

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
April 4, 2023**

Township Supervisors:

Mr. Shaun Walsh, Chair
Ms. Ashley Gagné, Vice-Chair
Mr. John Hellmann, Member
Ms. Tinamarie Smith, Member

Township Officials:

Mr. Christopher Bashore, Township Manager
Ms. Kristin Camp, Esq., Township Solicitor
Mr. Bryan Kulakowsky, P.E., Township Engineer

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chair Shaun Walsh, at 6:00 p.m. on Tuesday, April 4, 2023.

This meeting was advertised in The Daily Local News on December 19, 2022.

This meeting agenda was posted on the West Goshen Township website and at the Township Building on Friday, March 31, 2023.

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

Mr. Walsh announced that the meeting may be recorded by 3rd parties.

Mr. Walsh discussed with the Board switching items #3 and #4 on the agenda. The Board agreed with switching these items on the agenda.

Swearing in of Jonathan DeJesus DeLeon as a Police Officer in the West Goshen Township Police Department.

Captain DiMedio announced the hiring of Jonathan DeJesus DeLeon as a Police Officer in the West Goshen Township Police. Captain DiMedio highlighted Officer DeLeon's experience, noting that he recently served as an officer in the Kennett Township Police Department. Captain DiMedio welcomed Officer DeLeon to the West Goshen Township Police Department.

Mr. Walsh read a statement on behalf of the Board of Supervisors welcoming Officer DeLeon to West Goshen Township and commending the work of the West Goshen Township Police Department.

The Honorable Martin G. Goch administered the Oath of Office to Officer DeLeon.

Public Comment.

Basil Frens appeared before the Board in order to discuss the possible installation of a sidewalk in order to allow the resident of the North Hill development to walk to Henderson High School. Mr. Frens mentioned the installation of a sidewalk along Goshen Road, Marshall Street, and Montgomery Avenue. Mr. Bashore stated that the roads mentioned are all state roads under the jurisdiction of the PA Department of Transportation (PennDOT), so PennDOT would need to approve the installation. Mr. Walsh asked about the responsibility for sidewalk maintenance once installed. Mr. Bashore stated that the property owner would be responsible for maintenance once installed. Ms. Smith asked if the property owner needs to approve the installation. Ms. Camp stated that no approval is needed if the work is entirely in the public right-of-way.

Mr. Walsh thanked Mr. Frens for his comment and noted that sidewalks are an item on the Board's radar.

Discussion regarding the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program through the U.S. Department of Transportation.

Mr. Bashore stated that before the Board of Supervisors this evening is discussion regarding the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program. This program is being funded through the Infrastructure Investment and Jobs Act and is administered by the U.S. Department of Transportation. Vice-Chair Gagné brought this program to my attention as a potential funding source for the Township's construction of the electric vehicle (EV) charging station infrastructure for the municipal fleet. Mr. Bashore stated that he participated in a webinar hosted by the U.S. Department of Transportation on this program on March 21, 2023. Mr. Bashore summarized the program and its requirements. Mr. Bashore stated that, based on a review of this information, he did not believe that the Township would be eligible for funding under this program for the current design work and conversion of the municipal fleet to EVs. The current guidelines are specific to publicly accessible charging stations and the current discussion is specific to the Township's internal fleet. Mr. Bashore stated that this program is being funded for five (5) fiscal years, so the criteria may expand in subsequent years.

Mr. Bashore provided an overview of two (2) state programs that may be evaluated as a potential funding opportunity for this project: Alternative Fuels Incentive Grants and Driving PA Forward. Mr. Bashore provided an overview of these programs.

Mr. Walsh asked if the Driving PA Forward program could be used to purchase the actual charging stations when the Township reaches that stage. Mr. Bashore stated that he believes it would, but it would depend on funding availability. Mr. Walsh asked if the CFI program could be used for future public charging stations. Mr. Bashore stated that he believed that it would be eligible.

The Board thanked Mr. Bashore for his research.

Discussion and possible approval of the Deed of Dedication, dedicating a 10.287-acre parcel ("Lot D") from Stanbery West Goshen, LLC to West Goshen Township.

Mr. Walsh stated that before the Board of Supervisors this evening is consideration to accept a Deed of Dedication to accept a 10.287-acre parcel from Stanbery West Goshen, LLC to West Goshen Township. Over the course of past year, the Township and the property owner have been in discussions regarding dedicating the 10.287-acres to the north of the current development to the Township. The parcel is identified as parcel "D" on the subdivision plan that was approved by the Board of Supervisors on November 1, 2022. This parcel contains a large section of Goose Creek and the Township has a maintenance yard located off of Turner Lane to the north.

Mr. Walsh recognized Mark Pottschmidt from Stanbery West Goshen, LLC for his work with the Township on this process.

Mr. Hellmann asked about how access to the parcel would occur. Mr. Bashore stated that Mr. Kulakowsky analyzed the parcel and there is an access on the northern portion of the parcel through the existing yard owned by the Township. Mr. Bashore stated that an additional access would need to be constructed off of Turner Lane. Mr. Kulakowsky noted that there was no viable way to access the parcel through the Stanbery parcel.

Mr. Hellmann asked about any potential maintenance requirements. Mr. Bashore stated that he did not believe there were any. Mr. Kulakowsky stated that it is currently wooded and reviewed the floodplain area.

Mr. Walsh noted a number of above-ground heating oil tanks and other mechanical items that should be properly removed by the Public Works Department.

Mr. Walsh thanked Mr. Pottschmidt for his work with the Township.

Ms. Smith made a motion to accept the Deed of Dedication, dedicating a 10.287-acre parcel ("Lot D") from Stanbery West Goshen, LLC to West Goshen Township. Mr. Hellmann seconded the motion.

Mr. Walsh asked if there was any further discussion from the Board on the proposed motion. No further discussion was noted.

Mr. Walsh asked if there were any public comments on the proposed motion. No comments were noted.

There being no further discussion, the motion passed by a vote of 4-0.

Discussion and possible approval of the 2023 Arbor Day Proclamation.

Ms. Gagné stated that before the Board this evening is the 2023 Arbor Day Proclamation, noting that recognition of Arbor Day is a requirement of the Township's Tree City USA designation. Ms. Gagné noted that the Township has a special project planned for Arbor Day.

Ms. Gagné read the 2023 Arbor Day Proclamation for West Goshen Township.

Mr. Walsh made a motion to approve the 2023 Arbor Day Proclamation for West Goshen Township. Ms. Smith seconded the motion.

Mr. Walsh asked if there was any further discussion from the Board on the proposed motion.

Mr. Walsh announced that Township's Arbor Day Project at Hamlet Crest Park on April 29, 2023.

Mr. Walsh asked if there were any public comments on the proposed motion.

Nate Wolman stated that Google indicates that Hamlet Crest Park is permanently closed. Mr. Bashore stated that he will address this with Google.

There being no further discussion, the motion passed by a vote of 4-0.

Discussion and possible approval of Resolution 14 – 2023, approving the First Amendment to the Telecommunications Site Lease Agreement at the West Goshen Township Municipal Complex between West Goshen Township and SBA 2012 TC Assets, LLC.

Mr. Bashore stated that before the Board of Supervisors this evening is proposed Resolution No. 14 – 2023. This resolution would approve the first amendment to the Township's cell tower lease agreement with SBA 2012 TC Assets, LLC. By way of background information, the Township first entered into a lease agreement with Nextel Communications on August 30, 2004 to locate a cell tower at the Township's Municipal Complex. The Township receives monthly lease revenue for the cell tower. The proposed first amendment before the Board would provide for six (6) additional successive five (5) year renewal terms, which would commence on May 4, 2030. The proposed first amendment before the Board has been reviewed by the Township Solicitor and changes have been incorporated.

Mr. Hellmann discussed the proposed term and asked about non-reciprocity for the Township to terminate the agreement. Ms. Camp stated that the lessee would not agree to have this as a term in the contract due to the negative impact this could have on the ability to locate providers on the tower. Mr. Hellmann asked if the Township could be opened up to a lawsuit if the agreement were terminated. Ms. Camp stated that they would not if it was included in the lease, but the lessee would not agree to that.

Mr. Walsh discussed the hinderance that this type of agreement could potentially place on the Township for future projects at the Municipal Complex. Mr. Walsh noted his concerns with an open-ended commitment and would like to explore this more. Ms. Camp stated that she would speak with the lessee and report back to the Board.

No action was taken.

Discussion and possible authorization to advertise a proposed amendment to Chapter 75 (Rental Property) of the West Goshen Township Code of Ordinances.

Mr. Bashore stated that before the Board of Supervisors this evening is a proposed amendment to Chapter 75 (Rental Property) of the Township's Code of Ordinances. This amendment would revise the inspection requirements to have each rental unit inspected upon the change in tenant or at least every two (2) years. Currently, rental units are required to be inspected annually. Please be advised that the owner of a rental unit would still be required to obtain a license from the Township. As the Township is well into the inspection process, I would recommend making this effective in 2024. If authorized for advertisement, the proposed ordinance could be considered for adoption at the April 18, 2023 Board meeting.

Ms. Smith asked if change of tenant needed to be included in the proposed ordinance. Ms. Camp stated that this is currently outlined in other sections of the existing code.

Mr. Hellmann asked about the rationale for changing from an annual to a biennial inspection and if it is to onerous on the landlords of the tenants. Mr. Bashore stated that it is a combination of both. Mr. Bashore noted that he spoke with the Township Fire Marshal, Andrea Testa, and she was not concerned with this change and spoke with Code Inspections, Inc. and the annual inspection requirement is unusual. Mr. Hellmann asked about the number of rental units in the Township. Mr. Bashore stated that he was unsure.

Mr. Bashore stated that he would obtain data from Code Inspections, Inc. and report back to the Board.

Mr. Walsh made a motion to authorize the advertisement of a proposed amendment to Chapter 75 of the West Goshen Township Code of Ordinances. Ms. Gagné seconded the motion.

Mr. Walsh asked if there was any further discussion from the Board on the proposed motion. No further discussion was noted.

Mr. Walsh asked if there were any public comments on the proposed motion. No comments were noted.

There being no further discussion, the motion passed by a vote of 4-0.

Discussion and possible awarding of the bids for the following surplus vehicles authorized for sale in the West Goshen Township Police Department:

- **2015 Ford Explorer XLT**
- **2016 Ford Interceptor SUV**
- **2016 Ford Interceptor Sedan**

Mr. Bashore stated that before the Board of Supervisors this evening is consideration to award the bids for the following surplus vehicles in the West Goshen Township Police Department. The vehicles authorized for sale were as follows:

- 2015 Ford Explorer XLT
- 2016 Ford Interceptor SUV
- 2016 Ford Interceptor Sedan

The bids were advertised on Municibid from March 1, 2023 to March 28, 2023, with public inspections held on March 14, 2023 and March 21, 2023. The bid results were as follows:

- 2015 Ford Explorer XLT

- Winner Bidder – Vernon Burch
- Bid amount – \$10,200
- Bids received – 58

- 2016 Ford Interceptor SUV
 - Winner Bidder – Jan Kozlowski
 - Bid amount – \$10,100
 - Bids received – 77

- 2016 Ford Interceptor Sedan
 - Winner Bidder – Ronnie McNeil
 - Bid amount – \$7,000
 - Bids received – 42

In reviewing the bid results and in speaking with our mechanics in the Public Works Department, Jon Wetty and Erick Roberts, the bid results are good for these vehicles. While all three (3) came in below the originally discussed estimated value, each needs certain repairs, which was disclosed in the bid advertisements. For example, the 2016 Ford Interceptor Sedan has a water pump issue, which would be both a costly and labor-intensive repair. Based on this, we recommend awarding the bids as received.

Mr. Walsh asked about the process for paying for and transferring the vehicles. Mr. Bashore outlined the process.

Mr. Hellmann noted that the bid results were considerably lower than the estimated value for the vehicles and if there were any other options for the Township to consider. Mr. Bashore stated that the Township could use advertisements in the newspaper, but that would most likely result in receiving less. Mr. Bashore noted that the vehicles were in the Police Department and the Township had to disclose the modifications that needed to be done.

Mr. Walsh made a motion to award the bids for the surplus vehicles authorized for sale in the West Goshen Township Police Department. Ms. Smith seconded the motion.

Mr. Walsh asked if there was any further discussion from the Board on the proposed motion. No further discussion was noted.

Mr. Walsh asked if there were any public comments on the proposed motion. No comments were noted.

There being no further discussion, the motion passed by a vote of 4-0.

Discussion and possible approval of the meeting minutes from the March 7, 2023 Board of Supervisors meeting.

Mr. Hellmann noted corrections on page 3 pertaining to the discussion of the investment of the Township's funds to indicate the increased revenue that would be received based on these investments compared to maintaining the current practice. Mr. Hellmann noted a change on page 9 to add "negatively impacted" pertaining to discussions on possible amendments to the R3-C zoning district.

Mr. Walsh made a motion to approve the meeting minutes from the March 7, 2023 Board of Supervisors meeting, including the changes recommended by Mr. Hellmann. Ms. Smith seconded the motion.

Mr. Walsh asked if there was any further discussion from the Board on the proposed motion. No further discussion was noted.

Mr. Walsh asked if there were any public comments on the proposed motion. No comments were noted.

There being no further discussion, the motion passed by a vote of 4-0.

Approval of the bills to be paid for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund.

Mr. Walsh made a motion to approve the bills to be paid for the General Fund, the Sewer Revenue Fund, the Waste and Recycling Fund, and the Capital Reserve Fund. Ms. Gagné seconded the motion.

Mr. Walsh asked if there was any further discussion from the Board on the proposed motion. No further discussion was noted.

Mr. Walsh asked if there were any public comments on the proposed motion. No comments were noted.

There being no further discussion, the motion passed by a vote of 4-0.

Adjourn

At 7:10 pm, Mr. Walsh made a motion to adjourn the meeting. Ms. Gagné seconded the motion. There being no further discussion, the motion passed by a vote of 4-0.

Respectfully submitted,

Christopher Bashore
Township Secretary