

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
SEPTEMBER 23, 2015**

Township Supervisors:

Mrs. Patricia B. McIlvaine, Chairman
Mr. Theodore J. Murphy, Esq., Vice-Chairman
Mr. Philip J. Corvo, Member
Mr. Raymond H. Halvorsen, Member
Mr. Edward G. Meakim, Jr., Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Richard J. Craig, Township Engineer
Mr. William E. Webb, Zoning Officer
Ms. Kristin Camp, Township Solicitor

A special meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine, at 7:05 PM. on Wednesday, September 23, 2015 at the West Goshen Township Administration Building. Mrs. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Mrs. McIlvaine stated that the Board of Supervisors met on September 23, 2015 to discuss personnel.

Ms. Camp opened the Hearing regarding Ordinance No. 7 – 2015, an Ordinance establishing a Franchise Agreement between West Goshen Township and Comcast Corporation, to provide cable television service within the boundaries of West Goshen Township.

Ms. Camp stated that the Ordinance was advertised as required in The Daily Local News; Ordinance copies were made available at The Daily Local News office, The Chester County Law Library and the offices of the Township Solicitor. Ms. Camp stated that the new Franchise Agreement would be for a term of fifteen years, beginning on January 1, 2016 and that a one-time grant in the amount of \$27,000 would be submitted to the Township several weeks after the execution of the Agreement.

Mr. Kevin Broadhurst, Government Liaison with Comcast was present to answer any questions.

Mr. Corvo inquired about the availability of a public access to channel to broadcast Township business. Mr. Broadhurst stated that one public access channel is available as part of the agreement, but that all equipment and personnel costs associated with the public access channel would be the Township's responsibility. Mr. Halvorsen asked again to clarify that the Township would be responsible for all equipment and personnel costs for a public access channel. Mr. Broadhurst reiterated that yes the Township would be responsible for all costs for initial start-up and continuing equipment maintenance, personnel and any other operating expenses. He stated that the franchise fees collected through this agreement may be used for operating the public access channel.

Mr. Murphy asked about the five percent (5%) franchise fee. Ms. Camp stated that virtually all of the Franchise Agreement language is dictated by the Federal Communications Commission and that the five percent (5%) fee is the maximum fee allowed by Federal law.

Mr. Kevin Killoran, 1305 Burke Road, asked about the difference between a ten (10) year and a fifteen (15) year agreement. Mr. Broadhurst stated that with a ten (10) year agreement, the \$27,000 one-time grant is removed.

Margie Swart, 1519 Links Drive, asked if the monthly Comcast fee submission to the Township included line by line details of the services provided and their costs. Mr. LaLonde answered yes. Ms. Swart asked if the Franchise Agreement only covered cable television. Mr. Broadhurst responded that by Federal law, only cable television service is applicable for a Franchise Agreement.

Mr. Murphy asked if the contract was an initial fifteen (15) year term with two five (5) year extensions. Mr. Broadhurst and Ms. Camp responded yes.

Ms. Swart asked in what section is the public access channel language. Ms. Camp responded the language is located in section 10.2.

On a motion by Mr. Murphy, seconded by Mr. Meakim, the Board unanimously approved Ordinance No. 7 – 2015.

Ms. Camp opened the Hearing regarding Ordinance No. 6 – 2015, an Ordinance of the Township of West Goshen, Chester County, Pennsylvania, amending Chapter 84 of the Township Code, Titled "Zoning," specifically adding a new

Section 84-57.24 to allow the keeping of domesticated chickens as an accessory use to single-family dwellings in the R-2, R-3 and R-4 Districts subject to certain regulations.

Ms. Camp stated that the Ordinance was advertised as required in The Daily Local News; Ordinance copies were made available at The Daily Local News office, The Chester County Law Library and the offices of the Township Solicitor.

Ms. Camp stated that the new "chicken" Ordinance provided regulations on chicken housing, leg banding, the Zoning Permit requirement, chickens cannot run loose, the regulation of chicken feces and that no roosters are permitted, only hens.

Mr. Halvorsen stated that the Township can either create an Ordinance to protect the chickens or protect the homeowner neighbors.

Mr. Corvo asked what remedies are available for runaway chickens or other violations. Mr. Webb stated that he as the Zoning Officer would enforce the Ordinance with a Notice of Violation leading to fines, etc.

Mr. Murphy asked what regulations would be in place with the new Ordinance. Mr. Webb explained the details listed in the Ordinance, such as coop setbacks, noise standards that no roosters are allowed, a Zoning Permit is required, etc.

Mr. Tommy Gotthold, 331 Holly Road, had a recommendation that this Ordinance be extended to attached residential properties as well. Mr. Webb stated that in the Ordinance examples researched thus far, attached residential properties are specifically excluded from allowing for chickens due to setback issues, feces, etc.

Mr. Gotthold suggested a shorter setback distance and stated that the setback should be measured from the neighboring home instead of the property line and he disagrees with the banding requirement.

Ms. Camp suggested the Board take the comments under advisement for a possible future amendment, but proceed with adopting the Ordinance as drafted this evening.

On a motion by Mr. Murphy, seconded by Mrs. McIlvaine, the Board unanimously approved Ordinance No. 6 – 2015.

Mr. Craig provided a brief stormwater TMDL strategy overview. Recently, the Township hired HRG, a stormwater consulting firm located in Harrisburg, PA, to create two TMDL (Total Maximum Daily Load) strategy plans for Goose Creek and the Brandywine Creek as per the requirements put forth by the Pennsylvania Department of Environmental Protection (PADEP) in conjunction with the Township's MS4 stormwater permit. The Township will hold a public meeting on Monday, October 6, 2015 from 6:00 p.m. to 8:00 p.m. on the proposed TMDL strategy plans and intends to submit those plans to PADEP in mid to late November 2015. The strategy plans are due by December 31, 2015.

On a motion by Mrs. McIlvaine, seconded by Mr. Halvorsen, the Board unanimously agreed to adjourn the meeting at 8:23 PM.

Respectfully submitted,

Casey LaLonde
Township Secretary