

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
August 24, 2010 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper, and Supervisors Carmen Battavio and Marty Shane. Supervisor Don McConathy was absent. Also present were Township Manager Rick Smith, Phyllis Marron (Park & Rec), Jim McRee (Deer Committee & Planning Commission), Kathryn Yahraes (Historical Commission), and Bryan DelMonte (Conservancy Board).

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm. He asked Greg Cary to lead 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.

Recording of Meeting

No one indicated that they planned to record the meeting.

Public Comment on Non-Agenda Items

None.

PECO's Procedure for Restoring Electric Service After an Outage

PECO representatives Greg Cary (Regional External Affairs Manager, Chester County), Sharon Lownes (Manager, Emergency Preparedness), and Mary Jane Roache (Regional Director, Construction & Maintenance, Delchester) gave a presentation on PECO's Emergency Preparedness operations.

Carmen shared with the PECO representatives the difficulties and frustration he experienced in trying to get power restored to his neighborhood after the severe storm of June 24. His neighborhood was without power for four days. Despite dozens of calls to the PECO hotline, and two visits to the neighborhood by PECO supervisors, the PECO call center still seemed to think the outage involved just a handful of homes. Greg Cary said he would pass the feedback along. Carmen said he was finally helped by a third PECO supervisor named John who came by and obtained resolution to the situation. Carmen said John did an outstanding job and really took charge of the situation, and he regretted not getting his last name at the time.

Marty asked that PECO write a short article for the upcoming East Goshen newsletter on what to do in the event of an outage, etc. Marty also requested that the PECO representatives investigate the situation Carmen described as it could have been a public safety issue.

Mary Jane Roache said PECO should have done more damage assessment immediately after the storm. Carmen said he found the entire experience very frustrating, especially the fact that he and his neighbors called the PECO call center 46 times and not once was he able to get in touch with a live person.

Marty asked if PECO still supplies dry ice to residents during periods of prolonged outages. Greg Cary said they do not; research has shown it to be a “dissatisfier” to consumers. Customers would rather have PECO crews devote their time to fixing outages instead of working on obtaining and distributing dry ice. Marty asked that Mr. Cary include a note about that in the newsletter article as well.

Public Comment: Jim McRee, Oneida Lane – He also experienced a power outage during the June storm and every time he called the PECO call center for three days he was told power would be restored in 2-4 hours. He asked if PECO has a way to monitor its system so that PECO is not totally dependent on people calling them to report outages. Greg Cary said PECO wants people to call in. He apologized for the misinformation that Mr. McRee was given and said the storm has been a good learning experience for PECO. Mr. McRee asked if it’s not possible for PECO to monitor their system to determine where outages are occurring, or if they simply chose not to do so. Mr. Cary said the technology to remotely monitor for outages is coming along, and PECO hopes to begin installing “smart meters” in 2012. Mr. McRee then noted that he has experienced more outages lately than in the past. He shared about his friend who tracks outages on his computer. Mary Jane Roache said that PECO is working hard to try and improve service reliability to its customers.

Public Comment: Neil DeRiemer, Hershey Mill Road – Said he has a special needs son and PECO does a fantastic job keeping his home online. He asked the PECO representatives if it would be helpful for residents to call PECO again once their power is restored to report the problem has been fixed. Mr. Cary said they preferred customers only call to report an outage.

Public Comment: Kathryn Yahraes, Vista Drive – Said she has had positive experiences with PECO employees, but has had difficulty having her service requests properly relayed to the maintenance crews. She has also been unable to get through to the call center to leave a message about a problem previously reported. The call center only accepts reports of new problems, not updates on existing problems.

Senya asked the PECO representatives to write something for the East Goshen newsletter as soon as possible and said it would be posted to the Township website as well.

Hershey Mill Dam

Todd Trotman of Advanced GeoServices presented his cost estimates to restore the Hershey Mill Dam and to breach the dam as outlined in his August 19, 2010 letter to Rick Smith.

Restoring the dam – This will involve enlarging the spillway, raising the existing dam embankment, and installing culverts. A new spillway slab and associated sidewalls on top of the dam will be constructed of concrete. The capital cost estimate is \$450,997.

Breaching the dam – This will involve removing about 100 feet of existing dam embankment and establishing channels and overbank areas for the two creeks that feed the dam via sediment removal and grading within the existing reservoir area. The capital cost estimate is \$289,012 to \$439,012.

Marty noted that neither estimate includes costs for engineering design, permitting or construction oversight, all of which would be substantial.

Public Comment: Bryan DelMonte, Clocktower Drive – Had a question about the additional costs Marty mentioned. He then asked if DEP requires the silt to be removed and Mr. Trotman said no. Mr. DelMonte asked in that case why did Malvern Prep remove their sediment and Senya told him that was their choice; it was not required of them.

Public Comment: Neil DeRiemer, Hershey Mill Road – Had questions about the costs involved in silt removal. Mr. Trotman told him it would cost approximately \$92K to remove silt to a depth of one foot from across the entire dam area. Mr. DeRiemer said he spoke to someone at DEP who said that DEP does require silt to be removed in the event of a breach. Mr. Trotman said it is his understanding that DEP wants to minimize sediment removal.

Public Comment: Joseph D'Antonio, Jr. Millrace Lane – Asked the length of the current dam, and Mr. Trotman said it is almost 400 feet long. Joseph asked if the 100 feet to be removed for the dam restoration can be removed from any portion along that 400 feet, or must the spillway be removed. Mr. Trotman said it's possible to remove a portion from an end, and not the spillway, but it would complicate the project. Joseph then asked why two channels must be cut in order to breach the dam, and Mr. Trotman said because there are two streams that feed the pond.

Public Comment: Fran Beck, Foxglove Lane – Said that Harold Rennard did work on the dam in 1978 and he used a bulldozer to move sediment.

Public Comment: Ron McGill Hershey Mill Road – Had some questions for Mr. Trotman about the cost to excavate and dispose of sediment for the breach option. He asked what is the water flow rate on Greenhill Road and in the culverts and Mr. Trotman said approximately 500 cfs. Mr. McGill asked if potential flooding on Greenhill Road would be due to inadequate culvert capability and Mr. Trotman said yes. Mr. McGill stated that the pond serves as a retention basis to prevent flooding and Mr. Trotman said only in a minimal way. Mr. McGill said in the event of a breach, Neil DeRiemer's property would become the de facto drainage basin. Mr. Trotman said the floodplain next to Mr. DeRiemer's property is not going to change whether there is a breach or not.

Public Comment: Kathryn Yahraes, Vista Drive – Asked how much silt has built up since 1978 and Mr. Trotman said that would be difficult to determine. She then had Mr. Trotman clarify again that the \$92K cost estimate to remove silt involves removing it to a depth of one foot from across the entire dam area.

Thom asked if adding another culvert on Greenhill Road would solve the potential flooding problem and Mr. Trotman said no.

Public Comment: Joseph D'Antonio, Jr. Millrace Lane – Asked where he can get a copy of the requirements for the grants to breach the dam that were discussed at the last meeting. Rick said he would send an email link to Joseph's father.

Public Comment: Neil DeRiemer, Hershey Mill Road – Said he has a significant difference of opinion from Mr. Trotman regarding the costs involved in restoring the dam. He stated he is still interested in preserving the dam and purchasing the property, and he doesn't know why he has been accused of stalling or using delay tactics. Senya said it has been one year since a group of vocal, upset residents convinced the Board to turn down a federal grant to breach the dam, and the group promised to raise the money on their own to have the dam repaired. It has been one year and yet the group has still not formalized their existence or raised any money. Mr. DeRiemer said the delay is due to the fact that the group has received conflicting information from the Township regarding the 501(c)(3), and the group has been told to wait until a plan is decided upon for the dam before starting to raise funds. Senya said there is no evidence of a concerted effort on the part of the Save the Dam group to take steps to raise funds. Meanwhile the Township has spent approximately \$105K on engineering expenses and other costs so far. Mr. DeRiemer said his goal is to purchase the dam and take it off the Township's plate.

Rick noted that the Township is still waiting to hear back from the "board" of the 501(c)(3) group, who have still not indicated who their officers will be. Senya said if the Save the Dam group cannot come up with \$1500 to start their own 501(c)(3), it does not look promising that they will be able to raise the hundreds of thousands of dollars needed to restore the dam.

Public Comment: Jim McRee, Oneida Lane – Gave some recommendations on how the Save the Dam group should go about taking pledges.

Public Comment: Ron McGill, Hershey Mill Road – Addressed some engineering questions to Mr. Trotman. He then "promised" that if East Goshen breaches the dam, the residents living around the dam will sue the Township and tie it up in court for many years to come. Senya objected to Mr. McGill making a threat. Marty stated that the Board's expectation of the Save the Dam group is that in some way they will raise the ~\$600K needed to restore the dam. Mr. McGill said the residents can fix the dam for one-half that figure. Marty reminded him that the design must be approved and permitted by DEP. Furthermore, the residents need to keep in mind that the easement goes along with the property. He added that fundraising cannot be done through pledges, as pledges have no value whatsoever. He noted that the Township may need the funds to be raised in a year's time. Marty then wondered why the residents have not shared their idea for a less-expensive dam design with anyone at the Township.

Senya noted it was the Save the Dam group that requested breaching to be put back on the table, based on the written request of Joseph D'Antonio, whose memo to the Township in this regard was discussed during public meetings. The Save the Dam group made this request after meeting with Mr. Trotman on May 17, a meeting the Township arranged for them. The Township has gone to a lot of effort to accommodate the residents who opposed a breach. The residents' input has been continuously solicited and considered in the decision-making process.

Senya said hopefully the Township will have the appraisal of the dam property in time for discussion at the September 7 meeting, so that this process can move forward.

Public Comment: Neil DeRiemer, Hershey Mill Road – Said the Save the Dam group will have a 501(c)(3) set up by the September 7 meeting. They will also have a list of donors and will come to the meeting with “cash in hand.”

Public Comment: Jim McRee, Oneida Lane – Questioned the cost to fix the dam and how much the Save the Dam group needs to raise.

Public Comment: Ron McGill, Hershey Mill Road – Said if the residents purchase the dam it will be the Township’s responsibility to maintain the easement. Carmen told him no way, and if that is how Mr. McGill feels he is ready to vote this evening to breach the dam and be done with it. Carmen reminded the residents that he has been a vocal supporter of saving the dam all along. However, if the Township sells the dam, the Township must be relieved of all responsibility.

There was no further public comment or discussion.

Review of Minutes

The Board reviewed and corrected the draft minutes of August 17. 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.

Consideration of Refuse/Recycling Option(s)

Senya noted that the trash contract had not gone out for rebid yet.

Chairman’s Report

Senya announced that the TAG will hold a meeting on September 8 at 7:00pm to solicit comments and suggestions from residents on how to improve the Township’s financial position.

Senya reported that the Board met in Executive Session on August 17 for about 10 minutes to discuss a legal matter.

Treasurer’s Report & Expenditure Register Report

See attached Treasurer’s Report for August 19, 2010.

The Board reviewed the Treasurer’s Report and the current invoices. Thom moved to accept the Treasurer’s Report of August 19 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Carmen seconded the motion.

~~Thom moved to accept the Treasurer’s Report of July 22 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices reviewed in Workshop. Carmen seconded the motion.~~

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

ACTION LIST

Hershey Mill Dam – (Cost estimates were reviewed earlier in the meeting.)

Recycling Contract – Rick will finalize the bid specs and incorporate the comments of the Township Solicitor.

Monthly Financial Reports – Marty gave a verbal summary to the rest of the Board. There were no comments.

Metered Sewer Billing – The Board had no comments.

Any Other Matter - Township Finances

Senya reported that as of the end of June there was a favorable variance of \$836,681 which represents a 61% reduction in the structural deficit for the year to date.

Printers for Township Staff

Rick summarized his memo dated August 16, as well as a memo from Diane Degnan dated June 3.

Carmen moved to accept the staff recommendation and maintain the status quo in regard to printers. Senya seconded the motion.

Thom said he wants the staff to be more careful in what they print and to not print items unnecessarily. He said he is in favor of employees sharing printers where possible.

Public Comment: Jim McRee, Oneida Lane – Said he agreed with Thom and is in favor of reducing the total number of printers and having employees share printers, which is what they do at Vanguard.

Marty said he agreed with Thom on this issue.

Public Comment: Erich Meyer, Monte Vista Drive – Said the less a printer is used, the longer it will last.

Thom asked that the motion be amended to specify that printers will not be automatically replaced as they wear out, but evaluated by staff on a case-by-case basis. Carmen and Senya accepted the amendment.

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

Wireless Communication Facilities in East Goshen

The Board agreed to table this matter until the September 7 meeting.

Generator Installation at Public Works Annex

Thom moved to authorize the installation of a generator at the Public Works Annex at a cost of \$17,674.00 per the August 16 recommendation of Public Works Director Mark Miller. Marty seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Four-Post Deer Feeders

Marty moved to authorize the purchase three new four-post deer feeders for the deer program at a total cost of approximately \$1335.00 and the purchase of a new digital trail camera and accessories to monitor the feeders at a cost of approximately \$300.00, per the August 18 recommendation of Zoning Officer Mark Gordon. Carmen seconded the motion but said he does not feel the Township needs the camera anymore. Thom asked why the motion sensor in the camera cannot just be repaired. Jim McRee said it is inside the camera, and a new camera is required.

There was no further discussion or public comment. The Board voted 2:2 and the motion did not pass. (Thom and Carmen were opposed). The Board will discuss this matter again when all five Supervisors are present.

Truck Repairs

Marty moved to authorize the expenditure of \$3,245.00 each to repair three of the large dump trucks per the August 20 recommendation of Public Works Director Mark Miller. Carmen seconded the motion.

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

August 31 Board Meeting

The majority of the Board agreed to meet on August 31 to discuss the list of Township services. No other topics will be on the agenda. Thom said he will be unable to attend.

Correspondence & Reports of Interest

Senya acknowledged receipt of the following items:

- August 11, 2010 letter of commendation to Police Chief John Dumond from the District Attorney's Office of Chester County for the Victims Compensation Assistance Program.
- Monthly permit log.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

None.

Adjournment

There being no further business, the meeting was adjourned at 10:07pm.

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

August 19, 2010

TREASURER'S REPORT
2010 RECEIPTS AND BILLS

GENERAL FUND

Real Estate Tax	\$1,399.28
Earned Income Tax	\$94,568.74
Local Service Tax	\$38,000.00
Transfer Tax	\$78,288.50
General Fund Interest Earned	0.00
Total Other Revenue	\$10,215.17
Total Receipts:	\$222,471.69

Accounts Payable	\$99,362.14
Electronic Pmts:	
Health Insurance	\$62,671.78
Credit Card	\$0.00
Postage	\$1,000.00
Debt Service	\$0.00
Payroll	\$41,000.00
Total Expenditures:	\$204,033.92

STATE FUND

Interest Earned	\$0.00
-----------------	--------

Expenditures:	\$0.00
---------------	--------

CAPITAL RESERVE

Interest Earned	\$0.00
-----------------	--------

Expenditures:	\$0.00
---------------	--------

TRANSPORTATION FUND

Interest Earned	\$0.00
-----------------	--------

Expenditures:	\$0.00
---------------	--------

SEWER OPERATING

Receipts	\$80,638.63
Interest Earned	\$0.00
Total Sewer:	\$80,638.63

Accounts Payable	\$2,936.06
Debt Service	\$0.00
Transfer To M.A.	\$3,417.50
Total Expenditures:	\$6,353.56

REFUSE

Receipts	\$25,427.93
Interest Earned	\$0.00
Total Refuse:	\$25,427.93

Expenditures	\$4,771.81
--------------	------------