

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
SEPTEMBER 20, 2018**

Township Supervisors:

Mr. Chris Pielli, Esq., Chair
Ms. Robin Stuntebeck, Vice-Chair
Ms. Mary R. LaSota, Esq., Member
Mr. Edward G. Meakim, Member
Mr. Hugh J. Purnell, Jr., Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Bill Webb, Township Zoning Officer
Mr. Dave Sander, 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 Chair Chris Pielli, at 7:06 p.m. on Thursday, September 20, 2018 at the West Goshen Township Administration Building.

Mr. Pielli opened the meeting with the Pledge of Allegiance to the Flag.

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

Mr. Pielli 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. Pielli turned the meeting over to Mr. David Brooman of High Swartz for the monthly Sunoco Mariner II update. Mr. Brooman stated that PUC Administrative Law Judge Elizabeth Barnes' Decision was upheld by the full Public Utility Commission today, September 20, 2018. The Decision enjoined Sunoco from construction any new valves in West Goshen Township; Sunoco must supply engineering information to Township safety expert Richard Kuprewicz and Sunoco must file an affidavit that all automatic valves have been installed as required by the Settlement Agreement. Mr. Brooman stated that the Decision was adopted without modification by the PUC and the final Order shall be issued as soon as tomorrow. Mr. Brooman stated that with the PUC's Decision, this litigation is concluded between the Township and Sunoco. Mr. Brooman stated that the Township's Settlement Agreement was enforced.

Mr. Brooman stated that the 12" Sunoco repurposed line is to go into service in thirty days. Mr. Kuprewicz has a draft safety review available and Mr. Brooman will review the review. He stated that Sunoco suffered a natural gas gathering line accident in western Pennsylvania recently and the valves there were fifteen miles apart, and the valves in our area are only seven and a half miles apart. He stated that pipeline siting oversight is lax in Pennsylvania.

Mr. Pielli thanked Mr. Brooman and his law firm for their work on behalf of West Goshen Township.

Mr. Abbas Rahbari asked about an engagement letter between the Township and High Swartz and fees paid to date.

Mr. Tom Casey had extensive remarks regarding the Mariner II project and those comments may be viewed at the Township's YouTube page for this meeting at www.westgoshen.org.

There being no additional questions, Mr. Brooman departed the meeting at 7:11 p.m.

Mr. Pielli turned the meeting over to Ms. Stuntebeck and Mr. Ted Murphy, Township Sewer Authority Chair, for a presentation and discussion of the proposed Township sewer rate increase.

Mr. Murphy provided a history of the wastewater treatment plan projects being funded by the 2017 bond issue and the rate increase as recommended by the West Goshen Sewer Authority. Mr. Murphy provided details on the projects, the Inter-Municipal Agreements that help fund the projects from the neighboring municipalities and the current state of the projects. Mr. Murphy continued with extensive comments that may be viewed at the Township's YouTube page at www.westgoshen.org.

Mr. Murphy stated that the Authority had made a public recommendation to increase the residential sewer user rate to \$97 per quarter.

Ms. Nancy Lohrbach stated that the price increase is large. She asked whose judgment led to the price increase and were competitive bids used for the projects.

Mr. Murphy stated that this has been a long process to get to this point. He stated that plant has been in operation since 1962 and that the Authority relied on professionals, including its engineer, to formulate the projects and rate proposal. He stated that all Authority meetings are public and open to the public. He stated that all projects are done through a competitive bidding process. He also stated that the Authority entered the PA COSTARS cooperative purchasing program, so the Authority has saved money that way as well. Mr. Murphy stated that the Authority has also been awarded \$500,000 in grant funding the past two years, so they are pursuing those avenues as well.

Ms. Kip Stone questioned the Authority's capital reserves and had several questions regarding the 2017 bond issuance. Mr. Murphy answered that the Authority started investigating lending options in December of 2016 in regards to a bank loan versus a bond issuance.

Ms. Nancy Lohrbach asked how the Authority miscalculated the proposed rate increase from \$9 to what is proposed today. Mr. Murphy responded that a miscalculation was discovered and fixed immediately. Mr. Shawn Walsh, Sewer Authority member, explained how the miscalculation occurred and that the Authority took responsibility for the miscalculation.

Mr. Andrew Husband asked how fixed income residents were going to pay for this large increase.

Ms. Margie Swart had extensive comments and questions regarding the proposed sewer rate increase. Please see the Township's YouTube page at www.westgoshen.org for full details.

Ms. Christine Fernandez asked if rate alternatives had been investigated.

Dr. Douglas White thanked Mr. Murphy for the presentation and information.

Mr. Tom Casey had extensive questions and statements about the proposed rate increase. He read aloud a prepared statement and asked that the statement be entered into the minutes.

The sewer rate discussion was extensive and extended. Please see the Township's YouTube page at www.westgoshen.org for complete details of the discussion.

After all public comment was exhausted, Mr. Pielli asked for sewer rate recommendations.

Mr. Purnell stated that the focus needs to be on the plant and how to keep it maintained. He stated that the bond is paying to maintain the plant and that he supports the \$97 per quarter residential rate and start looking ahead ten years.

Mr. Pielli made a motion to not raise rates. As there no second, the motion died.

Ms. Stuntebeck made a motion, seconded by Ms. LaSota to set the residential rate at \$105 per quarter.

Mr. Pielli opened the floor for public comment.

Ms. Margie Swart made extensive comments opposed to the increase.

Ms. Maxine Richter made comments in support of the increase.

Mr. Abbas Rahbari made comments opposed to the rate increase and stated that the Township was violating The Sunshine Act.

Ms. Linda Stoudt made comments regarding the sewer rate increase.

Ms. Christine Fernandez asked why the Board was rushing into a vote. She stated that the Township needs to look at rate alternatives.

Mr. Robert Brochet stated that those on Social Security won't be able to afford the increase.

Again, the public comment portion was lengthy and extensive, and may be viewed at the Township's YouTube page at www.westgoshen.org.

Mr. Pielli called for the vote. On a vote of 3-2, with Mr. Pielli and Mr. Purnell opposed, the Board set the residential sewer use rate at \$105 per quarter.

Mr. Pielli called for a ten-minute recess at 9:05 p.m. with the meeting to resume at 9:15 p.m.

The meeting resumed at approximately 9:15 p.m.

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved the Final Subdivision Plan for a lot line change for Phyllis N. Woodruff at 829 West Chester Pike.

On a motion by Mr. Meakim, seconded by Mr. Meakim, the Board unanimously approved the Final Subdivision Plan for 13 residential lots for the Glenn M. White Land Company at 901 Little Shiloh Road.

Mr. Pielli turned the meeting over to Mr. Sander to begin Board of Supervisors Hearing #3-2018, Conditional Use Hearing for athletic ballfield improvements for West Chester University.

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board voted unanimously to enter the Hearing at 9:31 p.m.

See Official Transcript

On a motion by Mr. Purnell, seconded by Ms. Stuntebeck, the Board voted unanimously to end the Hearing and re-enter the public meeting at 9:45 p.m.

On a motion by Mr. Purnell, seconded by Ms. Stuntebeck, the Board voted unanimously to approve the Conditional Use for West Chester University and their athletic field project application.

Chief Joseph Gleason gave the Police Department Report for the month of August 2018.

Mr. Abbas Rahbari reiterated his complaint against the Police Department and several West Goshen Township Police Officers and he stated he has not received a response to his complaint.

Ms. Andrea Testa gave the Fire Marshall's Report for the month of August 2018.

Mr. John Beswick gave the Building Official's Report for the month of August 2018.

Ms. LaSota announced that the annual Township employee picnic was held last Thursday. She stated it was a nice, enjoyable day and a great opportunity for the various Township departments to get together and chat. She

stated that the annual picnic is an opportunity to show appreciation to the Township staff. She stated that the Township offices were closed from noon to five in order for every employee to enjoy the picnic.

Ms. Stuntebeck thanked Township employee Lisa Covatta for planning a great picnic.

Ms. Stuntebeck nominated four Township residents to two Boards and Committees:

Mr. John Mattia, Planning Commission
Mr. Bob Holland, Pension Committee
Mr. Bob Sheller, Pension Committee
Dr. Douglas White, Planning Commission

Ms. LaSota made a motion to accept the nominations and appointments, seconded by Mr. Purnell. The Board voted unanimously to approve the appointments.

Mr. Purnell stated that he enjoyed talking with the Township employees at the annual picnic and that it was well received by the staff.

Mr. Pielli announced that Township residents have been targets of phone scams in recent months. Mr. Pielli provided a handout for residents on the various scams occurring as safeguard against those phone scams.

Mr. Pielli stated that the annual picnic is a chance to give the Township staff thanks for their hard work.

Mr. LaLonde stated that he recently returned from College Station, Texas, from the first of two pipeline safety training opportunities per the awarded education grant obtained from the Commonwealth and with the assistance of State Representative Carolyn Comitta. Mr. LaLonde stated that he will be giving a full report at the October 16, 2018 Board meeting.

Mr. LaLonde announced that the Township received its allotment of the 2018 Foreign Fire Relief Funds. Mr. LaLonde read from a prepared memorandum describing the funding source and the allocation. He announced that Good Fellowship Ambulance shall receive \$22,427.05; Goshen Volunteer Fire Company shall receive \$89,708.18 and West Chester Volunteer Fire Company shall receive \$67,281.14 for a grand total of \$179,416.37 in funding.

Mr. LaLonde requested Board approve to have Mr. Pielli and Mr. LaLonde affix their signatures to the PennDOT MS-999 Project Completion Form that is required to be submitted following completion of the Township's annual streets paving program. On a motion by Mr. Purnell, seconded by Ms. Stuntebeck, the Board unanimously approved the request to affix signatures.

Mr. Craig announced that he attended the annual Chester County stormwater summit last week. He also announced that the Pennsylvania Department of Environmental Protection (DEP) staff provided an update on the MS4 permit program at the summit, but provided no timeframe for the permit to be issued. Mr. Craig stated there appears to be no end in sight for the permit process.

Mr. Webb stated that the Township Zoning Hearing Board held two Zoning Hearings on Tuesday night, one for a deck variance for 834 Orchard Avenue and for a di minimis property line issue. He stated the Zoning Hearing Board approved both variances.

Mr. Webb announced that on Thursday, October 4, 2018, the Township was hosting a public 811 "Call Before You Dig" training session in the main meeting room.

Mr. Webb announced that on November 15, 2018, the Township was hosting an information session on the new rental housing inspection program for landlords and anyone from the public who would like more information on the new program.

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved the meeting minutes of August 21, 2018.

On a motion by Ms. Stuntebeck, seconded by Mr. Purnell, the Board unanimously approved the Treasurer's Report of August 31, 2018 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. Pielli announced that the Township had recently gone out to Request for Proposal (RFP) for engineering services to ensure that the Township is doing its due diligence in regards to engineering services. Mr. Pielli asked Mr. LaLonde to provide some details. Mr. LaLonde stated that RFP's were submitted to a number of local and regional engineering firms. Interviews were then conducted by two Supervisors and Township staff. Township staff and Supervisors Stuntebeck and Purnell agreed to forward Carroll Engineering as the preferred choice to continue as Township Engineer. As Carroll Engineering was the current Township Consulting Engineer, no motion was needed to continue their appointment.

Due to time constraints, the Fireworks Ordinance, Historic Resources Ordinances and the Township's Investment Policy Statement discussions were tabled to the October 16, 2018 Board meeting.

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

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously approved Resolution 18-2018, establishing fees for the Township Rental Housing Inspection Program.

Mr. Pielli asked Mr. LaLonde to describe the 3rd party electrical inspection list process. Mr. LaLonde stated that Township Building Inspectors do not conduct electrical inspections for residential or commercial building projects and that the Township Board votes on and the Township staff maintain a list of approved 3rd party electrical inspectors who meet the qualifications for electrical inspectors. He stated that MAC Resources recently applied to be a 3rd party electrical inspector and that the Township Building Inspectors reviewed their credentials and found them to be acceptable.

On a motion by Ms. Stuntebeck, seconded by Mr. Purnell, the Board unanimously approved MAC Resources as a Township 3rd party electrical inspector.

Dr. Douglas White thanked the Board for the consideration in moving the Board meeting to today for the Yom Kippur holiday. He thanked the Board for their deliberations on the sewer rates.

Mr. Robert Brochet again voiced his issues with snow removal on his property at the intersection of Warren Road and Sylvan Road.

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

There being no further business, on motion by Mr. Purnell, seconded by Mr. Meakim, the meeting adjourned at 10:50 p.m.

Respectfully submitted,
Casey LaLonde
Township Secretary