

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
WORKSHOP
Tuesday, July 28, 2009
9:00 AM

1. Invoices
2. Minutes – July 21, 2009
3. Action List
4. Green Hill Sewer Association
5. 2nd Qtr 2009 Financials updates
6. Goshen Sub Station Access Right of Way
7. Any Other Matter
8. Subdivisions/Land Developments /ZHB Applications – no new applications
9. Public Comment
10. Acknowledge

WORKSHOP
4.
3 pgs

Memo
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Date: July 21, 2009
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Green Hill Sewer Association

At your meeting April 14, 2009 the Board of Supervisors approved the draft O&M agreement with Greenhill Sewer Association.

Green Hill has reviewed the agreement and had two minor revisions on pages 5 and 7, both of which are acceptable to the Township Solicitor.

If they are acceptable we can then forward the agreement the DEP for their approval.

1 5. The Permittee shall submit quarterly reports to the Township for the first
 2 two years of operation of the Facility and semi-annual reports thereafter to the Township
 3 in compliance with the requirements of Section 188-21.L of the Code. All required
 4 inspections of the Facility by the Permittee shall be conducted by or under the
 5 supervision of a licensed professional engineer familiar with the design and operation of
 6 community on-lot disposal systems (COLDS). Such engineer shall issue a report
 7 bearing his seal to the Township demonstrating compliance with the requirements of
 8 Chapter 188 of the Code.

9 6. Alarms for pumps and pump tanks associated with the Facility shall be
 10 provided as required by the PaDEP permits and Chapter 188 of the Code.

11 7. PaDEP, the Health Department and the Township or its designated
 12 representative shall be granted reasonable access to the Facility and its components
 13 through access manholes and inspection ports as required by the PaDEP permits and
 14 Chapter 188 of the Code.

15 8. The Permittee hereby ~~grants~~assigns to the Township such easements or
 16 rights of way as it may own and be authorized to assign and as are necessary to
 17 maintain, repair, or replace the Facility, including all portions of the collection and
 18 conveyance system and the individual laterals from each lot, together with the right of
 19 entry, from time to time, and at all reasonable times, upon the giving of such prior notice
 20 as is feasible.

21 9. In the event that any inspection of the Facility by PaDEP, the Health
 22 Department or the Township reveals that any repairs or replacements of any part or all
 23 of the Facility is required, the Permittee shall immediately undertake any such repairs or

1 Health Department. If the Township elects to take over ownership and operation of the
 2 Facility pursuant to the authority in this paragraph, the parties shall select a licensed
 3 professional engineer familiar with the design and operation of COLDS who shall
 4 determine the value of the Facility, taking into account the estimated costs that the
 5 Township will incur to bring the Facility into compliance with the Code and all rules and
 6 regulations of PaDEP and the Health Department. If the Township takes over
 7 ownership and control of the Facility as authorized hereinabove, the Permittee shall
 8 transfer ownership of the Facility and all necessary personal property and easement
 9 rights which comprise the Facility to the Township for the value determined by the
 10 engineer selected by the parties.

11 11. If the Township is ordered by PaDEP to take over ownership and control
 12 of the Facility, the Permittee shall transfer ownership of the Facility and all necessary
 13 personal property and easement rights as it may own and be authorized to assign which
 14 comprise the Facility to the Township for One Dollar (\$1.00). Nothing contained herein
 15 shall prevent the Township or the Permittee from challenging any order of PaDEP or the
 16 Health Department.

17 12. If the Township takes over ownership and operation of the Facility whether
 18 pursuant to paragraph 10 or 11 above, the Township shall have the sole discretion to
 19 operate the Facility in the manner which it determines is in the best interests of the
 20 Individual Property Owners and the Township provided such operation is in compliance
 21 with all local, state and federal rules and regulations. The Township shall also have the
 22 authority to set and collect sewer rates and the right to lien Individual Property Owners
 23 for the non-payment of sewer rates or the cost of repairing or maintaining the Facility.