

**WEST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
AUGUST 17, 2021**

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. Richard J. Craig, Township Engineer  
Chief Michael Carroll, Police Department  
Mr. Bill Webb, Township Zoning Officer  
Ms. Kristin Camp, Township Solicitor  
Mr. Dave Woodward, Director of Public Works

The regular monthly meeting of the Board of Supervisors of West Goshen Township was called to order by Chair Shaun Walsh, at 7:03 p.m. on Tuesday, August 17, 2021.

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

Mr. Walsh announced that the meeting may be recorded by 3<sup>rd</sup> parties.

**Township Plastic Bag Ban Discussion**

Ms. Gagné introduced the topic of potentially having West Goshen Township ban single-use plastic bags. She stated the Township's Sustainability Advisory Committee has discussed the topic at their meetings and have been working on ideas on how to implement a ban. She stated the City of Philadelphia, West Chester Borough and other municipalities had sought court action to allow for implementation of plastic bag bans. The Pennsylvania legislative hold on plastic bag bans has been lifted and has not been renewed, so municipalities are now allowed to enact their own bans.

Ms. Gagné introduced Christine Knapp, Sustainability Coordinator for the City of Philadelphia.

Ms. Knapp presented a history and overview of the City of Philadelphia's ban on single-use plastic bags. She stated the City has been working on some form of plastic bag ban for fifteen years and it is finally being implemented now and into 2022. This initial period is for public education and getting the word out to residents and business owners on the new bag ban.

Ms. Gagné asked which City department was tasked with enforcement. Ms. Knapp stated the City's Department of Labor & Industry (L&I) is tasked with receiving and investigating complaints and enforcing the regulations.

Ms. Knapp stated that since the regulations don't become effective until 2022, her office has been conducting extensive public outreach to residents and businesses through webinars and working with the Chamber of Commerce.

Ms. Gagné asked which types of plastic bags are exempted from the new regulations. Ms. Knapp stated that dry cleaner bags, plastic dog cleanup bags, produce bags and garbage bags are exempted from the regulations.

Ms. Tina Smith asked if Ms. Knapp's office had received many complaints from businesses over the new regulations. Ms. Knapp said no, as the regulations aren't effective until 2022. Ms. Smith asked if paper bags, as a replacement product, were hard to get. Ms. Knapp said she hasn't heard that complaint, but the low supply may be as a result of the on-going COVID situation.

Ms. Stuntebeck asked about education for the 1.6 million city residents. Ms. Knapp stated that an extensive social media / digital campaign was started for communication with residents. She stated that the City is also working with various partners to increase outreach to residents and businesses.

Mr. Hellmann asked if there was any pending legislation to prohibit municipalities from banning plastic bags. Ms. Knapp responded that there is no legislation pending at this time.

After a brief discussion, Ms. Gagné made a motion to draft an Ordinance to ban single-use plastic bags in West Goshen Township, seconded by Ms. Stuntebeck.

Ms. Margie Swart asked for clarification that the motion only authorized drafting the Ordinance. The Board responded, yes.

The motion to draft a single-use plastic bag ban was approved 4-1 with Mr. Purnell opposed.

### **Rep. Chrissy Houlahan Legislative Update**

Mr. Scott Nelson, Senior Constituent Advocate for Representative Chrissy Houlahan provided a legislative update. He stated that constituent services are available in Rep. Houlahan's office for any federal issues, such as Social Security, VA benefits, Medicare issues, etc. He stated that her office has returned \$3,300,000 to constituents for IRS issues alone. He stated her office operates an internship program locally and in Washington, DC for interested college students. He stated that Rep. Houlahan's congressional district may grow geographically due to the 2020 Census results and upcoming redistricting efforts. He stated that American Rescue Plan Act (ARPA) funding has been provided to municipalities and may be used for a number of infrastructure and other initiatives per the ARPA regulations.

Mr. Hellmann stated that Rep. Houlahan presented an American flag that was flown over the US Capitol Building to Chief of Police Michael Carroll during her visit last week.

Mr. Walsh thanked Mr. Nelson for his presentation.

### **Revised Investment Policy Statement for the Township's Pension Plans**

Mr. Bob Holland, Township Pension Committee member, presented the revised Investment Policy Statement. Mr. Holland provided an overview of the Township's three pension plans and stated that the Township has been with Vanguard as their pension financial advisor for about fourteen years. He stated that the Township Pension Committee believes Vanguard is doing a good job for the Township. He stated that the Pension Committee follows industry benchmarks to judge Vanguard's performance.

Mr. Holland stated that the current Investment Policy Statement requires a 65% / 35% allocation between equities (stocks) and bonds. After much discussion with the Committee and Vanguard, it is recommended by the Committee and Vanguard to change the allocation to a 70% (equities) / 30% (bonds). He stated that the three Township pension funds have a very long outlook of around forty (40) years.

Mr. Holland provided an excerpt from Vanguard's 30-year horizon study and the study showed that over that 30-year timeframe, the 50<sup>th</sup> percentile of investment returns at the new 70% / 30% allocation would yield an additional \$9,500,000 to the three pension plans.

Mr. Walsh thanked Mr. Holland for the presentation.

Mr. Holland stated again that the Township Pension Committee recommends moving to the 70% / 30% allocation for the three pension plans.

Mr. Walsh stated that the pension plans have a long-term outlook and there is a long-term benefit to shifting the equities allocation to 70%.

Mr. Hellmann asked Mr. Holland what the funding percentages were for the three pension plans. Mr. Holland stated he did not have the data with him, but the Pension Committee's focus was on the investments.

Mr. Hellmann had questions regarding market timing on selling and buying investments. Mr. Holland stated that the Pension Committee does not engage in timing the market and that Vanguard's study of marketing timing shows that since The Great Depression, market timing strategies have failed. Mr. Holland reiterated that the Pension Committee has a long-term outlook for the pension investments.

Mr. Purnell made a motion to approve the revised Investment Policy Statement, seconded by Ms. Stuntebeck.

Ms. Margie Swart stated the Township has three pension plans. She asked why the Sewer Pension Plan and the Administration Pension Plan shouldn't be combined. Mr. LaLonde explained that reasons why both plans must be kept separate.

The motion to approve the Investment Policy Statement was approved 5-0.

### **Energy Transfer Boot Road Pump Station Issues**

#### **Incident Communications Policy**

Mr. Walsh reintroduced the concept of instituting an emergency communications policy for Township residents and businesses based on the Energy Transfer Boot Road Pump Station incident on Memorial Day. He stated there was resident confusion over what was occurring during the incident and there is a need to better communicate with residents in the Township.

Mr. LaLonde described the changes to the previous draft of the emergency communications policy following a review by Chester County Department of Emergency Services. Mr. Mike Murphy, Director of Chester County Emergency Services was in attendance and described the difference between "emergency" and "non-emergency" communications. He stated that communications are considered "emergencies" versus "everything else."

Mr. Hellmann stated that the revised policy needs to have a hierarchy listed of who is in charge of the communications policy.

Mr. Walker Tompkins asked about registering for emergency communications. Mr. Walsh responded that he strongly recommended residents register for the both the Chester County "ReadyChesco" system and the Township's "Blackboard Connect" system.

Mr. Murphy stated that protective measures will be issued by Chester County during an emergency by all communications means available, but he also strongly encouraged registration for ReadyChesco.

Rep. Dianne Herrin thanked the Board of Supervisors for working with Chester County to get more effective communications out to residents.

#### **Noise Issues**

Mr. Walsh provided a history and overview of the noise issues at the Boot Road Pump Station. He, Ms. Gagné, Mr. Hellmann and Township staff attended a Boot Road Pump Station site visit to help determine the noise's causes.

Mr. Walsh stated that there appear to be three causes of the noise. The first is the vibration caused by fluid flowing through the pipelines. The second is multi-stage centrifugal pumps than run on variable speed that are also causing noise. The third are large industrial fans that are used to create negative

air pressure inside the pump station building. He stated that the combination of these three noise producing items are causing the existing noise nuisance. He stated that the noise generated does not violate the Township's noise Ordinance. He stated that Energy Transfer is awaiting results from a sound consultant study that was recently conducted and that the Board wants to work with Energy Transfer to mitigate the noise issue in the next three weeks.

Mr. Hellmann stated that the noise inside the Mariner II pump station building is very loud and it is up to Energy Transfer to mitigate the noise.

Ms. Gagné stated that she is interested in the sound study consultant's results and she will not accept that nothing can be done to mitigate the noise. She stated that the sound does change depending on the day and time of day and that we all want to the problem fixed.

Mr. Walsh stated that this noise nuisance could be an issue to be presented to the Pennsylvania Public Utility Commission as a nuisance.

Mr. Walker Tompkins asked about the West Pikeland Ordinance. Ms. Camp stated that the Township's Ordinance is completely up to date.

Several Boot Road Pump Station-area residents from Hamlet Hill and Mary Jane Lane had comments regarding the issue.

#### **Ordinance No. 11-2021 – Solar Energy**

Ms. Camp reintroduced Ordinance No. 11-2021, proving an update to the Township's Solar Energy Ordinance. She stated the Ordinance was advertised in The Daily Local News on August 3 and August 10, 2021; submitted to the Chester County Law Library and The Daily Local News on July 7, 2021; presented to the Township Planning Commission on May 21, 2021 and submitted to the Chester County Planning Commission on May 26, 2021.

Mr. Purnell asked about the National Fire Protection Association building code issue with roof access. Mr. Craig responded that the International Construction Code requires firefighter roof access.

Mr. Hellmann made a motion to approve Ordinance No. 11-2021, seconded by Ms. Gagné.

Ms. Margie Swart requested that all pending Ordinances published on the Township website.

The motion to approve Ordinance No. 11-2021 was approved unanimously.

#### **Ordinance No. 12-2021 – Restaurant Uses**

Ms. Camp reintroduced Ordinance No. 12-2021, revised the Township's Restaurant Uses. Ms. Camp stated the Ordinance was advertised in The Daily Local News on August 3 and August 10, 2021; forwarded to the Chester County Library on July 7, 2021; the Township Planning Commission reviewed the Ordinance on July 13, 2021; and was submitted to the Chester County Planning Commission on August 26, 2021.

She stated the Ordinance amends the various Restaurant Uses definitions.

On a motion by Ms. Gagné, seconded by Mr. Hellmann, the Board unanimously approved Ordinance No. 12-2021.

### **Stormwater Fee Study and Corrugated Metal Pipe Proposals Approval**

Mr. LaLonde introduced two proposals from Herbert, Rowland and Grubic (HRG) to finish the Township's analysis of establishing a stormwater fee and to review The Army Corps of Engineers work on documenting the Township's corrugated metal pipe (CMP) stormwater system.

The stormwater fee analysis proposal is \$34,000 and the CMP review is \$30,000.

After a brief discussion, Mr. Hellmann made a motion to approve the stormwater fee analysis with a not to exceed price of \$34,000. Mr. Purnell seconded the motion.

Ms. Caroline Specht stated that there is a need for improved stormwater management, but that she did not support establishment of a stormwater fee. She asked if there were other mechanisms that could be used to fund improvements, such as Federal or State grants, or savings found elsewhere in the Township budget. Mr. Walsh stated that the Township has purchased a street sweeper this year and added more personnel and is committed to purchase additional equipment and hire additional personnel to meet stormwater needs. He stated that grants will be applied for, but grants may not be used for on-going maintenance.

Ms. Margie Swart stated that the General Fund will have a surplus in 2021 and asked what the Township is doing with those surplus funds. Ms. Swart had comments regarding the Township pension plans. She stated the Treasurer's Report shows an overall surplus of \$15,900,000 and that the Township already has money to spend on stormwater. She volunteered to serve on a citizens' board.

The motion to approve the HRG stormwater fee proposal was approved 4-1 with Ms. Gagné opposed.

Mr. LaLonde provided an overview of the HRG proposal to review The Army Corps of Engineers work documenting the Township's existing corrugated metal pipe (CMP) installed throughout the Township. Mr. Walsh asked about the three existing stormwater pipe projects. Mr. Woodward stated that the Bolmar Avenue stormwater pipe is an old steel pipe and the Legion Drive and Glen Avenue projects are CMP and are failing. Mr. Craig stated that the CMP problems the Township are facing are here and now and the HRG scope of work will help prioritize the projects.

Mr. Purnell made a motion to approve the HRG CMP review proposal, seconded by Mr. Hellmann. After a brief discussion, Mr. Purnell amended his motion to revise the proposal to end within eighteen months of today's date.

Ms. Margie Swart asked why the work can't be done by Township staff. Mr. Craig responded that he is qualified to do this work, but he would have no time to review subdivision and land development projects or other permits.

The motion to approve the HRG CMP review proposal was approved unanimously with a cost of \$30,000.

### **Financial Services Memorandum of Understanding – West Goshen Township / Sewer Authority**

Mr. Walsh introduced the Financial Services Memorandum of Understanding between West Goshen Township and the West Goshen Sewer Authority. He stated that the Memorandum provides the list of services provided by the Township Finance Department to the Sewer Authority for a monthly fee of \$2,500.

Mr. Purnell made a motion to approve the Financial Services Memorandum of Understanding, seconded by Ms. Stuntebeck.

Mr. Walsh abstained from the vote due to his membership on both the Board of Supervisors and the Sewer Authority.



### **Monthly Reports**

Chief Michael Carroll provided the July 2021 monthly report.

Mr. Hellmann inquired about the large number of false alarms for NVHomes and UPS and if they were fined for the false alarms. Chief Carroll responded that all of the false alarms are billed.

Mr. Hellmann inquired about the “assists out of the area.” Chief Carroll responded that those were in response to the recent 7-11 and other robberies in the Township. Chief Carroll added that the resolution of 7-11 robberies were aided by the use of the license plate readers (LPR’s) on the various police department patrol vehicles.

Mr. Hellmann stated that the issue of traffic on Rosary Lane had been brought to his attention. Mr. Jim Hutchison was in the audience and asked that the Township investigate if adding peak hour restrictions to turning movements would be possible so residents could avoid Rosedale Avenue during non-peak hours.

### **Supervisors Announcements**

Mr. Hellmann announced that he had graduated from the PSATS “Graduate Program” with sixty credits across many categories of municipal education classes.

Ms. Gagné asked the Board if the Sustainability Advisory Committee could meet virtually, due to the on-going COVID issue. The Board responded that meeting virtually is at the discretion of each Board or Commission. Mr. LaLonde was asked to contact each Board Chair and inform them of the discretion to schedule virtual meetings in place of in-person meetings.

Ms. Stuntebeck announced that the Township had two community gatherings coming up, including Recover Day on September 13<sup>th</sup> and Harvest Festival in November.

Mr. Purnell announced that the Goshen Fair was held earlier this month.

Mr. Walsh announced that the Board of Supervisors held an Executive Session on August 12<sup>th</sup>, 2021 to discuss personnel.

Mr. Walsh announced that a joint meeting of the Board of Supervisors and Sewer Authority was scheduled for Tuesday, September 7, 2021 to discuss the various on-going and future capital projects.

### **Township Manager’s Announcements**

Mr. LaLonde announced that the Summer Concert Series concludes at 6:30 pm on Sunday, August 22<sup>nd</sup> with Tierra Caliente with a musical tour of Latin America.

Mr. LaLonde announced that the Christina Watershed Municipal Partnership is hosting a Backyard Stream Repair series with the first webinar on September 7, 2021 from 2:00 pm to 3:15 pm. Viewers will learn how to improve stream bank stability and reduce erosion on properties with streams. Please see the Township website calendar for more details and how to register. Christina Watershed is hosting identical sessions through September on the 9<sup>th</sup>, 14<sup>th</sup>, 16<sup>th</sup> and 21<sup>st</sup>, all from 2:00 pm to 3:15 pm via webinar.

**Township Engineer Stormwater Update – Woodlands at Greystone Update**

Mr. Craig announced that reconstruction of the two stormwater basins at Idlewild is scheduled to begin next Monday with construction taking approximately two months with substantial completion scheduled for October 3, 2021.

Mr. Craig announced that home construction at The Woodlands continues with 132 Use & Occupancy Permits granted and approximately 200 building permits issue. The project is therefore between 25% and 30% complete.

**Zoning Officer's Announcements**

Mr. Webb announced that the Zoning Hearing Board met on August 4, 2021 and approved the various for 1009 Faustina for a new patio.

**Meeting Minutes Approval for June 15, 2021 and July 6, 2021**

On a motion by Mr. Purnell, seconded by Ms. Stuntebeck, the meeting minutes were approved.

**July 31, 2021 Treasurer's Report**

Mr. Purnell made a motion, seconded by Ms. Stuntebeck to approve the July 31, 2021 Treasurer's Report and the bills to be paid.

Mr. Walsh inquired about a misallocated expense for the SPCA. Mr. LaLonde stated it would be corrected.

Mr. Walsh inquired about the invoice for Vistage. Mr. LaLonde replied it was dues for his membership.

Ms. Margie Swart had comments regarding the transfer from the Sewer Operating Fund to the Sewer Authority.

Ms. Margie Swart inquired about why the Township was still paying a bill for Comcast and asked if the Township received free cable television service.

Ms. Margie Swart asked about Sewer Department payroll.

The Board unanimously approved the July 31, 2021 Treasurer's Report and the bills to be paid from the various Township Funds.



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**Public Comment**

Ms. Margie Swart stated that West Chester Borough had installed hybrid meeting equipment for their meeting room. After a brief discussion, the Board directed Mr. LaLonde to get some pricing on installing a hybrid meeting system for the Township meeting room for the 2022 budget process.

**Please view this meeting's video recording via YouTube with the link located at [www.westgoshen.org](http://www.westgoshen.org).**

There being no further business, on motion by Mr. Purnell, seconded by Ms. Gagné, the meeting adjourned at 10:08 p.m.

Respectfully submitted,

Casey LaLonde  
Township Secretary