

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
May 24, 2006**

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Dr. Robert S. White at 4:00 p.m. on Wednesday, May 24, 2006, 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 announced that the Board of Supervisors Hearings for Pulte Homes and T-Mobile Northeast scheduled for this date are going to be continued to a future date.

Dr. White opened the floor for public comment.

Mr. Ron Scott, a resident of East Fallowfield Township, stated that he works part time at United Parcel Service in West Goshen Township and recently found that the \$52 Emergency and Municipal Services Tax had been deducted from his paycheck. He said that he is in favor of the tax but believes that it should be deducted at the end of year when the amount that is earned by an employee is known. He said that since an employee who earns less than \$12,000 in a year is exempt from paying the tax, this would prevent the deduction to the paychecks of those employees who make less than \$12,000. He explained that he believes most employees making less than \$12,000 will not know they can request a refund of the tax or know how to obtain the refund. Ms. Sharon Lynn, Township Manager, introduced Mr. Jim Hunt from Berkheimer Associates, the entity that collects the EMS Tax for West Goshen Township. Mr. Meakim said that it is possible to make \$6,000 at one job and make another \$6,000 at another job without the employer being aware of the two separate employments. He said at the beginning of the year following the one in which the deduction was made, a request for a refund of the EMS Tax can be made. Dr. White said that the Board followed the guidelines of the state legislature in enacting the tax.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, 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 Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Resolution 15-06 authorizing the disposition of public records in accordance with the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved Resolution 16-06 authorizing the signing of a Lease-Purchase Agreement with Caterpillar Financial Services Corporation for the lease of one backhoe.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved the signing of the contract with PSX, Inc., for Pavement Markings. Bids for this project were opened and read at the April 5, 2006 Board of Supervisors meeting.

Prior to the consideration of Ordinance 02-2006 amending the fee schedule which was adopted in Ordinance 18-2004 known as the West Goshen Township Municipal Attorney's Fee Schedule Ordinance, Dr. White explained that this ordinance raises the amounts paid for attorney fees. Ms. Kristin Camp, Township Solicitor, explained that in the process of collecting delinquent fees it is sometimes necessary to file liens and that the changes to the ordinance reflect the current attorney fee schedule. Ms. Camp stated that the ordinance had been duly advertised in the Daily Local News and copies of the ordinance were filed with the Daily Local News and the Chester County Law Library.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Ordinance 02-2006 known as the West Goshen Township Municipal Attorney's Fee Schedule Ordinance.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved Ordinance 03-2006 amending the Administrative and Road Employees' Pension Plan as amended and restated by Ordinance 7-2002 and 14-2003, to amend Section 5.3(b) of the plan to restore the accrued benefits of a non-vested participant following re-employment. Ms. Camp stated that the ordinance had been duly advertised in the Daily

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Local News and copies of the ordinance were filed with the Daily Local News and the Chester County Law Library.

On motion by Mr. Meakim, seconded by Ms. McIlvaine, the Board unanimously approved Ordinance 04-2006 amending the Sewer Employees' Pension Plan as amended and restated by Ordinance 6-2002 and 15-2003, to amend Section 5.3(b) of the plan to restore the accrued benefits of a non-vested participant following re-employment. Ms. Camp stated that the ordinance had been duly advertised in the Daily Local News and copies of the ordinance were filed with the Daily Local News and the Chester County Law Library.

On motion by Ms. McIlvaine, seconded by Mr. Meakim, the Board unanimously approved Ordinance 05-2006 amending Chapter 36 of the Code of West Goshen titled "Dogs" and Chapter 59 of the Code of West Goshen Titled "Peace and Good Order" to prohibit continuous barking by dogs and to establish penalties for the violation thereof. Ms. Camp stated that the ordinance had been duly advertised in the Daily Local News and copies of the ordinance were filed with the Daily Local News and the Chester County Law Library.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked who will be enforcing this ordinance and Ms. Camp replied that the Code Enforcement Officer, Zoning Officer, or the Township Police will enforce it. Dr. White said that in the past there has been no ordinance in place for the police to use to control the barking.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved a Final Subdivision Plan for 12 residential lots for Spring Court Associates, L.P., located at 200 Spring Lane. Mr. Lance Rothstein and Ms. Mary Ann Rossi, Esquire, were present to represent the plan.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved a Final Land Development Plan for a driveway modification for Keshet Israel Synagogue located at 1000 Pottstown Pike. Mr. Alan Milberg was present to represent the plan.

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

There being no further business, on motion by Mr. Meakim, seconded by Dr. White, the meeting was adjourned at 4:21 p.m.

Respectfully submitted,

Sandra K. Turley  
Township Secretary

**West Goshen Township  
Supervisor Hearing  
May 24, 2006**

S-04-06

Supervisor Hearing S-04-06, which was duly advertised, was called to order by Chairman Dr. Robert S. White at 4:26 p.m. All members were present.

Ms. Kristin Camp, Esquire, was present to represent the Township. Ms. Teresa Lemley, Esquire, was present to represent the applicant. The applicant, T-Mobile Northeast, is seeking conditional use approval in order to install a 120 foot tall monopole wireless communications facility and radio equipment cabinets within a 50 foot by 50 foot fenced-in area on a 12.8 acre parcel of real property located at 890 South Matlack Street. The

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subject property is owned by Spaz Beverage Co., Inc., who has entered a lease agreement with the Applicant for the use of the property for the proposed communications facility. The property is located in the I-2-R Light Industrial Restricted District which permits commercial communications towers by conditional use of the Board of Supervisors.

See Court Reporter's Transcript

The applicant requested that the hearing be continued indefinitely to allow time for the applicant to conduct a floodplain analysis of the property before proceeding with the application.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved continuing the hearing indefinitely pending notification from the applicant.

The hearing ended at 4:27 p.m.