

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
July 15, 2009**

Township Supervisors:

Ms. Patricia B. McIlvaine, Chairman
Mr. Edward G. Meakim, Jr., Vice Chairman
Dr. Robert S. White, Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Ms. Jeanne M. Denham, Finance Director
Ms. Sandra K. Turley, Township Secretary
Mr. Richard J. Craig, Township Engineer
Mr. Raymond D. McKeeman, Zoning Officer
Ms. Kristin Camp, Township Solicitor

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine at 4:01 p.m. on Wednesday, July 15, 2009, at the West Goshen Township Administration Building. All members were present. Ms. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Ms. McIlvaine opened the floor for public comment.

Mr. Anthony Gravinese, 1187 McPhearson Drive, thanked the Board and Mr. Richard Craig, Township Engineer, for their efforts in trying to solve the problems connected to the property being used by Rick's Tree Service in his neighborhood. He asked Ms. Kristin Camp, Township Solicitor, if any contact had been made with the new listed owner and Ms. Camp replied that no contact had been made. Mr. Gravinese said that Rick's Tree Service has been dropping wood chips and such off every day on the property. Ms. Camp explained that according to the Municipal Planning Code and Township ordinances, the Township can only go after the owner of the property. She said that proper steps need to be followed and that it will be difficult to serve the owner of the property with papers since it is registered as an LLC in the state of Delaware where the owner's name does not have to be listed. She added that a court order is needed.

Ms. Nancy Reynolds, 1191 McPheason Drive, thank the Township personnel for their efforts regarding Rick's Tree Service and asked if it was helpful to call the police when she saw activity at the property. Capt. Joseph Gleason responded that calls should be made to the police so that a record can be kept.

In response to a question from Mr. Gravinese, Ms. Camp said that two fines can be levied against the property owner, one for zoning and one for erosion and soil control. Mr. Gravinese asked what would happen if the owner of the property cannot be located and Dr. White said that the property can be liened.

Ms. Sandy Mitman, 1189 McPhearson Drive, asked if the road through the property was part of the Cease and Desist order and Mr. Richard Craig, Township Engineer, explained that the road is a separate issue.

Mrs. Evelyn Baker, 900 Sheridan Drive, asked about a stop sign at South Rosary Lane and South New Street and Mr. Craig explained that a multiway stop sign cannot be installed under the current regulations.

Ms. Mitman asked about Rick's Tree Service using the property under false pretenses and Ms. Camp said that that is the basis of the zoning violation since the use was supposed to be agricultural in nature. Ms. Camp said that 30 days after the issue of the Cease and Desist letter the Township can go to District Court but that it is going to be difficult to locate the owners. Ms. Mitman asked about installing a gate at the property and Mr. Casey LaLonde, Township Manager, replied that the law must be followed in the matter. Ms. Camp said that legal action is not possible without proper service to the owner and that it will take time for the proceedings.

Mr. Miles Wilding, 1192 McPhearson Drive, asked about threat to health and safety at the site and Mr. LaLonde replied that would involve immediate threat to human life.

Ms. McIlvaine announced that the Board met in Executive Session on June 30, 2009 to discuss personnel matters.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved the Board of Supervisors minutes from June 17, 2009.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved the Treasurer's Report dated June 30, 2009 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.

Captain Joseph Gleason gave the Police Report for the month of June 2009.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of June 2009. Ms. Testa also gave the reports for Good Fellowship Ambulance Company, Goshen Fire Company and West Chester Fire Department.

Mr. Edward Hunger gave the Building Inspection Activity Report for June 2009.

Prior to the awarding of the bid for construction of a traffic signal at the intersection of Paoli Pike and the Northbound US 202 Ramp, Mr. Craig said that the low bidder was Lenni Electric Corporation with a bid of \$106,638.69 and a bid of \$120,165.07 with video detection. The bids were opened publicly on July 13, 2009 at 10:00 a.m. He said that he had reviewed the bids along with McMahon Associates. He said that the cameras in the video detection bid will detect cars to activate the light.

On motion by Ms. McIlvaine, seconded by Dr. White, the Board unanimously approved awarding the bid for construction of a traffic signal at the Intersection of Paoli Pike and the Northbound US 202 Ramp to Lenni Electric to include the video detection.

On motion by Mr. Meakim, seconded by Dr. White, the Board unanimously approved Resolution 28-2009 setting the date of August 19, 2009 for a public hearing for Traditions Development Corporation who is seeking Conditional Use pursuant to Section 84-12.G(3) for the purpose of constructing a 128 Unit Senior Apartment Building or Independent Living Facility on the northeast corner of Boot Road and Route 202.

Mrs. Baker asked about the access to the proposed Traditions Development and Dr. White replied that access would be from Boot Road and Greenhill Road. Dr. White said that this will affect any Boot Road improvements.

Mr. Robert Phiel, 1202 Schoolhouse Lane, asked that notice of the hearing for the development be sent to the Goshen Fire Company which has a fire house located next to the proposed Traditions Development.

Prior to the consideration of Ordinance 06-2009 amending the Code of Ordinances of West Goshen Township, specifically the section concerning wireless communication facilities, Ms. Camp said that the ordinance had been duly advertised in the Daily Local News, filed with the Chester County Law Library, filed with the Daily Local News, reviewed by the West Goshen Township Planning Commission and reviewed by the Chester County Planning Commission. In response to a question from Mrs. Baker, Ms. Camp said that any new towers would still require conditional use approval and that structural plans will still have to be submitted to the Township for existing towers.

On motion by Dr. White, seconded by Ms. McIlvaine, the Board unanimously approved Ordinance 06-2009 amending the Code of Ordinances of West Goshen Township, Chapter 84, titled "Zoning", specifically Section 84-57.03 concerning wireless communication facilities to allow co-location of commercial communications antenna on existing commercial communications antenna support structures by right.

Prior to the consideration of Ordinance 07-2009 adopted pursuant to Section 2304 of the Second Class Township Code, 53 P.S. §67304 to vacate a portion of S. Matlack Street, Ms. Camp explained that S. Matlack

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Street was realigned when the West Chester Commons was built and that the vacated portion of S. Matlack Street will be conveyed to Fame Fire Company.

On motion by Dr. White, seconded by Mr. Meakim, the Board unanimously approved Ordinance 07-2009 adopted pursuant to Section 2304 of the Second Class Township Code, 53 P.S. §67304, to vacate a portion of S. Matlack Street.

Ms. McIlvaine opened the floor for public comment.

Dr. White said that a mailing will be sent to residents in the Roslyn development and Pomona Park development asking for their opinions on closing Jones Lane. He said that repairs will necessitate closure of Jones Lane in late summer for a brief time.

Ted Murphy, 852 Spruce Avenue, said that closing Jones Lane may not work as it could force traffic into the Roslyn area anyway. He said that West Chester University has not taken into consideration the effect its student population has on the area. He said that without any fixes any future development by West Chester University will increase the problems. Dr. White responded that if the University comes before the Board for conditional use, the traffic issues will need to be addressed by the University. He said that he feels the University sees this as a Township problem and not their problem.

Dr. White said that under the conditional use plan approved for the Jerrehian tract, plans will need to be submitted by August 4, 2009 and that he expects it will be introduced at the West Goshen Township Planning Commission meeting on August 18, 2009.

There being no further business, on motion by Mr. Meakim, seconded by Dr. White, the meeting was adjourned at 4:56 p.m.

Respectfully submitted,

Sandra K. Turley
Township Secretary