

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS  
TELECONFERENCE BOARD MEETING  
February 16, 2021**

Township Supervisors:

Mr. Shaun Walsh, Chair  
Ms. Ashley Gagné, Vice-Chair  
Ms. Robin Stuntebeck, Member  
Mr. John Hellmann, Member  
Mr. Hugh J. Purnell, Member

Township Officials:

Mr. Casey LaLonde, Township Manager  
Mr. Derek Davis, Asst. Township Manager  
Mr. Michael P. Carroll, Police Chief  
Mr. Bill Webb, Zoning Officer  
Mr. Rick Craig, Township Engineer  
Ms. Kristin Camp, Township Solicitor

The February 2021 board meeting of the Board of Supervisors was called to order by Mr. Walsh, Chair of the West Goshen board, at 7:05 p.m. on Tuesday, February 16, 2021, virtually, via GoToMeeting due to the ongoing COVID-19 pandemic. Mr. Walsh opened the meeting with the Pledge of Allegiance to the Flag.

Mr. Walsh announced the meeting was being recorded via GoToMeeting and asked the public to mute themselves when not speaking to eliminate background noise. He also stated with each topic that requires a vote will be discussed by board members, followed by public comment, and finally a full roll call vote. He asked that people wanting to speak announce their name. He also stated there would be an opportunity for public comment at the end of the meeting.

**West Chester University Overlay – Proposed Zoning Amendment**

Mr. Walsh stated that it has been a while since this topic was discussed and asked Ms. Kristin Camp, Township Solicitor, to briefly go over the project and where everything stands.

Ms. Camp proceeded to address the board and audience on the history of the overlay project. She stated that the discussions on this topic started in 2017 and stemmed from the fact that there were two proposed projects at that the time for West Chester University, one in West Goshen and one in West Chester Borough. She also explained how both municipalities felt that they had a stake in each other's projects and that there may be an opportunity to work in a more cohesive manner when it came to university zoning and university constructions projects and that the overlay idea brought together both municipalities to discuss the idea of identical zoning and subdivision requirements for both university districts in the two municipalities. Ms. Camp also stated that this overlay would also require a master plan component by the university.

Ms. Camp further discussed how the student housing issue was the main subject holding up adoption in West Chester Borough and that, as of right now, the borough is not looking to adopt this overlay because of their strong feelings toward not allowing any more student housing. She also stated that the borough is in the process of rolling out a new and comprehensive zoning ordinance that does not include anything from the overlay. She said that West Goshen is still technically in the same place where

they were in 2017 and that any project to come before the Board of Supervisors would require conditional use. Ms. Camp stated she does think, after speaking with staff, that it is worth looking into moving forward with the university and without the borough. She also indicated that, if West Goshen were not to continue with the proposed draft, it would still be smart to look at how regulations can be changed to accommodate future university growth. Lastly, Ms. Camp stated that another complication is that there is a private entity wanting to construct student housing in what would be the overlay district and the board would have to decide how they want to proceed with that.

Overall, Ms. Camp said that the key points the board needs to decide tonight are 1) Do you want further edits to the ordinance? 2) Would it still require master planning and conditional approval? And 3) defining what student housing is and where the board would want it located?

Mr. Walsh opened up the discussion to board members.

Ms. Stuntebeck asked what next steps need to be taken in order to move forward and if we still needed to gather information from the university. Ms. Camp indicated that the information gathering stage is pretty much done and all that is needed is to put this ordinance in place. She also explained the process the ordinance would have to go through.

Mr. Hellmann said that his main concern was for the residents in the Roslyn neighborhood and wanted to ensure that the university was limited in their ability to expand but recognizing the needs the university has currently. Mr. Hellmann did indicate that a lot of time and money has been invested in this process and that he would like to move forward with it.

Mr. Purnell stated he wanted to emphasize what Mr. Hellmann said about protecting the Roslyn neighborhood.

Ms. Gagné asked Ms. Camp to again go over the steps needed to take for this to continue to move forward. Ms. Camp explained that the three options are to move forward with this ordinance and advertise for a hearing, throw this ordinance out and start from scratch, or do nothing and continue with the process we have today which is conditional use hearings for every single proposed use. She also reiterated that the process would be the same with or without the borough.

Ms. Camp also stated that, on Mr. Hellmann's point regarding the Roslyn neighborhood, the neighbors did hire their own land planner and came up with some suggestions. Because of this, Ms. Camp explained that some of the boundaries were "dialed back" in terms of where the university can put future land developments. She also indicated that setbacks and additional protections were increased because of neighbor concerns as well.

Mr. Walsh asked Ms. Camp what the borough's plan was in terms of meeting future university needs such as housing or other facilities. Ms. Camp stated that the borough, at this time, is planning to stick with the process they have in place right now and have not made any attempt to incorporate the overlay in their new zoning ordinance overhaul.

Mr. Walsh proceeded to ask Mr. Brian Nagle, attorney for West Chester University, if it is still possible to incorporate the master planning in a meaningful way and how it was originally envisioned without borough participation. Mr. Nagle explained that he thought there was still value and that he thought the master planning process can still go forward without the borough. Mr. Nagle also reiterated what Ms. Camp said earlier about additional measures being taken in response to neighbor concerns. He also stated that there were projects put on hold 4 years ago so that this process could be seen through and that it does not benefit anyone to not have this ordinance in place.

Mr. Walsh asked Mr. Nagle where the university stood on the student housing issue within what would be labeled the "PUC 4" zone if the overlay came to fruition. Mr. Nagle indicated he thought the university would need the ability to have student housing in the PUC 4 and that it would be a benefit to all parties involved to have that area take pressure off of other areas for student housing. Mr. Walsh also brought up past discussions on possible shuttles that could be provided from the university area to the borough center area where nightlife exists for students in order to alleviate some concerns the borough had in the past about foot traffic in the neighborhoods. Mr. Walsh asked if that could be part of the discussion going forward to which Mr. Nagle replied that it could be an issue worked out in the future by the township, university, and perhaps a private developer.

Mr. Hellmann followed up with Mr. Nagle on the shuttle issue and specifically asked if the university was willing to run such a service on a fairly regular schedule in between town and student housing. Mr. Nagle indicated it was difficult to answer that question as there was technically no active project in front of them but that he believed there would be cooperation from the university on that front. Mr. Hellmann also asked if the university was considering building student housing itself to which Mr. Nagle replied that there is no specific project on the books but that the university is always looking at housing needs for their students and it is one of the benefits that would come from a master plan. Mr. Hellmann asked, if a private developer were to do some sort of student housing in the PUC 4, what did the university envision as the relationship with said developer and the operation and maintenance of that development. Mr. Nagle stated he believes the university would want to have campus police presence as well as a Resident Advisor (RA) presence in order to serve their students along with the private operator. Mr. Hellmann followed up by asking if there would be a contractual relationship between the university and a developer. Mr. Nagle stated that, yes, there would have to be some sort of arrangement.

Ms. Camp stated that the township could not force the university and the developer to engage in a contractual relationship with each other. She also followed up by asking Mr. Nagle if it was true that the university, right now, is not in the business of building residences and is instead relying on 3<sup>rd</sup> parties. Mr. Nagle stated that this is a correct statement but that the university still thinks about student housing and whether or not it is being provided for where necessary.

Mr. Michael Markman, owner of *The Edge* apartments located in what would be the PUC 4 (preexisting non-conforming use currently) stated that they are the applicant of additional student housing in that area. He stated that they currently run the student housing themselves without the university and believe they do a good job in providing a safe and clean environment for students. Mr. Markman

further stated that they are in more constant talks with the university lately about being more collaborative with them, but wanted to reiterate that the student housing they provide is, in his opinion, a very safe place.

Mr. Bill Webb, Zoning Officer, agreed with Mr. Markman's characterization of *The Edge* and stated the place was well managed and that they take disciplinary measures if students act up. He also stated he brought up the shuttle service with *The Edge* as well.

Mr. Walsh asked about overall concerns about infrastructure that residents have expressed and whether or not high-density housing developments such as this can be added in the context of managing such infrastructure appropriately. He also elaborated by asking about student housing in the distant future and, if the demand goes down, what is the consequence of passing such an ordinance if the buildings needed to be utilized as something else.

With regard to demand for student housing, Mr. Markman indicated he does not foresee demand dropping, particularly in this area, as he continues to be "leased out" for the future but did state that these could be converted to apartments in the future but did not envision that to take place. He stated that this area is a long way from being oversaturated with regard to student housing. With regard to infrastructure, Mr. Markman said that they did do a traffic study and that the traffic generated from this panned out to be similar counts to the existing building and use when it was full.

Mr. Gagné stated she is in favor of moving forward with the ordinance as it is currently written. She also said that the primary objective of West Goshen is to have the people who are here's best interest in mind, be fiscally responsible, and be good neighbors to the people around us, which is accomplished through this ordinance. Ms. Gagné also indicated that growth is not going to stop for the university and that this use differs from the luxury apartments being pitched to West Goshen and that she is comfortable with moving forward. She also stated that the shuttle service seemed like a good idea.

Mr. Walsh asked if what Ms. Camp was looking for tonight was a consensus by the board to proceed or not to proceed to which Ms. Camp said that it was in fact what she was looking for as far as direction from the board. Mr. Walsh asked for comments from the general public.

Dr. Douglas White, resident, stated that there were still three residences in the PUC 1 and asked if they were ok with being included in that. Ms. Camp, Mr. LaLonde, and Mr. Davis all indicated that there was only one parcel left in the PUC 1 that is not owned by the university and that the parcel in question is a commercial use.

Mr. Alex Rahn, resident, stated that he did not know if it was the appropriate time to bring up the issue but that himself and other neighbors down in Roslyn still have great concerns over the traffic issues that have plagued the area. He stated he understands that some things have been done in the past to try to alleviate this but that it is still a concern. He stated that any chance to address these concerns in the future would be appreciated. He also thanked township management for their responsiveness on various subject. Mr. Walsh responded by thanking Mr. Rahn for his comment and that he understands the traffic issues in Roslyn but that it is probably a subject for another night.

Mr. John Villella, Chief of Staff to President of West Chester University, stated he wanted to reiterate that the university has been in touch with Mr. Markman about the student housing portion of this and that the university was committed to working with them and the township for an experience that would work for all parties.

Mr. Louis Huis, resident, stated that it seems that everything is substantially the same from when it was discussed before and therefore we should move forward rather than continue with what we are currently doing.

Ms. Margie Swart, resident, asked if the overlay could be posted to the website, particularly if it is going to be advertised. Mr. Davis indicated that the overlay draft ordinance was attached to the materials but Ms. Swart stated she was looking for the map and again asked staff to post to the website.

Ms. Alyson Zarro, Attorney for B.E.T and Mr. Markman, potential owners of the possible new student housing, asked that the board make it clear in the ordinance that a private operator would be allowed in the confines of the PUC district with regard to student housing. She expressed a desire to work with Mr. Nagle and Ms. Camp going forward to make sure the private operators piece fits into the components of this ordinance.

Dr. Douglas White asked if the master plan still goes out 5 years and is good for 10 years and if the adjacent residences of PUC 4 were addressed. Mr. Walsh stated that residences adjacent to PUC 4 were addressed with regard to setbacks and height restrictions and that there have been no time changes with regard to the master plan.

Mr. Walsh asked if the board wanted to take a position tonight to direct staff and the solicitor to move ahead with the ordinance. Ms. Gagné made a motion on that point and Mr. Hellmann seconded. Mr. Walsh asked Ms. Camp if the board needed a motion. Ms. Camp stated she wanted clarifications on a few points with regard to student housing.

Right now, Ms. Camp said the ordinance really needs to be looked at with regard to if the board would like only a private entity to build student housing, only the university, or a combination. She stated that a private entity could not provide some sort of the master plan components that the university is being requested to provide, so, if it was the intention of the board to allow either private or university-owned student housing, the ordinance would need to be tweaked.

Mr. Hellmann stated he would not be for a private developer allowed in the PUC 4 without some sort of contract with the university for student housing. Mr. Davis stated it was staff's opinion when talking through this issue that it made more sense to have either a private entity or university be able to construct housing but that, from staff's perspective, it did not make sense to give the university total control over housing. Mr. Nagle stated that he wanted to clarify again that the university will not be owning any housing and that the university would coordinate and possibly have a contract with the private entity who would own the building. He spoke of university-affiliated entities that would build. Ms. Gagné asked if he meant the university foundation but Mr. Nagle clarified he was speaking more of private entities.

Ms. Gagné stated she thought the direction we were headed was that, with a private entity, at least we can collect the tax revenue still and Mr. Nagle replied that he believes that is in fact where we are headed as a private entity would still own the building. Mr. Hellmann went on to read the definition of student housing in the overlay and reiterated that it states that the definition includes language that says student housing should be “recommended and approved” by the college or university for such purposes. Mr. Nagle stated he did not think it was a problem overall and that he needs to work with Ms. Zarro and Ms. Camp to ensure what is being contemplated is wanted by the board.

Ms. Camp further reiterated the need to understand where the board is on this issue and whether or not the board is only willing to support student housing to the extent it is tied in with some management agreement or contractual relationship with the university.

Mr. Walsh stated he supported Mr. Hellmann’s position that the private entity should have a contractual relationship with the university. Mr. Davis asked if *The Edge*, as it exists today, has a contractual relationship with the university now to which Mr. Markman replied they do not.

Ms. Gagné asked if there was a way to “vet” this process through the university or the township after the ordinance is passed or can any 3<sup>rd</sup> party have access to building in the PUC 4. Ms. Camp stated that the township could not control which 3<sup>rd</sup> party it specifically wants if it was passed as is.

Mr. Webb asked Mr. Markman their stance on the issue since he remembers the company initially envisioned this as more of a public-private partnership. Mr. Markman stated he would not have an issue with having to have some sort of official arrangement with the university.

Mr. Davis asked Ms. Camp if there were any legal issues with this type of arrangement being proposed. Ms. Camp said that she does have some concerns because it is not typical to define uses by who the owner is but that, in a university setting and in an attempt at drafting a campus overlay ordinance, there may be an ability to work with the current proposed arrangement whether the university-affiliated private entity would own a building. Ms. Camp said she is still a little concerned about “policing” such contracts the university has with private developers in years to come.

Mr. Walsh said the concern is that, once you allow student housing, any speculative private developer who has no relationship with the university can come in sensing the demand for student housing and has no standards being met to how it’s run. Ms. Camp said that they would still need to be a student as that is in the definition to be enrolled.

Mr. Davis asked Mr. Walsh how we would know if the university had a relationship with a private developer in which said developer turned out to be awful. Mr. Walsh stated it is simply the idea of being in a partnership with the university versus speculative student housing. Mr. Walsh indicated the township does not want to be in a situation where there is student housing being built but there is not a demand for it.

Mr. Hellmann stated that, in terms of the contractual relationship, it is important because, if a relationship does go south there is some leverage that can be applied. Ms. Camp asked what the

leverage would be if the building is built already. Mr. Hellman stated that this would be between the university and the developer. He also said that residents around the university had expressed a desire to him to have student housing have some affiliation with the university.

Ms. Gagné asked if it was an option to do a conditional use simply for B.E.T and to have it university-only to which Ms. Camp replied no and that you would define the use as something that would be allowed by conditional use such as the student housing and explained the process an applicant such as B.E.T would go through.

Mr. Hellmann asked why a private entity, who wants to build student housing for a university, would have a problem with having a contractual relationship with said university. Ms. Camp explained that she thinks there are a lot of private developers who would not want a contract with the university and would rather do their own business and not be bound by any state agency when dealing with the university. Mr. Hellmann stated that it is exactly his point and without a contractual relationship the developer will do whatever they want to do. Ms. Camp also stated that some things that are a concern for the township could potentially be addressed as part of a conditional use decision.

Mr. Walsh attempted to give an overview of where the board was on this issue, reiterating that it seems the overall ordinance is in good shape but with the student housing language needing to be tweaked to fit what the board wants on that front. Ms. Camp said she understands where Mr. Walsh and Mr. Hellmann are on the issue but needed to understand where the other three board members are in terms of the support for a private entity student housing needing some contractual relationship with the university.

Ms. Stuntebeck said she would like to know more from the university about what they are going to be asking of the developer. She stated it is not clear to her what the breakdown is on the responsibility between the private developer and the university. Mr. Nagle stated he thinks the university's primary goals were to have campus police presence and Resident Advisors (RAs) with the potential of other aspects down the road but, currently, those two features were the immediate goals.

Ms. Camp asked Mr. Nagle if the contract would run annually to which Mr. Nagle replied that he envisions some sort of multi-year agreement. Ms. Camp also asked about disciplinary action and if it would be the university or the developer that could take disciplinary action against a student if necessary. Mr. Nagle said that would be for the entities to work out but he believes either entity could act on some sort of enforcement measure. Mr. Markman stated they have worked well with the university with disciplinary issues in the past and would be open to any sort of condition along those lines.

Mr. Hellmann reiterated he was grateful to the current developer for being amendable to this sort of arrangement and that the township has to look down the road years from now at all possibilities and developers who are perhaps not as amenable.

Ms. Stuntebeck asked if other developers would have to go through the conditional use process to which Ms. Camp replied yes. Mr. Webb added that he had a meeting with the division that handles off-

campus housing recently and that, even in private housing, if there is a student problem, that student is deferred to the university's conduct board for disciplinary action.

Mr. Purnell stated he agreed with the overall sentiment with going forward in ensuring private entities have a relationship with the university in some capacity. Ms. Camp stated she believes she has enough information to go forward and work with staff to tweak the ordinance.

### **West Chester Fire Company Presentation**

Stephen Pelna, Chief of West Chester Fire Company, proceeded to give a presentation on the company. He introduced various people on the call that are associated with the organization. Mr. Pelna attempted to play a video for the audience but there was some technical difficulty. He went on to the presentation and explained the various fire houses within the company and the locations. He also stated the fire company is 100% volunteer and currently have 173 active members.

Mr. Pelna also gave an overview of 2020 and the calls handled and received throughout the year, including in West Goshen Township. Mr. Pelna also stated that the company was the first in the Commonwealth to be 100% certified as far as minimum certifications and explained their rigorous progress with regard to continued training. He also spoke of the community outreach that is done throughout the year.

Mr. Pelna explained the company's equipment and that they currently have 20 pieces of apparatus in their fleet. He also stated that two brand new engines came in the last couples of weeks. Mr. Pelna explained the company's ISO rating (Insurance Services Office) and how the fire company is rated by ISO and how, in turn, because of excellent ratings, everyone benefits from savings as far as insurance in terms of homeowners.

Mr. Pelna wrapped up the presentation by thanking everyone on the board for their continued support.

Mr. Walsh opened the discussion up for board comments and questions. Mr. Purnell commented that the borough owns the apparatuses but that each fire company owns the company themselves and that, when donations requests come in, that is to support the company and not the borough.

Mr. Hellmann asked Mr. Pelna about their policy on false alarms. Mr. Pelna stated that they do have a few areas with an alarm ordinance such as in the borough. He indicated this has been helpful in citing people for multiple false alarm violations. He did, however, said there are still some problem areas such as Cambridge Hall in West Goshen which has a number of false alarms per year and can be very taxing on the company's time and resources. Mr. Pelna stated that they've had to take an increasingly hard stance with Cambridge Hall. He said Cambridge Hall is their worst offender but there are other offenders as well.

Mr. Pelna stated, in the absence of an ordinance for false alarms, the fire company tries to reach out to property owners and managers to make them aware. He also indicated West Goshen Fire Marshal,

Andrea Testa, has been a great resource for them as well. Overall, Mr. Pelna stated he had strong feelings when it came to multiple false alarms at one location.

Mr. Hellmann asked what municipalities can do to help to which Mr. Pelna replied that promoting and passing an ordinance to hold people accountable can go a long way. Mr. Pelna stated he was pleased to see such an ordinance on the board's agenda.

Ms. Gagné thanked Mr. Pelna for his presentation and stated she loved learning about different fire companies.

Mr. Walsh asked Mr. Pelna about his opinion on the false alarm fee and whether he thought the fee should not be too punitive as to perhaps create the unwanted behavior of people disabling their alarms. Mr. Pelna stated that they do see that from time to time and turn it over immediately to the local codes department and, that, unfortunately, it is always a risk.

Mr. Hellmann asked how COVID-19 has affected operations this year. Mr. Pelna stated that it certainly has affected it but that the ability to apply for some grants through the county and state has helped. Mr. Pelna did say that, unfortunately, traditional fundraising still must be done and makes it even more difficult to get volunteers.

Mr. Walsh thanked Mr. Pelna for his time and presentation.

### **Discussion of False Alarm Fees for Township Commercial, Institutional, and Residential Alarms**

Mr. LaLonde explained that Township Fire Marshal, Andrea Testa, has been in discussion with local fire companies who wholeheartedly support an ordinance and possible fines for multiple false alarms. Mr. LaLonde explained it would mimic the police alarm fee and is up for discussion for the board tonight. Mr. LaLonde also explained that we are one of the few municipalities in the area that do not have a false alarm fee for fire.

Ms. Stuntebeck asked what the fee schedule looks like. Mr. LaLonde explained, as proposed right now and in mimicking the police alarm fee, there would be one free false alarm followed by \$50 for the second and third false alarm. He also stated that false alarms four through seven in a single location would be \$100 each and the eighth false alarm and beyond would be \$200 each.

Mr. Purnell inquired if the false alarm fees can be increased to which Mr. LaLonde replied that it is sole discretion of the board. Mr. LaLonde and Ms. Camp explained the fee structure of East Goshen which has higher false alarm fees. Mr. LaLonde asked Mr. Pelna how expensive it was in mobilizing their companies in the middle of the night for a false alarm to which Mr. Pelna replied that it was very expensive. Mr. Purnell indicated he would be supportive of a measure that went as far as \$500 for subsequent false alarms.

Mr. Hellmann said his biggest concern was making sure the fee was sufficient enough to change behavior and asked Mr. Pelna what his experience has been on that front. Mr. Pelna replied that he has dealt with several property owners on this subject and does believe they change behavior overall but did not want to give an exact number when prompted by Mr. Hellmann as it was more a township matter.

Mr. Hellmann asked what happens if the fee is not paid and why hasn't the township taken this step already. Mr. LaLonde stated it was brought up in the past but rejected at times as the board did not want to implement another fee.

Mr. Purnell indicated he would like to see the fourth through seventh false alarms go to \$250 and the eight and beyond go to \$500.

Mr. Walsh asked Mr. Pelna about the nature of false alarms and how it is classified since some instances that could seem like false alarms could actually be a source of a potential fire and maybe not a true false alarm. Mr. Pelna stated that the fire companies respond to every call the same way no matter but also delved into what may constitute an actual "false alarm" versus one that is not considered a false alarm. He also was able to speak on smoke detectors and how they can be the source of the issue at times.

Ms. Gagné said she had a few concerns and one was the point that Mr. Walsh brought up earlier about people disabling alarms if they thought there was a possibility of getting fined which would not be a good situation. She also stated that many people in West Goshen donate funds to the fire company because it is a service that the public values and understands that they will be there when called upon. She also asked about EMT services and whether that would be considered in a false alarm category should someone think they are having a medical emergency but subsequently realized they are not.

Mr. Walsh asked if there was any board member willing to make a motion. Mr. Purnell made the motion to include a false alarm fee to include a free first false alarm, \$50 for second and third false alarms, \$250 for fourth through seventh false alarms, and \$500 for the eighth false alarm and beyond. Ms. Stuntebeck seconded.

Mr. Walsh asked if Mr. LaLonde could give some insight on Ms. Testa's thinking beyond just the fees themselves and what she thinks overall. Mr. LaLonde stated she has been supportive of the measure and believes that it incentivizes people to fix their detectors if that is the cause of false alarms. He also stated that, if people do disable alarms for the purpose of avoiding a fee, it could be caught in rental or commercial inspections. Mr. Walsh furthered asked how many bills would have went out in 2020 had this been implemented. Mr. LaLonde explained that roughly 60-70 bills would have gone out which did not represent a great time commitment.

Mr. LaLonde inquired with Ms. Camp if it could even be passed tonight given that it would be an ordinance. Ms. Camp stated that, although it is part of the fee resolution, it is better to handle it through an ordinance. She also said that the way they handle it in East Goshen if people do not pay is by a civil and summary citation enforcement.

Mr. Pelna also added, on a previous question from Ms. Gagné, that they have different codes depending on which type of false alarm it is and that it is only the truly malicious false alarms that would be billable versus honest mistakes that people make that would be non-billable.

Dr. Doug White stated that it may be a good idea to include in the ordinance what is actually a false alarm and what is an honest mistake.

On a recording keeping issue, Ms. Stuntebeck inquired as to whether, billing responsibility aside, we are going to be keeping track in a meaningful way the number of false alarms people have and what type of false alarm it was. Mr. LaLonde and Mr. Davis both stated it was more of a simple clerical and recordkeeping issue that could easily be tracked.

Back to Dr. Doug White's question, Mr. Walsh asked Ms. Camp if the East Goshen ordinance uses a definition of false alarms or somehow determines the methodology in their ordinance. Ms. Camp stated she thought it did but had to confirm that.

Mr. Walsh asked for a roll call vote. Ms. Gagné asked for the amounts to be repeated as it differed from the original amount that was intended to be passed. Mr. LaLonde read those again.

On the motion to include a false alarm fee in West Goshen to include a free first false alarm, \$50 for second and third false alarms, \$250 for fourth through seventh false alarms, and \$500 for eighth false alarm and beyond, passed by a full vote of the board 5-0.

Ms. Camp stated that the East Goshen ordinance on this issue does in fact contain definitions for false alarms and that she can use these as references when crafting the West Goshen ordinance.

Mr. Purnell reiterated the fire company's due diligence when determining whether it was a false alarm or not.

#### **Discussion and Request to Advertise and Bid the Idlewilde Basin Retrofit Project**

Mr. Rick Craig, Township Engineer, proceeded to give an overview of the project which is part of the township's MS4 requirements and one of the approved projects under the permit. Mr. Craig explained that this is a grant project (commonwealth MEII Pipeline grant) and has been designed by Herbert, Rowland, and Grubic (HRG). Mr. Craig stated it entails two basin retrofits in the Idlewilde neighborhood of the township. Mr. Craig discussed the project in-depth as well as the timeline for completion and stated the board is being asked to authorize advertising and bidding of the project.

Mr. Purnell made the motion to authorize advertisement and bidding of the basin retrofit project. Mr. Hellmann seconded.

Ms. Margie Swart, resident, asked why the township was not handling this project in-house as it was simply moving dirt around and planting some wetland grass. Mr. Craig explained that we do not have the capacity to do this and some of this represents fairly specialized work. Ms. Swart continued by

asking if it was even legal to spend public money on private property to which Mr. Craig replied that he would differ to the solicitor. Ms. Swart also stated that there is a stream that goes onto the Links (housing development) property and that there was a lot of erosion on the stream banks. She asked if that could be looked at by the township for a future stormwater project. Mr. Craig explained that these projects are chosen because they fit into the township's TMDL requirements under the MS4 permit. He also explained that basin retrofits are much easier to design and construct than streambank restorations.

Ms. Swart said that the DEP website states that public stormwater systems are on public property. Mr. Craig explained that there is absolutely no way we can meet our TMDL requirements by staying only on public property as the township only owns 4 out of 215 basins.

Ms. Swart indicated she looked at the plans for this basin and stated she believed it was never built to the specs of the engineered plans. Ms. Swart said it looked like there was 12 feet of "freeboard" to which Mr. Craig stated that this was incorrect but what looked to be not totally constructed properly or settled over time was an emergency overflow for the left-hand basin that needs to be re-established because it's not well established now. Mr. Craig said there is no way of knowing whether it was improperly constructed or was an issue over time since it predated him.

Ms. Swart asked who maintains the basins after the township pays to have them retrofitted to which Mr. Craig replied that it would be the Homeowners Association (HOA).

On the motion to authorize advertising and bidding of the Idlewilde Basin Retrofit Project, the full vote of the board passed 5-0.

Mr. Craig thanked the board and said the township would proceed with advertising.

#### **Discussion and possible approval of Resolution 05-2021 – Finance Record Destruction**

Mr. LaLonde explained that this is a housekeeping item done periodically to purge unnecessary documents that no longer have to be kept per the guidance of the Pennsylvania Historical & Museum Commission (PHMC). He went on to explain the specifics of the items being destroyed.

Mr. Purnell made the motion we proceed with the destruction of the aforementioned documents. Ms. Stuntebeck seconded.

Dr. White asked if the police records being destroyed were kept electronically. Mr. LaLonde stated that the police records being destroyed were not necessarily directly related to the police department and simply copies. Mr. Walsh asked what in the finance department is related to a police report. Mr. LaLonde responded that we can get deposits such as items like a false alarm fee that could be related to police.

Mr. Hellmann asked about some of the receipts not even being three years old and questioned whether they should be held onto a little longer. Mr. LaLonde reiterated that the township does not destroy anything before allowed by the PHMC guidance.

On the motion to pass resolution 05-2021 in relation to destruction of finance records, the full vote of the board passed 5-0.

**Discussion and possible approval of Resolution 06-2021 – Establishing No Parking for Willowbrook Ln.**

Mr. LaLonde explained that this item stemmed from the newly created Luxor Apartments right off of Willowbrook Lane. He furthered stated that, in discussions with the developer, they were concerned that some residents could attempt to park on Willowbrook due to easy accessibility and that this resolution was a way of preempting a possible issue there. Mr. Webb reiterated what Mr. LaLonde had said on this subject.

Mr. Craig stated he agreed with the resolution but also wanted to bring to the board's attention another parking issue on the other side of Matlack Street on Hagerty Boulevard where vehicles are parking on the side of the road in a cul-de-sac at the end and causing issues. He suggested that we implement a similar "No Parking" area here.

Mr. Walsh, asking about Willowbrook, asked why the new site anticipated having an issue and whether or not their parking was adequate. Mr. LaLonde, Mr. Davis, and Mr. Webb indicated that the parking is adequate but people from the apartment complex may have guests who do not bother to get a parking pass or follow the established rules.

A discussion ensued on the plausibility and necessity to include Hagerty Boulevard in the resolution. Mr. Walsh asked about the lack of parking and Mr. Webb indicated it was one property owner down in that area that has fenced off his property that use to allow parking to the rest of the area but unfortunately there is nothing the township can do about about it since he owns it.

Mr. Walsh asked with the unintended consequence of establishing "No Parking" on the street since there is no other place for them to park. Mr. Craig stated there are spaces that can used but they are fenced off. Ms. Camp weighed in on the subject and suggested we look into this matter before establishing "No Parking" signs to see if the owner who fenced of his property may be in some type of violation of the original land development.

Mr. Craig reiterated that he thinks it would be a good idea to establish the "No Parking" there as soon as possible. Ms. Camp stated that the township can sign the area but, if there is nowhere to park, the issue would still exist. Mr. Webb said that one of the issues was, over time, the uses changed and no due diligence was done to keep up with the use changes with regard to parking.

Mr. Walsh asked if signing the area on Hagerty right now would solve the issue to which Mr. Craig replied that it would solve a portion of it but not the commercial vehicle issues. Mr. Webb said the same.

Ms. Gagné expressed her opinion that this is the owner of the property's responsibility to figure out where people will park. Ms. Camp stated her only concern was making sure overflow parking does not go into other public areas.

Mr. Walsh stated his opinion was to handle these two issues separately and handle Willowbrook tonight and get a little more information concerning Hagerty. Mr. Purnell and Mr. Hellmann agreed.

Mr. Purnell made the motion to pass Resolution 06-2021 to establish "No Parking" on Willowbrook Lane. Ms. Gagné seconded. Mr. Hellmann asked why this was being done by resolution versus an ordinance, which had to be done in the past to establish signs. Mr. LaLonde stated we usually passed resolutions separately and do one ordinance to include all those resolutions throughout the year so advertisement does not have to be done every single time. Ms. Camp stated it is preferable to do an ordinance but sometimes the timing is such where it is better to wait until the end of the year and do them all at once in a large ordinance.

Dr. White asked if there have been comments from anyone else on Willowbrook Lane. Mr. LaLonde stated that the only comments have been negative in terms of people parking there.

Ms. Swart asked if it is fair to say that a resolution is not enforceable versus an ordinance. Ms. Camp indicated that there is some time allowed when a municipality establishes a resolution to when an ordinance must be passed and that, by the time the signs go up and the ordinance is established, the township should be fine.

On the motion to pass Resolution 06-2021 to establish "No Parking" on Willowbrook Lane, the full vote of the board passed 5-0.

Mr. Walsh asked Ms. Camp if it was her intention to work with staff on the Hagerty Boulevard issue to which Ms. Camp replied yes.

### **Monthly Police Report**

Police Chief, Michael P. Carroll, preceded to give the monthly report. Chief Carroll gave the January 2021 numbers on calls received, accidents responded to, alarms, total mileage traveled, and training. He also indicated that on March 1<sup>st</sup>, Captain Gregory Stone will be retiring after 35 years of service to the township. The Chief stated that, per tradition, he will be walked out and everyone will be lined up to greet him farewell promptly at 7:00 AM on March 1<sup>st</sup>.

Lastly, Chief Carroll stated the department was recognized with a gold award for performance on issued policies and training bulletins.

Mr. Walsh congratulated the Chief and also stated that the use of Lexipol (Police software) for training was a very positive thing.

Ms. Gagné, as Police Liaison, gave an update on the monthly meetings and about subjects such as new officers and establishing a Citizens Advisory Board. Ms. Gagné also said she was looking forward to celebrating Captain Stone's service to the township in his upcoming ceremony.

Mr. Hellmann indicated that they also spoke of newly established job expectations with the Chief and that they were still in discussions to establish that as well as a yearly evaluation.

### **Board of Supervisor's Announcement**

Ms. Stuntebeck stated she appreciate the minutes and how excellent they have been using the transcription service provided by GoToMeeting. She asked Mr. Davis about the process. Mr. Davis said that the transcription definitely helps but it is still a manual process. Mr. Hellmann also complimented the minute taking.

Mr. Hellmann announced he attended a 3-hour webinar on Strategic Planning for Fire Operations and thought it was a well-done webinar and encouraged other board members to attend.

Ms. Gagné made an announcement about the Sustainability Committee and, specifically, the celebration to take place on Arbor Day, per requirement of West Goshen's Tree City, U.S.A. application, on the property where the famous 18<sup>th</sup> Century Weeping Beach Tree lies within West Goshen. Mr. Purnell asked about the tree and if anyone had a status on whether or not it was going to be donated to us as originally intended by the new owners of the property since the tree is on private land. Mr. LaLonde, Mr. Webb, and Mr. Davis all indicated there had been conversations in the past pre-COVID-19 about that but there had not been any lately and, last time the owner had spoken with the township, there was still some concern about losing that piece of land.

Mr. Walsh announced that the board met in executive session earlier that evening to discuss personnel matters. He also announced that the Sewer Authority performed a review and an update to their 10 Year Capital Improvement Plan. He announced the next steps were to have the Sewer Authority's Treasurer meet with the Township's finance staff and for a joint session to take place with the Board of Supervisor's some time this year as well.

### **Township Manager's Announcements**

Mr. LaLonde thanked Mr. Davis for his work on the new township website and stated it was a great improvement on the old one. He also stated that there was an impending snowstorm and the township was still awaiting word from the trash company on whether or not they would cancel services because of the weather.

Mr. Walsh commented on the website as well and stated it looked well done to which Mr. Davis replied that it was a group effort, and a lot of people were involved in getting it ready for launch.

### **Township Engineer's Announcements**

Mr. Craig announced that the construction at Woodlands at Greystone is progressing but that much of the infrastructure work is at a standstill and most likely will remain that way until there is some snow melt.

### **Zoning Officer's Announcements**

Mr. Webb announced that the shed relief for Goshen Terrace Apartments as well as Goshen Manor Apartments were both granted by the Zoning Hearing Board but that the decision for the Luxor Apartments on the parking relief (parking size reduction) was delayed until March 3<sup>rd</sup>.

Mr. Webb stated there were 3 new applications as follows:

#### **ZHB Application 05-2021**

Applicant is seeking a use variance to be able to sell antique cars and special interest trucks. Mr. Webb explained that this district already allows for the sale of commercial trucks and, since there were already similar uses in the district, he recommended to the board that they do not take a position.

The board decided collectively to not take a position.

#### **ZHB Application 06-2021**

Mr. Webb explained this applicant was on Edward Lane and was seeking a setback variance for relief of the "six feet from property line requirement" for a shed. The applicant is seeking this due to a hardship of having a lot of "hills and valleys" in his backyard which makes it difficult to have a shed flat in many areas. Due to the hardship, Mr. Webb thought it was reasonable for the board not to take a position on this application to which they collectively agreed.

#### **ZHB Application 07-2021**

Mr. Webb advised the board to have minimal discussion on this application since it will be coming to the board for Land Development at some point. The applicant, as explained by Mr. Webb, was seeking a variance for lot size for a 4-unit apartment building. The applicant does not meet the one-acre minimum requirement when "netting out" rights-of-way which is the crux of the variance request. Mr. Webb explained the applicant is not seeking anymore relief than he absolutely needs.

The Board Agreed to not take a position on this application as well.

### **Approval of Meeting Minutes – January 19<sup>th</sup>, 2021 & February 2<sup>nd</sup>, 2021**

Mr. Walsh asked for a motion to approve the minutes. Ms. Stuntebeck made the motion with Mr. Purnell seconding. Ms. Stuntebeck just asked again about the new process for taking minutes to which Mr. Davis

replied in was a little bit of a mixed process with looking at video as well as the transcription of the meeting.

Ms. Stuntebeck thanked Mr. Davis for taking on the responsibility. Mr. Davis explained that he would like to capture more than simply the bare minimum that is required and feels as though using this process is the best way to capture all thoughts from everyone.

Mr. Walsh inquired how long it was taking Mr. Davis to do these minutes to which Mr. Davis replied that it was labor intensive as of right now. Mr. Walsh asked Mr. Davis to be mindful of how long it is taking due to the many strategic projects and issues going on at the township. Mr. Davis explained that it is certainly something to keep in mind and that new strategies may have to be developed if it takes too much time to complete long-term.

On the motion to approve the minutes, the full vote of the board passed 5-0.

#### **Approval of Treasurer's Report Dated January 31<sup>st</sup>, 2021 & Bills to be Paid from Township Funds**

Mr. Walsh asked if there was a motion to approve the Treasurer's Report and the bills to be paid. Mr. Purnell made a motion to approve. Ms. Stuntebeck seconded.

There was no board comment or public comment on the topic.

On the motion to approve the Treasurer's report and bills dated January 31<sup>st</sup>, 2021, the full vote of the board passed 5-0.

#### **Public Comment**

Dr. White thanked Captain Stone for his service and congratulated him on his retirement.

Ms. Swart stated she took cardboard to the township building on President's Day and noticed public works employees were working and wanted to know how they were getting paid for that holiday. Mr. LaLonde explained it is not overtime but regular straight time they are being paid for

Ms. Swart also asked about the new website and whether there was a way to bypass the "sign in" option as she could not access some documents because she stated the website prompted her to sign in instead. Mr. Davis stated that the website should be fully functional without signing so if there were any issues he would take a look at them if Ms. Swart could get in touch to be more specific about the issue.

Dr. White stated that the website had a bit of learning curve but seemed fine. Mr. Walsh stated it was still a "work in progress" and any issues seen should be reported to Mr. Davis so they can be fixed. Dr. White said the old website had old supervisor minutes going back to 1999 to which Mr. Davis replied that they will all eventually be up on the site.

Mr. Walsh asked for a motion for adjournment to which Mr. Purnell obliged. It was seconded by Mr. Walsh. At 10:01 PM, the meeting was adjourned by a 5-0 vote of the board.

Respectfully Submitted,

**Derek Davis**  
**Recording Secretary**