

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
January 23, 2008**

Township Supervisors:

Ms. Patricia B. McIlvaine, Chairman
Dr. Robert S. White, Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Ms. Sandra K. Turley, Township Secretary
Mr. Richard J. Craig, Township Engineer
Mr. Raymond D. McKeeman, Zoning Officer

A special meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine at 7:32 p.m. on Wednesday, January 23, 2008, at the West Goshen Township Administration Building. Mr. Edward G. Meakim, Jr., was absent. Ms. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Ms. McIlvaine opened the floor for public comment.

Mr. Michael Hanna, 901 S. Concord Road, stated that he has been a Westtown resident since 1970. He said that the Louis H. Close Firing Range was designed to be used as a pistol range and not for the use of rifles or automatic weapons as is now happening.

Mr. Hank Whalen, 688 Normandy Court, stated that the training at the firing range had changed dramatically since 2002 because of Homeland Security regulations. He said that numerous West Chester Area Emergency Response Teams (ERT) and other municipal police forces are using the range more than the West Goshen Township Police with multiple shooters practicing at the same time and using large weaponry. He asked why other municipalities and organizations were allowed to use the range and Dr. White replied that in the 40 plus years the range has been open, West Goshen Township has always allowed other law enforcement groups to use the range. Mr. Whalen asked who oversees the range when it is in use and Ofc. Darren Sedlack of the West Goshen Township Police force replied that the organizations using the range have certified instructors who must be present when the range is in use. He said that a schedule is maintained for the use of the range and use by a group has to be authorized in advance. Mr. Whalen asked about the procedure for gaining access to the range and Ofc. Sedlack said that the authorized person must sign in with the police department, present identification and sign out the key to the range. Mr. Whalen asked about procedures for transporting weaponry to the range and Ofc. Sedlack replied that there is a detailed protocol for the transportation of the weaponry. He said that no guns other than the guns police are carrying on their hips are loaded during the transportation. He added that the ammunition for the weapons is secured and does not detonate on its own. Ofc. Sedlack state that the police bring only the ammunition that is needed to complete the qualifications for the officers. Mr. Whalen asked if any state or federal agency oversees the range and Dr. White replied that no agencies oversee the range, but that all officers are trained to follow the rules. Mr. Whalen asked if other groups compensate West Goshen Township for their use of the range and Ms. McIlvaine replied they do not. Mr. Whalen asked about liability insurance for the range and Mr. Casey LaLonde, Township Manager, replied that the Township has general liability insurance and that the Township's insurance carrier encourages additional training for the police. Mr. LaLonde noted that the range is not open to the public.

Mr. Whalen asked about future improvements for the range and Mr. LaLonde replied that the Township has budgeted \$300,000 for improvements over the next five years. Mr. Whalen asked about noise control for the range and Mr. LaLonde said that is still under consideration by the Board. He said a study will need to be done before any decisions can be made on sound proofing. Dr. White noted that sound proofing or noise reduction is a challenge. Mr. Whalen inquired as to why the schedule for the range was not being updated on an ongoing basis and Mr. LaLonde replied that for officer safety it was best to not publish the schedule. Ms. McIlvaine reminded Mr. Whalen that Chief Michael Carroll had addressed that issue with Mr. Whalen previously. Mr. Whalen requested that a noise study be conducted at the range site and Dr. White said that a study was not being considered at this time.

Mr. Whalen asked if any testing of the ground water for lead had been done. Ms. Kathleen MacKenzie, 685 Normandy Court, said that Goose Creek runs through the area by the West Goshen Township Sewer Treatment Plant. Mr. Michael Moffa, Environmental Compliance Officer for the Sewer Treatment Plant, said that no lead issues had been found in the testing of the stream. Mr. Whalen asked that the soil be tested at the range and Dr. White replied that the area is not a heavy industrial use and that the ammunition is solid, not liquid.

Mr. Joseph Koczur, 712 Marple Drive, asked why the range is located in a residential area and Dr. White explained that when the range was built it was located in the I-2 Industrial Area. He said that in 1983 a former Board of Supervisors changed the district to R-3 Residential Zone which in his opinion should not have happened, and this allowed the houses on Normandy Court to be built. He explained that the 1960 Comprehensive Plan for West Goshen Township did not show residences in that area. Mr. LaLonde added that the town homes near the site in Westtown Township were also built after the firing range was established. Mr. Koczur inquired about the police using the Target Master facility in Chadds Ford for practice and Ofc. Sedlack responded that there are limitations on weapons at that facility. Mr. LaLonde added that in order to meet certification the officers must have outdoor training. Mr. Koczur asked about moving the range elsewhere in the Township and Mr. LaLonde responded that there is no suitable land available in the Township that would meet the requirements of the police. Mr. Koczur asked about other locations in Chester County and Mr. LaLonde said that Chester County has started the process to build a facility in East Fallowfield Township but that they have withdrawn the plans for an outside facility due to resident complaints which defeats the purpose of the range.

Mr. Koczur asked about the safety of the range and Ofc. Sedlack said that the police officers and others using the range are highly trained. He stated that officers are not shooting upward out of the bunker and that rounds are counted when the practice is complete. He said that the range master counts the holes in each target to account for every round of ammunition. Mr. Koczur again asked that the Board consider moving the range to another location in the Township or to another Township and Dr. White reiterated that there are no other suitable locations.

Dennis Hunter, 861 Shaumont Drive, stated that times have changed and that the range needs to change. He asked about the officers using silencers on their guns. Mr. LaLonde said that law officer training has become more stringent and that training needs to be done outside. Mr. Hunter said that the noise level needs to be lowered and that it is the pounding sensation that bothers the residents. Dr. White stated that officers can not train with silencers on their guns. Mr. Hunter said that the noise from the range can be heard in different areas of the Township, not just in the immediate area of the range. He asked that the Board try to lower the noise level generated by the range.

Mr. Thomas Keyer, 683 Normandy Court, asked about the chance of lead contamination in the creek and Mr. Moffa replied that none had been found. Mr. Keyer said that he has a small child and was concerned about the stream. Dr. White asked Mr. Moffa if he could test the creek and Mr. Moffa said that he will test it and advise Mr. Keyer of the results. Mr. Keyer asked if the range could be located somewhere else besides West Goshen Township and Dr. White said it could be as long as the officers could use it. Mr. Keyer asked if the change in intensity of the training was due to September 11, 2001 and Mr. LaLonde confirmed that it was.

Mrs. Evelyn Baker, 900 Sheridan Drive, said that she did not feel we should allow other law enforcement agencies to use the range and Dr. White responded that all officers need to be trained. Mrs. Baker asked about training in West Brandywine Township where Mr. Richard Craig, Township Engineer, is a part-time officer and Mr. Craig responded that West Brandywine pays for outdoor training and that they have no dim light training. He said that because of this they are out of compliance.

Mr. Keyer asked if the range had been used by other forces in the past and Dr. White answered that the range has always been shared with others.

Ms. Gail DeMarco, 860 Shaumont Drive, asked if the users of the firing range paid West Goshen Township for that use and Dr. White replied that they do not pay. Ms. DeMarco suggested that all users of the range should share in the costs of any renovations to it. Ms. DeMarco asked about noise barriers for the range and Dr. White answered that barriers would make the noise bounce and not completely control it.

Ms. Elizabeth Hulse, 210 Elton Circle, said that she is an employee of Representative Barbara McIlvaine Smith in addition to being a resident of the Township. She said that the matter before the Board is a local issue, not a state issue. She expressed shock that the other forces using the range are not contributing to its upkeep. Mr. LaLonde responded that the range has to be maintained for West Goshen Township officers whether anyone else uses it or not. Ms. Hulse said that the sound problem was occurring as a result of others using the range and that they should help pay to renovate it. Dr. White inquired as to the possibility of Rep. McIlvaine Smith helping the Township acquire a grant to pay for the expenses and Ms. Hulse said she could not speak on Rep. McIlvaine Smith's behalf.

Ms. Tracy Whelan, 688 Normandy Court, ask about having a noise study done to analyze exactly where the problems are and suggestions on correcting them. She indicated that the use of the range has changed over the years as bigger weapons are now being fired. She suggested contacting a specialist from Rutgers University. Dr. White said that the Board will consider that option.

Mrs. Baker said that the need for a firing range is a County problem.

Mr. Donald Herb, 895 South Concord Road, said that he has had no problems with the firing range. He said that he works a midnight shift and is able to sleep through the firing at the range. He added that the range is need for public safety and for training of ERT teams.

Mr. Michael Finocchio, 684 Normandy Court, said that he was willing to put up with some inconvenience but that he was not willing to do it for the other municipalities. He stated that the other law enforcement groups should find another facility.

Mr. Whalen asked what the zoning of the property is where the sewer treatment plant is located and Dr. White replied that is R-3. Mr. Whalen asked why the plant was in the R-3 zone and Dr. White replied that is was built before the zoning was changed from I-2 to R-3.

Mr. Whalen asked who requires the certifications for the law enforcement groups and Ofc. Sedlack replied that the state has a level of qualifications that are needed by officers. Mr. Whalen asked that the range be limited to West Goshen Township officers only and indicated that when the other forces were out of compliance they would act to find other locations. Mr. LaLonde responded that West Goshen Township wants those outside officers who come to the aid of West Goshen Township officers to be fully trained. Dr. White said that West Goshen Township will not stop others from using the facility to train but they may start charging the other groups in the future. He added that limiting the range's use to West Goshen Township is not a viable option as help from other municipalities may be needed and he would want well trained officers backing up West Goshen Township officers. Mr. Whalen asked that money from the Township's reserve fund be used to renovate the range.

Gabriel Brogan, 709 Marple Drive, asked what percent of the training could be done indoors and what percent outdoors. He asked why the groups could not go to Target Master for the training. Ofc. Sedlack responded that Target Master is a private facility designed for use by private individuals, not the police. He said that the requirements specify that the police must train in all of the elements.

Ms. Whalen asked the Board to make a decision at this meeting regarding a study of the range and Dr. White responded that the Board would not make a decision at this meeting. Ms. McIlvaine said that the Board needed to consider the option further before making a decision about the study.

Dr. White said that the needs of all 21,000 residents of the Township must be considered in making decisions and that the Board has a fiscal responsibility to the residents. He explained that the Board would like to keep one year's revenue in reserve for unforeseen emergencies or economic downturns. He said that spending from the reserve was not an option for the range. He stated that the Board would consider looking to other municipalities for financial help and would consider a sound study.

Mr. Whalen asked for a commitment to another Special Board of Supervisors meeting at 7:30 p.m. in the evening and Dr. White said the Board will decide at their regular Board of Supervisors meeting on February 13, 2008 if there will be another evening meeting.

Mr. Whalen asked if there was an action plan in place to deal with the filter flies at the West Goshen Township Sewer Treatment Plant and Mr. Moffa replied that the chemical *Strike* will be used but that the treatment schedule is dependent on the weather. Mr. Moffa said that *Strike* prevents the larvae from being born. He estimated a start time for the treatments as being in March 2008. Mr. Whalen asked about any other actions and Mr. Moffa said that an outside firm had sprayed the surrounding area.

Mr. Hunter said that when it is warm the flies are in the neighborhood and he asked what the neighbors can spray to control them. Mr. Moffa replied that Mr. John Scott, Manager of the West Goshen Sewer Treatment Plant, had e-mailed Ms. MacKenzie regarding what to spray. Ms. DeMarco asked if the spray was harmful to children and pets and Mr. Moffa said that he would get that information for Ms. DeMarco. Ms. Whalen said that when the Sewer Treatment Plant property is sprayed the flies move to the neighborhood. Mr. Herb asked Mr. Moffa if the *Strike* will stop the flies from morphing from larvae to flies and Mr. Moffa said that it will.

Dr. White said that the Board will consider the comments made at this meeting and make any decisions considering the range at the February 13, 2008 Board of Supervisors meeting.

On motion by Dr. White, seconded by Ms. McIlvaine the meeting was adjourned at 9:18 p.m.

Respectfully submitted,

Sandra K. Turley
Township Secretary