

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
JULY 13, 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  
Ms. Christine Kimmel, Township Solicitor

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chairman Raymond Halvorsen at 7:00 PM on Wednesday, July 13, 2016 at the West Goshen Township Administration Building. Mr. Halvorsen opened the meeting with the Pledge of Allegiance to the Flag.

Chief Joseph Gleason gave the Police Report for the month of June 2016. Chief Gleason gave special thanks to a group of local children and parents who gave the Police Department a collage in thanks and in response to the recent police shooting situation in Dallas, Texas.

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

Mr. Purnell stated that he intends to meet with Spring Valley residents and the Chief of Police.

Mr. LaLonde announced that he had received three nominations for Zoning Hearing Board Alternate members by the names of Allesandra Bellwoar, Nick DiPrinzio and Ted Newell.

On a motion by Mr. Purnell, seconded by Mr. Meakim, the Board unanimously approved the appointment of Mr. Ted Newell to be an Alternate to the Township Zoning Hearing Board.

On a motion by Mr. Pielli, seconded by Mr. Purnell, the Board unanimously approved the appointment of Ms. Allesandra Bellwoar to be an Alternate to the Township Zoning Hearing Board.

On a motion by Mr. Meakim, seconded by Mr. Purnell, the Board unanimously approved the appointment of Mr. Nick DiPrinzio to be an Alternate to the Township Zoning Hearing Board.

Mr. Craig provided a stormwater update and stated that work continues on Growing Greener Basin Road project preparation.

The Board agreed to amend the April 13<sup>th</sup>, May 11<sup>th</sup>, and June 29<sup>th</sup> Board meeting minutes and they will be reviewed at the August 17<sup>th</sup> Board meeting.

Ms. Margie Swart, asked that all resident addresses be removed from future meeting minutes.

On a motion by Mr. Meakim, seconded by Mr. Purnell, the Board unanimously approved the Treasurer's Report dated June 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. David Brooman, Township Special Counsel, provided an update on the recent Clean Air Council v. Sunoco Logistics case. Mr. Brooman stated that the Clean Air Council was successful in Commonwealth Court that denied Sunoco's appeal of the case in which Clean Air Council is contesting Sunoco Logistics' eminent domain powers. He stated that the Clean Air Council is also contesting the Mariner II project through an environmental issue that the project violates Article 1, Section 27 of the Pennsylvania Constitution. He stated that Sunoco is attempting to get the Pennsylvania Commonwealth Court to readdress the case.

The Board and Mr. Brooman also discussed the draft "Proclamation of Concern" regarding Sunoco's Mariner II project. Mr. Pielli had recently introduced the draft "Proclamation of Concern" regarding Sunoco's Mariner II project and its potential impact to the residents of West Goshen Township and surrounding communities.

Mr. Brooman stated that other communities have reviewed the Proclamation including Thornbury Township, Delaware County. The draft Proclamation authorizes participation by West Goshen Township in any Pennsylvania Department of Environmental Protection (PADEP) activities regarding the Sunoco Mariner II project. PADEP has jurisdiction over Chapter 102 and Chapter 105 permits. Chapter 102 permits are focused on statewide environmental impacts and Chapter 105 permits regards stream crossings and wetlands encroachments. He stated that PADEP is holding several Chapter 102 and Chapter 105 Hearings throughout the Sunoco Mariner II project area, including a Hearing scheduled for 6:30 p.m. to 9:30 p.m. on Wednesday, August 10<sup>th</sup> at Sykes Student Union at West Chester University. The draft Proclamation authorizes the Township to intervene if it so desires.

Mr. Tom Casey cautioned against voiding the previously approved Settlement Agreement between West Goshen Township and Sunoco. Mr. Casey stated that he now supports the Settlement Agreement because it protects the residents. He went on to state that the Proclamation names Sunoco throughout the document and he recommends the Proclamation be made more generic.

Mr. Brooman stated that he thoroughly reviewed the Proclamation and it does not violate the Settlement Agreement in any way. He stated that the Proclamation only addresses safety, not environmental issues and went to state that the Settlement Agreement applies to Mariner I and that the Proclamation addresses possible safety issues with the Mariner II project.

Mr. Casey stated that he understands the Settlement Agreement pertains to Mariner I and that if the Township violates the Settlement Agreement, the Pennsylvania Public Utility Commission could nullify the Agreement.

Mr. Brooman stated again the draft Proclamation does not violate the Settlement Agreement.

Mr. Pielli stated that the only reason the draft Proclamation names Sunoco is that Sunoco is the only company transporting liquids through the Township. He stated that a Proclamation is not a legally binding document and he agrees with Mr. Brooman that the Proclamation does not violate the Settlement Agreement. Mr. Pielli stated that he will be attending the PADEP Hearing on August 10<sup>th</sup>.

To that end, Mr. Pielli made a motion to reschedule the August 10<sup>th</sup> Board of Supervisors meeting to August 17<sup>th</sup>, as the Board meeting conflicts with the PADEP Sunoco Mariner II Hearing. Mr. Purnell seconded the motion and the motion carried unanimously.

Mr. Pielli also made a motion to authorize Mr. Brooman to attend the PADEP Hearing on August 10<sup>th</sup> and report back to the Board. Mr. Purnell seconded the motion and the motion carried unanimously.

Mr. Casey stated that the Settlement Agreement states that the Township won't intervene in safety issues. He stated he is concerned the Proclamation violates the Agreement.

Mr. Brooman stated that Mr. Casey has blended two paragraphs together and that these new Mariner II Chapter 102 and Chapter 105 permits have nothing to do with Mariner I. He stated that the next paragraph states the Township will review safety issues for the Mariner II project. Mr. Richard Kuprewicz, the Township's safety expert, is currently review the safety issues for the Mariner II project. If Mr. Kuprewicz finds any dangerous issues, the Township may intervene in future proceedings.

Mr. Casey stated that he believes the Hearings can only be about the permits. He stated that PADEP will not allow any questions or comments about safety or others issues including PHMSA violations. He stated that the

Proclamation cannot jeopardize the neighbors so he recommends these changes. He suggested taking Sunoco's name completely out of the Proclamation.

Mr. Halvorsen stated that the Board needs to be confident the Proclamation does not violate the Settlement Agreement.

Mr. Pielli stated that this is the final product after several announcements, but in fairness, the Board should hold off until the August 17<sup>th</sup> Board meeting. Mr. Pielli stated for the record, he shares your concerns.

Mr. Casey stated that he has concerns with the PA Public Utility Commission determining our fate and that he wants to be careful.

Mr. Eric Friedman, Township Supervisor with Thornbury Township, Delaware County, introduced himself. He commended the Board for moving forward with the Proclamation. He stated that Sunoco is at the top of the list for pipeline accidents and has had \$51,000,000 in direct property damage. He stated that Sunoco has had many pipeline accidents, including Salem Township, Pennsylvania in which one house was destroyed and much other property damage occurred.

Mr. Halvorsen stated that as a Board, we are prepared to approve this Proclamation.

Mr. Friedman continued, stating that there are no Federal regulations for pipeline safety. Evacuation routes could be blocked for residents and that pipeline operators have no site-specific safety plans. He stated that his Home Owners Association will not be able to get property insurance if this Mariner II pipeline is installed. He thanked the Board for the time to speak.

Mr. Pielli thanked Mr. Friedman for appearing tonight.

Ms. Swart asked if this pipeline was the only one carrying liquids. The Board stated no, West Goshen Township has several pipelines currently operating inside the Township.

Mr. Halvorsen stated that the draft Proclamation will be put on the Township website, the August 10<sup>th</sup> Board meeting shall be rescheduled for August 17<sup>th</sup> and that the PADEP Chapter 102 and Chapter 105 Hearings are scheduled for 6:30 p.m. to 9:30 p.m. August 10<sup>th</sup> at Sykes Student Union at West Chester University.

The presentation by Bob Hall regarding Goshen Fire Company has been tabled.

Mr. Halvorsen stated that Mr. Senya Isayeff was unavailable tonight to discuss the 200<sup>th</sup> Anniversary celebration. Mr. Halvorsen stated that he wants to share the celebration but does not know East Goshen Township's plans, but he suggests a joint celebration of some kind.

Ms. Bonnie Dean, member of the West Goshen Historical Committee suggested a sub-committee be formed to plan for the anniversary. She suggested the topic be discussed at the next Board meeting.

Mr. LaLonde stated that the Township's Comprehensive Plan is just over ten years old and needs to be updated. He stated that grant funding is available from Chester County in the form of a Vision Partnership grant. Mr. LaLonde stated that he intends to publish a Request for Proposals (RFP) from consultants for 2017, but requested permission to apply for grant funding this fall. On a motion by Mr. Purnell, seconded by Mr. Pielli, the Board agreed unanimously to publish an RFP and apply to the Vision Partnership Grant Program.

Mr. LaLonde introduced the concept of the West Chester University Zoning Overlay District. The overlay district would lead to better planning for future expansions of the University working in conjunction with West Chester Borough and the University. Mr. Halvorsen explained that the cost proposal for creating this Overlay District would be a total of \$25,000 with West Goshen Township and West Chester Borough splitting the cost evenly.

Mr. Halvorsen explained that the Overlay District would better tie together the Borough, University and West Goshen. Mr. Purnell asked if East Bradford Township or Westtown Townships were participating. Mr. LaLonde stated that both were invited to participate, but they are observing only for the time being.

Mr. Pielli stated that a piecemeal Zoning approach is not conducive and that each municipality is played off each other by the University.

On a motion by Mr. Pielli, seconded by Mr. Purnell, the Board unanimously approved the proposal by Bernardon Associates to provide consulting services for the Zoning Overlay project not to exceed \$25,000.

Mr. Ted Murphy stated that the Board has addressed student housing and that the Zoning Overlay is good next step.

Mr. LaLonde introduced a draft document regarding the adoption of rules on electronic recording of public Board of Supervisors meetings. The draft is based on East Goshen Township's rules adopted several years ago. Mr. LaLonde stated that once the final rules are established, the Township will move ahead with a pilot program to record Board of Supervisors meetings and post them for viewing.

Mr. Pielli stated that viewers will be able to watch meetings from home or in the Township office if necessary.

Mr. Halvorsen stated that we should move ahead with the draft rules.

Ms. Margie Swart asked that budget meetings be posted on the website.

Mr. Halvorsen responded that the budget meetings haven't been established yet, but that they will be posted when available.

Ms. Swart stated that the budget process must be open and transparent per Mr. Pielli's and Mr. Purnell's election campaigns.

Mr. Tom Casey stated that Ms. Swart appears to be mixing the 2016 budget and future 2017 budgets.

Ms. Swart stated that the Township has spent several hundred thousands of dollars of funds not authorized.

Mr. Halvorsen responded that the entire budget is pre-authorized.

Mr. Pielli stated that we can all work together to make a better budget process. He stated that explanations are made for all expenses and that Township travel and training only accounts for 0.5% of the overall budget.

Mr. Tom Casey stated that the Township only has twelve or thirteen meetings per year. He asked that the Township schedule quarterly meetings as well.

Mr. Halvorsen stated that we already have three meetings per quarterly.

Mr. Purnell stated that he spends fifteen hours per week talking with residents.

Ms. Swart asked if she may speak with Ms. Jeanne Denham, the Township Finance Director. Mr. LaLonde stated that Ms. Denham is in the office Monday through Friday, 9:00 a.m. to 5:00 p.m. and that she would make time available to speak with Ms. Swart.

Mr. Purnell stated that the Zarelli house at 825 Goshen Road was to be demolished. He asked the other Board members if we may establish a Township Historical Commission. Mr. Pielli stated he is in agreement to establish an official Township Historic Commission.

Ms. Bonnie Dean stated that the West Goshen Township Historic Committee was set up during the research process for The Battle of the Clouds and that the Committee would like to be established as an official Historical Commission. She stated that they do not want the 1817 anniversary to pass without a celebration.

Mr. Ted Murphy stated that the Historic Architectural Review Board in West Chester Borough is very cumbersome and very expensive for property owners. He stated that the Township should not burden property owners.

Mr. Ed Tiernan stated that they are not advocating a HARB, but just a Historical Commission.

Mr. Chris Zeller stated that runoff from Road-Con is negatively affecting his property. Mr. Craig will investigate the complaint.

Ms. Maxine Richter asked Mr. Webb why a buyer should have to take out the second kitchen of an in-law suite. Mr. Webb responded that separate domiciles are currently prohibited.

Mr. Tom Casey stated that he cautions against adopting a Township Historical Commission.

Mr. Purnell stated that the intent is to only adopt a Historical Commission and that he is opposed to establishing a HARB.

There being no further business, on motion by Mr. Meakim, seconded by Mr. Purnell, the meeting was adjourned at 8:50 PM.

Respectfully submitted,

Casey LaLonde  
Township Secretary