

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
December 2, 2008 – 6:45pm**

**Present:** Chairman Marty Shane, Vice-Chairman Carmen Battavio, Joe McDonough, Don McConathy and Thom Clapper. Also present were Township Manager Rick Smith and Phyllis Marron (Park & Rec). Township Solicitor Jeff Sommer joined the Supervisors for a portion of the Executive Session.

**EXECUTIVE SESSION**

The Board met in Executive Session from 6:45pm until 7:40pm to discuss a personnel issue and the police labor contract, and to conduct an ABC interview.

**WORKSHOP**

**Comcast Generators – Screening**

Rich Werner of Comcast was present to discuss the generators at the Comcast facility on Boot Road. He showed the Supervisors the latest landscaping plans developed by Chester Valley Engineers. He also showed renderings of what the generators would look like painted in three different colors – dark green, grey, and tan. Resident Leo Andrew Sinclair suggested they be painted in a camouflage pattern. Carmen said he would like to see a rendering of the generators painted in a “digital” camouflage pattern. The Board asked Mr. Werner to include the proposed landscaping in the generator renderings. Mr. Werner said that funding for additional renderings will have to come out of Comcast’s 2009 budget and therefore the soonest he could have those will be early next year.

**Treasurer’s Report**

Joe said that starting in 2009 he would like the Treasurer’s Reports to include YTD Revenue.

**Amendment to Sewer Ordinance, to Amend Sewer Classifications**

The Board discussed the proposed amendment to Chapter 188 of the sewer ordinance and agreed to table the public hearing on this item until December 16 to allow the Board adequate time to review and discuss the document.

**FORMAL MEETING**

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 8:08pm and led everyone in the Pledge of Allegiance to the flag.

**Recording of Meeting**

Resident Abbas Rahbari of 1613 Manley Road said he would be recording the meeting and that he reserved the right to “record and transmit” the proceedings.

**Moment of Silence**

Carmen called for a moment of silence to honor of the men and women serving their country in the armed forces, and their families.

**Public Comment on Non-Agenda Items**

Marty announced that public comment on non-agenda items would be taken at the end of the meeting.

**Minutes**

Marty announced that the draft minutes of November 12 and 18 would be tabled pending the Board’s review.

**Chairman’s Report**

Marty announced the following:

- The Board met in Executive Session earlier this evening to discuss personnel issues and the police labor contract. The Board also met in Executive Session on November 25 to discuss a personnel matter.
- The Township has received a \$58,600 grant from the Community Conservation Partnerships Program for the Applebrook path.
- The East Goshen Real Estate Valuation for 2009 is \$1,637,427,985. The Public Utilities Valuation is \$495,160.

**Amendment to Sewer Ordinance, to Amend Sewer Classifications**

Marty announced that this item will be tabled until December 16.

**Treasurer's Report**

The Treasurer's Report for December 2, 2008:

	<b>RECEIPTS</b>	<b>EXPENDITURES</b>	
<b>GENERAL FUND</b>			
Real Estate Tax	\$ 0.00		
Earned Income Tax	\$ 326,146.69		
LST	\$ 26,000.00	Accounts Payable	\$ 362,213.56
Transfer Tax	\$ 0.00	Debt Service	\$ 0.00
Codes, Park & Rec, Etc.	\$ 97,743.56	Payroll	\$ 80,000.00
<b>Total Receipts</b>	<b>\$ 449,890.25</b>	<b>Total Expenditures</b>	<b>\$ 442,213.56</b>
Zoning Hearing Fund	\$ 0.00		\$ 0.00
State Fund	\$ 0.00		\$ 0.00
Capital Reserve	\$ 0.00		\$ 98,063.14
Transportation Fund	\$ 0.00		\$ 0.00
Sewer Operating	\$ 28,188.04		\$ 42,271.15
Refuse	\$ 8,001.78		\$ 7,783.58
Capital Projects	\$ 0.00		\$ 0.00

Joe moved to accept the Treasurer's Report as submitted, and the receipts, and to approve the expenditures pending the Board's review in the workshop following the meeting. Don seconded the motion.

*Public Comment: Abbas Rahbari, 1613 Manley Road – Asked who the Treasurer is. Marty told him it is Deb Beury.*

There was no further public comment and no discussion. The Board voted and the motion passed unanimously.

**Appointment of Right-To-Know Officer**

Don moved to appoint Rick Smith as the Township's Right-To-Know Officer effective January 1, 2009. Joe seconded the motion.

*Public Comment: Abbas Rahbari, 1613 Manley Road – Asked who is the “Custodian of the Records” for the Township. Marty said it is Rick Smith.*

*Public Comment: Leo Andrew Sinclair, 207 Lochwood Lane – Asked if Rick Smith will receive a salary increase for the extra duties involved with being a Right-To-Know Officer. Marty said he would not.*

There was no further public comment and no discussion. The Board voted and the motion passed unanimously.

**2009 Group Bid Awards**

Carmen announced receipt of the following bids:

**GROUP I – BITUMINOUS CONCRETE**

Allan A. Myers – Independence (Malvern, PA)

FOB Total .....\$507,875.00

Delivered Total .....\$554,741.00

Glasgow, Inc. (Glenside, PA)

FOB Total .....\$575,375.00

Delivered Total .....\$633,650.00

Highway Materials (Blue Bell, PA)

FOB Total .....\$647,600.00

Delivered Total .....\$707,520.00

Public Works Director Mark Miller recommended that these Group I bids be rejected, as the bidders did not use the same asphalt index.

**GROUP II – STONE**

Glasgow, Inc. (Glenside, PA)  
FOB Total .....\$24,375.00  
Delivered Total .....\$34,400.00

*Recommended Winning Bid*

Martin Limestone, Inc. (Denver, PA)  
FOB Total .....\$17,520.50  
Delivered Total .....\$34,780.50

Allan A. Myers – Independence (Malvern, PA)  
FOB Total .....\$21,075.00  
Anti-Skid.....\$9,065.00  
Delivered Total .....\$28,625.00  
Total w/ Anti-Skid .....\$37,690.00

Pottstown Trap Rock Quarries (Pottstown, PA)  
FOB Total .....\$28,187.50  
Delivered Total .....\$40,915.50

**GROUP III – FUEL**

Reilly & Sons, Inc. (Exton, PA)  
93 Octane Gas .....\$3,540.00  
Diesel Fuel .....\$16,952.00

*Recommended Winning Bid*

**GROUP IV – SODA ASH**

Univar USA, Inc. (Middletown, PA)  
Delivered Total .....\$7,656.00

*Recommended Winning Bid*

**GROUP V – RENTAL EQUIPMENT WITH OPERATORS**

S.A. Macanga, Inc. (West Chester, PA)  
Total Price.....\$56,520.00

*Recommended Winning Bid*

**GROUP VI – RENTAL EQUIPMENT WITHOUT OPERATORS**

Ransome Rents, Giles & Ransome, Inc. (Bensalem, PA) *Recommended Winning Bid*  
Daily Price .....\$2,365.00  
Weekly Price .....\$6,510.00  
Monthly Price.....\$19,180.00  
Total Price.....\$28,055.00

Hertz Equipment Rental Corp. (New Castle, DE)  
Daily Price .....\$2,790.00  
Weekly Price .....\$7,460.00  
Monthly Price.....\$19,370.00  
Total Price.....\$29,620.00

**GROUP VII – PRINTING**

Reino’s (Malvern, PA)  
Total Price.....\$1,564.85

*Recommended Winning Bid*

**GROUP VIII – POSTS & SIGNS**

US Municipal Supply (Huntingdon, PA)  
Total Price.....\$8,898.10

*Recommended Winning Bid*

Atlas of PA, Inc. (Norrstown, PA)  
Total Price.....\$11,596.46

Rocal, Inc. (Frankfort, OH)  
Did not bid all items. Per Joe’s request, their bid amount will not be listed.

**GROUP IX – ROAD PLANNER AND TRI-AXLE DUMP**

Shainline Excavating, Inc. (Phoenixville, PA)  
Total Price.....\$14,000.00

*Recommended Winning Bid*

S.A. Macanga, Inc. (West Chester, PA)  
Total Price.....\$14,480.00

**GROUP X - SLUDGE**

Aqua Wastewater Management (Souderton, PA)  
Total Price.....\$5,508.00

*Recommended Winning Bid*

Wm. P. McGovern, Inc. (Kennett Square, PA)  
Total Price.....\$5,688.00

Russell Reid Waste Hauling Co. (Keasbey, NJ)  
Total Price.....\$7,538.40

Carmen moved to accept the bids from the lowest responsible bidder in each category as recommended by Public Works Director Mark Miller. Don seconded the motion.

Thom asked if the bidders in Group I (Bituminous Concrete) followed the specs, and if so, does the Township have an obligation to accept their bids. Rick said that Mark Miller believes Highway Materials used the correct specs, but Mark recommended throwing out all the bids in that category and revising the specs to specify which asphalt index to use. Rick added that the Township has the right to reject any and all bids. Joe said the bids should not have been listed in Mark Miller’s memo if they are to be rejected.

For Group II (Stone), Thom asked if it is worthwhile for the Township to pick it up rather than have it delivered. Rick said they have looked into this and determined it makes more economic sense to have the stone delivered.

For Group III (Fuel), Thom asked if the costs quoted are for the calendar year, and Rick said yes. Thom asked if the quantity of diesel fuel takes the fire company's needs into consideration, since they will be purchasing fuel from the Township's supply. Rick said that was taken into consideration.

Joe noted that for Group VI (Rental Equipment w/o Operators) Mark Miller's memo contained a typo, and should have indicated that the winning bid be awarded to Ransome Rents, Giles & Ransome in the amount of **\$28,055.00** (not \$27,955.00). Carmen amended his motion for approval to indicate this change. Don seconded the amendment.

*Public Comment: Abbas Rahbari, 1613 Manley Road* – Recommended that the Township use another word besides “Hump” in road signs warning of a “Speed Hump.”

There was no further discussion or public comment. The Board voted unanimously to approve the motion.

#### **Correspondence and Reports of Interest**

None.

#### **Meetings & Dates of Importance**

Marty noted the list of upcoming meetings as listed in the agenda. The December 30 meeting was listed in error; it has been cancelled.

#### **Public Comment on Non-Agenda Items**

*Abbas Rahbari, 1613 Manley Road* – Asked if the Township staff members have received any salary increases in the last six month. Marty said no, that salary increases will be effective January 1, 2009. Mr. Rahbari asked Marty to identify which staff members will receive increases. Marty said all staff members will get increases. Mr. Rahbari asked what percentage their raises will be. Marty said it varies by staff member. Joe and Marty told Mr. Rahbari that if he wishes to know the aggregate salary increase percentage, they could look up that number and let him know, but they didn't have the paperwork with them tonight. Mr. Rahbari said that would be fine.

Mr. Rahbari asked if a decision has been made to hire an Assistant Township Manager. Marty said the Board is interviewing candidates. He explained that after Kathy Glass passed away, the Board needed to hire someone to serve in her role of Director of Finance and Administration. The Board revised Kathy's old job specs somewhat and renamed the position Assistant Township Manager.

Mr. Rahbari asked who paid for the matching East Goshen shirts the Supervisors and Rick were wearing. Marty said the Township paid for them. Carmen said that he reimbursed the Township for his shirts.

Mr. Rahbari asked what responsibility Carmen Battavio's firm has for the maintenance and upkeep of the Township building and/or the WEGO building. Marty said Carmen's firm has no

responsibility for the Township building, and he referred Mr. Rahbari to the Police Commission to find out about the WEGO building.

Mr. Rahbari said something came up at the last Police Commission meeting, where Thom Clapper mentioned that a deer was “captured” in East Goshen. Mr. Rahbari asked if the deer was only “captured” or if it was killed. Thom reminded Mr. Rahbari that the matter was cleared up at the Police Commission meeting. The deer was killed, and not captured.

*Leo Andrew Sinclair, 207 Lochwood Lane* – Asked if Rick Smith is receiving extra compensation for serving as the functioning Zoning Officer in Mark Gordon’s absence. Marty said he is not. Mr. Sinclair then had a question about the Township’s organizational structure, which Marty answered.

*John Schorn, 1401 Larch Lane* – Asked for an update on the status of the cleanup on Reservoir Road, and said the Township should do the cleanup work. It could be paid for out of the funds budgeted for tree trimming in 2009. Rick said that PECO has been called several times to clean up the road. Mr. Schorn said that since PECO is not responding, the Township should sue them.

*Leo Andrew Sinclair, 207 Lochwood Lane* – Asked if candidates for the Assistant Township Manager position will be flown in for interviews at the Township’s expense. Marty said the Township has not decided to do that, and so far all the interviews have been conducted via telephone or in person.

*Elizabeth Anderson, 1607 Margo Lane* – Asked why the sewer rate increase is so high. Marty explained the reasons for the increase, as was described in his letter to all ratepayers.

*Barry Eichhorn, 204 Margo Lane* – Asked what has happened to the sewer rate shortfall since 2005. Marty explained that the excess funds were used up. Mr. Eichhorn asked if the results of the Township’s studies on sewer rates are available to the public, and Marty said yes. Mr. Eichhorn asked if the Township has mapped the 5,800-5,900 sewer users to the water actually used, and Marty said yes. Marty said single-family homes comprise 50% of the users; multi-family users comprise 25% of the users, and apartments comprise the other 25%. Mr. Eichhorn then asked why rates for single family homes are so much higher than for the other two categories. Marty explained.

*Judy Newlin, 911 Dolphin Drive* – Thinks the new sewer rates are unfair and she doesn’t believe the Township’s data is correct. She is single and believes her high rates are subsidizing the residents living in apartment and townhomes.

*Barry Eichhorn, 204 Margo Lane* – Agreed with Ms. Newlin, and said the same situation exists with trash rates. Singles and couples should not have to pay the same rates for these services as larger families.

*Bill Egan, Mill Creek Drive* – Asked why Hershey’s Mill residents do not have to pay sewer fees to go toward the fixed costs of the system, since if the Hershey’s Mill system fails, the Township would have to step in and absorb the cost. Since that is the case, they should have to pay

something, just like he (Mr. Egan) has to help fund the Township park and open spaces he never uses. Marty and Carmen explained that the Hershey's Mill system has nothing to do with East Goshen. Hershey's Mill has their own system, and while it is true the Township is the "default" responsible party, East Goshen would only have to get involved so far as fixing the Hershey's Mill system if the Master Association goes bankrupt and is unable to pay. East Goshen would not be required to take responsibility for Hershey's Mill sewage.

*Marcia Gordon, 3008 Valley Drive* – Said she is also a single and agreed with Ms. Newlin and Mr. Eichhorn that the sewer rates are unfair. Marty assured Ms. Gordon and all the residents present that metered billing is going to be implemented as soon as possible, but until then the rates have to be what the Township determined. Marty thanked resident Bill Egan for getting the ball rolling in regard to metered billing.

Ms. Gordon then said she is in favor of breaching the Hershey's Mill dam. She does not want to have to pay to fix it since she never drives by there and does not benefit from it in any way. Marty said that no decision has been made regarding the dam yet, but he understands it is a controversial topic to many folks.

*John Schorn, 1401 Larch Lane* – Asked if any grant money is available for fixing the dam. Marty said no. Carmen said he believes that money is only available for breaching.

Marty invited the residents to come back to the Township building to review the sewer data if they wished. He suggested it might be best to call ahead and schedule a time so that someone would be available to discuss the issue with them and answer their questions.

### **Adjournment**

There being no further business, the meeting adjourned at 9:30pm.

### **WORKSHOP (Resumed)**

#### **Sewer Rates**

The Board discussed the 2009 sewer rates based on the feedback received during the foregoing meeting.

#### **Amendment to Sewer Ordinance to Amend Sewer Classifications**

The Board discussed the proposed amendment to Chapter 188 of the sewer ordinance. Don noted that the sewer rates should not be put into the ordinance; they should be in a separate resolution. Marty agreed. The rates were stricken from the document.

The Board then discussed the 2% discount given to residents who pay their sewer bill in one payment, rather than quarterly. There was some question as to whether the 2009 budget accounts for this discount. After some discussion the Board agreed to eliminate the 2% discount.

The Board then discussed the dating on the first quarter sewer bills, and whether it allows residents a full 30 days to pay the bill. Rick will review this matter and make a recommendation to the Board.



**Bills**

Current invoices were reviewed.

**Adjournment**

There being no further business, the workshop adjourned at 10:55pm.

Respectfully submitted,

Anne Meddings  
Recording Secretary