

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS TELECONFERENCE MEETING
APRIL 20, 2020**

Township Supervisors:

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

Township Officials:

Mr. Casey LaLonde, Township Manager
Mr. Derek Davis, Assistant Township Manager
Mr. Richard J. Craig, Township Engineer
Chief Michael Carroll, Police Department
Mr. Bill Webb, Township Zoning Officer
Ms. Kristin Camp, Township Solicitor

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chair Shaun Walsh, at 7:00 p.m. on Tuesday, April 20, 2021. The meeting was held via TeleConference due to the on-going COVID-19 situation.

Mr. Walsh opened the meeting with the Pledge of Allegiance to the Flag.

Mr. Walsh announced that the meeting was being recorded.

Mr. Walsh announced the TeleConference meeting rules of conduct.

Quality Inn Discussion

Mr. Walsh began the discussion, stating he had requested this item be added to the agenda. He stated that there are police and quality of life issues at the Quality Inn, located at 943 South High Street. He stated that he had a meeting with nearby residents and that they expressed concerns with respect to crime at that location and asked that the Board consider what could be done with the property.

Mr. Walsh stated that he had asked Township staff and the Police Department to consider what could be done to improve the situation.

Chief Carroll stated that the Township Police Department responded to 101 calls for service at the hotel, in addition to the different checks performed at the property in 2019. In 2020, the Department responded to 139 calls for service at the hotel, with 357 different checks performed at the property. He stated that even with the increased number of checks performed in 2020, the calls for service increased. He stated that in the first quarter 2021, the Department has received 53 calls, an increase in calls over 2020, with the Department performing 71 checks at the property during the same period.

Chief Carroll reported that a majority of the calls did not result in an arrest, but on four occasions, detentions were made.

Mr. Walsh stated that Township staff were tasked with reviewing three aspects of this issue. First, review current Ordinances in terms of this establishment and how they are operating. Specifically, to review inspections and violations and how they could be used to correct the situation. Second, from a policing perspective that could help change the situation. And third, reviewing the possibility of something new the Township could do from an Ordinance perspective.

Mr. Walsh stated he had done some research and found a similar situation in Springfield Township, Delaware County, with a similar crime problem at a local hotel. He stated the municipality enacted new regulations to assist in addressing the problems at the hotel.

Mr. LaLonde stated that he has been discussing how to address this issue with Township staff for several weeks. Staff was concerned with maintaining the health safety issues at the hotel, but staff have not come up with any hard and fast conclusions, as we were awaiting this public discussion. Mr. LaLonde stated that staff are supportive of any measures that are legal and enforceable.

Ms. Camp stated that she will review the Springfield Township Ordinance and actions that took place because of those regulations. She stated it appears the Township Police Department is being proactive and enforcing all police options. She stated that she is not aware of any existing regulations that the Township does not already have in place or new regulations that would get to the root of the issues.

Mr. Walsh stated that for Springfield Township, they established a new hotel and motel licensing program. The regulations provided for requirements for licenses for motels and the ability of the municipality to suspend licenses under specific circumstances. He stated that the Springfield Township regulations were challenged by one particular business owner and ultimately, a settlement agreement through the legal system was used to address the problem.

Mr. Hellmann stated that the hotel location appears to be a magnet for crime and produces disruptions that keep on happening. He stated the hotel's trajectory is getting worse, it appears. Mr. Davis responded that the very low nightly room rates are one cause.

Mr. LaLonde provided a brief history of the hotel as a former heavily used conference hotel and location for many government seminars. Mr. LaLonde stated that at some point in the last six or seven years, the hotel's uses changed from conferences, weddings and lots of traffic to more of a transient motel.

Ms. Gagné stated that she has spoken to people that live on the street next to the hotel and that residents have told her that she has called the police sometimes three times in one week. She stated that she gets the sense the business is on the downturn and suffering. She suggested continuing a dialogue with hotel's owner.

Ms. Amanda Hart stated she lives right across from the hotel and she has had many crazy experiences in regards to the hotel. She had concerns about a licensing program as her fear would be if the hotel became vacant and a target for squatters. She didn't know what would be worse, the current situation or squatters taking over a vacant hotel.

Mr. Walsh responded that any business can fail at any time and this is no different. The Township would enforce all appropriate laws and the it would not be allowed to become a home for squatters. Mr. LaLonde and Mr. Webb agreed with Mr. Walsh's statement.

Ms. Barbara Cooper and Ms. Tina Smith had comments regarding the Quality Inn.

Ms. Cooper stated she feels very uncomfortable and feels bad because this is her neighborhood. She stated that there has to be something we can do to make the life what it was before for the neighborhood. She stated we could come up with a solution.

Mr. Walsh stated that he suggested using a multi-prong approach, including reaching out to the current franchise owner and have a discussion with them on the state of affairs. He also suggested reaching out to Quality Inn corporate and explain our concerns about the deterioration of this property and how its being managed. He stated that was to review our current Ordinances in terms of inspections for violations. And the third item is to look at possibly create a licensing requirement for hotels and motels in West Goshen.

Mr. Walsh and Ms. Gagné volunteered to work with Township staff for meetings and other initiatives regarding the Quality Inn.

A lengthy discussion of the safety and quality of life issues at the Quality Inn continued.

Draft Solar Ordinance, Zoning Ordinance and SALDO Ordinance Amendments

Mr. Walsh turned the meeting over to Mr. Henry Alexander and Ms. Tina Smith, both of the Township's Sustainability Committee, who have been reviewing and revising the existing Township Solar Ordinance. Mr. Alexander and Ms. Smith provided an overview of their process to review and revise the Ordinance, including working with Township staff and members of the Township Planning Commission.

Mr. Alexander summarized the details on the Ordinance revisions. Ms. Smith stated that they had a great dialogue with staff and the Planning Commission members, including Doug Stewart and Corey Wegerbauer and a legal review by Kristin Camp.

Ms. Gagné thanked Mr. Alexander and Ms. Smith for their work on this Ordinance.

After a lengthy discussion, Mr. Hellmann made a motion to advertise with the intent to adopt the Ordinance at an upcoming Board meeting, seconded by Ms. Gagné.

Ms. Margie Swart asked if this Ordinance would have to go to the Township Planning Commission for review. Mr. Davis responded that the Ordinance does not need to go to the Township Planning Commission for review, but two members of the Planning Commission served on an ad-hoc committee to review the proposed Ordinance.

The motion to advance the Solar Ordinance was unanimously approved.

Ms. Camp introduced the miscellaneous Zoning Amendments including Section 84-47 (Projections into Required Yards); Section 84-48 (Height Limitations); Section 84-57.12 (Sheds); Section 84-72M (Expiration of Special Exceptions and Variances); and Section 84-96F (Use Regulations). A lengthy discussion occurred regarding the height limitations section.

Ms. Stuntebeck made a motion to move these miscellaneous Zoning Amendments to the County Planning Commission for review, seconded by Mr. Hellmann. The motion carried unanimously.

Finally, Ms. Camp introduced several amendments to the Township's Subdivision and Land Development Ordinance (SALDO), including revising a section that dealt with access for a development and others.

On a motion by Mr. Hellmann, seconded by Ms. Gagné, the Board voted unanimously to send this Ordinance to the County Planning Commission for review.

Ordinance No. 1-2021 – Cable Television Franchise Agreement with Verizon

Ms. Camp introduced Ordinance No. 1-2021, renewing the cable television franchise agreement between the Township and Verizon. Ms. Camp provided an overview and introduced Mr. Dan Cohen with The Cohen Group, who negotiated on behalf of West Goshen Township for the franchise agreement renewal.

Ms. Camp stated that this item was continued from your March Board meeting for action tonight.

Mr. Cohen stated that he represented various members of the Chester County Consortium of Managers to negotiate individual franchise renewals with Verizon. He stated that he provided a memorandum to the Board describing the various aspects of the franchise agreement, plus paid special attention to the "complimentary services" issue. He stated that above and beyond the franchise fees paid to the Township, which is based on gross operator revenues up until August 2019, Verizon and other cable operators offered complimentary cable services to municipal buildings, schools and public libraries. He stated that in August 2019, the Federal Communications Commission (FCC) came out with a report and order on video franchising and established a new concept called "in kind" cable contributions and the "complimentary services" falls within that category.

Mr. Cohen stated that the FCC's new rules on "complimentary services" stated that the cost of those services could be deducted from the paid franchise fees and would reduce your franchise fees accordingly. He stated the FCC order is under appeal currently. He will advise the Township if the FCC order on "complimentary services" is overturned.

After some additional discussion, on a motion by Mr. Purnell, seconded by Ms. Stuntebeck, Ordinance No. 1-2021 was unanimously approved.

Ordinance No. 2-2021 – Revised Alarm & False Fire Alarms

Ms. Camp stated that the four following Ordinances were advertised in one summary ad because they only require a seven-day advertisement. The following Ordinances are not for Zoning or Subdivision & Land Development, so they only require one advertisement at least seven days prior to the public hearing.

All four Ordinances were advertised on April 10, 2021.

She stated that as the entire Ordinance text was not advertised in the newspaper, she provided a copy of the Ordinances for public inspection to the Chester County Law Library and The Daily Local News, which was done on April 19, 2021.

This first Ordinance, No. 2-2021 is for the establishment of False Fire Alarm Fees. Ms. Camp stated that this Ordinance was recommended by staff due to an uptick in the number of false fire alarms that the local fire departments in the Township are experiencing and their related expenses.

Ms. Camp provided an overview of the Ordinance.

After a brief discussion, Mr. Purnell made a motion to adopt Ordinance No. 2-2021, seconded by Ms. Stuntebeck.

Mr. Hellmann requested a recap of the fee provisions. Ms. Camp stated that the first alarm per calendar year is a warning. The second and third alarm per calendar year is \$50. The fourth through seventh false alarm is \$250 per calendar year and any subsequent alarms are \$500.

Following the discussion, the Board unanimously approved Ordinance No. 2-2021.

Ordinance No. 3-2021 – Chapter 75-10 – Fines

Ms. Camp stated that this simply an update of the current Rental Inspection Ordinance and it decreases the fine for violating any provision of this Chapter from \$300 per occurrence to \$100 per occurrence.

On a motion by Ms. Gagné and seconded by Mr. Hellmann, the board unanimously approved Ordinance No. 3-2021.

Ordinance No. 4-2021 – Chapter 70 – Snow & Ice

Ms. Camp introduced Ordinance No. 4-2021, amending Chapter 70 for snow and ice. She stated that the amendment would require property owners to remove snow and ice from their sidewalks within 24 hours of a snowfall and to prohibit property owners from depositing snow onto adjacent streets.

After a brief discussion, Ms. Stuntebeck made a motion to approve Ordinance No. 4-2021, seconded by Mr. Purnell. The Board unanimously approved the motion.

Ordinance No. 5-2021 – Police Chief Reporting

Ms. Camp introduced Ordinance No. 5-2021, an Amendment to the Township Manager section of the Township's Code that directs the Chief of Police to report to the Board of Supervisors.

Mr. Hellmann made a motion to approve Ordinance No. 5-2021 with a second by Ms. Stuntebeck.

A brief discussion among the Board members occurred regarding the Ordinance.

Ms. Margie Swart asked if Chief Carroll would be ultimately responsible for the financial oversight for his department or does that ultimately fall to the Township Manager. She stated it was unclear when she read the Ordinance. Mr. Walsh responded that this is about the reporting relationship between the Chief of Police and the Board.

Ms. Swart also stated that she did send the Board a copy of the East Goshen Township Manager Ordinance compared to West Goshen's and he is hoping the Board moves forward considers some of those changes if they see fit.

The Board voted 4-1 with Mr. Purnell opposed, to adopted Ordinance No. 5-2021.

2021 Pavement Markings Bid

Director of Public Works Dave Woodward introduced the annual pavement markings bid. He stated this is a cooperative bid with East Goshen Township, Westtown Township, West Goshen Township, Upper Uwchlan Township and West Chester Borough. Only one bidder submitted again this year, namely Alpha Space Control. Mr. Woodward stated that due to the low profit margin on these line striping projects, Alpha Space Control has been our only bidder for several years. The total bid for all five municipalities is \$197,978.75. Each municipality is billed for its own individual line striping based on total quantities used by the contractor.

After a brief discussion, Mr. Purnell made a motion to approve the bid of \$197,978.75 from Alpha Space Control, seconded by Ms. Gagné.

Ms. Margie Swart asked if the \$39,000 number for West Goshen is accurate. Mr. Woodward stated that all of the municipalities submit a base bid that we all put in every year, based on our estimated quantities. The number fluctuates on annual basis depending on white lines, double yellow lines, stop bars and other variables.

Following the discussion, the Board unanimously approved the bid for Alpha Space Control.

Monthly Reports

Chief Carroll provided the monthly report for March 2021.

Mr. Hellmann asked questions regarding police false alarms.

Ms. Gagné stated that she and Mr. Hellmann met with Chief Carroll and discussed the implementation of police officer body cameras. She also stated that on May 6th, Chief Carroll is putting together a meeting of local leaders that may serve as a precursor to discussing some kind of citizens' advisory board that she and Mr. Hellmann have been researching over the past few months.

Supervisors Announcements

Ms. Gagné reminded everyone that the Sustainability Advisory Committee was holding an Arbor Day celebration this Friday at 5:00 PM at the Historic Weeping Beech tree on Old Fernhill Road. Trees have been donated by Andrews Landscaping and also Bill Webb for attendees.

Ms. Gagné announced that the Sustainability Advisory Committee ordered reusable grocery bags for the Arbor Day celebration and the remaining bags are available at the Township building for residents to pick up there. Mr. LaLonde said the limit is one per household and they may be picked up starting today at the Township building.

Ms. Gagné announced that she and Mr. Hellmann met with Michael Dunn of West Chester Borough and representatives of the Chester Ridley Crum Watershed Association to tour Goose Creek that runs behind the Kmart because there has been some interest in working with West Chester Borough to remediate the area in the future. The group examined the stream and how flooding downstream occurs. She stated that we all know how Montgomery Avenue gets lots of flooding. There was a general consensus of the Board to have this item be placed on a future Board agenda for discussion.

Mr. Hellmann announced that he attended the virtual April 16th Municipal Stormwater Summit. He stated that the summit attendees discussed what is needed to be done to remediate those areas due to human endeavors.

Mr. Hellmann announced that the annual PSATS conference was once again going virtual and that he is taking advantage to sign up for the online sessions and take the opportunity to take many classes as part of his graduate program.

Mr. Purnell announced that he is working on the upcoming classic car show, scheduled for May 22nd, in the back of Community Park near Iceline.

Ms. Stuntebeck announced that she had reconnected with the group of residents in the Roslyn neighborhood to work towards better communication between the Township, West Chester University and the Roslyn neighborhood residents.

Mr. Walsh announced that the Board met in Executive Session on April 15th.

Mr. Walsh announced that he too attended the Municipal Stormwater Summit and it was good to be refreshed about all of the issues that we have and the solutions that are potentially out there. Mr. Walsh stated that one of the presenters seemed to think floodplain restoration was cost competitive with basin retrofits.

Township Manager's Announcements

Mr. LaLonde announced that Township staff were finalizing the bid documents for the next five-year waste and recycling contract. He stated it would be submitted in the next several weeks to the Board and Kristin Camp for final review.

Mr. LaLonde announced that he, Township Engineer Rick Craig and Director of Public Works Dave Woodward met with PennDOT regarding the Boot Road overpass over Rt. 202. PennDOT conducted street milling operations on the bridge overpass and exposed the structural steel rebar. A proper fix to this issue may take several months to correctly engineer and fix.

Mr. LaLonde announced that the 2021 road paving program was underway. He explained that the awarded contractor, Allan Myers, will bring significant forces into the Township and may be done in a record short amount of time of about three weeks. This is the earliest the road paving program has been started and will be completed in short order.

Mr. Walsh asked Mr. LaLonde for an update on his phone call with West Chester University President Chris Fiorentino regarding the proposed West Chester University Overlay Ordinance. Mr. LaLonde stated that President Fiorentino requested that West Goshen Township remove the references to student housing in the proposed "PUC 4" district, located along Matlack Street. President Fiorentino stated that he is attempting to mend fences with West Chester Borough and this would assist in those efforts.

Mr. Walsh stated that the Overlay Ordinance should be placed on an upcoming Board agenda. Mr. LaLonde stated he and Ms. Camp would review the draft Ordinance to remove the student housing references.

Mr. Hellmann asked if there was any update to the Township's \$2,200,000 funding through the Recovery Act. Mr. LaLonde responded that he has seen nothing new, but we are awaiting for news from the Treasury Department.

Township Engineer Stormwater Update – Woodlands at Greystone Update

Mr. Craig announced that the Raven's Lane Stormwater Project's contractor is working in the third block area.

Mr. Craig announced that the Idlewild Basins Retrofit Project contracts are signed and a pre-construction meeting is being scheduled with the contractor.

Mr. Craig announced that the basin retrofit design for the Pine Valley Circle Stormwater Project is underway.

Mr. Craig announced that home construction continues unabated at The Woodlands at Greystone and infrastructure work has begun to start up again and paving has resumed on some interior streets.

Mr. Hellmann asked about extra costs for the Raven's Lane Stormwater Project and Mr. Craig had no additional information at this time.

Ms. Margie Swart asked about the Pine Valley Circle Stormwater Project and if the associated basin was public or private and what's being done to the basin. Mr. Craig responded that the Township owns the basin.

Ms. Swart asked to go back to the Recovery Act funding and asked that the funds be deposited into the Capital Reserve account and not the General Fund. Mr. LaLonde responded that was going to be the staffs' recommendation as well.

Additional discussion of the Pine Valley Circle Stormwater Project then occurred.

Zoning Officer's Announcements

Mr. Webb announced that the Zoning Hearing Board is scheduled to meet next Wednesday evening at 7:00 PM via teleconference. He stated the ZHB will also render a decision on 1135 Pottstown Pike for the proposed antique store and 325 North Five Points Road, which requested relief for a front yard setback.

Mr. Webb announced that Application 12, 2021 for Citizens Bank at 22 Turner Lane for an increase in the number of signs from seven to nine, so they need relief from the ZHB for the two additional signs. Mr. Webb asked if the Board wanted to take a position on the case and the Board took no position.

Mr. Webb announced that Application 13, 2021 for Road 10, LLC at 981 North New Street. This applicant had received a variance and special exception in 2018, but the applicant never filed their Land Development application so the variance and special exception have expired. The applicant's variance request is de minimis, with the property having 147.5 feet of lot width with a requirement of 150 feet. The applicant is also seeking a special exception to permit the construction of a driveway in the floodplain relating to construction of a

residential dwelling. He stated that the Township has never taken a position on an application of such de minimis issues. By consensus, the Board agreed to take no position on either issue.

Mr. Webb announced that Mr. LaLonde and I met with the developer and the developer's attorney for the Spellman property and they presented what they intend to submit as their Land Development application to the Township. It was recommended to the developer to hold a community meeting with nearby property owners and that he would attend the meeting simply for observational purposes. The meeting is scheduled for tomorrow night at 7:00 PM. Mr. Walsh asked if the concept still involves the same Aldi Supermarket as previously provided to the Board. Mr. Webb responded yes, in addition to a bank pad site and a restaurant pad site.

March 16, 2021 Meeting Minutes Approval

On a motion by Ms. Stuntebeck, seconded by Mr. Purnell, the Board unanimously approved the March 16, 2021 meeting minutes.

March 31, 2021 Treasurer's Report

Ms. Stuntebeck made a motion to approve paying the bills, seconded by Ms. Gagné.

Mr. Hellmann inquired about earned income taxes compared to 2020 and 2019. Mr. Walsh stated that the analysis is located on page 5 of the Treasurer's Report.

Mr. LaLonde stated that both earned income taxes and transfer taxes are doing well.

Mr. Walsh inquired about the payments to Good Fellowship Fire Company and the West Chester Public Library. Mr. LaLonde responded that those contributions are spread out a bit in spring, so we will pay the fire company contributions in May.

Mr. Walsh asked if Goshen Fire Company will hold its annual fair for their fundraiser. Mr. Purnell stated that he does not know yet.

Ms. Margie Swart inquired about an approximate \$90,000 revenue for special police services. Chief Carroll responded that this is for the payment from the school district in March.

Ms. Swart stated that she saw a \$100,000 jump in the March 18th payroll. She stated that she thought that may be for Captain Stone's payout.

Ms. Swart asked that the month to month real estate tax revenues be added to the Treasurer's Report.

Ms. Swart stated that the Township pays for 505 fire hydrant rental fees every month to the tune of \$13,000. She stated that if the Township took on the responsibility of the 15 so-called private hydrants, the extra monthly expense would be \$375 to the Township, while Aqua charges those private hydrant owners double that amount. Ms. Swart asked again that the Township consider taking over those private hydrants.

Following the discussion, the Board unanimously approved the bills to be paid.

Public Comment

Dr. Douglas White stated that he agreed with the idea of holding a community meeting regarding the supermarket redevelopment project.

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Dr. White stated that he appreciated Margie's comments regarding the incoming federal funds, but he recommended setting up a separate bank account.

Dr. White thanked Officer Hiro with our Police Department for his service and Sergeant Greiser for the Traffic Safety meeting.

A brief discussion of the Traffic Safety Committee occurred.

Ms. Margie Swart agreed with Dr. White that the federal funds should go into an entirely separate fund so that when residents ask a year or two from they can see where the money was spent.

Ms. Swart stated that she received the DROP funds payment amounts for the five recently retired police officers. She stated she has some comments to make regarding the DROP payments.

An additional discussion of the use and other aspects of the Recovery Act funding occurred.

Please view this meeting's video recording via YouTube with the link located at www.westgoshen.org.

There being no further business, on motion by Mr. Walsh, seconded by Ms. Gagné, the meeting adjourned at 9:45 p.m.

Respectfully submitted,

Casey LaLonde
Township Secretary