 p.m.