

WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
OCTOBER 12, 2011

Township Supervisors:

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

Township Officials:

Mr. Casey LaLonde, Township Manager
Ms. Jeanne Denham, Township Finance Director
Mr. Richard 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 Edward Meakim at 7:00 p.m. on Wednesday, October 12, 2011 at the West Goshen Township Administration Building. Mr. Meakim opened the meeting with the Pledge of Allegiance to the Flag.

Chief Joseph Gleason gave the Police Report for the month of September 2011.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of September 2011. Ms. Testa also gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Mr. John Beswick, Building Official, gave the Building Inspection Activity Report for September 2011.

Mr. Meakim opened the floor for public comment.

Damon Kletzien, 103 Oak Lane, requested that the Board of Supervisors again provide a contribution to the West Chester Library. Mr. Kletzien thanked the Board for their \$2,500 contribution in 2011.

Mr. LaLonde announced that the family film "Megamind" will be shown at 7:00 PM at Community Park on Saturday, October 15th. The monthly yard waste collection will occur on Saturday, October 15th. Please place all yard and leaf waste at the curb by Friday evening to ensure collection. Finally, the annual Harvest Festival is scheduled for 2:00 PM, Sunday, October 23rd at Community Park. All are welcome.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved the Board of Supervisors meeting minutes of September 14, 2011.

On a motion by Mrs. McIlvaine, seconded by Dr. White, the Board approved the Treasurer's Report dated September 30, 2011, for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, the Capital Reserve Fund and the bills to be paid from these funds.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved a Subdivision Plan for a lot line change for Melanie and Corey Olsen located at 1116 Phoenixville Pike.

On a motion by Mrs. McIlvaine, seconded by Dr. White, the Board approved Ordinance no. 9-2011, amending the West Goshen Township Sewer Employees' Pension Plan in order to comply with the Pension Protection Act of 2006 and the "Heroes Earnings Assistance and Relief Tax Act of 2008" (HEART), effective as provided in the amendment.

On a motion by Mrs. McIlvaine, seconded by Dr. White, the Board approved Ordinance no. 10-2011, amending the West Goshen Township Administrative and Roads Employees' Pension Plan in order to comply with the Pension Protection Act of 2006 and the "Heroes Earnings Assistance and Relief Tax Act of 2008" (HEART), effective as provided in the amendment.

On a motion by Mrs. McIlvaine, seconded by Dr. White, the Board approved Ordinance no. 11-2011, amending the West Goshen Township Police Employees' Pension Plan in order to comply with the Pension Protection Act of 2006 and the "Heroes Earnings Assistance and Relief Tax Act of 2008" (HEART), effective as provided in the amendment.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved Resolution 13-2011, approving distribution of the 2011 Commonwealth of Pennsylvania aid contribution to the Township's three pension plans.

On a motion by Mrs. McIlvaine, seconded by Dr. White, the Board approved distribution of the 2011 Foreign Fire Relief funds from the Commonwealth of Pennsylvania in the amount of \$361,856.55.

Mr. Craig opened bids for the sale of two (2) surplus Police Department 2008 Crown Victoria vehicles. On a motion by Mrs. McIlvaine, seconded by Dr. White, the Board approved the sale to highest bidder, Chicago Motors, Inc., in the total of \$7,514.00, per the bid tabulation below.

Vendor	1-2008 Ford Crown Victoria – Marked	1-2008 Ford Crown Victoria – Unmarked	Total
Mark's Motors Police Car Hqs, Inc. 3115 Rt. 78 Maple Shade, NJ	\$2,300.00	\$3,000.00	\$5,300.00
Grace Quality Used Cars 945 Lincoln Highway Morrisville, PA 19067	\$3,065.00	\$3,665.00	\$6,730.00
Chicago Motors, Inc. 2553 W. Chicago Avenue Chicago, IL 60622	\$4,307.00	\$3,207.00	\$7,514.00

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved the First Amendment to the Sewage Treatment Agreement between the West Goshen Township Sewer Authority, West Goshen Township and Westtown Township.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved Resolution 14-2011, appointing Casey LaLonde as the "Designated Agent" for West Goshen Township, authorizing Mr. LaLonde to act on the Township's behalf in all applications for Pennsylvania Emergency Management Agency (PEMA) reimbursements related to Hurricane Irene.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved Resolution 15-2011, appointing Casey LaLonde as the "Designated Agent" for West Goshen Township, authorizing Mr. LaLonde to act on the Township's behalf in all applications for Pennsylvania Emergency Management Agency (PEMA) reimbursements related to Tropical Storm Lee.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board approved Resolution 16-2011, supporting and accepting the Grant and Declaration of Conservation easement for 3.4 acres of real estate, identified as Chester County Tax Parcel UPI 52-5-137.1, now owned by Diane Steward, Declarant.

On a motion by Dr. White, seconded by Mr. Meakim, the Board authorized execution of the Paoli Pike / Fernhill Road Traffic Signal installation contract with Lenni Electric in the amount of \$121,541.35.

Township Solicitor Kristin Camp began the discussion regarding the proposed update to the Township's Noise Ordinance. Ms. Camp stated that due to recent complaints from neighbors of the Greystone South subdivision project, currently under construction adjacent to the North Hill community, the Board of Supervisors was interested in updating the Township's Noise Ordinance. Ms. Camp presented draft Noise Ordinance language that would remove the Noise Ordinance from the existing Zoning Ordinance and make the Noise Ordinance an

stand alone Ordinance. This would allow Township staff to more quickly enforce the Ordinance's provisions. For example, under the current Zoning Ordinance, an offender would have to be issued a Notice of Violation and is allowed up to thirty days to comply. Ms. Camp, Township staff and the Board of Supervisors agreed that the current Ordinance is unenforceable.

The proposed Noise Ordinance would provide Township staff the immediate opportunity to warn and then if the noise is not abated, cite the offender with a non-traffic citation immediately. This change would allow for almost instant remediation of the offending noise. The proposed Noise Ordinance would have to be presented to the Township's Planning Commission and Chester County Planning Commission for review, as the original Noise Ordinance is being removed from the Zoning Ordinance and both organizations have review authority.

Ms. Camp asked for input from the Board of Supervisors. Dr. White suggested Saturday and Sunday hours be restricted to 9:00 AM to 6:00 PM. Mr. Meakim suggested Monday through Saturday, 7:00 AM to 9:00 PM. Ms. Camp also wanted to ensure that homeowners would be allowed to do work to their homes during these hours.

Ms. Camp and the Board took questions from the audience.

Debra Coupe, 955 North Penn Drive, stated that the Greystone South development has several homes under construction at one time, so the sound effect is multiplied. She stated that other Townships have "homeowner exemptions" to separate homeowners from commercial contractors' development projects. She requests that Sundays be excluded entirely from work hours and that the overall hours be reduced during the week.

Diego Calderin, 971 Frederick Drive, reiterated Ms. Coupe's comments. He disagrees with the homeowners vs. commercial construction activities similarity and suggests they need to be defined separately.

Rob Montgomery, 953 North Penn Drive, stated that the quantity of sound is much larger than someone working on a single home.

Ron Coupe, 955 North Penn Drive, asked Ms. Camp if a municipal prohibition of Sunday work hours has ever been challenged. Ms. Camp stated she could not find a legal challenge, but it could be challenged.

Dr. White asked Mr. Kennedy, NV Homes representative attending this meeting, if they would challenge a Sunday work hours' prohibition. Mr. Kennedy responded that no, NV Homes would not challenge the prohibition. Mr. Kennedy stated that he would request Saturday work hours be established as 8:00 AM to 5:00 PM.

On a motion by Dr. White, seconded by Mrs. McIlvaine, the Board ordered the draft Noise Ordinance be forwarded to the Township Planning Commission for review and recommendation.

Ms. Camp asked if Township staff coordinate heavy construction and the overall construction scheduled during the pre-construction meeting. Mr. Craig responded that all construction activities, sequencing and work hours are discussed during the pre-construction meeting.

Diego Calderin, 971 Frederick Drive, stated that one of his corner property markers was disturbed and rip rap was placed on his property due to the Greystone South construction. Mr. Craig stated that he had already consulted with the developer and the situation would be rectified soon.

Debra Coupe, 955 North Penn Drive, thanked the Township for the 25 MPH speed limit sign on North Penn Drive, but she is still seeing cars speeding on the street. She asked that the Police Department investigate and provide speed enforcement. Chief Gleason will add it to the list of enforcement locations.

Philip Corvo, 863 Empress Road, asked about the trade-in values for the two Police vehicles for which bids were received at the meeting. Mr. LaLonde stated that municipalities sell surplus Police vehicles in a bidding process due to the fact that there is no trade-in value or market for these vehicles. The Finance Department conducts an assessment of the depreciated value of the vehicles and the bid results. The difference, either positive or negative, is noted in the Township's financial records.

Mr. Corvo asked why there is a new street sign and address for the Township's shooting range and why the new address does not show up in Google Maps. Mr. McKeeman responded that the Chester County Department of Emergency Services has mandated that "orphan" parcels, especially ones of significance, such as the shooting

range, have separate addresses established. As to why Google Maps does not show the new address for the shooting range, Mr. McKeeman responded that the Township has no jurisdiction over Google Maps.

Mr. Corvo asked when the next meeting on the proposed 2012 budget was scheduled. Mr. LaLonde responded that the preliminary budget will be introduced at the November 9, 2011 Board of Supervisors meeting. Mr. Corvo asked how the public was supposed to offer comment on the budget if the budget will only be introduced on November 9th. Mr. LaLonde responded that this will be the first chance the Board of Supervisors will even discuss the budget. Mr. LaLonde stated that the proposed budget will be available in printed form at the November 9th Board meeting. The final budget adoption date is December 14th, so the public has almost thirty days to review and provide comment prior to final adoption.

Mr. Craig provided an update for the Louis E. Close shooting range. All safety improvements are complete. The final elements of sound attenuating material is still to be added to the baffles and concrete berm walls. Additional sound tests will follow.

Mr. Meakim opened the floor for public comment.

There being no further business, on motion by Mr. Meakim, seconded by Mrs. McIlvaine, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary