

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS WORKSHOP
1580 PAOLI PIKE
August 25, 2009 – 7:00pm
Final Approved Minutes**

Present: Vice-Chairman Carmen Battavio, Don McConathy, Joe McDonough and Thom Clapper. Chairman Marty Shane was absent. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, Phyllis Marron (Park & Rec), Kathryn Yahraes (Historical Commission) and Jim McRee (Deer Committee).

WORKSHOP

Call to Order & Pledge of Allegiance

Vice-Chairman Carmen Battavio called the meeting to order at 7:00pm and led everyone in the Pledge of Allegiance to the Flag.

Moment of Silence

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

Bills

The Treasurer’s Report and Expenditure Register Report were reviewed. Carmen asked Joe Gill to find out if the garage door damages were being caused by summer workers, and if so, perhaps full-time Public Works staffers could be the ones to take equipment in and out of the garages. Carmen also asked Joe to send an email to the Board about the filter replacement schedule for the blowers at the RCSTP.

Treasurer’s Report & Expenditure Register Report

The Treasurer’s Report for August 20, 2009:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 127,142.74	Accounts Payable \$ 102,206.38
LST	\$ 22,869.11	Electronic Payments \$ 0.00
Transfer Tax	\$ 50,490.53	Debt Service \$ 0.00
Codes, Park & Rec	\$ 75,013.46	Payroll \$ 92,000.00
Total Receipts	\$ 275,515.84	Total Expenditures \$ 194,206.38
State Fund	\$ 77.62	\$ 0.00
Capital Reserve	\$ 1,040.28	\$ 0.00
Transportation Fund	\$ 211.31	\$ 0.00
Sewer Operating	\$ 219,394.14	\$ 20,876.77
Refuse	\$ 98,613.81	\$ 81,861.62
Capital Projects	\$ 0.00	\$ 0.00

Joe moved to accept the Treasurer's Report of August 20 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the motion. There was no public comment and no discussion. The Board voted and the motion passed unanimously.

Review of Minutes

The draft minutes of August 18 were reviewed and corrected. Don moved to approve the minutes as corrected. Thom seconded the motion. There was no public comment and no discussion. The Board voted unanimously to approve the motion.

Action List

The Board reviewed and edited the entire current Action List, reorganized by Joe Gill into the four functional responsibilities (Administration, Public Works, Permits/Code/Zoning and Finance). Going forward, the Board will strive to review one category of the list per meeting; for example, the fourth Tuesday of the month will be set aside for Finance matters.

Township Website

The Board reviewed the homepage mockups provided by Triton and gave Joe Gill their feedback. The Supervisors like the banner with drop-down menus running across the top of the page, as well as the idea of having a "Featured News" item prominently displayed. Don would like the size of the weather conditions box reduced by half. Everyone agreed the Township logo should be moved to a more suitable location than the top left of the screen.

Resident Linda Gordon suggested the site feature a photograph of the Blacksmith Shop instead of the three flagpoles in the park. Joe Gill said Triton could have the site rotate various photos of the Township and the Board liked that idea. Linda also noted that the current site has a very poor "Search" feature which will need to be improved. Joe and Don told her they were aware of that.

Public Comment: Jim McRee - Suggested the Township let the needs of the users drive the site design. He said visitors are going to come to the site looking for information, not to view photos of the Township. Joe Gill said that Triton's goal is to have visitors access information they are seeking within two mouse clicks. Jim McRee also suggested that Triton bear in mind that visitors will be accessing the site with various browsers, so the site should be compatible across the spectrum.

Joe Gill said that Triton is currently working with PALCS on the web agreement. They will forward it to East Goshen when it is completed. Joe hopes to have it by the end of this week or early next week.

Joe Gill asked that anyone with additional ideas or suggestions for the website send him an email.

Trash Collection Schedule

The Board reviewed Rick's August 19 memo on this topic. Rick's memo was written in response to a petition the Township received from 32 residents who want their trash collection schedule changed back to Tuesdays and Fridays.

After discussion, the Board agreed that switching the collection schedule periodically between the North and South segments of the Township is a fair way to handle this issue. That way no one particular segment will have to bear the entire burden of forfeited trash collections due to holidays. The schedule will be revised at the next regular Board meeting.

Public Comment: Kathryn Yahraes – Said this did not seem like a big enough deal to warrant switching everyone’s trash collection schedule.

Public Comment: Jim McRee - Said he has not heard any residents bring up this issue at Township meetings. He questioned why the Board would make the entire Township rearrange their schedule to accommodate a handful of people not happy with the current schedule.

Public Comment: Dan Truitt, 1430 Grand Oak Lane - Said he understood the complaint of the people who signed the petition.

The Board will take action on this issue at the next meeting.

Alarm Ordinance

The Board reviewed Rick’s August 21 memo advising that the Township’s fee schedule should be amended to bring it into conformance with the new alarm ordinance. Rick suggested changing the permit fee from \$100 to \$40, and making the annual fee for commercial properties \$25. Joe said he could not accept Rick’s recommendation without seeing data justifying the change from \$100 to \$40. After some discussion the Board agreed to leave the permit fee at \$100 for now while Rick checks with neighboring Townships to see what they are charging.

Hershey’s Mill Dam

Rick said that per Kristin Camp the Township can sell the dam as long as the agreement of sale indicates it must be used as public open space. Joe wants to know if the Township would have any liability, even after a sale, in the event of an incident involving the dam. Carmen agreed and said that before he could consent to a sale, he would need to have a legal opinion in writing stating unequivocally that there is no way could this come back on the Township in the future.

Don said that based on what he saw after the water level draw down, he is not sure that DEP classified the dam correctly. He would like to see the details and data DEP used in their determination, and he would like an engineer to recalculate the numbers. Rick distributed a document listing the classification and design criteria used by DEP, taken from §105.91 of the Pennsylvania code.

Joe said he would like the Township to hire a third party expert to assist East Goshen in filing an appeal with DEP to question the classification they gave the dam. Joe Gill said DEP has seemed firm in their determination, and doesn’t believe they will change their mind.

Thom said it is his opinion that if the Township has a willing buyer, no additional time or resources should be spent on this project to research the classification, as that would be a waste of Township resources.

Public Comment: Neil DeRiemer, 1034 Hershey Mill Road - Said the Township is going to spend money either way – on researching the classification or on developing the bid specs to sell the dam. He then said he is no longer a willing buyer for the dam. He said the Township never responded to his offer and it has been taken off the table.

Don said no matter what the Township decides to do with the dam, Andy Dinniman must be kept in the loop since he is working on this issue. Don then noted that time is short and the Township must work on developing engineering options for fixing the dam. Due to time constraints it will have to be done in parallel with work on getting the dam reclassified. Don said that after seeing the results of the draw down, the idea of putting a “dam behind the dam” does not make much sense to him.

Don suggested the Township put together a committee of 2 Supervisors, 1 staff member, and 2-3 residents to decide on the “fix” for the dam. Don said he attended the Save the Dam group’s meeting on the dam last evening and therefore he feels like he has a idea of what the residents are looking for. He recommended that any communication with DEP or with the offices of Andy Dinniman or Barbara McIlvaine Smith on this issue must come from the Township. Don noted that since the residents have not done any fundraising as yet, the money for engineering work will have to be fronted by the Township, to be reimbursed by the Save the Dam group once they have funding. Joe said he would like someone on staff to start keeping tracking of all dam-related expenditures.

Don said if the Township does not get an answer from the DEP on the reclassification by the end of 2009, the Township would be justified in a request to have DEP extend the deadline for filing a permit.

Joe reiterated the need to hire a professional to assist the Township in getting the dam reclassified.

Public Comment: Reed Bailey, 1515 Tanglewood Drive – Said the May 14 letter from DEP says that floodwaters from a breached dam “are not expected to affect any occupied dwellings or cause loss of life” so the scenario they claim of there being deaths on Greenhill Road from a wall of water does not make sense. Rick pointed out that by DEP’s own criteria, a C-2 dam classification can mean “some loss of life.”

The Board discussed the makeup of the dam committee again. The members will be Marty, Don and Rick, plus Reed Bailey and another resident – perhaps Neil DeRiemer or Jim Brandolini. Don told Reed he was welcome to bring some additional individuals to the meetings if he wishes, but the core group will be kept small. Rick will work to schedule the first meeting.

Rick was asked to have Skip Brion recommend an environmental attorney to the Board.

Public Comment

Public Comment: Neil DeRiemer, 1034 Hersheys Mill Road – Complimented the Board on the work they do for the Township. He told the Supervisors they were doing a “heck of a job.”

Adjournment

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

EXECUTIVE SESSION

The Board met in Executive Session until 10:15pm to discuss a pending legal matter.

Respectfully submitted,

Anne Meddings
Recording Secretary