

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS WORKSHOP  
1580 PAOLI PIKE  
August 14, 2007 – 6:30pm**

**Present:** Chairman Don McConathy, Vice-Chairman Thom Clapper, Joe McDonough, Carmen Battavio and Marty Shane. Also present were Township Manager Rick Smith, Phyllis Marron (Park & Rec), Linda Gordon (Historical Commission), Al Zuccarello (Planning Commission & DMC) and Jack Yahraes (Municipal Authority).

**Meeting with Yerkes**

Al Giannantonio of Yerkes was present.

Don asked Mr. Giannantonio to let Rick and the Supervisors know in future when Yerkes cannot meet deadlines. Al said that going forward, Mike Mayhew and Mike Conrad will be taking on more of his responsibilities to help ensure delays won't occur.

Carmen told Mr. Giannantonio that as recently as the past year he has heard complaints about Yerkes from builders and developers, and that he heard many such complaints during his days on the Planning Commission. Carmen asked if Yerkes can provide a standard timeline for getting information to the Township and the Planning Commission. Mr. Giannantonio said that can be done. He said Yerkes will need a maximum of 2 weeks to provide information on small subdivisions, and 4 weeks to do the initial review for larger projects. Mr. Giannantonio said that for urgent items, Rick Smith can always call the office and "get an almost immediate response." Mr. Giannantonio said if Yerkes cannot meet the set timeline for any reason they will call Rick Smith and him know; however, they should be able to meet any due date Rick puts in his transmittal letter when requesting information.

Carmen asked Mr. Giannantonio about the dirt pile at the YMCA site which affected 2 trees. Mr. Giannantonio said the dirt was moved within 4 days of Yerkes being notified. Carmen asked if that shouldn't have been caught by the inspector. Mr. Giannantonio said it's rare for an inspector to check driplines, but said he can raise the issue with the inspectors to make sure they're sensitive to the issue. Don agreed this should have been caught by Yerkes, because the Conservancy Board is not charged with checking projects after they are underway.

Marty told Mr. Giannantonio that no one in the Township is checking sites for violations. The Township relies on Yerkes to do that. He added that the YMCA is a high profile project, and the inspectors should be informed of that if they don't already know. Mr. Giannantonio said he didn't disagree that it's Yerkes job to monitor the project, but said they are not on site every day, and if someone in the Township sees something amiss they should let Yerkes know.

Joe said he is very disappointed with what happened at the YMCA site and with the lack of urgency in Mr. Giannantonio's August 2 response letter to Rick Smith. He said obviously the Supervisors have not communicated well enough with Yerkes.

Thom said it's embarrassing that it took a resident to point out the dirt pile.

Mr. Giannantonio said the Township should let Yerkes know if a project requires attention beyond the norm. Don said that all projects should receive proper attention, and Carmen agreed. Don said that a note should be added to future plans specifying correct placement of the dripline fencing.

Joe asked Mr. Giannantonio what needs to be done to ensure there are no more complaints or lawsuits from residents. He said he doesn't want to hear one more complaint about this project until the ribbon is cut on opening day. Mr. Giannantonio said that is an impossible expectation.

Don said the main concern at this point is the environment. He asked Mr. Giannantonio to ensure that Yerkes has someone present to monitor the work crew when they are working near the creek. Don said he hopes Yerkes is able to look at a plan and determine what are the important items that require extra monitoring without East Goshen having to tell them. He added that the Supervisors should not have had to tell Yerkes that this is a high-profile project.

Rick Smith said the Township will start making dripline fence placement part of the inspection list. Don asked Mr. Giannantonio to have Yerkes start putting that information as a note on plans. Carmen suggested chain-link fencing be used instead of the soft orange fencing. Rick said that is possible but will require an ordinance change.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Said Township staff should pick up violations and not wait for residents to bring them to their attention. He said the Township staff is incompetent as evidenced by the zoning violations within their own building. Also, the Township needs to do a better job letting Yerkes know exactly what is expected of them.

Marty said he agreed with Don that all projects need to be handled with equal care and thoroughness.

Don asked if there is a national standard Yerkes follows when performing inspections. Mr. Giannantonio said there is not. They follow an “unwritten, professional standard.”

Marty said the inspector needs to be looking at everything on an ongoing basis. Mr. Giannantonio said that inspectors never go to a site with blinders on, but they may occasionally miss something.

Don asked Mr. Giannantonio if Yerkes has the authority to shut down a job due to a violation. Mr. Giannantonio said they don't have that authority, and in that situation they would make a recommendation to Rick Smith.

Marty told Mr. Giannantonio it is very important for Yerkes to watch the contractors, because in his experience they will do everything they can to cut corners.

Linda Gordon said another issue of concern on construction projects is landscaping. The contractors often do not install the trees and plantings correctly, and then they die. The workers should be monitored while they're doing the planting.

Al Zuccarello of the Planning Commission said all jobs should receive the same careful attention, but sometimes there is a project like the YMCA which requires extra care. He suggested the Board task the Planning Commission with prioritizing projects for Yerkes.

### **Anne Drive Storm Sewer**

The Board reviewed the bids for this project and determined they were based on different standards. Don asked Rick to tell the bidders they need to include hydraulic engineering in their bid if it's not already in there. The issue will be tabled until the bidders are contacted and revised bids are received, if necessary. Thom said Mark Miller should be asked if he ever unclogged the pipe behind Harold Rennard's property.

*Public Comment: John Schorn, 1401 Larch Lane – Complimented Mark Miller and his crew for doing excellent work.*

### **Leaf Bags**

Thom has lined up two sponsors – Penn Liberty Bank and Keystone Foods. He requested that the Board agree to pay the cost of the bags up front. The cost will be \$23,522.40 for 71,280 bags. Each sponsor will then reimburse the Township \$3,920.40 per year for three years. Keystone Foods does not want their name printed on the bags, and has told Thom that East Goshen can print the Township name on their side of the bag.

Thom moved to approve the expenditure of \$23,522.40 to purchase 71,280 customized leaf bags from the Duro Bag Company. This amount will be reimbursed to the Township by Penn Liberty Bank and Keystone Foods at an annual rate of \$3,920.40 from each company for three years. Marty seconded the motion.

The Board asked Township staff to provide recommendations on how to manage the bag distribution to residents.

There was no further discussion and no public comment. The Board voted and the motion passed 4:1, with Carmen opposed. Carmen said he is opposed because the bag distribution is too difficult to manage fairly.

### **Treasurer's Report**

The Board reviewed the Treasurer's Report and the Expenditures Register.

The Treasurer's Report for August 14, 2007:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>	
<b>GENERAL FUND</b>			
Real Estate Tax	\$ 0.00		
Earned Income Tax	\$ 111,857.63		
EMS TAX	\$ 9,000.00	Accounts Payable	\$ 38,233.16
Transfer Tax	\$ 0.00	Debt Service	\$ 0.00
Codes, Park & Rec, Etc.	\$ 37,174.26	Payroll	\$ 40,000.00
<b>Total Receipts</b>	<b>\$ 158,031.89</b>	<b>Total Expenditures</b>	<b>\$ 78,233.16</b>
Zoning Hearing Fund	\$ 0.00		\$ 0.00
State Fund	\$ 1,639.00		\$ 0.00
Capital Reserve	\$ 9,085.00		\$ 12,696.66
Transportation Fund	\$ 3,606.00		\$ 0.00
Sewer Operating	\$ 15,203.04		\$ 6,952.65
Refuse	\$ 17,572.17		\$ 68,233.99
Capital Projects	\$ 0.00		\$ 0.00

Marty moved to accept the Treasurer's Report and to approve the expenditures pending the Board's review. Joe seconded the motion.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Objected to the motion on the basis that the Expenditures Register was not provided to the public for review prior to the meeting. Don said the Board is planning to discuss the issue and will formulate a policy in the next week or two.

*Public Comment: Bill Egan, 1422 Mill Creek Drive* – Asked about the EMS Tax and the Earned Income Tax figures on the Treasurer's Report and wanted to know what period of time those figures represent. Don said they represent the amounts received since the last Treasurer's Report a week ago. Mr. Egan then asked some general questions about the Treasurer's Report and how the figures were determined.

*Public Comment: John Schorn, 1401 Larch Lane* – Said he agreed with Abbas that the Expenditures Register should have been provided to the public prior to the meeting.

There was no discussion and no further public comment. The Board voted and the motion passed 4:0. Carmen was out of the room at the time the vote was taken.

**Liaison Reports**

Marty attended the recent Police Budget Group meeting and said the cost of service for East Goshen is rising.

**Public Hour – Hearing of Residents – Receipt of Petitions**

*Public Comment: John Schorn, 1401 Larch Lane* – Asked Carmen for an update on the police car warranty issue. Carmen said he is still looking into it.

**Adjournment**

There being no further business, the workshop adjourned at 8:22pm.

**EXECUTIVE SESSION**

The Board met in Executive Session from 8:25pm until 10:23pm to discuss the police labor contract.

Respectfully submitted,  
Anne Meddings  
Recording Secretary