

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 26, 2001**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Robert S. White, at 4:02 p.m. on Wednesday, September 26, 2001, at the West Goshen Township Administration Building. All members were present. Dr. White opened the meeting with the Pledge of Allegiance to the Flag.

Dr. White opened the floor for public comment. No public comments were made.

Dr. White announced that the August 22, 2001 minutes approved at the September 12, 2001 Board of Supervisors meeting stated that a 7-lot subdivision for Mark E. and Elizabeth C. Beaugard located at 800 North New Street was approved when the correct number of lots for the subdivision is 6.

Dr. White announced the naming of an Agricultural Area Security Committee to study the proposal received from the Jerrehian family requesting their Greystone Farm property located at 1034 Phoenixville Pike and 400 Green Hill Road to be considered as an Agricultural Security Area in West Goshen Township. The members chosen for the committee were Jeffrey Laudenslager, Velda Moog, Robert B. Little, Robert H. McCardell and Matthew Minacci.

Sharon Lynn, Township Manager, announced that West Goshen Township will be hosting a Tribute Concert on Sunday, October 14, 2001 starting at 6:00 p.m. at the West Goshen Community Park in honor of the victims of the tragedies of September 11, 2001. A band from West Chester University is donating its time for the concert and there will be participation by the Veterans of Foreign Wars, along with a police and fire presence.

On motion by Mr. Meakim, seconded by Mr. Little, the Board unanimously approved the bills to be paid from the General Fund, the Sewer Fund, the Capital Reserve Fund, and the Waste and Recycling Fund.

On motion by Dr. White, seconded by Mr. Little, the Board unanimously approved a Treatment Capacity Rental Agreement between West Goshen Township, The West Goshen Sewer Authority and Eldredge, Inc.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked if the Treatment Capacity Rental Agreement was for treating sewage from Eldridge, Inc. Dr. White stated that the sewage is already treated when it is discharged into the West Goshen Sewer Treatment system and that Eldredge, Inc. is currently renting capacity from the treatment plant.

Ms. Deborah Dean, 683 Normandy Court, inquired as to the effect this would have on the Sewage Treatment Plant, and Dr. White said it would have none.

Ms. Dean stated that since the improvements have been made to the West Goshen Sewer Treatment Plant there has been an increase in problems with the odors. She said she is a seven-year resident and that odors were not a problem when she first moved to the area. She stated she does not think the plant is being operated in a proper manner.

Dr. White stated that after talking with John Scott, Manager of the West Goshen Sewer Treatment Plant, it was learned that the problem with the odors in June was a result of a malfunctioning press causing sludge to be transported from the site. Dr. White stated that the problems with the odors in July and August came from the West Chester Plant located at 351 Snyder Avenue to which Ms. Dean replied she did not believe this to be true since she is still unable to sit in her living room at night without smelling the odors. She said she has called the plant when the odors are present and that officials from the plant who have come to investigate the complaint have admitted they cannot smell the odors because of their working at the plant five days a week and their being accustomed to the smell. She said trying to follow the protocol to report the problems becomes "a wild goose chase" because residents call and they are told the plant officials can't smell

anything. Ms. Dean stated that most every evening when she pulls into her driveway, there is a fecal smell present.

Dr. White stated that in the past he has smelled odors because of the breakdown of the press, but recently when he travels to the plant, he does not notice an odor. Dr. White said there is nothing more plant personnel can do to improve the situation. Ms. Dean then asked why the odors were present now after the improvements have been made and it is supposed to be a state-of-the-art facility.

Mr. Louis McCauley, 827 Halvorsen Drive, stated that at 7:30 p.m. last evening, September 25, 2001, he smelled the odors while standing in his driveway and he confirmed Ms. Dean's prior statement.

Ms. Dean asked why the Board of Supervisors was defending the Plant when the residents can smell the odors. Dr. White stated that when he has been called about the odors and he has arrived in the area, he has not been able to smell anything. Dr. White said he couldn't do anything about what he does not smell. Ms. Dean stated she cannot sit on her back deck because of the smell and that Dr. White, as an official of the Township, should do something about this since the odors are worsening. Dr. White stated that the plant would not be closing and that there is nothing else that can be done.

Ms. Dean asked who approved the rezoning of the property where her house is built, and Dr. White advised that in May of 1984 when the Bernay Woods development was approved, the Board of Supervisors members were Mr. Robert Lambert, Mr. Leon Hagerty and Judge Thomas Gavin. Dr. White said the Board of Supervisors at that time changed the land from I-2 zoning to R-3 zoning to allow the houses to be built. Dr. White stated that at the meeting when the change was approved Mr. Hagerty made the motion for the approval and Mr. Lambert seconded it with Judge Gavin not being present for the vote. Dr. White said that the West Goshen Township Sewer Plant was already established when the houses in the Bernay Woods development were purchased and there is nothing else that can be done.

Ms. Dean stated that it is a poor excuse for an elected Supervisor to say he can do nothing. Ms. Dean said that recently she was trying to sell her house but the agreement of sale was voided by the prospective buyers when the buyers called the West Goshen Sewage Treatment Plant and after talking with Plant officials said they had no confidence in what they were told by the officials.

On motion by Dr. White, seconded by Mr. Little, the Board unanimously approved Resolution No. 29-01, establishing the 2002 Financial Requirements and the Minimum Municipal Obligations for all three pension plans.

On motion by Mr. Little, seconded by Mr. Meakim, the Board unanimously approved an Amendment to Ordinance No. 5-1968, the West Goshen Township Weed Ordinance of 1968, as amended, codified as Chapter 81 of the Code of the Township of West Goshen by amending Sections 81-2, 81-4 and 81-5.

Mrs. Baker asked how the Ordinance would be enforced and Dr. White responded that registered letters would notify owners of property not in compliance and, if necessary, owners would be taken to court. Mrs. Baker questioned how property owners would be able to identify the plants listed in the Ordinance. She stated that the plants could be present without the owner's knowledge to which Dr. White replied that all properties must be cut to keep growth under 12 inches in order for the weeds to be cut in the process.

Sharon Lynn stated when the ordinance was originally advertised in the Daily Local newspaper there was a problem with the wording referring to marijuana as a permissible weed growth. This revised ordinance corrects this wording.

Mrs. Baker said most of the Ordinance is aimed at general nuisance weeds, and Ms. Lynn stated that noxious weeds are included.

On motion by Mr. Meakim, seconded by Mr. Little, the Board unanimously approved an Ordinance authorizing West Goshen Township to join with other political subdivisions as a member of the Southeastern Pennsylvania Insurance Cooperative, to enter into an Intergovernmental Agreement for the purpose of joining the Cooperative and to participate as a member of the Cooperative.

Mrs. Baker asked if this agreement included liability insurance, and Dr. White said it was only for employee medical insurance in order for the Township to be able to obtain better pricing.

Prior to the announcement and approval of the Decision and Order for Supervisors Hearing S-5-01, Dr. White announced that he, Mr. Richard J. Craig, Township Engineer, and Mr. Little had walked the property at 915 Old Fern Hill Road for which Fern Hill, LLC is seeking a Conditional use approval. Dr. White stated that the Board of Supervisors wants the vegetation along the shoulder of Phoenixville Pike to the north of the intersection of Old Fern Hill Road and Route 29 cut back, the placing of fill along the shoulder for an additional 90 feet on the northern part of the property abutting Phoenixville Pike approaching Route 322 but no additional paving of the roadway. Dr. White said the only tree to be cut was south of the stone pillar because the tree is dead and that there is to be a buffer zone of 100 feet from the pond. He stated that the present Ordinance is sufficient to cover screening from neighboring properties.

Ms. Susan Windle Rogers, 351 Sunset Hollow Road, asked if the side yard was to be considered as frontage, which would require 20 feet of screening. Dr. White said that 20 feet of screening is not called for in the present ordinance.

On motion by Dr. White, seconded by Mr. Little, the Board unanimously approved the Decision and Order from Supervisors Hearing S-5-01, granting Conditional Use to allow Fern Hill, LLC to construct the second phase of its facilities, which includes 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 is located at 915 Old Fern Hill Road.

On motion by Dr. White, seconded by Mr. Little, the Board unanimously approved the Final Land Development Plan for a 66,240 Square Foot Office Building for Chester County Fund Inc. located at Lots 3 and 4 Andrew Drive. Mr. James Reading from Chester County Fund Inc. was present to represent the plan.

On motion by Mr. Meakim, seconded by Mr. Little, the Board unanimously approved the Final Land Development Plan for a 3,220 Square Foot Car Wash/Detailing Shop for the Scott Family Partnership located at 706 Auto Park Boulevard.

Mr. Robert Murlless, 824Halvorsen Drive, asked if the plan for the Scott Family Partnership would do anything to alleviate the flooding on Bolmar Street. Mr. Craig stated that there would be no changes to the storm water management system.

Dr. White said that Bolmar Street is the boundary between West Chester Borough and West Goshen Township and that West Chester Borough is in the process of correcting the storm water management for the Goose Creek Watershed. Dr. White said that West Goshen Township will be working with West Chester Borough on this and that the Bolmar Street area will be put on the list.

Bids were opened by the Board of Supervisors for the sale of three surplus vehicles: 1 – 1998 Ford Crown Victoria, 1 – 1998 Ford Crown Victoria and 1 – 1996 Ford Crown Victoria. Only one bid was received:

<u>Vendor</u>	<u>1998 Ford Crown Victoria</u>	<u>1998 Ford Crown Victoria</u>	<u>1996 Ford Crown Victoria</u>
Mr. George A. Hurd 302 E. Marshall Street, Apt. 510 West Chester, PA 19380	No Bid	No Bid	\$1,500.00

Dr. White suggested re-bidding the surplus vehicles. Mr. Raymond Halvorsen, Director of Public Works, agreed stating that the bid was advertised on September 10, 2001 and that the events of September 11, 2001 had affected the bidding.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously voted to re-bid the three surplus vehicles.

Mrs. Baker stated that the traffic signal at Paoli Pike and Route 202 had been removed to which Dr. White replied that the Township had two options. One was to take the traffic signal down and do the engineering for Long Lane and Paoli Pike to properly install the light. The second was to leave the traffic signal in place but the Township would then assume all liability for its placement. Dr. White said that PennDOT would not have any of this liability and that the Township cannot take total responsibility.

Mrs. Baker asked how long it would take to complete the study and install a new traffic signal. Dr. White could not advise but stated that the more pressing issue is the intersection of Five Points Road and Paoli Pike and that there is a good chance this intersection will be reconfigured in 2002.

Mrs. Baker stated she felt that of the two intersections, Paoli Pike and Route 202 was the one that needed immediate attention. Dr. White said that Five Points Road and Paoli Pike has produced numerous accidents, much more than Paoli Pike and the Route 202 ramp. He said that the Township will petition PennDOT for the traffic signal at Paoli Pike and Route 202.

At 4:39 p.m. the Board of Supervisors went into recess for discussion by the Supervisors.

The Board of Supervisors meeting resumed at 4:41 p.m.

Dr. White stated that at the August 22, 2001 Board of Supervisors meeting the Supervisors had denied approval for a Final Subdivision Plan for a 3-lot residential subdivision for David S. Kahn located at 125 Greenhill Road. The Supervisors agreed to give conditional approval if Mr. Kahn agreed to grant the Township the necessary sewer line easements and provide revised plans to the Supervisors showing the easements. Mr. John E. Good, Esquire, representing Mr. Kahn, said the plans would be resubmitted, and Dr. White said the Township will do the traffic study.

On motion by Dr. White, seconded by Mr. Little, the Board unanimously gave conditional approval for a Final Subdivision Plan for a 3-lot residential subdivision for David S. Kahn located at 125 Greenhill Road.

Dr. White opened the floor for public comment. No comments were made.

There being no further business, on motion by Mr. Little, seconded by Mr. Meakim, the meeting was adjourned at 4:42 p.m.

Respectfully submitted,

Sharon Lynn
Township Manager