

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
MARCH 19, 2019**

Township Supervisors:

Ms. Robin Stuntebeck, Chair
Mr. Hugh J. Purnell, Jr., Vice-Chair
Ms. Mary R. LaSota, Esq., Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Derek Davis, Assistant Township Manager
Mr. Richard J. Craig, Township Engineer
Mr. Bill Webb, Township Zoning Officer
Ms. Kristin Camp, Township Solicitor

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chair Robin Stuntebeck, at 7:03 p.m. on Tuesday, March 19, 2019 at the West Goshen Township Administration Building.

Ms. Stuntebeck opened the meeting with the Pledge of Allegiance to the Flag.

Ms. Stuntebeck requested that all audience members silence their cell phones.

Ms. Stuntebeck 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.

Ms. Camp provided an overview of the proposed Decision & Order for the Franklin BioSciences / Beyond Hello medical marijuana dispensary project located at 1261 West Chester Pike, West Chester, PA. Ms. Camp provided the conclusions of law and a summary of the Order. She stated that Margie Swart's request for party status is denied.

Ms. Camp listed the Conditions found in the Order. The Conditions may be found starting on page 10 of the Order and include, but are not limited to: The dispensary shall be operated in substantial conformity with all evidence and testimony provided by the Applicant; the Applicant shall operate the facility under the permit provided by the Pennsylvania Department of Health; if the Applicant receives any notices of violation issued by the Commonwealth, it shall send a copy of the notice to the Township; Applicant shall restrict vehicles from entering the drive-through lane from Ellis Lane and shall limit traffic in the drive-through lane to delivery vehicles; Applicant shall comply with the Act and Ordinance regarding signage.

Mr. John Jaros, representing Franklin BioSciences / Beyond Hello stated that his client approves of the Conditions set forth.

Mr. Purnell made a motion to approve the Decision & Order for Franklin Biosciences / Beyond Hello, seconded by Ms. LaSota.

Ms. Margie Swart questioned the case law denying her standing for party status. She questioned the Land Development and the drive-through roof. She questioned the Final approval. She stated that the Applicant hasn't provide a trash receptacle. She questioned the on-site medical staff, if they are full-time on the premises. She stated that the property doesn't meet Zoning requirements for parking.

Mr. Abbas Rahbari stated that Ms. Swart brings up many issues and the Board is rushing the approval.

Mr. Robert Campanile, a party to the case, stated that children and families are opposed to this use and asked what will happen if marijuana is legalized for recreational use. He stated that this is a family community. He asked that the location be moved.

As to the motion for approval, the motion carried 3-0 to approve the Decision & Order for the Franklin BioSciences / Beyond Hello application.

Board of Supervisors Meeting
March 19, 2019
Page 2

Mr. LaLonde stated that the Applicant has also requested a Land Development Waiver for the roof enclosure for the drive-through lane. Mr. John Jaros stated that the drive-through is being enclosed for deliveries.

Ms. Camp stated that it is appropriate for this case given past precedent and the Building Code addresses this issue.

Ms. LaSota made a motion to approve the Land Development Waiver, seconded by Mr. Purnell.

Ms. Swart requested that the Order address the waiver. Ms. Camp stated that these are two separate issues.

As for the motion, it was approved 3-0 to approve the Land Development Waiver for Franklin BioSciences / Beyond Hello.

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously approved Ordinance No. 4-2019, approving the amended "Nuisances" Ordinance.

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously approved the Constable Agreements for Michael Balsama and Doug Castaldi.

Ms. LaSota made a motion to approve Resolution 5-2019, documents destruction for the Finance Department. Mr. Purnell seconded the motion.

Ms. Margie Swart asked the documents be digitized to save the records.

The motion to approve Resolution 5-2019 was approved unanimously.

Ms. LaSota made a motion to approve Resolution 6-2019, documents destruction for the Police Department. Mr. Purnell seconded the motion.

Dr. Douglas White asked if accident reports were included.

Mr. Abbas Rahbari asked if personnel files were included.

Ms. Margie Swart asked that the files be digitized.

The motion to approve Resolution 6-2019 was approved unanimously.

On a motion by Ms. LaSota, seconded by Mr. Purnell, the Board unanimously approved Resolution 7-2019, designating April 2019 as "Pennsylvania 811 – Safe Digging Month."

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously approved Resolution 8-2019 for traffic control devices in the Applegate neighborhood.

Mr. LaLonde introduced the Finance Department's "Utility Billing Cash Receipts" policy. He stated that the policy needed to be updated due to the increase in sewer billing rates.

Mr. Purnell had questions regarding the penalty provisions inside the policy.

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously approved the policy revision.

Ms. Margie Swart asked if the Township takes cash payments and stated that all employees should be bonded.

The discussion regarding the West Chester Area Council of Governments energy proposal with Cadmus Group for renewable energy services be tabled to the April Board meeting.

On a motion by Ms. LaSota, seconded by Mr. Purnell, the Board unanimously approved the revised Escrow Agreement for The Woodlands at Greystone residential subdivision project.

Ms. Margie Swart question the NID (Neighborhood Improvement District) approval and stated a conflict of interest exists for Ms. Stuntebeck and Ms. LaSota. She questioned the project's build-out. She questioned the NID (Neighborhood Improvement District) law, and stated that financials are due on April 1, 2019.

Lt. Justin DiMedio gave the February 2019 Police Department report. Lt. DiMedio announced that the annual Skate-A-Rama program will be held at Iceline on March 31st from 11:30 to 2:30. He also stated that the Police Department is still collecting items for the Domestic Violence Center and that a collection box is located in the Police lobby. Donated items may include toiletries, snack packs and household items.

Ms. Andrea Testa, gave the Fire Marshal Report for the month of February 2019. Ms. Testa also gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Mr. Beswick provided the Building Inspector Report for the month of February 2019.

Mr. Purnell made a motion to appoint Dr. Douglas White to the Township's Historical Commission. Ms. LaSota seconded the motion and the motion passed unanimously.

Mr. Purnell asked for the status of the Historical Resources Ordinance. Ms. Camp responded that the Historical Resources Inventory needs to be attached to the Ordinance. A discussion of the various historical resources classes ensued. Ms. Camp plans to attend the next Historical Commission meeting to discuss the Ordinance with the Commission.

Mr. Purnell thanked the Police Department for their traffic enforcement efforts. He asked that additional "Watch Children" signs be installed in North Hill.

Mr. Purnell announced that the Pension Committee is investigating changing some of the pension plans' funds to include more managed vs. index funds.

Ms. Stuntebeck announced that the Township was hosting an E-Waste and Shredding event on March 30, 2019 from 9:00 a.m. to noon. She announced that the monthly yard waste curbside pickup was scheduled for April 6, 2019.

Ms. Stuntebeck announced that the Township and Sewer Authority were scheduling a capital improvement group meeting for some time in late April or early May.

She announced that the Goose Creek Cleanup was scheduled for April 13, 2019.

Ms. Stuntebeck made a motion to amend the January 16, 2019 Board of Supervisors meeting minutes to reflect the additional three comments made by Ms. Margie Swart, seconded by Mr. Purnell. The motion passed unanimously.

Mr. Abbas Rahbari thanked Ms. Stuntebeck for amending the meeting minutes.

Mr. Purnell announced that the Township was hosting a car show on May 18, 2019 adjacent to Community Park in the Iceline parking lot. A sign-up sheet for car owners will be placed on the Township website. 50/50 proceeds will benefit The Friends of West Goshen Parks. Check-in is from 9:00 a.m. to noon with awards ceremony at 3:00 p.m.

Mr. LaLonde turned the meeting over to Ms. Camp who began a discussion on the issue of shared parking on West Chester Pike in the various Commercial Zoning Districts. Mr. Eli Kahn, owner of the properties along West Chester Pike, made comments in support of shared parking.

Mr. LaLonde announced that construction of the Mariner II and IIX pipelines at Boot Road had commenced as of March 18th with Horizontal Directional Drilling (HDD) with a projected schedule of 115 days to drill eastbound into East Goshen Township to the Giant shopping center. He stated that the westbound HDD rig will be delivered in approximately 30 days and will take approximately 140 days to complete drilling into West Whiteland Township.

Mr. LaLonde announced that the E-Newsletter will be issued this Friday and that those interested in receiving the E-Newsletter should sign up on the Township's website by this Thursday.

Mr. LaLonde announced that the Township had received a letter from the East Goshen Township Board of Supervisors, asking that West Goshen Township restart the Boot Road Restriping Project in conjunction with East Goshen Township. Mr. LaLonde read the letter aloud. The letter asks that West Goshen Township, in cooperation with East Goshen Township, restart the Boot Road Restriping Project to install a second westbound lane to allow traffic to more efficiently move along Boot Road. On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously agreed to move ahead with the project.

Ms. Felice Fein asked what impact the current Sunoco Mariner II pipeline project would have on the Boot Road Restriping Project. Mr. LaLonde stated that the Sunoco project is using HDD, so any restriping shouldn't be affected.

Mr. LaLonde announced that the April Township Planning Commission meeting has been rescheduled for Tuesday, April 2nd and the meeting includes a special 6:30 p.m. to 7:00 p.m. open house for the draft Comprehensive Plan update.

Mr. LaLonde announced that several upcoming Board of Supervisors meetings have been rescheduled, to include meetings to take place on April 23rd and May 30th.

Mr. LaLonde announced that the annual Egg Hunt and Decorated Hat Parade are scheduled to begin at 10:30 a.m. on Saturday, April 13th.

On a motion by Mr. Purnell, seconded by Ms. LaSota, the Board unanimously approved a real estate tax exoneration for Parcel ID # 5206-0008 for tax years 2003, 2004 and 2005 for Township property taxes in the amount of \$176.18.

On a motion by Ms. LaSota, seconded by Mr. Purnell, the Board unanimously approved a Land Development Waiver for the ACAC fitness center on McDermott Drive to place a temporary snack shack on an existing impervious surface.

Mr. Craig announced that the Township was now one year overdue for approval of the Township's MS4 stormwater permit.

Mr. Craig announced that The Woodlands at Greystone project's construction is moving quickly. He stated that work on the connector road continues; four bridges have been installed; most of the eighty-five retaining walls have been installed and a preconstruction meeting on Dam 181 (stormwater dam). Mr. Purnell asked if Dam 181 would hold water. Mr. Craig responded no, it is a dry basin outside of storm events with the other two dams holding water.

Board of Supervisors Meeting
March 19, 2019
Page 5

Mr. Webb announced that the Zoning Hearing Board granted a variance for 1205 Farmington for a setback and that The Woodlands at Greystone's request for signage relief was granted.

He stated that on April 10th, the Zoning Hearing Board would hear a variance request for signage for Chester County Hospital and for Ciocca Chevrolet.

Ms. LaSota made a motion to approve the February 19, 2019 Board of Supervisors meeting minutes. Mr. Purnell seconded the motion.

Ms. Margie Swart asked Mr. Purnell if the Pension Committee had input into decisions on the Administrative and Sewer pensions. Ms. Swart asked if an actuarial report had been conducted.

Ms. Swart stated that the meeting minutes are sanitized and that constitutes a criminal act by the Supervisors and staff.

Ms. LaSota stated that the meeting minutes reflect all audience members' comment topics and subjects and are not verbatim.

After this discussion, the February 19, 2019 meeting minutes were approved.

On a motion by Ms. LaSota, seconded by Mr. Purnell, the Board unanimously approved the Treasurer's Report and bills to be paid.

Ms. Swart requested that all meeting reports be placed online.

Ms. Swart requested that the Township institute a moratorium on any new medical marijuana dispensaries.

Ms. Swart made comments regarding the pension funds' expense ratios.

Ms. Swart stated that per the Sunshine Act, all meeting minutes must be accurate.

Dr. Douglas White thanked Township staff member Phil Eberly; thanked Woodlands contractor Lyons & Hohl; and stated that there are many potholes on the Rt. 322 Bypass.

Ms. Sally Yoder stated that she and Chief Joseph Gleason attended a prayer service at the Islamic Center and stated that she is proud he is our Police Chief.

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 Ms. LaSota, the meeting adjourned at 9:06 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary