

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
MAY 11, 2016**

Township Supervisors:

Mr. Raymond H. Halvorsen, Chairman
Mr. Edward G. Meakim, Jr., Vice-Chairman
Mr. Philip J. Corvo, Jr., Member
Mr. Christopher Pielli, Esq., Member
Mr. Hugh J. Purnell, Jr., Member

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Richard J. Craig, Township Engineer
Mr. William E. Webb, Zoning Officer
Mr. Skip Brion, Township Solicitor

A regular meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Raymond Halvorsen at 7:00 p.m. on Wednesday, May 11, 2016 at the West Goshen Township Administration Building. Mr. Halvorsen opened the meeting with the Pledge of Allegiance to the Flag.

Mr. LaLonde announced that Township Fire Marshall Andrea Testa was recently elected to the position of Fire Chief for Paoli Fire Company and that Andrea is the first female Fire Chief in the history of Chester County and most likely the Commonwealth of Pennsylvania. The Board of Supervisors congratulated Ms. Testa on her historic election.

Chief Joseph Gleason gave the Police Report for the month of April 2016. Chief Gleason stated that next week was Police Memorial Week in which all those law enforcement Officers who gave all are remembered.

Ms. Andrea Testa, Fire Marshal, gave the Fire Marshal Report for the month of April 2016. 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 April 2016.

Mr. Pielli announced that after two meetings and careful consideration, it was determined by the Act 209 Traffic Impact Committee that the cost / benefit analysis showed it was not economically feasible continue with the Act 209 process. He stated that the Board and Township staff should continue to look to other areas in which to improve traffic conditions in the Township, including applying for grants and working with developers on road improvements.

Mr. LaLonde announced that the Township was awarded a \$296,400 Watershed Protection Grant from the Pennsylvania Department of Environmental Protection's Growing Greener Grant to rehabilitate and improve the Basin Road stormwater detention basin. The basin was constructed and dedicated to the Township in 1974 and has not been maintained or improved since construction. Mr. LaLonde stated that the basin is in need of an upgrade. The overall project estimate is \$745,200 with a \$448,800 match from the Township and the \$296,400 match from PADEP. On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously agreed to move ahead with the grant and take the Township match from the \$2,000,000 moved from the General Fund to the Capital Reserve Fund.

Mr. LaLonde announced that in conjunction with West Chester Borough, West Goshen Township was seeking to restart discussions regarding improvements to Rosedale Avenue and to investigate the feasibility of enacting a "University" Zoning District Overlay across the Borough and Township boundary to create a unified Zoning District to address University planning issues. Mr. Pielli and Mr. Corvo volunteered to serve as Township Supervisor liaisons for these two initiatives.

Mr. LaLonde also announced that the West Chester University Conditional Use Hearings for the 30 West Rosedale Conditional Use and the 101 Norfolk Avenue Conditional Use originally continued to May 17, 2016 have been continued indefinitely at the applicant's request.

Mr. Webb announced that the Zoning Hearing for 1251 Ashbridge Road is scheduled for Tuesday, May 31st and asked for the Supervisors' position on the application. Mr. Webb stated that the property owner is seeking approval from the Zoning Hearing Board to demolish and rebuild a second inhabited structure on the property and rebuild the structure into two-story dwelling. Mr. Craig stated that rebuilding the structure would require

underpinning of the foundation, as the current structure could not support a second story. On a motion by Mr. Purnell, seconded by Mr. Pielli, the Board voted unanimously to oppose the 1251 Ashbridge Road Zoning Hearing application and have Ms. Camp and Mr. Craig attend the Zoning Hearing to provide opposition.

Mr. Webb also announced that the property owner at 1120 Wilnor Drive had a geothermal well installed without the necessary Township permit and that the installation was only seventeen feet (17') from the home's foundation and that Zoning Hearing relief was necessary. There was no opposition expressed from the Board for this application.

Mr. Webb asked the Board's opinion on the possibility of appointing at least one Zoning Hearing Board alternate member. Mr. Webb stated that having at least one alternate will allow easier Zoning Hearing scheduling and would eliminate the possibility of having only two Zoning Hearing Board members available for a given Hearing. The Board agreed that having at least one Alternate member would be positive.

On a motion by Mr. Meakim, seconded by Mr. Purnell, the Board voted 5-0 to approve the April 13, 2016 minutes.

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved the Treasurer's Report dated April 30, 2016, 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.

Mr. Matt Holliday was on-hand representing the West Chester Library and Library Trustees to receive a check in the amount of \$20,000 allocated by the Board of Supervisors in the 2016 General Fund budget. Mr. Holliday thanked the Board for their generous donation to the Library. Mr. Halvorsen thanked Mr. Holliday and stated that this donation gets West Goshen Township very close to the \$1.00 per resident served requested by the Library.

On a motion by Mr. Purnell, seconded by Mr. Pielli, the Board voted unanimously to approve a Final Land Development Plan for a 6,000 square foot building addition to the adult fitness center for Atlantic Coast Athletic Clubs LP (ACAC) at 1130 McDermott Drive.

Mr. LaLonde announced that Mr. John Scott, long-time Sewer Department employee had retired and read the following announcement: "John Scott, who was employed the Township for over 40 years and most recently served as the head of the Sewer Treatment Plant, is retiring from the Township with an effective date of tomorrow, May 12, 2016. Mr. Scott is entitled to certain benefits for unused sick and vacation time and pension benefits and the agreement spells out what he will be paid and when. The agreement also authorizes the Township to enter into a separate Consulting Agreement for a 1-year term whereby Mr. Scott has agreed to serve as an independent contractor to consult with the Township on the pending litigation with the EPA over the TMDL's, among other things. Mr. Scott has been integrally involved in that litigation since it was filed and Mr. Scott has agreed to consult with the Township to, hopefully, resolve the litigation."

Mr. LaLonde asked that the Board approve the John Scott Agreement. On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved the Agreement.

Mr. Tom Casey, 1113 Windsor Drive, asked why Mr. Scott needed a consulting agreement. Mr. Purnell stated this is a retirement and consulting agreement. Mr. Brion also stated that the agreement contains a consulting agreement.

Mr. Halvorsen turned over the meeting to Mr. Brion who explained the draft Drones Ordinance. Mr. Brion stated that the draft Drones Ordinance was enacted previously in East Goshen Township and that the thrust of the Ordinance was to protect private property owners and the Township as a property owner from having private owned drone aircraft fly over private property. Mr. Brion stated that the East Goshen Board of Supervisors was

wary of drone operators invading the private airspace and privacy of residents. He stated that the East Goshen Township Board of Supervisors enacted an altitude minimum of two hundred feet (200') to operate a drone.

Mr. Pielli asked if the proposed Ordinance would also cover model rockets. Mr. Brion stated that the Ordinance does regulate where model rockets may be fired.

Mr. Bob Sheller, 205 Alyssa Circle, asked if citations could be issued for violations. Mr. Webb responded that citations could be issued for violations.

Mr. Tom Casey, 1113 Windsor Drive, asked how flying a drone over private property was different from him driving around with a camera strapped to his car and videotaping private property from the street. Mr. Brion responded that the proposed Ordinance does not permit a private individual from flying a drone over a property owner's private air space.

After some discussion, the Board suggested that the West Goshen Township Drone Ordinance have an altitude minimum of four hundred feet (400') to forestall the videotaping or photography of residential properties and their owners. Mr. LaLonde suggested that since this is not a Zoning Ordinance or other Land Use Ordinance, the Ordinance could be advertised, discussed and possibly adopted at the June 8, 2016 Board meeting. There was a consensus of the Board to get the Ordinance process started immediately.

On a motion by Mr. Meakim, seconded by Mr. Purnell, the Board voted unanimously to approve Resolution 9-2016, records destruction for the West Goshen Township Police Department.

Mr. LaLonde introduced Resolution 10-2016, enacting legislation to install 35 MPH signs on Ward Avenue between Airport Road and N. Five Points Road. Mr. Craig stated that the speed study showed that 35 MPH limits are appropriate for this roadway section. Mr. Pielli asked if the road section is currently posted. Mr. Craig stated that the road section is currently unposted, meaning the speed limit is 55 MPH. Mr. Purnell stated that he thought 35 MPH was appropriate. On a motion by Mr. Pielli, seconded by Mr. Purnell, the Board unanimously approved Resolution 10-2016.

Mr. Halvorsen stated that available tonight were the 2016 Pavement Markings Bid contract documents for execution for last month's Board approval of the bid in the amount of \$74,402.88. Mr. Halvorsen stated that this year's price is lower than last year's and that this is a consortium bid with East Goshen Township and Westtown Township and that West Goshen's share is approximately sixty percent (60%) of the overall contract amount. On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board voted unanimously to affix their signatures to the contract documents.

Mr. Webb stated that with the Pennsylvania legislature's recent enactment of legalizing medical marijuana, he has already had interest from parties looking to open growing locations and retail sales locations. The Board directed Mr. Webb, Township staff and the Township Solicitor to start drafting an update to the Township's Zoning Ordinance to make allowances for medical marijuana grow facilities and retail locations.

Mr. Ted Murphy, 852 Spruce Avenue, stated that the medical marijuana law goes into effect on May 17, 2016 with an approximate timeframe of six months until the Commonwealth sees the first applications for grow facilities.

Mr. Tom Casey, 1113 Windsor Drive, asked if the Fisher Phillips report was done. Mr. LaLonde stated that the Fisher Phillips report was done but that since the report is entirely about personnel, it is not and will not be released to the public.

Mr. Tom Casey, 1113 Windsor Drive, asked if there were an enforcement mechanism for Chapter 7 of the West Goshen Township Code, namely if the Board of Supervisors were to violate Chapter 7, who would

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enforce this provision. Mr. Brion responded that he didn't understand Mr. Casey's question, but would attempt to research an answer.

There being no further business, on motion by Mr. Meakim, seconded by Mr. Purnell, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary