

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
September 13, 2017**

Township Supervisors:

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

Township Officials:

Mr. Casey LaLonde, Township Manager  
Mr. Rick Craig, Township Engineer  
Mr. Bill Webb, Township Zoning Officer  
Mr. Skip Brion, Township Solicitor  
Mr. David Brooman, Special Counsel

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Edward G. Meakim, at 7:01 p.m. on Wednesday, September 13, 2017 at the West Goshen Township Administration Building. Mr. Meakim 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 turned the meeting over to David Brooman, Township Special Counsel, with an update on the Sunoco Mariner East project. Mr. Brooman stated that the preliminary injunction issued by the PUC Administrative Law Judge is still in effect for West Goshen Township and that the full PUC will most likely act on the injunction at their October 5<sup>th</sup> or October 26<sup>th</sup> public meeting. He stated that the PUC posts their meeting agenda at 3:00 p.m. the day before their public meeting. However, the injunctive relief is still in place as of now. He stated that discovery is ongoing for this case. He stated that written testimony is due in February 2018 and that the Hearing is scheduled for April 2018. He stated that the Environmental Hearing Board's stop work order was negotiated down with a settlement and that more field work has been ordered for Sunoco to do before work resumes at the other drilling locations along the pipeline route. Mr. Brooman stated that the Riverkeepers' case was rejected by the Court of Common Pleas and combined with the Thornbury case to be heard by Commonwealth Court en banc for a Hearing scheduled for October 18<sup>th</sup> in Philadelphia.

Mr. Tom Casey asked to have public comment compiled and sent to the PUC.

Ms. Erin Morelli had extensive comments on the Sunoco pipeline issue, including asking that the Township not settle with Sunoco in this case. Mr. Brooman responded that he cannot advise his client (the Township) to do so, but that there is no settlement offer currently on the table. Ms. Morelli asked that her written comments be added to the meeting minutes and the Board agreed to do so. Please see the remarks attached to these minutes.

Being there were no more comments, Mr. Brooman concluded his remarks and left the meeting at 7:19 p.m.

Captain Greg Stone provided the Police Report for the month of August 2017

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of August 2017. Ms. Testa gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Mr. John Beswick provided the Building Inspector Report for the month of August 2017.

On a motion by Mr. Purnell, seconded by Mr. Halvorsen, the Board unanimously appointed the following Township residents to the Comprehensive Plan Task Force that will hold its first meeting at 7:00 p.m. on Tuesday, October 24, 2017: Bob Carter, Mary LaSota, Maxine Richter, Bob Sheller, Bob Stratton and Dr. Douglass White.

Mr. LaLonde announced that the Board of Supervisors held an Executive Session on September 13, 2017. Mr. LaLonde also announced the beginning of the 2017 Fall Movie Series. All movies are on Saturday and start at 7:30 p.m. and are screened at the Community Park Amphitheatre. On September 16<sup>th</sup>, Disney's Moana; on

September 23<sup>rd</sup>, Disney's Finding Dory; on September 30<sup>th</sup>, Disney's Beauty and the Beast and on October 7<sup>th</sup>, Rogue One: A Star Wars Story.

Mr. Craig announced that the Township submitted its TMDL and PRP Plans on September 14, 2017 for the new MS4 Stormwater Program permit for a possible permit issuance in March 2018.

Mr. Tom Casey asked why there was no vote by the Board of Supervisors on the TMDL plan. Mr. LaLonde stated that the PADEP does not require a Board vote on the proposed plans and that all future budgetary expenditures for the plans will require Board action. Please see the Township meeting video for Mr. Tom Casey's full comments: <https://www.westgoshen.org/west-goshen-youtube-channel/>

Ms. Margie Swart asked what are the corporate powers of the Township. Mr. Brion responded that the corporate powers are those that are designated by the Pennsylvania 2<sup>nd</sup> Class Township Code. Ms. Swart had extensive questions regarding the MS4 permit application. Please see those comments on the Township meeting video website: <https://www.westgoshen.org/west-goshen-youtube-channel/>

Ms. Robin Stuntebeck stated she spoke at length with Mr. Craig regarding the TMDL and PRP Plans but had many additional comments. Please see those comments on the Township meeting video website: <https://www.westgoshen.org/west-goshen-youtube-channel/>

Mr. Webb announced that the Zoning Hearing Board would be meeting on September 23<sup>rd</sup>. He stated that the recent Haus decision has been appealed to the Court of Common Pleas and asked that the Township Solicitor represent the Township, per the advice of Mr. Brion. On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board voted unanimously to have the Township Solicitor represent the Township in the Haus appeal.

Mr. LaLonde announced that the August 16, 2017 meeting minutes were tabled until the October 11, 2017 meeting.

Ms. Margie Swart requested that the Board of Supervisors pay the outstanding hydrant fees for her private community, The Links, to the amount of almost \$8,000. Mr. Halvorsen responded that the Township only pays for fire hydrants located in the public right-of-way and public property, not private property. By consensus the Board decided to not pay the fire hydrant fees requested by Ms. Swart.

On a motion by Mr. Purnell, seconded by Mr. Halvorsen, the Board unanimously approved the Treasurer's Report of August 31, 2017 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.

Mr. Lou Colagreco, representing the Jerrehian family and The Woodlands at Greystone residential subdivision project, introduced the concept of the NID (Neighborhood Improvement District) as a means to pay for public improvements for this 598-unit residential subdivision project. Mr. Colagreco introduced Ms. Lindsay Dunn with MuniCap, the organization who would advise the Jerrehian family on the use of the NID and Mr. Ken Lettinger, Bond Counsel for the project. Mr. Colagreco provided a slide presentation that showed how the NID funding would be used to build all public improvements including the proposed park, streets, sanitary sewers and all other public improvements immediately upon construction and within twelve to eighteen months of the project's start. He stated that the improvements would be turned over to the Township at the Township's discretion, but the improvements would be available prior to any home construction. The presentation was extensive and it is recommended to view the Township meeting video here: <https://www.westgoshen.org/west-goshen-youtube-channel/>

Ms. Dunn and Mr. Lettinger stated that a study would be commenced on how the NID funding would be provided and used and that study is forthcoming. The Board thanked those in attendance for the presentation.

The West Chester Library presentation was tabled to the October 11<sup>th</sup> Board meeting.

Mr. Brion reintroduced Ordinance No. 7-2017, an Amendment to the Township Code Chapter 81 regulating "Trees, Vegetation, Bamboo and other Vegetation" and that the hearing had been continued from the August 16, 2017 Board meeting. Mr. Brion stated the Ordinance had been advertised and met all requirements for approval. On a motion by Mr. Purnell, seconded by Mr. Pielli, the Board unanimously approved Ordinance No. 7-2017.

After a brief discussion by the Board, including comments by Mr. Atkins, West Goshen resident stating that the problem with dirt bikes has only gotten worse, on restricting the use of ATV's and dirt bikes in residential areas, Mr. Purnell made a motion to advertise with the intent to adopt the proposed ATV's and dirt bikes Ordinance at the October 11<sup>th</sup> Board meeting with a second by Mr. Meakim. The Board unanimously approved the motion.

On a motion by Mr. Halvorsen, seconded by Mr. Purnell, the Board unanimously approved Resolution 16-2017, proclaiming September 2017 as "Childhood Cancer Awareness Month."

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved Resolution 17-2017, approving the 2018 Minimum Municipal Obligation for the Township's Police, Administration and Roads and Sewer Employees' Pension Plans.

Ms. Margie Swart asked what constitutes a public meeting. Mr. Brion responded that the definition of a public meeting is found in the Pennsylvania Sunshine Act.

Ms. Swart asked again for the Board to consider establishing a resident budget committee.

On a motion by Mr. Halvorsen seconded by Mr. Purnell, the Board voted unanimously to adjourn the meeting at 9:38 p.m. and move into Board of Supervisors Hearing No. 4-2017.

**Board of Supervisors Hearing 4-2017**

**CellCo Partnership, d/b/a Verizon Wireless "Applicant" for a replacement  
cellular tower at 902 Camaro Run Drive**

**Hearing began at 9:46 p.m. and concluded at 10:20 p.m.**

**See Official Transcript**

Respectfully submitted,

Casey LaLonde  
Township Secretary

Erin Morelli

9/13/17

Add to minutes

It should be clear now, that the residents of West Goshen are extremely concerned about the land, water, and safety of this community. We are requesting the support of all of our supervisors, to act in solidarity, and to not settle the matter before the PUC.

No settlement before the PUC. This includes compromises with the placement of the valve or acceptance of funds in exchange for modifying the original settlement. You all know: Sunoco outright lied and manipulated us when that settlement agreement was being negotiated.

We know that our families and children, our homes, and this community are worth more than Sunoco can offer. Will you promise to not reach a settlement with Sunoco Logistics and fight for the full enforcement of the settlement agreement?