

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
October 2, 2012 – 7:00pm
Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper, and Supervisors Carmen Battavio, Marty Shane and Chuck Proctor. Also present were Township Manager Rick Smith and Jon Altshul, CFO.

Executive Session

The Board met in Executive Session from 6pm until 7:00pm to discuss a police labor matter.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm and asked everyone in attendance to lead the Pledge of Allegiance.

Moment of Silence

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

Recording of Meeting

The following individuals indicated they would be recording the meeting:

Michael Price, *Daily Local News*
Mary Ann Zimmerman, *ABC Philadelphia*
Todd Quinones, *CBS Philadelphia*
Leo Sinclair, Lockwood Lane

Public Comment on Non-Agenda Items

None.

Chairman's Report

Senya read a prepared joint statement (attached) of the Westtown Township and East Goshen Township Board of Supervisors regarding the Westtown-East Goshen Regional Police Department (WEGO). He then opened the floor to public comments on the police matter.

Public Comments on Chairman's Report

Jim Schorn, 952A Cornwallis Drive, stated that East Goshen is very far from their nearest State Police barracks and that state police coverage would not be practical. He also indicated that he would be open to paying higher taxes to pay for the costs of WEGO and asked whether township residents would be refunded for any savings that the township realizes by disbanding WEGO.

Andy Wahn, 931 Cornwallis Drive, noted that East Goshen's expenditures for police service are lower than in other municipalities.

John Chatley, Glenbrook Lane, asked whether starting a new police department would cost more than continuing WEGO. In response, Jon Altshul stated that the township has done a lot of analysis on the various cost options and that there may be ways to structure a new department so that it is less expensive than operating WEGO, but that there are many unknowns in developing a budget for a new police department, such as future legal obligations, which complicate such projections.

Mike Conway, Goshen Professional Fire Fighters Association, expressed support for WEGO and noted that regionalization makes economic sense and that creating our own department would be a step backwards.

Tony Ruggieri, WEGO Police Association, indicated that WEGO officers are highly dedicated to their work. He also criticized the board's decision last month to authorize the Police Commission to undertake an expensive cost study about police services and that it would have cost much less to send a mailer to township residents.

Carrie Hueman, 444 Barker Dr, stated that knowing that WEGO will respond when she needs police services is very important to her and you can't put a dollar value on residents' safety and peace of mind.

Dave Boyle, Retired West Goshen Police Officer, indicated that the state police are not a viable option and that breaking up WEGO would ruin a very good department.

Christine Kusick, East Marlborough Township resident and wife of former WEGO officer, read a statement in support of the WEGO officers and their families.

Ted Lewis, WEGO officer, stated that this labor dispute is not about money, it's about ideology. Specifically, he indicated that there are two sticking points: 1) the no-layoff clause and 2) protections for an officer who was recently disabled in the line of duty. In response, Senya read the township's proposed no-layoff provision in the contract and indicated that the township's proposal would protect officers from layoffs and would protect the specific officer in question.

Bernie O'Neill, Kennett Way, stated that WEGO is one of the best police departments in Pennsylvania. He also indicated that he wants to bring the issue to a vote and would be willing to pay higher taxes to keep WEGO.

Sarah Warren indicated that she does not support the government cutting back on public safety. She also raised concern about the possible slow response time of the state police and noted that police are especially important during the current economic slowdown as high unemployment could cause a jump in crime.

David Leahy Jr., son of WEGO officer David Leahy, asked the board not to fire his father as it would be damaging to his family.

Tim Hubbard, retired WEGO officer, expressed his disappointment over the current state of affairs with the police negotiations and indicated that just as he helped secure a \$200,000 grant for WEGO a few years ago, the funds to preserve WEGO can also be found.

Bill Whitehead, Marydell Dr, asked about what all of the options for police service are. Senya listed the five options, noting that state police option was not under consideration.

Colleen Wahn, 931 Cornwallis Drive, made an analogy to the recent controversy with the NFL replacement referees and worried that any replacement officers would be “rent-a-cops” who make “bad calls”. She also expressed concern about what the impact of losing WEGO would be on her homeowner’s insurance and about the wives of the WEGO officers as well.

John Armbruster, Clocktower, wanted to know about how individual members of the board had voted on the issue. Senya responded that no vote had been taken on the matter yet. Marty then explained at length what a difficult process the negotiations had been.

Anna Marie Snader, Grand Oak Run, asked what the goal of the negotiations had been. She explained that the board should have a goal and then work backwards to get where what to be. She encouraged the board to get back to the negotiating table. Senya reviewed the options and indicated that the board would provide a history of the contract proposals at next Tuesday’s work session.

Joy Crozier, 1518 Redwood Ct, asked about the tentative agreement that had been reached last week between the Police Commission and the officers.

Howard Jones, 1048 Kennett Way, noted that the residents of Hershey’s Mill Villages likely need police services more than anyone in the township. He also suggested that the board was being overly secretive and had been tiptoeing around the Sunshine Law. He stated that he asked the board a year ago whether news about Westtown’s financial problems would have any impact on WEGO and was told then, not to worry.

Ed Mcazie, Merrifield Village, Hershey’s Mill, stated that he believes in the common good and that having a police department is important for that cause.

Les Neri, President Pennsylvania Fraternal Order of Police, stated that he has been monitoring the developments for the past several weeks and had thought that progress was being made. He was surprised to learn recently that negotiations had stalled. He suggested that he could work with the supervisors to finalize a deal. Chuck noted that that would have to be cleared by the Association’s attorney to avoid an unfair labor practice from being filed.

At 8:37 pm Senya announced that the police discussion would continue at next Tuesday’s Police Options Workshop and that the residents should check the Township’s web Page for the location of the meeting, and that the Board would recess the meeting until 8:45 pm at which time they would continue with the items on the agenda.

The meeting reconvened at 8:50 pm.

Hershey Mill Dam

Adam Brower of EB Walsh Associates and Neil DeReimer presented the plans and rendering for the Hershey Mill Dam. They noted that the improvements would consist of raising the top of the dam approximately one foot and construction of a secondary spillway with an estimated cost of \$214,000; however, the pond would not be dredged.

In response to a question from Kathryn Yahraes, Neil advised that the trees on the dam must be removed.

Ed Goll, 1204 Burning Bush, stated that we are wasting money unless the pond is dredged.

Blake Goll, 1204 Burning Bush, noted that she works for a land trust and that she had found two fresh water mussels (1 dead & 1 alive) immediately upstream of the dam and that each mussel can filter 10 gallons of water a day. She advised that the Board needed to consider the environmental impact of keeping the dam.

Neil advised that the residents intend to raise money to fix the dam.

Joe Buonanno, Bowtree, asked how long the dam has been under discussion and how Neil intended to raise money. Rick advised that the Township was advised of the need to fix the dam in 2007. Neil stated that they have created a 501c3 to raise money.

Leo Sinclair, Lockwood Lane asked if mussels were an endangered species? Adam said they had conducted a PNDI search for the project and we received a clean letter from the state.

Carmen made a motion to send the plans to PS DEP. Thom seconded the motions, Senya asked if there was any additional public comment.

Kevin McDonald asked if the Township had considered breaching the dam. Marty provided a history of the dam project noting that breaching has been considered and rejected after the residents said they would raise funds to fix the dam.

The vote was taken: 4-1 with Marty opposed. Marty stated that we should resolve the dredging question before sending the plans to PA DEP. Adam stated that dredging was merely a cost issue and it does not impact the design of the dam.

Thom noted that the decision is only to send the plans to PA DEP and Senya said we need to find out if PA DEP will approve the plans.

2013 Preliminary Budget

Jon advised the Board that the Preliminary 2013 Budget has a projected deficit of \$400,000. He noted the following:

Emergency Services are up \$367,524 or 9.4% with the assumption that the contract with Thornbury will not be renewed.

Public Works will increase by \$109,002 or 4.9% with the majority of the increase going for paving.

Zoning and Code increases by \$41,035 or 9.7%. This includes the project to update the Comp Plan (\$47,500).

Administration increases by \$41,850 or 4.3%. Jon noted most of the increase is related to some salary and benefits costs that have been previously charged to Public Works.

Park and Recreation is expected to increase by \$229,829 or 44.8% and this include \$240,000 for the Hershey Mill Dam. Art Polishuk requested that the Dam not be included for comparison with the 2012 Budget.

Jon noted that the EIT is expected to grow by \$391,700 or 9.2% over the 2012 budget, however, the real estate tax and cable TV franchise fee will be slightly less than what was budgeted in 2012.

Generator

The Board considered a recommendation to solicit bids for a generator for the Township Building. Carmen provided background on this issue.

Carmen made a motion to solicit bids for a 250 kW natural gas generator; Senya seconded the motion and asked for public comment.

In response to a question from Art Polishuk, Rick advised that the Public Works Annex has a generator.

Kevin McDonald said the Township Building should have a generator.

Leo Sinclair asked for the estimated cost and was advised \$165,150.

The motion carried 5-0.

Review of Minutes

The Board reviewed the draft minutes of September 11, 2012. Senya said the minutes would stand approved.

The Board reviewed and corrected the draft minutes of September 25, 2012. Senya said the minutes would stand approved as corrected.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for September 27, 2012.

The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of September 27 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Chuck

seconded the motion. There was no discussion and the Board voted unanimously to approve the motion.

Action List

Hershey Mill Dam – Discussed earlier this evening. .

TAG Action List – Merit Compensation presentation on October 16.

Correspondence & Reports of Interest

Senya acknowledged receipt of the Westtown East Goshen Police Budget for 2013. Carmen noted that the budget would be updated as better cost figures became available.

Leo Sinclair questioned the timing of the budget. Rick advised the Police Commission needed to provide a preliminary budget to the Board by October 1st and that East Goshen need to approve the police budget when it approved the Township budget.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

Tom Rath, Eastwick Circle commented that he had researched the billboard matter and discovered a US Supreme Court case that seemed to indicate that a municipality could prohibit billboards. Rick said that the Township has been advised it must make provisions for all legitimate land uses, which includes billboards.

There being no further business, the regular meeting was adjourned at 10:49pm.

Executive Session

The Board met in Executive Session to discuss a Police Labor matter until 11:30 pm.

Louis F. Smith, Jr.
Township Manager

Attachment: Treasurer's Report

*Joint Statement of Westtown Township and East Goshen Board of Supervisors
Regarding Westtown-East Goshen Regional Police Dept.*