

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
MARCH 11, 2015**

Township Supervisors:

Mrs. Patricia B. McIlvaine, Chairman
Mr. Theodore J. Murphy, Esq., Vice-Chairman
Mr. Philip J. Corvo, Member
Mr. Raymond H. Halvorsen, 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 7:02 PM on Wednesday, March 11, 2015 at the West Goshen Township Administration Building. Mrs. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Mr. David Brooman, Special Township Counsel, provided an update regarding the Sunoco pump station project. Mr. Brooman stated that Sunoco withdrew all of their Petitions before the Public Utility Commission, including the Petition for the West Goshen Township pump station site.

Mr. Tom Casey asked the Board if they intended on appealing Sunoco's Petition withdrawal. Mr. Brooman answer no, that there is no justification to appeal a voluntary withdrawal by the applying party.

Ms. Tracy Mark asked if Sunoco has eminent domain rights. Mr. Brooman stated that yes, Sunoco does in fact have eminent domain rights.

Ms. Ruth Ann Stewart asked if the Mariner 1 and 2 projects have been reviewed for safety issues. Mr. Brooman stated that the Township hired Mr. Richard Kuprewicz of Accufacts, Inc., from Redmond, Washington to review the pump station, pipeline and proposed improvements and that he has reviewed all available safety data. Mr. Halvorsen responded that the Board would not move ahead with any settlement approval unless the Concerned Citizens of West Goshen agrees to the exact same terms.

Ms. Maria Lagasse asked if the Concerned Citizens of West Goshen agrees to the settlement, will the Board of Supervisors approve the settlement as well. Mr. Brooman responded yes.

Mr. Walker Tompkins asked if the Board of Supervisors were going to support residents in cases of eminent domain. The Board responded no, that is a private property issue between residents and Sunoco.

Ms. Joyce McFall asked if Sunoco was going to submit plans for the existing parcel. Mr. Brooman responded yes.

Ms. Joan Herman asked if the existing, currently used parcel would have the vapor combustion unit. Mr. Brooman stated that the vapor combustion unit would be housed on the existing parcel.

Ms. Bobbie Lewis asked if they are free to build on the existing, currently used parcel. Mr. Halvorsen responded yes.

Mr. Derek Tomlinson asked if Sunoco needs building permits for any new construction. Mr. Craig responded that no building permits may be required as the Pennsylvania Uniform Construction Code does not require permits for this type of work.

Mr. Chris Pielli stated that the Board should consider just continuing litigation against Sunoco.

Mr. Brooman stated that if a settlement agreement is found acceptable by the Concerned Citizens of West Goshen and the West Goshen Board of Supervisors, a special public meeting would be advertised and held at some future date.

Board of Supervisors Meeting
March 11, 2015
Page 2

Chief Joseph Gleason gave the Police Report for the month of February 2015. Chief Gleason announced that the annual Skate-a-Rama was scheduled for Saturday, March 15th at Iceline. Two sessions will be offered, noon to 2:00 PM and 2:30 PM to 4:00 PM.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of February 2015. Ms. Testa also gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Mr. John Beswick gave the Building Inspection Activity Report for February 2015.

Mrs. McIlvaine announced that the Board of Supervisors held an executive session on March 11, 2015 to discuss litigation.

Mr. Halvorsen offered congratulations to the West Goshen Police Department Criminal Investigations Unit, citing the recent letter from Chester County District Attorney Tom Hogan.

Mr. Halvorsen announced that salt usage for winter storms over 2013-2014 and 2014-2015 seasons were #1 and #2 respectively in terms of salt used to maintain safe roads during and after winter storm events.

Mr. LaLonde announced that the Township is hosting a "Shred-It" event here, Saturday, March 21st from 9:00 AM to noon.

Mr. LaLonde announced that the annual Easter Egg Hunt and Decorated Hat Parade were scheduled for 10:30 AM, Saturday, March 28th in Community Park.

Mr. LaLonde announced that the monthly curbside yard waste collection was scheduled for Saturday, March 21st.

And finally, Mr. LaLonde announced that the Township was sponsoring an electronics (E-waste) drop-off event for 9:00 AM to 1:00 PM on Saturday, April 4th.

On a motion by Mr. Meakim, seconded by Mr. Murphy, the Board unanimously approved the Board of Supervisors meeting minutes of February 11, 2015.

On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board unanimously approved the Treasurer's Report dated February 28, 2015, 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.

Ms. Camp opened the Public Hearing on the possible adoption of Ordinance No. 2015-2, establishment of West Goshen Township Stormwater Authority. Ms. Camp stated that the Ordinance had been advertised in The Daily Local News and copies of the proposed Ordinance were on file at the offices of the Township Solicitor and the Chester County Law Library. Ms. Camp stated that in 2013, the Pennsylvania legislature updated the Authorities Act to allow for creation of stormwater authorities to facilitate the raising of revenue for use in stormwater planning, maintenance and construction. She stated that the Township was issued a stormwater MS4 permit (Municipal Separate Stormwater System) in 2002 and that the Township must adhere to the permit's requirements and its implementation costs. To that end, she stated that the Board of Supervisors provided direction to staff to investigate establishing a stormwater Authority, in lieu of raising taxes to pay for stormwater-related costs.

Mr. Bob Edwards, resident of the Brinton Woods subdivision, stated that he would like to work with the Authority on improving the stormwater situation in and around his subdivision.

Ms. Margie Swart, member of the Township Stormwater Stakeholders group, stated that she didn't understand the need for a Stormwater Authority and that she still insists the Authority should not be established until after the Stakeholders group has finished its work in June or July of this year.

Mr. Mark Stevenson stated that West Goshen Township is a great place to live. He asked Ms. Camp if the Pennsylvania 2nd Class Township Code allowed for the establishment of a Stormwater Authority. Ms. Camp responded that the Pennsylvania legislature amended the Pennsylvania Authorities Act to specifically allow for Stormwater Authorities. West Goshen Township would, in fact, be the first Stormwater Authority in Pennsylvania, although other "home-rule" municipalities have had stormwater fee arrangements in effect for several years to pay for stormwater-related planning and implementation.

On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board unanimously agreed to continue the Hearing to April 8, 2015.

Ms. Camp introduced Ordinance No. 2015-3, amending West Goshen Township Code for "Firearms." Ms. Camp stated that the Pennsylvania legislature enacted House Bill 80, further restricting local government from enacting local firearms Ordinances. To that end, Township staff found some instances where the Township Code was in conflict with the new Pennsylvania law and this Amendment is the correction for those conflicts.

Ms. Camp stated that Ordinance No. 2015-3 was advertised in The Daily Local News and is on file at the office of the Township Solicitor and the Chester County Law Library.

On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board unanimously approved Ordinance No. 2015-3.

On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board unanimously approved Paul J. Bonnes as a Township Third-Party Electrical Inspector.

Mrs. McIlvaine announced the 2014 perfect attendance awards.

<u>Administration</u>	<u>Sewer</u>	<u>Roads</u>
Casey LaLonde	Jack DeHaven	Ray Halvorsen
Jeanne Denham	Robert Gallagher	Lisa Covatta
Jen Latzer	Jeff Howell	Dave Woodward
Jen Conrad	John Scott	Hugh Boyce
Ken Lehr	Reece Papenfuss	
Ray McKeeman	Matt Froncillo	

<u>Police</u>	<u>Parks</u>
Joseph Gleason	Joseph Smith
Justin DiMedio	
David Spigarelli	
Anthony Storti	

Mr. LaLonde announced that on occasion, Chester County Tax Claim Bureau submits a real estate tax exoneration request to the Township. The tax exoneration relieves the liability of collecting overdue taxes on particular parcels of real estate.

Mr. LaLonde stated that the Bureau requested exoneration of the following parcels:

<u>Parcel ID</u>	<u>Owner</u>	<u>Tax Year</u>	<u>Tax Total</u>
52-05-6102	Spring House Lane	2013	\$8.22

52-05-5705	Revest I Corporation	2003	\$32.47
		2004	\$55.76
		2005	\$53.12

On a motion by Mr. Halvorsen, seconded by Mrs. McIlvaine, the Board unanimously approved the real estate tax exonerations.

On a motion by Mr. Murphy, seconded by Mrs. McIlvaine, the Board unanimously approved Charles A. Higgins & Sons with a bid of \$124,054.06 for construction and installation of the new Burke Road traffic signal at its intersection with North Pottstown Pike.

VENDOR	Traffic Signal Installation	Alternate #1	Alternate #2
Charles A. Higgins & Sons	\$124,054.06	\$14,434.00	\$6,398.40
Lenni Electric Corp.	\$133,880.20	\$0.00	\$7,682.50
C.M. High Inc.	\$138,450.00	\$5,550.00	-\$0.12
Kuharchik Construction, Inc.	\$137,670.77	\$2,080.00	\$3,260.00

There being no further business, on motion by Mrs. McIlvaine, seconded by Mr. Murphy, the meeting was adjourned at 9:58 PM.

Respectfully submitted,

Casey LaLonde
 Township Secretary