

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
October 18, 2011 – 7:00pm**

Present: Chairman Senya D. Isayeff, Vice-Chairman Don McConathy and Supervisors Marty Shane and Thom Clapper. Supervisor Carmen Battavio was absent. Also present were Township Manager Rick Smith, Erich Meyer and Ruth Scadding (Park & Rec). Township Solicitor Kristin Camp was present for the Public Hearing.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm. He asked a firefighter in the audience to lead everyone in the Pledge of Allegiance.

Moment of Silence

Rick called for a moment of silence to honor the troops.

Recording of Meeting

No one indicated they would be recording the meeting.

Public Comment on Non-Agenda Items

None.

Chairman's Report

Senya announced the following:

- The Board met in Executive Session on October 11 to discuss a personnel matter.
- The Board will meet in Executive Session tonight after the regular meeting to discuss a personnel matter.
- On November 9 at 2:00pm there will be a nationwide test of the Emergency Alert System. More details are available on the Township website.

Public Hearing – Ordinance Amending Provisions of the Pension Plan for Paid Fire Company Personnel

The Board conducted a public hearing to consider an ordinance amending provisions of the pension plan for paid fire company personnel.

Thom moved to accept the ordinance. Don seconded the motion. There was no public comment. The Board voted unanimously to approve the motion. A court reporter was present and will provide a complete transcript of the proceedings.

Police Report

Chief John Dumond reported there were 549 calls for service from East Goshen in September. Four individuals charged with the August 26 home invasion in Goshen Valley are in custody. Jose Ortiz, the victim of the September 4 hit and run accident in West Goshen, passed away from his injuries on September 26. Two individuals involved with stealing jewelry from Hershey's

Mill residents have been arrested after video surveillance by detectives. Former WEGO Police Chief Charles MacIntyre passed away on October 14 at age 83.

Hershey Mill Dam Options and Costs

Rick summarized his October 14 memo on this topic. He reported that Todd Trotman has spoken with Mr. Hazenberg of Everlast Seawall who informed him he is not interested in doing the design work for the dam. Rick offered to get quotes from Pennoni and Gannett Fleming for the design work if the Board wishes him to do so.

Rick said that based on the information he has gathered, it is clear the sheet piling is not going to be a cost-effective option. The shot crete secondary spillway or breaching will be the way to go.

Don advised caution when extrapolating numbers to determine what the sheet piling would cost. He said it is interesting that Everlast is no longer interested in doing the design work after speaking with Todd Trotman.

Public Comment: Neil DeRiemer, Hershey Mill Road – Had some questions about how Rick extrapolated the numbers for the sheet piling and Rick explained his numbers. Mr. DeRiemer said he “vehemently disputes” that the dam is 400 feet across and said that only 150 feet need to be reinforced. He then showed the board a blueprint and said that Mr. Hazenberg has been giving him different information than he has given to the Township and Mr. Trotman.

Marty said now that it’s clear the sheet piling option will offer no savings, the Board needs to move forward with the two viable options on the table – the spillway or the breach.

Mr. DeRiemer said it was news to him that Mr. Hazenberg does not want to do the design work. He said he wanted the Board to hold off making a decision while he gathers more information. Marty said the Board must move forward due to the liability issue to the Township and there is also a possibility that the Supervisors may be personally liable as well. Marty said he does not wish to assume that risk by waiting any longer. He told Mr. DeRiemer he has had a more than fair opportunity to get all of his information. He told Mr. DeRiemer that of course he is free to talk to Mr. Hazenberg again, but unless Mr. Hazenberg is going to rescind the content of the conversations he had with Mr. Trotman and with Rick Smith, the Board must move forward.

Mr. DeRiemer asked for confirmation that the seawall option is “out” and the Board confirmed it is no longer an option. Mr. DeRiemer then handed out a copy of a proposal from Risbon Excavating dated May 23, 2011 to install a secondary spillway, accompanied by a blueprint from E. B. Walsh. He asked the Board to give him time to discuss the matter again with Risbon. Marty said he wanted the Board to impose a firm deadline on Mr. DeRiemer to do this. Marty then asked Mr. DeRiemer when he would be submitting his information to DEP in Harrisburg, and Mr. DeRiemer said he doubted it would be this week.

At this point Don said he would like Rick to get an opinion from the Township Solicitor on whether the Supervisors could be held personally liable for negligence in regard to inaction on the dam issue.

Mr. DeRiemer then stated that his group would not start to raise money for the dam until the exact final plan and cost are known.

Senya asked Mr. DeRiemer to give the Board an update on his conversations with Risbon and E.B. Walsh at the November 1 Board meeting. Mr. DeRiemer will need to provide information from these parties in writing. Senya requested that Mr. DeRiemer make sure both parties have all the current information on the project which is available on the Township website.

Senya asked Rick to check with the Township Solicitor regarding the liability issue, and to discuss the possible consequences of Mr. DeRiemer and Mr. Brandolini taking legal action against the Township for loss of property values if the Township breaches the dam.

Thom asked Mr. DeRiemer why he was just now showing the Board the May 23 Risbon quote this evening. Mr. DeRiemer said he did not show it before because he preferred the sheet piling option.

Public Comment: Joe Buonnano, Herron Lane – Stated that Marty's comments in regard to the issue of personal liability for the Supervisors were valid.

Visit from Jerry Fokas

Jerry Fokas stopped by to personally thank the Supervisors for increasing their donation to the Fire Company.

Meeting Packets

The Board again discussed the possibility of accessing packet information from iPads. Senya moved to purchase one WiFi/3G iPad with 64GB of memory for the Township to try out. The Supervisors can take turns using it at home to see if they like it. Marty seconded the motion.

Public Comment: Joe Buonnano, Herron Lane – Said it would be a good thing for the Board to get iPads.

There was no further discussion or public comment. The motion passed unanimously. Don abstained from voting.

Neighborhood University

The Board reviewed an October 14 memo from Mark Gordon on reinstating the Neighborhood University in East Goshen. Senya said he personally had a wonderful experience with Neighborhood University and credited it for prompting him to get involved in local government.

Don suggested the two-evening course be restructured to maximize the chances that participants will want to come back for the second evening.

Public Comment: Joe Buonnano, Herron Lane – Suggested the Township stream Neighborhood University over the internet.

Marty moved for East Goshen staff to proceed with scheduling a Neighborhood University course for January as proposed by Mark Gordon. Don seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Tax Claim Bureau – Uncollectible Lien

Marty moved to approve the Chairman to authorize the removal of the tax lien for Parcel 5304_00350200 per the October 7 request of the Chester County Tax Claim Bureau. The delinquent taxes are uncollectible because the parcel was retired in September 2004 as the result of a subdivision and is now part of parcel 5304_00350100. Thom seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Building Reports

Marty moved to have the staff post the detailed monthly building report to the Township website. Besides making the information more accessible, this should minimize costs by cutting down on the time staff must spend processing right-to-know requests. Don seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Approval of Minutes

Don moved to have all Township ABCs begin approving their minutes by consensus, per the recommendation of Rick Smith. This will prevent any delays in getting minutes approved due to lack of a quorum. Thom seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion. Rick will inform all ABCs of the change in procedure.

Any Other Matter

Harvest Festival – Senya asked Rick to send an email to all ABC members encouraging them to attend the Harvest Festival on October 22.

Township Promo Item – Senya would like the Township to have an East Goshen promotional item, such as a paperweight, on hand available for Township representatives to use as a giveaway. He asked everyone to give thought to what might be an appropriate item.

Article in Philadelphia Inquirer – Senya shared that in an October 16 article in the *Philadelphia Inquirer*, East Goshen rated highly for median home values and retention of home values.

Constant Contact – Rick reported there are now over 1,000 subscribers to Constant Contact.

Community Development Commission – Rick suggested the Board interview candidates on November 15. He has received 8 applications so far.

Newsletter – Don said the Township should not have published that “over 90% of the respondents indicated they would prefer to receive an electronic copy of the Newsletter” in the fall newsletter, as this number was based on a very small sample of residents.

DVIT – Rick said he will have more information on DVIT in the Board’s next packet. He will work with Joe Buonnano to get access to the DVIT website.

Traffic Signal – Rick reported that installation of the new signal at Line Road & Paoli Pike should be completed soon.

Review of Minutes

The Board reviewed and corrected the draft minutes of October 11. There was no public comment. Senya said the minutes would stand approved as corrected

Treasurer’s Report & Expenditure Register Report

See attached Treasurer’s Report for October 13, 2011. The Board reviewed the Treasurer’s Report and the current invoices. Thom moved to accept the Treasurer’s Report of October 13 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 discussion and no public comment. The Board voted unanimously to approve the motion.

Action List

Municipal Authority Projects – Rick gave an update on current MA projects.

Quarterly Report on I&I – The Board reviewed this report and had no comments.

Quarterly Summary of Pending Legal Cases – The Board agreed that Rick no longer needs to provide this quarterly summary.

Correspondence & Reports of Interest

None.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda and encouraged everyone to attend the Harvest Festival on October 22. Also, on November 6 there will be a Harvest Dinner in Willistown to raise money for the Friends of East Goshen.

Public Comment Period

Resident Joe Buonnano asked if fishing is allowed in the park, and Rick said yes as long as the person has a license.

Adjournment

There being no further business, the regular meeting was adjourned at 8:51pm.

Executive Session

The Board met in Executive Session until 9:40pm to discuss a personnel matter.

Anne Meddings

Recording Secretary

Attachment: Treasurer’s Report