

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
July 11, 2001**

A regularly scheduled meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Robert S. White at 4:07 p.m. on Wednesday, July 11, 2001, at the West Goshen Township Administration Building. Edward G. Meakim, Vice Chairman, was also present. Dr. White opened the meeting with the Pledge of Allegiance to the Flag.

Dr. White opened the floor for the discussion of a replacement to fill the vacancy created by the resignation of Raymond H. Halvorsen from the Board of Supervisors. Dr. White recommended Robert B. Little who has been a member of the Planning Commission for 14 years and in the past has served as its Chairman. Mr. Meakim agreed with Dr. White's recommendation of Mr. Little, citing Mr. Little's 24 years of service to the Township in various capacities.

There being no further discussion, on motion by Mr. Meakim, seconded by Dr. White, the Board unanimously appointed Mr. Little as Supervisor.

The Honorable J. Peter Winther administered the Oath of Office to Mr. Little.

Dr. White opened the floor for public comment.

Mr. Walter Derkacz, 832 Mystery Lane, read a statement in which he urged the West Goshen Board of Supervisors to immediately terminate the position of Director of Public Works and to appoint an Ad Hoc committee to determine if such a position is justified within the Township's table of organization. He asked that if the position was justified that the position description be advertised and that the Township accept and interview prospective candidates and recommend to the Township's Board of Supervisors the candidate best qualified to fulfill the duties as the Director of Public Works. He stated that anything less "constitutes political cronyism in its rankest form." He also said he does not think the taxpayers of West Goshen Township will accept this and, in particular, the Republican leadership in Chester County will not accept this.

Mr. Lewis H. Reid, 520 Veronica Road, stated that he is a member of the Sewer Authority. He asked the Supervisors to cite the criteria that was used in selecting Mr. Raymond H. Halvorsen for the position of Director of Public Works and what Mr. Halvorsen's duties would be. He also asked how Mr. Halvorsen's salary will figure in the budget. He stated that the cost for this position will be greater than the \$56,000 salary because of front loading of health and retirement benefits and other allowances. Mr. Lewis said there was no real need for additional supervision of the sewer authority since Mr. John Scott has done a very good job.

Dr. White stated that the Board of Supervisors had decided there was a need for the position and that the financing for the position would come from the General Fund.

Maria Young, 811 Halvorsen Drive, said she was not contesting the decision to create the position of Director of Public Works, but she was concerned that no notice was given beforehand. She stated she feels the Township residents should have been told this was under consideration since this is a major change. She said the Township's needs are growing but wondered what Mr. Halvorsen's qualifications are and what are the standards for the position. She stated the Township could have done better, and the decision to consider adding the new position could have been announced six months ago.

Mrs. Evelyn Baker, 900 Sheridan Drive, said she feels she knows more about the situation than many others in attendance. She stated the job was not advertised and the requirements for the position start out well by requiring civil engineering experience, but degenerate to someone with just six years of experience. She said this was done to make Mr. Halvorsen qualified. She added that by not posting the position before it was filled was a violation of EEOC regulations and that the Township may have to pay fines to the EEOC. Mr. Meakim said the Township already had the best candidate. Mrs. Baker stated that the taxpayers will pay for

this decision and that the Township is being run as a private club for the benefit of the Board of Supervisors. Mr. Meakim disagreed with this view.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the appointment of Gerald L. Napiecek as a regular member of the Parks and Recreation Board and the appointment of Daniel S. Rafter as a regular member of the Planning Commission.

Nancy D. Rogers, Zoning Officer, announced that there would be no Zoning Hearing Board meeting on July 12, 2001.

On motion by Mr. Meakim, seconded by Mr. Little, the Board unanimously approved the Board of Supervisors minutes from June 13, 2001 and June 27, 2001.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the Treasurer's Report dated June 30, 2001 for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, as well as the bills to be paid from the General Fund, the Sewer Fund, the Capital Reserve Fund, and the Waste and Recycling Fund.

Lt. Joseph Gleason gave the Police Report for the month of June, 2001.

Ralph Brown, Fire Marshal, gave the Fire Marshal Report for the month of June, 2001. Mr. Brown also gave the report for Good Fellowship Club of Chester County. There was no report from Goshen Fire Company. Mr. Brown reminded everyone in attendance that the Goshen Fair starts July 30, 2001 and ends on August 4, 2001.

Richard Hicks, Building Official, gave the Building Inspection Activity Report for June, 2001.

On motion by Dr. White, seconded by Mr. Meakim, unanimous approval was given for the following contributions to local non-profit organizations for 2001:

- |                                       |         |
|---------------------------------------|---------|
| 1. Good Fellowship Ambulance Club     | \$6,800 |
| 2. Neighborhood Health Agencies, Inc. | \$4,000 |
| 3. Adult Care of Chester County       | \$3,500 |
| 4. Chester County Library System      | \$4,000 |
| 5. West Chester Public Library        | \$1,250 |

On motion by Dr. White, seconded by Mr. Little, the Board unanimously approved Resolution 25-01 giving authorization for signs prohibiting parking at all times to be erected on the West side of South Concord Road from West Chester Pike to the Cul-de-sac.

Dr. White opened the floor for public comment

Pam Harper, 518 Cork Circle in the Village of Shannon, stated that her street has not been dedicated to the Township yet but speeding is a problem and children are being placed in danger. She asked if Watch Children signs and Speed Limit signs could be erected. Mr. Meakim advised Ms. Harper that he has received her letter regarding the problem and that signs would be put in place. He further stated that Lt. Gleason will be in contact with her to take care of this.

Holly Imburgia, 534 Cork Circle, asked if the speed limit on Cork Circle could be lowered to 15 miles per hour. She stated it is difficult to stop at 25 miles per hour because of the curves in the street.

Lt. Gleason stated that setting any limit other than 25 miles per hour requires that the Traffic Safety Unit do a study and such a study will be initiated.

Dennis Hunter, 861 Shawmont Drive, complained about the odors coming from the Waste Treatment Plant. He asked that the Sewer Authority help in any way to control the odors. He stated that he knows the plant employees are doing the best they can.

Dr. White explained that \$9,000,000 has been spent modernizing the facility and that odors have been reduced in the process. He also stated that the Plant is now a state of the art facility.

Mr. Hunter said the odors are often worse than before the expansion of the Plant. He questioned why the Authority waits for a breakdown to occur before replacing equipment. Mr. Hunter said visitors to his house cannot sit outside due to the odors. He stated that a better system is needed and that the odors stay in his house.

John Scott, Plant Manager, explained that an expansion was done but they had a breakdown and only one press is running. The second press is scheduled to ship on July 13, 2001. He further stated that when they receive calls about odors, the odors are often gone when plant employees arrive.

Mr. Hunter disagreed saying the odors are still going out and his house is close to the plant.

Dr. White advised Mr. Hunter that the Plant was there when Mr. Hunter bought his house.

Gail DeMarco, 860 Shawmont Drive, said the odors are worse now than when she bought her house, and she was not aware the Plant was there when she made the purchase. She said she has smelled odors for the last five days. She added that there is no one to call on weekends or holidays and that the problem occurs every day. She said spending \$9,000,000 was a waste of money because the odor situation was better when she first moved to the neighborhood than it is now. She stated that she doesn't invite visitors to her house anymore and does not want to even go outside. She asked if there is an air filtration system to take odors back into the Plant. She said when she has called about the odors she has been told there is nothing wrong by the employees at the Plant, but later finds out there was a problem. She also said she has been told she will get a whiff but the odor lasts for an hour. She stated it is causing her family to change its lifestyle and that the children can't play outside. She also said when the Sewer Authority says it is doing the best it can, that is not good enough. Ms. DeMarco stated her cousin who lives on Halvorsen Drive could smell the odors from that distance the weekend of July 7 and 8. She added that the odors last at least an hour and sometimes linger through the night.

Mr. Lewis Reid, Secretary of the West Goshen Sewer Authority, said that a committee was previously established to study the problem with the odors but no one from the neighborhood chose to participate. He also said that Waste Water Treatment Plants emit odors everyday.

Ms. DeMarco asked why the Township Supervisors had permitted houses to be built when odors emitting from the Plant were imminent.

Mr. Reid answered this question as "it is a matter of Buyer Beware".

Ms. DeMarco commented that she feels she cannot count on the Township to handle the problem.

Dr. White stated that in 1983 the zoning adjacent to the plant was changed from I-2 to R-3 allowing the houses to be built.

Ms. DeMarco stated she was concerned about new housing that is being built in the area since the problem will only get worse.

Lou McCauley, 827 Halvorsen Drive, stated that when he first moved into his house, the Plant was not a problem. He said he has always been told the Plant is at 60% of capacity but it has been added to repeatedly and still stays at 60%.

Lorraine McDermott, 817 Halvorsen Drive, said the odors were so bad on Father's Day, June 17 on Little Shiloh Road it caused her to choke. She said she woke up at 5:30 a.m. gagging. She stated that on June 18 she called John Scott and Sharon Lynn to complain about the problem. She said Mr. Scott told her there was no problem but that houses should never have been built in that area. Ms. McDermott asked why zoning permitted this construction. She added that other plants around the country do not smell and more has to be done to stop the odors. She issued an invitation to the Supervisors to come to her house to check on the smell.

Dr. White stated he has noticed some odors when at the Plant. He added that these odors will periodically occur.

Robert Lambert, 1368 Greenhill Avenue, stated that for the money the Township has available the donations that were approved at this meeting seem small. He asked if the Township was responding to the organizations' needs. He said he knew the Township cannot bear all of the expenses but he thought the donations should be larger.

Mr. Lambert also stated that he spoke at the last Board of Supervisors meeting about the position of convenience created for Raymond H. Halvorsen. He said the other comments that had been made regarding this were on target and that this was an engineered move on the part of the Board. He said the Supervisors were taking the responsibility for the three departments away from the person who had it before, Richard J. Craig. He stated he was not trying to unsettle Mr. Craig, but that the GIS work was going on before Mr. Craig took the position of Township Engineer and that this work will eventually terminate. He also stated that the Township is pretty much built out so that the engineering work will be of a lesser amount. He said the Supervisors are spending money and creating jobs when they should be thinking about a tax reduction. He said other townships are doing this and that the West Goshen Township Supervisors don't have to spend the money just because it is available.

Mr. Meakim stated he disagreed with Mr. Lambert's comments.

Dr. White stated that Mr. Craig's desk is full of engineering work to be completed and he commented that Mr. Kenneth Lawrence, Mr. Craig's predecessor, did not work with the GIS program. He added that there are many tracts in the township yet to be subdivided.

Mr. Lambert urged the Supervisors to get expertise outside the Township for the new position.

Mr. Reid asked about making the traffic light at Paoli Pike and Route 202 permanent.

Dr. White advised that the Township will be requesting PennDOT to place a permanent traffic light at that location.

Mrs. Evelyn Baker agreed with Mr. Reid and she stated that the traffic signal was needed to make a left turn from Route 202.

Dr. White commented that prior to the PennDOT installation of the temporary traffic signal the on-ramp to northbound Route 202 from Paoli Pike was number three in priority on the Township's list for traffic signal placement.

Mrs. Baker asked if Mr. Craig would be working with PennDOT on this situation. She added that the residents of Long Lane have problems turning with the light and that an engineering study was needed.

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Mr. Craig advised that there is a problem with the signal location now. He added that major modifications to engineering and design will be needed to install a permanent signal since the Route 202 ramp and Long Lane do not line up.

Mrs. Baker stated that some years ago there was a different configuration for the ramp location. She asked if this would be taken into consideration and reopened.

Mr. Craig advised that the old ramp does not meet current criteria. He said significant engineering design and construction work will be needed to install a permanent traffic signal.

Dr. White advised that PennDot has a plan to complete a major overhaul of Route 202 from Matlack Street to West Whiteland.

There being no further business, on motion by Dr. White, seconded by Mr. Meakim, the meeting was adjourned at 4:54 p.m.

Respectfully submitted,

Sharon Lynn  
Township Secretary

**West Goshen Township  
Supervisor Hearing  
July 11, 2001**

S-4-01

Supervisor Hearing S-4-01, which was duly advertised, was called to order by Chairman Robert S. White at 5:05 p.m. All members were present.

Ronald C. Nagle, Esquire, Township Solicitor, was present to represent the Township. Donald C. Turner, Esquire, was present to represent the applicant, Goshen Arms Apartments. The applicant seeks an Ordinance vacating an unused portion of a Township street known as Spring Lane, which is located within the boundaries of the Goshen Arms Apartments. The length of the road proposed for vacation is approximately 690 feet and extends from the easternmost right-of-way line of North Five Points Road to the easternmost boundary line of the Goshen Manor Apartments. The street is not used for public vehicular traffic, serves no public purpose, and is inconvenient, burdensome and unnecessary.

See Court Reporter's Transcript

Upon completion of all testimony, on motion by Dr. White, seconded by Mr. Meakim, the Board unanimously granted the applicant's request and approved the adoption of Ordinance S-4-01.

The hearing adjourned at 5:14 p.m.

**West Goshen Township  
Supervisor Hearing  
July 11, 2001**

S-5-01

Supervisor Hearing S-5-01, which was duly advertised, was called to order by Chairman Robert S. White at 5:14 p.m. All members were present.

Ronald C. Nagle, Esquire, Township Solicitor, was present to represent the Township. John E. Good, Esquire, was present to represent the applicant, Fern Hill, LLC. The applicant seeks a Conditional Use approval for the second phase of its facilities, which includes the construction of an additional 117,000 square feet of office space, medical offices and a wellness center, located in two three story buildings, and associated parking facilities. The property for which the application is filed consists of 19+ acres, and is located at 915 Old Fern Hill Road.

See Court Reporter's Transcript

After the completion of the testimony of two witnesses, all parties agreed that the hearing would be continued to a date certain of August 8, 2001 so the applicant can review the Board of Supervisor's request for the widening of Phoenixville Pike adjacent to the property.

The hearing adjourned at 6:22 p.m.

**West Goshen Township  
Supervisor Hearing  
July 11, 2001**

S-6-01

Supervisor Hearing S-6-01, which was duly advertised, was called to order by Chairman Robert S. White at 6:35 p.m. All members were present.

Ronald C. Nagle, Esquire, Township Solicitor, was present to represent the Township. John E. Good, Esquire, was present to represent the applicant, Pennrose Properties. The applicant seeks to develop the property located at the northwest corner of Boot Road and Route 202, consisting of approximately 4.6 acres, through the construction of 74 residential apartment units, which will be restricted to senior citizens age 62 and older. At this hearing the Board of Supervisors will consider a proposed re-zoning of the property from R-3 Residential to C-4 Special Limited Business and Apartment District.

See Court Reporter's Transcript

At approximately 7:56 p.m. a short break was taken.

The hearing resumed at 8:08 p.m.

Upon completion of all testimony, on motion by Dr. White, seconded by Mr. Meakim, the Board unanimously denied the request of the applicant.

The hearing was adjourned at 8:17 p.m.