

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
OCTOBER 8, 2014**

Township Supervisors:

Mrs. Patricia B. McIlvaine, Chairman
Philip J. Corvo, Jr., Vice-Chairman
Mr. Raymond H. Halvorsen, Member
Mr. Edward G. Meakim, Jr., Member
Mr. Theodore J. Murphy, Esq.

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, October 8, 2014 at the West Goshen Township Administration Building. Mrs. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

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

Ms. Andrea Testa gave the Fire Marshal Report for the month of September 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 September 2014.

Mr. Halvorsen, seconded by Mr. Meakim, the Board unanimously approved the appointment of Sara J. Franco as Elected Auditor, filling the position vacated by Mr. Meakim upon his appointment as Supervisor. Per Pennsylvania 2nd Class Township Code, the seat will be up for election at the next municipal election cycle in 2015.

Ms. Franco was then sworn in to the office by Derek Davis, Assistant Township Manager and Notary.

Mrs. McIlvaine announced that Executive Sessions were held on September 9, 2014 and September 30, 2014 to discuss litigation and personnel matters.

Mr. LaLonde introduced Hanna Donohue, a student at Greystone Academy Charter School in Exton. Ms. Donohue is a West Goshen Township resident and is interested in pursuing a career in local government and spent the day shadowing Mr. LaLonde and Mr. Davis.

Mr. LaLonde announced that the next yard waste curbside collection was scheduled for Saturday, October 11th.

Mr. LaLonde announced that next Fall Movies Series film will be *Despicable Me II*, scheduled for 7:30 PM at the Amphitheatre at Community Park.

On a motion by Mr. Meakim, seconded by Mr. Halvorsen, the Board unanimously approved the meeting minutes of September 10, 2014.

On a motion by Mr. Murphy, seconded by Mr. Corvo, the Board unanimously approved the Treasurer's Report dated September 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.

Mr. David Brooman, Special Township Counsel, provided an update of the Sunoco Pipeline, LP, case before the Pennsylvania Public Utility Commission regarding the Mariner East project. Mr. Brooman stated that on October 2, 2014 the full Pennsylvania Public Utility Commission overturned the recent Administrative Law Judges decision regarding West Goshen Township. He stated that no final ruling has been released as of today, but it should be released soon. The next step would for the Administrative Law Judges to review their earlier decision and refile with the full Commission. The Commission would then set a public hearing on the topic.

Mr. John Nesio, 1307 Mary Jane Lane, stated that due to this decision, we do not have any more rights.

Ms. Linda Giorno, 1319 Mary Jane Lane, asked if the Utility Zoning Ordinance would still be updated tonight. Ms. Camp stated that the Ordinance adoption hearing is the next item on the agenda.

Mr. Tom Casey, 1113 Windsor Drive, asked if the Township can stop any work currently being conducted at the site. Mr. Brooman responded that no, the Township cannot stop any work on the existing facilities or pipeline. Ms. Camp stated that Sunoco cannot build any new facilities until Sunoco receives their "Certificate of Convenience" from the Pennsylvania Public Utility Commission.

Mr. Casey then asked if the Township could go "on the offensive." Ms. Camp stated that the Township would have to find Sunoco working on new facilities without their new certificate and the Township could seek injunctive relief through the courts.

Mr. Allen Feinberg, 1306 Mary Jane Lane, asked how long this process would take to go all the way to the Pennsylvania Supreme Court. Mr. Brooman stated that the order should be received soon; a hearing could take place as long as March of 2015 with a decision to follow in April; and that the process could take all of 2015.

Mr. Jim DeAngelis, 1124 Laurel Drive, asked if the Pennsylvania Public Utility Commission has jurisdiction over the siting of the project. Mr. Brooman stated that yes, the Commission has jurisdiction over the project's siting.

Ms. Camp opened the Board of Supervisors Hearing regarding the discussion and possible adoption of Ordinance No. 4-2014, Amending chapter 84 of the West Goshen Township Code, titled "Zoning", specifically section 84-8 to add definitions for "community utility", "governmental utility", "hazardous liquid and/or gas pipeline", "hazardous liquid and/or gases", "pipeline impact radius", "utility" and to amend the definition for "public utility facility"; to amend the use regulations for the R-2, R-3, R-3a and R-4 districts to delete public utility facility as a use which is permitted by special exception; to amend the use regulations for the I-1, I-2, I-3, I-2R and I-C districts to delete public utility uses as uses permitted by right; and to add a new section 84-56 to allow essential utilities, governmental utilities and community utilities by right in all Zoning Districts and public utility facilities by conditional use in all industrial zoning districts subject to standards specified therein.

The Hearing began at 7:24 PM and ended at 7:37 PM. Please see Official Transcript.

On a motion by Mr. Murphy, seconded by Mr. Meakim, the Board unanimously approved Ordinance No. 4-2014.

A brief discussion ensued regarding the possible Westrum land development plan for the Ward Avenue property. Ms. Debbie Schultzie with Westrum was present for any questions from the Board. The proposal calls for a single building, consisting of independent living, assisted living and Alzheimer's Disease care facilities adjacent to Brandywine Airport on Ward Avenue. On a motion by Mr. Meakim, seconded by Mr. Murphy, the Board voted 4-1 with Mr. Corvo opposed to move ahead with drafting two Zoning amendments for the project.

On a motion by Mr. Halvorsen, seconded by Mrs. McIlvaine, the Board voted unanimously to approve the proposal by HRG Engineering to provide technical assistance to set up a Stormwater Authority at the price of \$46,715.

The possible approval of the new Pica's Pizza restaurant at 1231 and 1233 West Chester Pike was tabled by the applicant.

On a motion by Mr. Halvorsen, seconded by Mr. Meakim, the Board unanimously approved the Development and Financial Security Agreements for the Wawa / CVS development at 1010 West Chester Pike.

On a motion by Mr. Halvorsen, seconded by Mrs. McIlvaine, the Board unanimously approved the Development and Financial Security Agreements for the Laurel Ridge, AKA "Glenn White Pottstown Pike" subdivision, located at 1320 Pottstown Pike.

On a motion by Mr. Murphy, seconded by Mr. Meakim, the Board unanimously adopted Resolution 17-2014, approving destruction of Police Department archived files.

On a motion by Mr. Halvorsen, seconded by Mr. Meakim, the Board unanimously adopted Resolution 18-2014, approving the Allocation of State Aid for the three West Goshen Township Pension Plans.

On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board unanimously approved distribution of the 2014 Foreign Fire Relief funds from the Commonwealth of Pennsylvania in the amount of \$234,013.12.

On a motion by Mrs. McIlvaine, seconded by Mr. Corvo, the Board unanimously approved Resolution 19-2014, proclaiming October 19, 2014 through October 25, 2014 as "Childhood Cancer Awareness Week."

On a motion by Mr. Halvorsen, seconded by Mrs. McIlvaine, the Board unanimously approved the bid for "Natural Deicing Liquid," opened on October 1, 2014.

Vendor	Price per Gallon	4,500 Gallons, including Delivery
GVM	\$1.70	\$8,225.00

Mr. Tom Casey, 1113 Windsor Drive, asked what could be done to curtail speeding on Windsor Drive and Boot Road. Chief Gleason responded that he would have the Traffic Division investigate the areas.

Mr. Casey then stated that he wanted the Board of Supervisors to know that a new 42" pipeline is to be installed along the Boot Road corridor.

Mr. Bob Stratton, 860 Spruce Avenue, asked if the Township firing range was in use. Chief Gleason stated that the range was in very restricted use by West Goshen Township and members of the West Chester Emergency Response Team (ERT). Chief Gleason stated that the range was brought up to National Rifle Association (NRA) standards and all NRA regulations are closely followed at the range.

There being no further business, on motion by Mr. Halvorsen, seconded by Mr. Meakim, the meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary