

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
November 28, 2001**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Robert S. White, at 4:00 p.m. on Wednesday, November 28, 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.

Mr. Daniel M. Mongeluzi, 424 Monteray Lane, Secretary of the Idlewilde Homeowners Association, presented and read a letter to the Board of Supervisors outlining various problems that the Homeowners Association has experienced with the builder of their development, S & S Development, such as the delay in turning control of the Homeowners Association over to the residents, a discrepancy in the funds for the Homeowners Association and open space issues. He requested assistance and various documents from West Goshen Township in order to resolve the dispute and expressed concerns about the new proposed development at 800 North New Street. He also asked when the streets in the Idlewilde Development would be dedicated to the Township.

Dr. White responded by saying all documents the Township has regarding the building of the Idlewilde Development are available for viewing by the public and will be provided to those who wish to see them.

Sharon Lynn, Township Manager, advised that Mr. Richard J. Craig, Township Engineer, has been in contact with some Idlewilde residents and along with Mr. David Mushrush, Streets Superintendent, has visited the site. She added that Mr. Craig could address the situation from an engineering standpoint.

Mr. Craig advised that the streets in the development are scheduled to be dedicated at the Board of Supervisors meeting on Wednesday, December 12, 2001, and that the dedication had been held up by the legal description given by S & S Development to the Township. Mr. Craig further stated that all documentation has now been received and approved.

Mr. Ben Johnson, 428 Monteray Lane, asked why the attorney for the Idlewilde Association was not told about the streets dedication and provided with the information being requested from the Township. Mr. Craig replied that all the information was available except the escrow file. He added that the amounts of the funds are available to the public.

Ms. Lynn stated she was aware that the Idlewilde Association attorney had been in touch with the West Goshen Township Solicitor, Ronald C. Nagle, Esquire.

Mr. Mongeluzi stated he felt the Township was saying this is not a Township problem. Dr. White asked Mr. Mongeluzi if there have been individual problems with the houses in the Idlewilde Development to which Mr. Mongeluzi replied there have not been. Dr. White said that problems with the general plans could be looked at by the Township but not with the individual houses. He added that the general plans would include such items as the roads and infrastructure in the development.

Mr. Craig advised Mr. Mongeluzi that the attorney for Idlewilde did review the files for the development to which Mr. Mongeluzi replied that the attorney did not get the escrow reports. Mr. Mongeluzi said they wanted to know if S & S Development was covered by an escrow fund. Mr. Craig said the attorney was advised that an escrow fund was established to cover public improvements. Dr. White said the escrow funds have not yet been released.

Mr. Craig added that the final inspection of the public improvements has been done including the basins and Mr. Mongeluzi said there is some concern about the construction of the basins. Mr. Craig said he was not aware of any problems but he would be glad to do a site inspection of the basins.

Dr. White stated that the Township could not get involved in any dispute between the Homeowners Association for Idlewilde and S & S Development concerning the amount of money in the account for the association.

Mr. Mongeluzi said he was aware of that but wanted to show the Board of Supervisors that he feels S & S Development is not dealing in good faith with the homeowners if S & S Development should come before the Board in the future with plans for another development. He added that he was aware that S & S Development is planning to build houses at 800 North New Street adjacent to the Idlewilde Development.

Ms. Lynn responded to Mr. Johnson stating she recalled speaking to him during the summer months regarding the curbs in the Idlewilde Development. Ms. Lynn said that the Township would do all it could to help the residents in Idlewilde by giving out all that the Township is legally permitted to do so. She added that after receiving Mr. Johnson's letter she sent Mr. Craig and Mr. Mushrush to inspect the curbing, which did not look appropriate.

Mr. Mongeluzi acknowledged that the Idlewilde Homeowners Association did get responses from the Township when they requested assistance but he said it was not enough to avoid the hiring of an attorney by the Association. He asked why the Association could not get the escrow information to which Dr. White replied that the amount of the escrow is public knowledge but the escrow records are not. Mr. Craig added that the amount of the escrow is not what was asked for. He said the request was to see the files for the escrow which are not available for public inspection.

Ms. Donna Ross, 925 Merrit Circle, said that West Goshen Township was now ready to dedicate the roads in the Idlewilde Development but the Township was not aware of a problem with the basins. She asked if the Township would have an expert inspect the instability of the basins and provide a written report since the homeowners do not want to have the liability of a future problem. Mr. Craig replied that he will go out and inspect the basins but that he will not provide written reports. He added that if the basins are installed to plan they are acceptable to the Township, but if they are not, the developer will have to address correcting any problems. He stated that public improvements are covered for the 18 months following dedication to the Township by 15% of the escrow which will be held by the Township.

Dr. White asked Ms. Ross to provide the Board of Supervisors and Mr. Little, who is a member of the Planning Commission, with a list of public improvements that are not in compliance with the plan.

Ms. Lynn asked to have the list by the end of the week and said that Mr. Craig will do a site inspection as early as Thursday, November 29, 2001. She said that Mr. Craig's opinion might differ from the opinion of the homeowners' engineer. Ms. Ross asked that the inspection by Mr. Craig be done in a timely manner and Ms. Lynn reiterated that it would be.

Ms. Ross asked if S & S Development could use Monteray Lane for access to the new development at 800 North New Street, and Dr. White said that would be determined by the West Goshen Planning Commission and that everyone was welcome to attend the meetings.

Mr. Mongeluzi asked about an easement on the side of Monteray Lane and if it could be used by S & S Development. Mr. Craig replied that he would have to study the specifics but if it met the requirements of the Township, it would be approved for use by the developer.

Mr. Craig advised that West Goshen Township has approved the new development at 800 North New Street but that West Chester Borough has not given their approval yet.

Mr. Johnson asked once the basins are dedicated who has the responsibility for them and Mr. Craig stated it is the responsibility of the homeowner where the basin is located to clean and maintain it. Mr. Little added that basins can not be located in open space.

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Mr. Johnson said that the basin on Monteray Lane is not located in a low spot and that water stands along the curb until it evaporates. He asked if the developer could be asked to relocate it. Dr. White said if it is not located at the low point, it is not built according to plan and that the 15% left in escrow might be used to rectify the problem. He added that Mr. Craig will need to look at the basin and see if he can determine why there is a problem.

Mr. Little asked if the problem with the basin had been brought to the builder's attention and Mr. Mongeluzi said the builder did attempt to fix the problem.

Mr. Craig then asked if the residents of Idlewilde were talking about basins or storm drains and Mr. Johnson said they were referring to storm drains.

Dr. White said Mr. Craig will have to look at the drains and have any problems corrected before the Township accepts them at dedication. He added the work would need to be done before the escrows are released.

Ms. Carrie Martin, 432 Monteray Lane, stated that the Idlewilde Development has only one school bus stop which is located at Monteray Lane and North New Street and that she has been told by the West Chester Area School District that this stop will not change. Ms. Martin said she is concerned that the construction at 800 North New Street will create a safety issue for the children waiting for school buses. She asked the Board of Supervisors how they will be addressing this problem. Dr. White asked Ms. Martin to put her concerns in writing and to send the letter to Ms. Lynn so the issues can be addressed with the School District. Mr. Little said it is hard to change a bus stop in mid season but that it will be brought up to the School Board.

Ms. Martin asked who is responsible for telling parents of a change in a bus stop and Dr. White said the school district is the one who would advise of any changes. Ms. Nancy Rodgers, Zoning Officer, added that a copy of all development plans are forwarded to the school district so the district will be aware of the new construction.

Ms. Lynn said that she had brought this issue to the attention of Ms. Suzanne Moore at the West Chester School District previously and that the School District did not take any action at that time. She added that she remembered there was a problem at this location. Ms. Lynn said the School District may take the same stance as before but the Township will bring the matter to their attention.

Ms. Martin said she had attempted to contact the School District but the only response was a form letter. She also said she is concerned that motorists are not observing the 25 m.p.h. speed limit in the area and Ms. Lynn said the Police Department will be notified about the speeding.

Mr. Mongeluzi again asked that the escrow amounts be provided to the homeowners and Dr. White asked that Ms. Ross included that request in her letter.

Dr. White announced that he, Mr. Meakim and Ms. Patricia McIlvaine, Township Supervisor Elect, attended the West Chester Area School Board meeting on Monday, November 26, 2001. He added that the West Goshen Township Board of Supervisors will accept the decision made by the School Board to build a new high school at Route 926 and Shiloh Road in Westtown Township.

Dr. White announced the appointment of Mr. James J. O'Brien to the Vacancy Board for the remainder of the current term to expire December 31, 2001.

Ms. Lynn announced that the Board of Supervisors' meeting scheduled for December 26, 2001 has been cancelled. The Board of Supervisors will hold a special public meeting on Wednesday, December 19, 2001, at 4:00 p.m. The Board of Supervisors regular meeting on Wednesday, December 12, will remain as scheduled.

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.

Dr. White presented the proposed 2002 Budget: Sewer Fund - \$3,314,738, General Fund - \$8,027,354, Waste and Recycling - \$1,237,254.

Dr. White thanked Sharon Lynn and Jeanne M. Denham, Finance Director, for their prudent direction in keeping the proposed budget and expenses under control for Fiscal Year 2002.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked to what did BFI attribute the 29% increase in the cost of Waste and Recycling and Dr. White replied it was for increased labor and fuel costs. Dr. White said under the previous contract with BFI, West Goshen Township had 5,000 homes and it now has 5,800 with more being built. Mrs. Baker said if there are more homes, it should not be going up and that the cost of fuel is a moot point now. Dr. White said at the time the contract was completed, fuel costs were an important consideration. He said the new contract reflects a 29% increase over the old contract and Mrs. Baker replied the Township does not have a 29% increase in houses.

Dr. White said the Waste and Recycling Fund has only a slight reserve now and the Finance Department did a calculation to ascertain what was needed to stay solvent.

Mrs. Baker asked if the contract could be renegotiated for only one pick up a week and Dr. White said the contract now is for two pick-ups a week, four cans each time, which is what is needed by most families. Mrs. Baker said she does not believe most families need two pick-ups a week if they are recycling.

Mr. Meakim said that the contract was put out to bid twice and on the second bid the pick-ups would have been one a week. When the bids were received, there was no change in the cost. Ms. Lynn added that there was no competition in the bidding.

Dr. White suggested that Mrs. Baker should call any independent trash hauler to ask for prices on trash pick up; he was confident that she would be quoted more than is being paid per quarter by West Goshen Township residents. Mrs. Baker asked if the Township had considered going to a per bag pick-up fee and Dr. White said the Township will not be doing that.

Mr. Meakim stated that he was paying \$60.00 a quarter to a private hauler before the Township took over trash pick-ups.

Mr. Little said he consider the cost per household a good price even though he does not put out the maximum amount of trash allowed.

Dr. White said for the record the total 2002 Budget is only \$106,583 more than the 2001 Budget.

On motion by Dr. White, seconded by Mr. Little, the Board unanimously approved Resolution 35-01 authorizing erection of traffic control devices at the following locations:

1. North New Street – Truck Restrictions from Route 322 to Sunset Hollow Road
2. Windsor Drive – Speed Limit 25 m.p.h. from Greenhill Road to Boot 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 4:47 p.m.

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Respectfully submitted,

Sharon Lynn
Township Manager