

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
JULY 9, 2014**

Township Supervisors:

Mrs. Patricia B. McIlvaine, Chairman
Philip J. Corvo, Jr., Vice-Chairman
Mr. Raymond H. Halvorsen, Member
Mr. Theodore J. Murphy, Esq.
Dr. Robert S. White, Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Richard J. Craig, Township Engineer
Ms. Kristin Camp, Township Solicitor

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia McIlvaine at 7:00 p.m. on Wednesday, July 9, 2014 at the West Goshen Township Administration Building. Mrs. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Joseph Gleason, Chief of Police, gave the Police Report for the month of June 2014.

Ms. Andrea Testa gave the Fire Marshal Report for the month of June 2014. Ms. Testa also gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Mr. Beswick gave the Building Official's Report for the month of June 2014.

Mrs. McIlvaine announced that the Board of Supervisors held an executive session on July 9, 2014 to discuss personnel.

On a motion by Mr. Halvorsen, seconded by Dr. White, the Board unanimously approved the meeting minutes of June 11, 2014.

On a motion by Mr. Murphy, seconded by Dr. White, the Board unanimously approved the Treasurer's Report dated June 30, 2014, for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds.

The discussion on the Westrum Land Development plan for Ward Avenue was tabled.

Mr. Ray McKeeman, Township Facilities Manager, provided details on the 2014 HVAC unit replacement project. Mr. McKeeman stated that due to the Township's use of the Pennsylvania COSTARS "piggy-back" purchasing system, we were able to achieve significant savings as a result. He stated that the original total cost for replacement of the four roof-top heating, ventilation and air conditioning units for the two Township municipal buildings was \$1,250,000. With the savings achieved, the total cost for equipment, engineering, removal of the old units and installation of the new units is \$454,000, or a savings of \$796,000. The replacement project is scheduled for the first several weeks in September.

Mr. LaLonde and the Board thanked Mr. McKeeman for his work in finding the significant cost savings.

On a motion by Mr. Halvorsen, seconded by Dr. White, the Board unanimously approved Resolution 12-2014, PennDOT Traffic Signal for the intersection of Rt. 322 and North New Street.

On a motion by Mr. Halvorsen, seconded by Dr. White, the Board unanimously approved Resolution 13-2014, PennDOT Traffic Signal for Fernhill Elementary School signal.

Ms. Camp submitted to the Board a draft of the proposed "Public Utility" Ordinance in response to the recent Sunoco Pipeline, LP, activity on Boot Road and the proposed natural

gas pumping station and related structures. Ms. Camp stated that the next step is for the Township's Planning Commission to review the proposed amendments; submit the finalized amendment to the Chester County Planning Commission for the required 30-day review; then advertise the Ordinance for adoption by the Board of Supervisors at an upcoming meeting.

Mr. Craig stated that the next Township Planning Commission meeting is scheduled for Tuesday, July 29th. The Planning Commission may review the document at that meeting and report their comments to the Board of Supervisors.

Ms. Camp then detailed the changes proposed in the Ordinance amendment. She stated that proposed Ordinance amendment deals directly with the Township's existing Zoning Ordinance Chapter 84, specifically, Section 84-8, "Public Utilities".

Changes include the addition of the following definitions:

COMMUNITY UTILITY - A utility which is owned, operated or maintained by a homeowners association or community association for the purpose of providing sanitary sewage disposal, stormwater control, water supply, energy, telephone or other utility services within a defined service area solely within the Township.

GAS PIPELINE- any transmission pipeline for gases including within a storage field.

GOVERNMENTAL UTILITY - A utility which is owned, operated or maintained by the Township, Municipal Authority or other agency or authority of the Township or Municipal Authority for the purpose of providing sanitary sewage disposal, stormwater control, water supply, energy, telephone or other utility services within a defined service area solely within the Township.

HAZARDOUS LIQUIDS PIPELINE- Any pipeline used for the transmission of anhydrous ammonia, petroleum, or petroleum products such as propane, butane, natural gas liquids, benzene, gasoline, jet fuel, diesel fuel, fuel oil and kerosene.

PIPELINE IMPACT RADIUS- The distance within which the potential failure of a gas pipeline or a hazardous liquids pipeline could have significant impact to the people and property.

UTILITY – Any agency that under public franchise or ownership or under certificate of convenience and necessity or by grant of authority by a governmental agency provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection or other similar service.

The Ordinance amendment also changes the definition of "Public Utility Facility" as follows:

PUBLIC UTILITY FACILITY- A facility owned and operated by a public utility as defined in this Ordinance.

The Ordinance amendment also adds the following new Section, 84-56:

§84-56. Utility Uses.

- A. Essential Utilities, Community Utilities and Governmental Utilities, as defined in Section 84-8, shall be uses permitted by right in all zoning districts, subject to the following regulations:
 - (1) No such use shall include an office open to the general public, trucking or repair facilities or housing of work crews.
 - (2) The portion of any such use not located within a building shall be enclosed or adequately screened in such a manner as to not be visible across property lines.

- (3) No advertising shall be affixed to any structure.
- B. Public Utility Facility shall be permitted by conditional use of the Board of Supervisors in the I-1, I-2, I-2R, I-3 and I-C Districts subject to the following performance standards:
- (1) No obnoxious, toxic or corrosive fumes or gases shall be emitted as a result of the use.
 - (2) No use shall emit offensive odors which are perceptible at lot lines.
 - (3) No use shall discharge into the air dust or other particulate matter in a manner or quantity which does not conform to regulations of the Pennsylvania Department of Environmental Protection.
 - (4) No use shall emit smoke from operations.
 - (5) No use shall produce any heat perceptible at or beyond the lot boundaries.
 - (6) No use shall utilize lighting in a manner which does not conform with the lighting standards in this Chapter.
 - (7) No use shall permit physical vibrations perceptible at or beyond the lot boundaries.
 - (8) No use shall emit potentially harmful radiation.
 - (9) No use shall engage in the production or storage of any material designed for use as an explosive.
 - (10) No use shall engage in the storage of waste materials on the lot for any period beyond 5 days. Such waste material storage shall be located behind the front building line of the primary building and no closer than 50 feet to any rear or side lot line and shall be completely screened from the view of any street or adjoining property.
 - (11) No use shall discharge any objectionable and/or potentially dangerous effluent from plant operations.
 - (12) No industrial lagoons for chemicals or other liquid waste shall be permitted.
 - (13) The portion of any such use not located within a building shall be enclosed or adequately screened in such a manner as to not be visible across property lines.
 - (14) All uses shall be conducted in compliance with applicable governmental regulations, including the noise and lighting regulations in this Chapter.
 - (15) No retail activity shall be permitted.
 - (16) The owner of the Public Utility Facility shall provide the Township with an emergency liaison that may be reached 24 hours a day, 7 days a week in the event of an emergency.
 - (17) The public utility facility shall prepare and file with the Township an emergency response plan which shall be followed in the event of an emergency at the facility.
 - (18) A public utility facility that involves gas pipelines or hazardous liquid pipelines shall be set back from all occupied structures a minimum distance equal to the pipeline impact radius as defined and measured according to Title 49 of the Code of Federal Regulations.

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The Board agreed that the Township Planning Commission shall review the proposed amendment at their next meeting. Mr. Halvorsen stated that upon review of the Township Planning Commission, the finalized amendment shall be made available to the public.

Ms. Camp stated that the Board should set a date for the AT&T Conditional Use Hearing for co-location of "Fort Worth-style antenna" on existing PECO electric transmission tower at 1167 MacPherson Drive, West Chester, PA. Mr. LaLonde stated that the Board could conduct the hearing at their next regularly scheduled meeting of August 13, 2014.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board set the date for 7:00 PM, August 13, 2014.

There being no further business, on motion by Mr. Halvorsen, seconded by Dr. White, the meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary