

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
OCTOBER 14, 2015**

Township Supervisors:

Mrs. Patricia B. McIlvaine, Chairman
Mr. Theodore J. Murphy, Esq., Vice-Chairman
Mr. Philip J. Corvo, Member
Mr. Edward G. Meakim, Jr., Member
Mr. Raymond H. Halvorsen, 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 regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Patricia B. McIlvaine, at 7:00 p.m. on Wednesday, October 14, 2015 at the West Goshen Township Administration Building. Mrs. McIlvaine opened the meeting with the Pledge of Allegiance to the Flag.

Ms. Camp reopened Board of Supervisors Conditional Use Hearing #2 – 2015, Conditional Use Hearing for 101 Norfolk Avenue for West Chester University, continued from September 9, 2015 at 7:04 p.m., was closed at 7:05 pm. and continued to 7:00 p.m. November 11, 2015.

SEE OFFICIAL TRANSCRIPT

Ms. Camp opened Board of Supervisors Conditional Use Hearing #3 – 2015, Conditional Use Hearing for 30 West Rosedale Avenue for West Chester University at 7:05 p.m. and was closed at 7:08 p.m. and was continued to November 11, 2015

SEE OFFICIAL TRANSCRIPT

Chief Joseph Gleason gave the Police Report for the month of September 2015.

Ms. Andrea Testa, Fire Marshall, gave the Fire Marshall's Report for the month of September 2015. Ms. Testa also gave the report for Good Fellowship Ambulance Company and the Goshen Fire Company.

Mr. John Beswick gave the Building Inspection Activity Report for September 2015.

Mrs. McIlvaine announced that the Board of Supervisors met in Executive Session on October 14, 2015 to discuss personnel.

Mr. Halvorsen announced that the Burke Road and Pottstown Pike traffic signal is in operation.

Mr. LaLonde thanked Township Engineer Rick Craig for his almost two hour long presentation at the recent West Chester Council of Governments Neighborhood University presentation on stormwater.

Mr. LaLonde announced that the final Fall Movie Series film scheduled for Saturday, October 17, 2015 is *The Sound of Music*, set to screen at 7:30 p.m. at the Community Park Amphitheatre.

Mr. Webb stated that at a recent Hearing, the Zoning Hearing Board denied the application of Glenn White Builders of the Laurel Ridge subdivision project to install a fence along North Pottstown Pike.

Mr. Webb also announced that he was celebrating his one-year anniversary with West Goshen Township and thanked the Board of Supervisors for the opportunity.

On a motion by Mr. Murphy, seconded by Mr. Meakim, the Board unanimously approved the Board of Supervisors meeting minutes of September 9, 2015 and September 23, 2015.

On a motion by Mr. Murphy, seconded by Mr. Meakim, the Board unanimously approved the Treasurer's Report dated September 30, 2015, for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund, and the bills to be paid from these funds.

Representatives of West Chester Hospital presented schematic plans for their upcoming parking garage project, multi-story building addition and emergency room expansion project. The representatives explained that the number of patients served by the hospital has grown exponentially over the last decade and additional room is needed to serve the public. The parking garage will be the first element of the expansion followed by the building addition and the emergency room expansion. The parking garage will be constructed in 2016 with the other improvements to follow soon after with a total timeline of between four and six years for completion.

Mr. Matt Holliday, representing the West Chester Public Library, presented the Library's annual update to the Board. Mr. Holliday stated that most of the cardholders to the Library are West Goshen residents and that service levels are increasing every day. Mr. Halvorsen and Mrs. McIlvaine announced that the preliminary 2016 General Fund budget includes a \$20,000 Library allocation. Mr. Holliday thanked the Board for the donation and for their time and consideration.

On a motion by Mrs. McIlvaine, seconded by Mr. Meakim, the Board voted unanimously to approve the bid for "Natural Deicing Liquid" bid, opened on October 7, 2015.

Vendor	Price Per Gallon	4500 Gallons Including Delivery Cost
GVM, Inc.	\$1.85	\$8,955.00

Mr. LaLonde introduced the completely updated and revised West Goshen Township Employee Policy Manual. The manual had been under review for approximately one year and was due for a complete update. Mr. LaLonde stated that Township staff had drafted the manual with the assistance of the Township's insurance trust, Delaware Valley Insurance Trust, and that the final document was reviewed and approved by the Township's labor counsel, Fisher Phillips. Mr. LaLonde thanked Assistant Township Manager Derek Davis and Human Resources Director Jen Latzer for their hard work in updating the manual. On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board unanimously approved Resolution 16 – 2015, approving the revised Township Employee Policy Manual.

On a motion by Mr. Murphy, seconded by Mr. Meakim, the Board unanimously approved Resolution 17 – 2015, approving the Allocation of State Aid for the three West Goshen Township Pension Plans.

On a motion by Mr. Halvorsen, seconded by Mrs. McIlvaine, the Board unanimously approved the following distribution of the 2015 Foreign Fire Relief Funds from the Commonwealth of Pennsylvania in the total amount of \$210,416.90: Good Fellowship, \$26,302.12; Goshen Volunteer Fire Company, \$105,208.44; and for West Chester Volunteer Fire Company, \$78,906.34.

On a motion by Mrs. McIlvaine, seconded by Mr. Meakim, the Board unanimously agreed to provide a Waiver from the West Goshen Land Development Ordinance for a de minimis 100 square foot gatehouse project for QVC, Inc., at 1200 Wilson Avenue, West Chester. Mr. Craig stated that the project was so small, that it qualified to fall under an Erosion and Sedimentation Control permit only.

Ms. Margie Swart, 1519 Links Drive, asked if the proposed TMDL stormwater strategies have been approved by the Board of Supervisors. Mr. LaLonde and Mr. Halvorsen responded that the Board has not officially approved the plans, but the Board has reviewed both strategies and supports the strategies. Mr. LaLonde stated that future Boards will have to approve annual budgets to support the TMDL strategies.

Ms. Swart provided the following written comment regarding the proposed TMDL strategy plans for Goose Creek and Brandywine Creek:

**“Proposed Goose Creek and Christina Basin River TMDL Strategy
For West Goshen Township**

From: Margie Swart
1519 Links Drive
West Goshen Township, PA
Storm Water Advisory Action Committee

Comment 1 - Cost

\$3,960,000. Is the estimated cost of executing the TMDL (Total Maximum Daily Load) plans.’ Under the Federal Clean Water Act, *Impaired Waters* are rivers, lakes, or streams that do not meet one or more water-quality standards and are considered too polluted for their *intended* uses. The designated use of our intermittent streams is TSF (Trout Stock Fishing) from February 15 to July 31. The natural, physical parameters of our intermittent, unnamed, zero to low flow waters preclude attainment of the designated use. It is utterly absurd to spend \$4 million to execute a plan to reduce sediment and phosphorous in low flow, intermittent, unnamed tributary waters that will never support the designated use of Trout Stock Fishing. (carried out by another tax funded government agency, PA Fish & Game Commission)

Comment 2 – Alternate designation to a non-TMDL municipality

West Goshen Township should be designated as an **MS4 (non-TMDL) Municipality** (like 12 other Chester County Municipalities) per Pennsylvania Water Quality Protection law:

PA Code 96.3 (f) When the minimum flow of the stream segment is determined or estimated to be zero, applicable water quality criteria shall be achieved at least 99% of the time at the first *downstream point* where the stream is capable of supporting existing or designated uses. (TSF – Trout Stock Fishing)

PA Code 93.4 (2) Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating State water conservation requirements to enable uses to be met.

PA Code 93.4 (5) Physical conditions related to the natural features of the water body, such as the lack of a proper substrate, cover flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life uses.

Comment 3 - Constructed components – Private storm water basins

The plan includes Detention Basin Retro-fits on private property. Constructed components do not fall under the jurisdiction of the EPA/DEP. Therefore, mapping of them and plans to retrofit them should not be included in the TMDL plan.

Comment 4 – Stream enhancements

The proposed stream enhancement projects cannot / should not be included in the TMDL plans. Stream segment #8, in the Christina Basin TMDL, is located in the Robert B. Gordon Natural Area for Environmental Studies at West Chester University. Preservation of this site prohibits any disturbance.

Additionally, all other proposed stream enhancement projects are on low flow, intermittent (mostly privately owned) streams that have little or no stream bank to support such disturbance. Some of the *streams* are actually channels that periodically provide drainage for rainfall.

The streams have plentiful tree canopy and sufficient stream buffer protection along with healthy, native plants in the riparian buffer area. Attempts to access and alter with mechanical equipment will do more harm than good.

Comment 5 – Street sweeping

Street Sweeping calculations in the model should have used curb mile distance, not total miles since only a small percentage of our roads will be swept if the township pursues spending \$255,000 on a street sweeper with an additional annual expense of \$371,000 for operational costs. Penn DOT maintains approximately 30% of Township roads and there are at least 15 privately owned roads that will not receive street sweeping services if implemented. Many of our Township roads are without curbs and will not be swept as they are considered self-cleaning roads.

Even DEP's Model TMDL Template does not include street sweeping as a cost effective Best Management Practice (BMP). The proposed monthly sweeping schedule will have little to no effect on the reduction of Sediment and Total Phosphorus in the Goose Creek and Christina Basin Watershed.

Comment 6 – Lack of Stakeholder Collaboration

Christina TMDL Implementation Partnership (CTIP) Planning Team, Municipal Partners and CTIP Watershed Stakeholders had zero input into the TMDL strategy. In fact, Chester County Water Resources Authority was unaware that the TMDL plan included projects on County property.

Chester County Conservation District (CCCD) is responsible for meeting requirements #4 and #5 (Construction Site Runoff Control and Post-Construction Storm Water Management in New Development and Redevelopment) of the Township MS4 permit; however, was not a party to the development of the plan.

West Goshen Township has 5 appointed Storm Water Authority Board members and a Storm Water Advisory Action Committee. They did not participate in the development of the TMDL plans.

Comment 7 – Alternate BMP's (Best Management Practices)

An **MS4 (non TMDL) permit** could include cost effective, efficient Best Management Practices:

1. Expand Leaf Collection Dates in the fall from three to six times beginning mid-October instead of mid November.
2. Instead of costly and questionable benefits from a street sweeping program implement a Catch Basin and Storm Drain System Cleaning Inspection program. Components to be cleaned and repaired, as needed, include Catch Basin Drop Inlets, Storm Manholes, Storm Sewer Piping, Ditches, Road side/Cross Culverts, Sediment Basins and Outfalls.

3. Develop a program that requires the owners of the nearly 200 privately owned Storm Water Basins to submit an annual Dry Detention Storm water Basin Checklist Inspection Form. Examples can be found with a simple Internet search.
4. Enact an Ordinance for On Lot Disposal Systems. (OLDS) Require residents to provide a proof of pump out receipt at least once every 3 years.

I am respectfully requesting that an extension of 30 days be given for plan submittal to DEP to provide ample time for a legal review and or written response addressing the legal issues I brought to your attention tonight.

Thank you for the opportunity to comment on the proposed TMDL plans.

I look forward to a response from the Township.”

Mr. Ken Windle, 501 South Concord Road, complained about the continual problem of buffer trees dying at the Quaker Ridge subdivision. Mr. Craig and Mr. Halvorsen would review the situation and contact the Quaker Ridge Homeowners’ Association.

On a motion by Mr. Halvorsen, seconded by Mr. Murphy, the Board agreed to adjourn the meeting at 7:50 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary