

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
March 10, 2004**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine at 4:02 p.m. on Wednesday, March 10, 2004, at the West Goshen Township Administration Building. Vice Chairman Edward G. Meakim, Jr., was not present. Ms. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Ms. McIlvaine opened the floor for public comment.

Mr. Robert Wells, 115 Crosspointe Drive, said that the article in the Winter 2004 issue of the West Goshen Township Newsletter regarding the recent property tax increase did not contain sufficient detail to answer the questions he has concerning the drop in earned income tax receipts and the increases in expenses including the state mandated staff increases and the 11% rise in employee health insurance. He asked that more details be provided about the increase in the tax from .85 mills to 1.5 mills.

Dr. White responded that the added expenses for the Township came from the 11% increase in health insurance for employees, a 50% increase in cost for blacktopping Township roads, the state mandated addition of a Stormwater Management employee and the 4% salary increase for employees which is the same as that negotiated in the Police contract. He added that the Police contract is in the last year of a three-year contract and will need to be renegotiated at the end of 2004. Dr. White stated that the Township had expected to receive 5.3 million dollars from the earned income tax but the amount actually received was approximately 4.7 million dollars. He explained that only the Commonwealth of Pennsylvania can raise the earned income tax so the Township has to increase the real estate tax for additional income. He said that the Board of Supervisors held public meetings in November and December 2003 to discuss the budget and that the Town Talk Newspaper and the Daily Local News provided coverage of the meetings in their publications.

Mr. Wells asked Dr. White if the Township Newsletter is the official publication for West Goshen Township and Dr. White responded that it is. Mr. Wells said that the article on the tax increase did not elaborate enough about the reasons for the increase, such as explaining that the Township cannot raise the earned income tax portion of Township revenue.

Dr. White said that for a homeowner in West Goshen Township whose house is assessed at the average of \$180,000, the tax increase was \$113. Mr. Wells asked the Board to consider a follow up article in the Township Newsletter to better explain the reasons for the tax increase.

Dr. White said that when the 2004 Budget process started, the amount of the budget totaled \$10,000,000. This amount was reduced to \$9,600,000 by Ms. Sharon Lynn, Township Manager, and Ms. Jeanne Denham, Finance Director, before being reduced further to \$9,250,000 by the Board of Supervisors. Dr. White said such items as two cars for the Police and two trucks for the Streets Department were cut from the budget. He added that instead of replacing vehicles every five years they are being replaced every six years. He noted that this tax increase was the first increase in nine years for West Goshen Township.

Mr. Wells said he was not disputing the need for the increase in the tax but that the issues behind the tax increase were not presented to the residents of West Goshen Township. Dr. White replied that when the budget was discussed at the public meetings, only a few residents were in attendance. Ms. McIlvaine noted that the agenda and the minutes of the Board of Supervisors meetings are available on the Township website. Ms. Lynn stated that since the tax bills were sent out, Mr. William Keenan, West Goshen Township Tax Collector, has had inquiries for information from 32 taxpayers, Ms. Denham has had three or four and she has had three e-mail requests.

Ms. Patricia Wells, 115 Crosspointe Drive, stated that she was surprised when learning the amount of the tax increase and she added that most residents are probably not aware of the amount of the increase because the bills were sent to their mortgage companies. She said that she is not complaining about the services of the Township and that the snow removal during the past winter was very good, but she felt that this increase would

not end the process of increases as Chester County will reassess properties in the Township in the near future and residents will be paying even more in taxes. Mr. Wells asked if the millage would be decreased if a reassessment was made and Dr. White replied in the affirmative and said that was what had occurred the last time Chester County reassessed property in the Township.

Ms. Wells said that the reserve amounts in the budget funds seemed high with almost 50% in Trash and Recycling, 45% in Sewer, and 25% in the General Fund. She said the reserves were not being added to but were being carried forward each year. Dr. White replied that the reserve in the Trash and Recycling Fund will be exhausted this year with a projected deficit of \$250. He added that in 2005 the fee for Trash and Recycling will most likely need to be increased since the County is considering raising the tipping fees. He noted that the General Fund includes capital obligations on the Township buildings and park maintenance along with reserved funds which are a sound business practice. Mr. Wells said all of that information should have been in the article in the Newsletter. He also advised the Board to tell residents about the possible increase in the Trash and Recycling fees in the next Newsletter. Ms. Wells said she was not aware that the Township cannot raise the Earned Income Tax.

Mrs. Evelyn Baker, 900 Sheridan Drive, said that the schedule for the budget includes the proposed budget being presented in November and that Ms. Denham is available to answer questions concerning individual items. She added that when the final budget is presented for approval, residents can attend the public meeting and ask questions. She disagreed that more detail was needed in the Township Newsletter as details are presented in the Daily Local News and Township personnel are available to answer questions. She said that the Township also had increases in all insurances for 2004. Dr. White responded that there was a 47% increase in property liability insurance and that since September 11, 2001, the Township must carry coverage for terrorism.

Mrs. Baker said that the Township was not requiring employees to pay more for their health insurance as other employers are and Dr. White said that in fact Township employees are paying a larger proportion of the premium cost for coverage of dependents. Mrs. Baker said she feels the Board has done a good job of informing residents of what is happening in the Township.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the appointment of Ms. Jeanne M. Denham as an alternate member of the West Goshen Township Sewer Authority.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the Board of Supervisors minutes from February 11, 2004.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved the Treasurer's Report dated February 29, 2004 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 February 2004. Lt. Gleason announced that the annual Skatearama will be held on Saturday, March 27, 2004 at Ice Line as part of the "Say No To Drugs" program.

Before giving the Fire Marshal Report for the month of February 2004, Ms. Lynn noted that Mr. Ralph Brown, Fire Marshal, is hospitalized and that the Board wishes him well and hopes that he is back soon. Ms. Lynn also gave the report for Good Fellowship Ambulance. The report for Goshen Fire Company was not available.

Dr. White noted that the fees for false alarms will be raised in the near future once an ordinance has been prepared for consideration by the Board of Supervisors.

Mr. Richard E. Hicks, Building Official, gave the Building Inspection Activity Report for February 2004.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Resolution 04-2004, authorizing reimbursement of lost wages or salary up to \$200 per day for Township Supervisors due to attendance at the Pennsylvania State Association of Township Supervisors Annual Meeting.

Mrs. Baker inquired about the length of the Pennsylvania State Association of Township Supervisors Annual meeting and Dr. White replied that it is three days long. He said that Township Supervisors will have to verify in writing that they have lost wages or salary as a result of attendance at the annual meeting.

Prior to the consideration of the possible approval of Ordinance 03-2004 amending Chapters 69, 72 and 84 of the code of the Township of West Goshen, Mr. Ronald C. Nagle, Esquire, Township Solicitor, entered into the record the following exhibits: B1 – Proof of Publication in the Daily Local News; B2 – Act 247 referral to the Chester County Planning Commission; B3 – Filing with the Daily Local News; B4 – Filing with the Chester County Law Library; B5 – Review letter issued by the Chester County Planning Commission dated March 10, 2004. He noted that the Chester County Planning Commission had pointed out the following errors in the proposed ordinance: Section I of the ordinance proposes the addition of Paragraph F to the existing definition of “Home Occupation” set forth in Section 84-8; however, there is already an existing Paragraph F. Section II of the ordinance incorrectly identifies that the design standards of the Zoning Ordinance are set forth in Section 88-55 rather than Section 84-55 of the Ordinance. He stated that the Home Occupation definition will be Paragraph G and that the reference in Section II will be changed to 84-58 and new pages will be provided for the approved ordinance.

Mr. Nagle said that the substance of the Ordinance was to add definitions in Section 84-8 for Accessory Use, Home Occupation, and Impervious Surface; in Section 84-58 to amend the dimensions for parking spaces, handicapped parking spaces, and width of lane configurations; amend Section 84-57.2 for vehicle restrictions in residential districts; Sections 84-70.b.(4), 84-70.D.(1), 84-72.E.(6), 84-72.M, 84-74.B.(1)(b) and 84-87.A.1 reducing the number of copies of plans to be submitted; Section 72-6 amending definitions of Impervious Surface and Water Course; amend Sections 72-11.A, 72-12.B.(2), 72-14.B.(2), and 72-15.B.(4) regarding plans; amend Section 72-32 regarding number of driveways; amend Section 69-3 definitions for Earthmoving and Watercourse. Dr. White noted that in Section III in the fourth line of the paragraph the word “of” should be added between “structure” and “any”. Dr. White also said that in Section IV, first paragraph, last sentence, the contour lines should be at two-foot intervals instead of the listed ten-foot intervals.

Mrs. Baker asked if this would change “Home Occupations” and Dr. White replied that this would prohibit having a school as a Home Occupation and limit tutoring in one group to three individuals. Mr. Nagle said that this change covers a situation that the Township recently encountered that resulted in traffic congestion in a neighborhood.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Ordinance 03-2004 amending certain definitions contained in the West Goshen Township Soil Erosion, Sedimentation and Grading Control Ordinance, amending various sections of the West Goshen Township Subdivision and Land Development ordinance of 1976, as amended, and amending various sections of the West Goshen Township revised Zoning ordinance of 1990, as amended, each codified respectively in Chapters 69, 72 and 84 of the code of the Township of West Goshen.

Prior to the consideration of the possible approval of Ordinance 04-2004 amending the West Goshen Township Stormwater Management Ordinance, Mr. Nagle entered into the record the following exhibits: B1 – Proof of Publication in the Daily Local News; B2 – the Chester County Planning Commission review dated March 10, 2004; B3 – Filing with the Daily Local News; B4 – Filing with the Chester County Law Library.

Mr. Richard J. Craig, Township Engineer, said the purpose of the ordinance was to add the definition of “Separate Storm Sewer System” to the code, to list prohibited discharges into Municipal Storm Sewer Systems,

to list prohibited connections to the storm drain system, to further define roof drain connections and alteration of Best Management Practices.

Mrs. Baker asked why roof drains were not allowed to be connected directly to storm sewers and Mr. Craig replied that it is preferable to have the water sheet flow over the ground so that it is filtered before going into the stormwater system. Mrs. Baker asked if this applies to impervious surfaces also and Mr. Craig responded that it applies to any impervious surface over 2,000 square feet. Mrs. Baker inquired if this would apply to projects under way at West Chester University and Mr. Craig said that it would apply to all new projects but not projects where repaving is being completed because the ordinance cannot be applied retrospectively.

Ms. Lorraine McDermott, 817 Halvorsen Drive, asked if the new ordinance would affect storm water basins in new developments that are filled with water and not draining. She said that they are breeding insects and are dangerous. Mr. Craig replied that it will not apply as most are dry basins and the water does not stand long enough for breeding of insects to occur. He added that five days are needed for West Nile Virus to develop and that there is some discussion about allowing the mosquitoes to breed and then treating the water with BTI (Bacillus Thuringensis), a natural larvae killer. Ms. McDermott said that there is a large basin in the Westtown Chase development that is not draining. Mr. Craig said that the basins in Westtown Chase are currently sedimentation basins but will be changed to detention basins when the project is completed. Ms. McDermott asked who is the watchdog for the basins and Mr. Craig responded that the Township and the Chester County Conservation District are responsible for overseeing the basins. He added that is why the Township has recently hired a stormwater inspector, and he said that this employee will also assist with building inspections.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Ordinance 04-2004, amending the West Goshen Township Stormwater Management Ordinance, which was adopted as Ordinance No. 11-2003, to comply with the Township's permit obligations under the NPDES Phase II Federal Stormwater Management Regulations.

The following bid for the purchase of pavement markings for West Goshen and East Goshen Townships was opened and read by Mr. Craig:

Vendor Name	Total Amount of Bid
Alpha Space Control Company, Inc. 5034 Lincoln Way East Fayetteville, PA 17222	\$25,991.75

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved awarding the bid to Alpha Space Control Company, Inc., pending a review of the bid by Mr. Craig.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved a Final Land Development Plan for a wireless communication tower for Omnipoint Communications Enterprises, LP, located at 919 Camaro Run. Mr. Scott Dolly from T-Mobile was present to represent the plan.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved Resolution 05-2004, authorizing erection of "No Parking" signs on the East side of Montgomery Avenue from 200 feet south of Lincoln Avenue to Lincoln Avenue.

Ms. McIlvaine opened the floor for public comment.

Ms. McDermott stated that Westtown Township had recently held a public meeting concerning the expansion of Route 202 and she asked if West Goshen Township was going to hold a public meeting also. Ms. Lynn replied that a public meeting was scheduled for Thursday, March 11, 2004, at Garnett Valley High School to discuss the

project and she and Mr. Craig would be attending. Mr. Craig said that the expansion of Route 202 is a PennDOT project so that agency is the one scheduling the meetings. He added that the meetings are for all townships and that West Goshen Township is a participant in the meetings. Ms. McDermott asked why the meeting scheduled was being held in Delaware County and Dr. White replied that the section scheduled for expansion, Section 100 of Route 202, is located primarily in Delaware County and that the northern edge of it ends at Matlack Street in West Goshen Township. Mrs. Baker stated that Mr. Craig has the plans and specifications for the expansion and they are available for inspection by the public. Mr. Craig said that the planning is in the very preliminary stages and that what is being studied currently is the environmental impact of the expansion. He stated that there will be numerous meetings in the future as the project progresses. Ms. Lynn advised Ms. McDermott she will inform PennDOT that the West Goshen Township Administration Building is available for future meetings.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved the appointment of Mr. Robert B. Little as a member of the Planning Commission to fill the vacancy left by the resignation of Mr. Michael Banning.

There being no further business, on motion by Ms. McIlvaine, seconded by Dr. White, the meeting was adjourned at 5:07 p.m.

Respectfully submitted,

Sharon Lynn
Township Manager