

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
January 11, 2017**

Township Supervisors:

Mr. Edward G. Meakim, Jr., Chairman
Mr. Hugh J. Purnell, Vice-Chairman
Mr. Philip J. Corvo, Member
Mr. Raymond H. Halvorsen, Member
Mr. Christopher Pielli, Esq., Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Richard J. Craig, Township Engineer
Ms. Kristin Camp, Township Solicitor
Mr. David Brooman, Special Counsel
Mr. Richard Kuprewicz, Township Safety Expert

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Edward G. Meakim, Jr. at 7:01 p.m. on Wednesday, January 11, 2017 at the West Goshen Township Administration Building. Mr. Halvorsen opened the meeting with the Pledge of Allegiance to the Flag.

Mr. Meakim requested that all audience members silence their cell phones.

Mr. Meakim made notice to all members of the public in attendance that they may be recorded via audio and video by other members of the public.

Mr. Meakim announced that the Board of Supervisors held an Executive Session to discuss legal advice and potential litigation on January 11, 2017.

Chief Joseph Gleason gave the Police Report for the month of December 2016. Chief Gleason announced the West Goshen Township Police Department is hosting an eight-week long "Citizen's Police Academy" to start in mid-March 2017. He stated that the Police Academy information will be posted on the Township website for those interested in signing up and attending the Academy.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of December 2016. Ms. Testa also gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Ms. Testa also gave the Building Inspector Report for the month of December 2016.

Mr. Halvorsen moved to approve the minutes of December 14, 2016 and January 3, 2017 with a second from Mr. Purnell. Ms. Margie Swart stated that she wanted additions to the meeting minutes of January 3, 2017 and provided those comments in writing. The motion to approve the January 3, 2017 meeting minutes was tabled to the February 8, 2017 meeting.

Mr. Halvorsen made a motion to approve the December 14, 2016 meeting minutes. Mr. Purnell seconded the motion. Ms. Margie Swart stated that she had questions about the December 14, 2016 minutes as well. Ms. Maxine Richter stated that minutes should be approved as written and that meeting minutes are not generally a verbatim recording. Mr. Tom Casey questioned the meeting minutes from November and December. The Board voted unanimously to approve the December 14, 2016 meeting minutes.

On a motion by Mr. Purnell, seconded by Mr. Corvo, the Board unanimously approved the Treasurer's Report of December 31, 2016 for the General Fund, the Sewer Fund Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds.

Toni Keg and Tracey Behringer, of West Chester Area Communities That Care (WCCTC) presented their organization's mission and strategy in promoting healthy youth development, improve youth outcomes and reducing problem behaviors. WCCTC's mission is to prevent substance abuse among youth, promote positive choices and to strengthen families through the collaborative efforts of their community partners. The WCCTC's approach is to help prevent problems before they develop, starting with a youth survey to identify a particular community's risk and protective factors. Risk factors are those elements in a young person's environment that increase the likelihood of them engaging in compromising behaviors. These risk factors exist in all domains of social development, including community, family, school and peers. Ms. Keg further stated that protective

factors buffer against risk in otherwise adverse circumstances by either reducing the impact of the risk or changing the way a child or young person responds to it.

It was stated that careful and thoughtful community planning brings individuals and organizations together, combines community resources to help prevent youth health and behavioral problems and aims to decrease duplication of services across the community. The overall goal of the WCCTC is promote youth healthy minds, bodies and community through youth survey and prevention goals. Ms. Keg and Ms. Behringer concluded their presentation.

Mr. Tom Casey asked if the results of the youth surveys could be shared with parents or were the surveys done with anonymity and he asked if parents could be notified of their child's survey results. Ms. Keg stated that the surveys are done in complete anonymity.

Mr. Pielli stated that he recommended parents to the WCCTC website for survey results at <http://www.wcctc.org/>

Mr. Meakim thanked Ms. Keg and Ms. Behringer for their presentation.

Mr. Meakim turned the meeting over to Mr. David Brooman, Township Special Counsel for an update on the Sunoco Mariner II project. Mr. Brooman provided an overview of the Sunoco Mariner II pipeline project and stated that the project is still undergoing Pennsylvania Department of Environmental Protection review. Mr. Brooman stated that the Township had requested a safety review of the Mariner II project be conducted in a similar fashion as with the Mariner I project. That safety review was conducted by Mr. Richard Kuprewicz with Accufacts, Inc. Mr. Brooman introduced Mr. Richard Kuprewicz with Accufacts, Inc.

Mr. Kuprewicz provided an overview of his credentials and previous work with West Goshen Township on the Mariner I pipeline project. Mr. Kuprewicz presented a series of slides on his safety findings for the Mariner II project. He stated that the Mariner II project is a new 20-inch pipeline with no new pump station to be located in West Goshen Township. Mr. Kuprewicz stated that this safety report is West Goshen Township specific. He stated that the new pipeline is to be installed using two horizontal direction drills (HDD's) near the existing Mariner I pipeline. He stated that the HDD arc is very deep under the Township / PennDOT right of ways. He stated that the plans call for a remotely operated valve on the pipeline route through West Goshen between the HDD locations. Mr. Kuprewicz stated that the Mariner II project incorporates additional safety measures for prudent safety.

Mr. Kuprewicz stated that he understands citizen concerns regarding this new pipeline, but that clearly false or misleading statements not based on fact must be avoided. He went to state that the Mariner II pipeline project exceeds safety regulations in many prudent areas.

Mr. Kuprewicz stated that First Responders and Township representatives are not in charge during pipeline release emergencies and that the Sunoco Operators are to "maintain liaison" required in federal pipeline safety regulations. He stated that pipeline safety and pipeline siting are two very different regulatory processes. Furthermore, he stated that liquid pipelines, states can have additional regulatory processes, but Pennsylvania apparently does not have any additional regulatory hurdles.

Ms. Lili Middlebrooks contested the above-ground valve station for the Mariner II location, as the location near the now former Traditions project violates the previously agreed to Settlement Agreement between the Township, Sunoco and the Concerned Citizens group. Mr. Brooman will review the proposed valve location and determine if it violates the Settlement Agreement.

Ms. Middlebrooks asked if the proposed valve station is automatic. Mr. Kuprewicz responded yes. She asked if Mariner I has two automatic valves. Mr. Kuprewicz responded yes that both automatic valves are installed, but the second location in Thornbury Township, Delaware County, still needs electric power run to the site. Ms. Middlebrooks asked if there an alarm system is part of the system. Mr. Kuprewicz responded yes.

Mr. Charlie Williams asked if the Mariner I pipeline was tested using “smart pig” technology. Mr. Kuprewicz responded that hydrostatic testing was done on Mariner I and that this type of testing is superior to “smart pig” testing. Mr. Williams asked if the Mariner II valves fail open or close. Mr. Kuprewicz stated that the valves fail to the safest condition. Mr. Kuprewicz added that 100% of the welds for Mariner II are radiographically reviewed and that standard industry practice is only 10% of welds are reviewed.

Mr. Daniel Mayetta, Westtown Township, asked what alternatives to pipelines were available for petroleum transportation. Mr. Kuprewicz stated that rail cars and tanker trucks are available for transport, but pipelines by far are the safest transportation method.

Mr. Eric Friedman, Thornbury Township, Delaware County, had comments about Sunoco’s construction methods and that Sunoco poses risks to the environment. Mr. Friedman read various Sunoco statistics and had concerns about Mr. Kuprewicz Mariner I safety report in that Mr. Kuprewicz did not have any additional safety recommendations for West Goshen Township. Mr. Kuprewicz responded that he had in-depth discussions with Sunoco regarding safety during his review process. Mr. Kuprewicz stated that all emergency situations are unique.

During this discussion, Mr. Friedman admitted that his homeowners’ association (HOA) in Thornbury Township, Delaware County, was holding up the activation of the second automatic valve for the Mariner I pipeline project in regards to the requirement in the Settlement Agreement that both valves be converted to automatic valves. Mr. Friedman stated that his HOA was fighting the Sunoco condemnation of the land necessary to run electricity to this valve site. Ms. Camp asked Mr. Friedman when did Sunoco gain property rights to access the valve site. Mr. Friedman stated that Sunoco does have property rights to the valve site and that his HOA is litigating the Sunoco condemnation.

Mr. Halvorsen asked Mr. Brooman where we were with the Settlement Agreement. Mr. Brooman stated that Sunoco attempted to finish the Thornbury Township automatic valve site and that Sunoco only needs PECO electricity to finish the installation. Mr. Brooman asked Mr. Friedman to turn over any and all documents related to Mr. Friedman’s HOA litigation of the Sunoco condemnation. Mr. Brooman stated that if Sunoco has followed through on the installation of the Thornbury Township automatic valve site, the Board should take action against Sunoco for not fulfilling the terms of the Settlement Agreement.

On a motion by Mr. Purnell, seconded by Mr. Pielli, the Board authorizes Mr. Brooman to investigate and send notification to Sunoco of the violation of the terms of the Settlement Agreement and to file suit if Sunoco is in breach of the Settlement Agreement with the Pennsylvania Public Utility Commission with a deadline of February 1, 2017.

Mr. Walker Tompkins stated that he has called the Sunoco 800# and that the Sunoco personnel did not know where the Boot Road Pump Station was located. He also asked about the horizontal directional drilling and if there were any risks to the existing Mariner I pipeline. Mr. Kuprewicz stated there were no safety concerns for the Mariner I pipeline if horizontal drilling is to be used for Mariner II.

Mr. Tom Casey suggested that the West Goshen Township Citizens Police Academy incorporate pipeline safety. He asked if the Mariner II project was a 20” line. Mr. Kuprewicz stated yes. Mr. Casey asked if there was any way to determine a blast radius. Mr. Kuprewicz responded no, that there are too many variables. Mr. Casey stated that Sunoco should be cited for noise violations. Mr. Casey stated that he would like to have someone make a motion to pass the “letter of concern.”

Ms. Sharon Owen stated her frustration with Sunoco over the noise issues that have been ongoing for over a year at the Boot Road pump station site.

Mr. Bob Smucker stated that he is a steamfitter by trade and a West Goshen resident. He stated that he worked on the Mariner I project and is now working on the Mariner II project. He stated that the steel is tested before installation, during installation and hydrotested after installation. He stated that Sunoco is good company. Mr. Kuprewicz stated that Sunoco personnel have been honest and forthcoming during his safety review.

Mr. William DeFillipes stated that he is a West Goshen Township resident and an Operating Engineer. He stated he has and will work on Sunoco pipelines. He stated that Sunoco follows strict safety rules and worker certifications and provides extensive worker training. He stated that he wants to reassure the public that the pipelines will be operated safely.

Ms. Lilli Middlebrooks stated that her concerns are not with individual Sunoco employees, but mistakes happen. She stated there is no direct benefit to West Goshen Township with the installation of this pipeline and that all products are being sold overseas. She had legal questions regarding the Settlement Agreement and stated that it was her opinion that the additional valve station proposed for Mariner II would violate the Settlement Agreement. Mr. Brooman will review the situation. Mr. Brooman stated that it is his opinion that the Township keep Mr. Kuprewicz on as safety expert. Ms. Middlebrooks stated that there appears to be a large gap in the emergency response plan and that needs to be addressed.

Mr. Bill Meenan, West Goshen resident, stated that he has been a pipefitter for forty years. He stated that the Mariner II project does have benefits to West Goshen Township, as people who live in the Township are working for Sunoco.

Mr. Tom Casey reiterated his complaints about noise and safety.

Mr. Ted Murphy stated that he also has concerns about safety for the Mariner II pipeline project.

Ms. Camp stated that Mr. Brooman will investigate the Mariner II valve site and its impact on the Settlement Agreement; address the Township's concerns regarding horizontal direction drilling (HDD); and the noise concerns.

Mr. Purnell amended the previous motion to have Mr. Brooman investigate the Mariner II valve location in relation to the Settlement Agreement, investigate the horizontal directional drilling concerns and the noise concerns. Mr. Pielli seconded the amended motion. The motion carried unanimously.

Ms. Andrea Testa, Township Fire Marshall, provided an overview of the safety training provided to First Responders regarding pipeline emergencies.

Dr. Douglass White asked several Mariner II pipeline project construction questions, specifically if the pipeline had any secondary containment. Mr. Kuprewicz stated that the project does not include any secondary containment.

Mr. Pielli made an additional motion to have Mr. Brooman address the horizontal directional drilling (HDD) and its possible effects on groundwater; to address the noise issue if it violates the Township's noise Ordinance; to investigate on-going and available safety training; to keep Mr. Kuprewicz as a Township pipeline safety consultant for the foreseeable future and to send a letter to Sunoco specifically regarding HDD. The motion was seconded by Mr. Purnell. The motion passed unanimously.

This concluded the Sunoco Mariner II pipeline safety presentation by Mr. Kuprewicz.

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved Resolution 4-2017, destruction of records for the West Goshen Township Police Department.

Ms. Camp stated that she wants to have she and Township staff review various Township Zoning Ordinance definitions and uses including new uses such as microbrewery and bring those new definitions and uses to the Township Planning Commission and the Board for review and possible approval. There was a Board consensus to move ahead with the review.

Ms. Maxine Richter had several pipeline safety questions.

Mr. Tom Casey read into the record the attached statement and by Board consensus the statement was made part of these meeting minutes as attached.

Ms. Margie Swart stated that she had some Township Board of Auditors observations. She asked that the Township Board of Auditors be abolished. Mr. Purnell stated that the Auditors are established the Pennsylvania 2nd Class Township Code and their offices cannot be abolished. Mr. Purnell stated that the Auditors only set the bond amount for the Treasurer and Township Manager and set the salaries of any Township Supervisors who also work for the Township, at which time there are none. Ms. Camp cited Section 901 of the Township Code.

Ms. Swart asked if the Elected Tax Collector received any benefits of the office. The general response was no. Ms. Swart asked if the Township would consider transferring these duties to Chester County. Mr. LaLonde responded that he believed only the printing, mailing and receipting of tax bills could be done by the County but that the hundred or so calls and emails for customer service requests and tax certifications received each week would still have to be handled by the Tax Collector and his Deputy.

Ms. Swart asked when the Board conducts business. Mr. LaLonde responded only at advertised public meetings.

Ms. Swart asked questions regarding the Township Manager's salary.

Please view this meeting's video recording via YouTube with the link located at www.westgoshen.org.

There being no further business, on motion by Mr. Purnell, seconded by Mr. Pielli, the meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary