

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS WORKSHOP  
1580 PAOLI PIKE  
October 27, 2009 – 7:00pm  
Final Approved Minutes**

**Present:** Chairman Marty Shane, Joe McDonough, Don McConathy, Thom Clapper and Carmen Battavio. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, and Deb Beury Township Treasurer.

**WORKSHOP**

**Call to Order & Pledge of Allegiance**

Chairman Marty Shane called the meeting to order at 7:00pm and led everyone in the pledge of allegiance.

**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 and a moment of silence for the two dogs that were shot and placed by the railroad tracks.

**Hershey Mill Dam**

Marty noted that Gannet Fleming had reviewed the available information and concluded that the Department of Environmental Protection's classification of the dam as "C-3, non high hazard", was appropriate. In response to a question from Fran Beck, 125 Foxglove Lane, Marty stated that the Board was going to interview the engineers who submitted engineering proposals for the Hershey Mill Dam on November 4<sup>th</sup> at 9:00am.

Don advised the Board that he had spoken to Tom Bergere, a lawyer at Montgomery McCracken who specialized in environmental law, about the possibility of appealing the Department's classification of the dam. The estimated cost to review the file and either draft a letter to the Department setting forth the basis for changing the classification or provide the Board with a memorandum on why such an appeal would be unsuccessful was \$3-5,000. Don noted that his wife is also a partner with this firm.

Carmen expressed a concern about the public perception of giving Township work to a law firm where the wife of a Supervisor is a partner.

Joe McDonough commented that the costs for the Hershey Mill Dam continued to increase, noting that we still had to hire an engineer and that we were now looking to hire a lawyer.

Marty stated that the residents are waiting to see what happens with our efforts to reclassify the dam, before they are going to commence fundraising. Rick noted that even if the Department reclassified the dam to C-3 that it did not meet the design storm for the new classification.

Marty noted that the dam overtopped during the storm Saturday night.

Thom suggested that we may want to consider getting our state senator involved with the Department. Reed Bailey, 1515 Tanglewood Drive commented that political implications may override engineering issues.

It was the consensus of the Board that Rick should solicit proposals from two other lawyers experienced in environmental law. The Board would then review the proposals, have a conference call with Tom Bergere, if necessary, before deciding on an attorney.

### **Third Quarter Financial Report**

Joe Gill reviewed the Third Quarter financial report with the Board. In response to a question about the heading “adjusted budget” he noted that some line items, such as legal and engineering, had been further broken down and assigned to the appropriate core function. There was no change to the “bottom line”.

The Board had the following suggestions, comments or questions:

- The Board has not yet authorized the contribution to the capital reserve fund for 2009.
- Sort the variance report by function and total each function.
- Break down postage for each department.
- What is the cost for Work Comp for the Fire Company?
- What is the total amount leined for sewer and refuse?
- Consider increasing the number of depositories or purchasing T-Bills.
- Resolution for procedure on attending conferences.
- Need date for available data on defined pension plan.
- Look into subcontracting some equipment and services.
- Check the cost of insurance both with and without the fire company. Back-charge the fire company for any difference that increases the Township cost.
- Add insurance dividend estimate into the budget. Finance Dept. will determine a reasonable value.
- Provide detailed Capital Reserve financial sheet by November 10 meeting.

### **Eagle Scout Resolution**

The Board reviewed the draft resolution. It was the consensus of the members to place in on the next meeting agenda for adoption.

### **Public Comment**

John Schorn, 1401 Larch Lane stated that he had received the October 22, letter from the Township, and that he had contacted the lab about having his water retested. He also stated that the Township should have done more to make Sunoco test all of wells in the area. Marty noted that the Board is doing what it can to protect the Township residents. It was the consensus of the Board to meet with the Township Solicitor to determine what if any additional actions could be taken by the Township.

**Minutes**

The minutes of October 20 were reviewed and corrected. Thom moved to approve the minutes as corrected. Carmen seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

**Bills**

The Treasurer’s Report and Expenditure Register Report were reviewed.

**Treasurer’s Report & Expenditure Register Report**

The Treasurer’s Report for October 22, 2009:

|                        | <b>RECEIPTS</b>      | <b>EXPENDITURES</b>                     |
|------------------------|----------------------|---|
| <b>GENERAL FUND</b>    |                      |   |
| Real Estate Tax        | \$ 0.00              |   |
| Earned Income Tax      | \$ 9,889.06          | Accounts Payable \$ 257,748.06          |
| LST                    | \$ 0.00              | Electronic Payments \$ 217,744.50       |
| Transfer Tax           | \$ 52,084.26         | Debt Service \$ 165,796.00              |
| Codes, Park & Rec      | \$ 181,024.61        | Payroll \$ 43,000.00                    |
| <b>Total Receipts</b>  | <b>\$ 242,997.93</b> | <b>Total Expenditures \$ 466,244.71</b> |
| State Fund             | \$ 0.00              | \$ 0.00                                 |
| Capital Reserve        | \$ 0.00              | \$ 2,887.49                             |
| Transportation Fund    | \$ 0.00              | \$ 0.00                                 |
| Sewer Operating        | \$ 117,258.13        | \$ 217,744.50                           |
| Refuse                 | \$ 57,596.34         | \$ 6,464.80                             |
| Sewer Capital Projects | \$ 0.00              | \$ 0.00                                 |

The Board members discussed whether or not they should refund WAWA the full amount that they had overpaid on their sewer bill. Don, Carmen and Marty agreed that they should be refunded the full amount.

Joe moved to accept the Treasurer’s Report of October 22, the Expenditure Register Report as recommended by the Treasurer, and the memo on the electronic payments, to accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

**Solid Waste Ordinance**

The Board reviewed and made changes to the solid Waste Ordinance. It was the consensus of the Board to advertise the ordinance for adoption at a meeting in November.

**Adjournment**

There being no further business, the meeting was adjourned at 10:50pm.

Respectfully submitted,

Louis F. Smith, Jr.  
Township Manager