

**AGENDA  
EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS  
POLICE SERVICES OPTIONS WORKSHOP  
Tuesday, October 9, 2012  
7:00 PM**

**FUGETT MIDDLE SCHOOL AUDITORIUM**

**The Board of Supervisors will be holding "Police Services Options Workshops" at 7:00 pm on the second and fourth Tuesday of the month. These workshops will be devoted solely to the review and discussion of the police service options available to East Goshen Township. All residents are invited to attend and encouraged to participate in the discussions. Regular Township business will not be conducted at these workshops.**

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence – Supervisor Carmen Battavio
4. Ask if anyone is recording the meeting
5. New Business
  - a. Update on recent developments
  - b. Discussion
6. Minutes
  - a. October 2, 2012
7. Police Services Options Workshop, October 23, 2012 if needed
8. Adjournment

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

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

7  
8 Mike Conway, Goshen Professional Fire Fighters Association, expressed support for WEGO and  
9 noted that regionalization makes economic sense and that creating our own department would be  
10 a step backwards.

11  
12 Tony Ruggeri, WEGO Police Association, indicated that WEGO officers are highly dedicated to  
13 their work. He also criticized the board's decision last month to authorize the Police Commission  
14 to undertake an expensive cost study about police services and that it would have cost much less  
15 to send a mailer to township residents.

16  
17 Carrie Hueman, 444 Barker Dr, stated that knowing that WEGO will respond when she needs  
18 police services is very important to her and you can't put a dollar value on residents' safety and  
19 peace of mind.

20  
21 Dave Boyle, Retired West Goshen Police Officer, indicated that the state police are not a viable  
22 option and that breaking up WEGO would ruin a very good department.

23  
24 Christine Kusick, East Marlborough Township resident and wife of former WEGO officer, read  
25 a statement in support of the WEGO officers and their families.

26  
27 Ted Lewis, WEGO officer, stated that this labor dispute is not about money, it's about ideology.  
28 Specifically, he indicated that there are two sticking points: 1) the no-layoff clause and 2)  
29 protections for an officer who was recently disabled in the line of duty. In response, Senya read  
30 the township's proposed no-layoff provision in the contract and indicated that the township's  
31 proposal would protect officers from layoffs and would protect the specific officer in question.

32  
33 Bernie O'Neill, Kennett Way, stated that WEGO is one of the best police departments in  
34 Pennsylvania. He also indicated that he wants to bring the issue to a vote and would be willing to  
35 pay higher taxes to keep WEGO.

36  
37 Sarah Warren indicated that she does not support the government cutting back on public safety.  
38 She also raised concern about the possible slow response time of the state police and noted that  
39 police are especially important during the current economic slowdown as high unemployment  
40 could cause a jump in crime.

41  
42 David Leahy Jr., son of WEGO officer David Leahy, asked the board not to fire his father as it  
43 would be damaging to his family.  
44

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

4  
5 Bill Whitehead, Marydell Dr, asked about what all of the options for police service are. Senya  
6 listed the five options, noting that state police option was not under consideration.

7  
8 Colleen Wahn, 931 Cornwallis Drive, made an analogy to the recent controversy with the NFL  
9 replacement referees and worried that any replacement officers would be "rent-a-cops" who  
10 make "bad calls". She also expressed concern about what the impact of losing WEGO would be  
11 on her homeowner's insurance and about the wives of the WEGO officers as well.

12  
13 John Armbruster, Clocktower, wanted to know about how individual members of the board had  
14 voted on the issue. Senya responded that no vote had been taken on the matter yet. Marty then  
15 explained at length what a difficult process the negotiations had been.

16  
17 Anna Marie Snader, Grand Oak Run, asked what the goal of the negotiations had been. She  
18 explained that the board should have a goal and then work backwards to get where what to be.  
19 She encouraged the board to get back to the negotiating table. Senya reviewed the options and  
20 indicated that the board would provide a history of the contract proposals at next Tuesday's work  
21 session.

22  
23 Joy Crozier, 1518 Redwood Ct, asked about the tentative agreement that had been reached last  
24 week between the Police Commission and the officers.

25  
26 Howard Jones, 1048 Kennett Way, noted that the residents of Hershey's Mill Villages likely  
27 need police services more than anyone in the township. He also suggested that the board was  
28 being overly secretive and had been tiptoeing around the Sunshine Law. He stated that he asked  
29 the board a year ago whether news about Westtown's financial problems would have any impact  
30 on WEGO and was told then, not to worry.

31  
32 Ed Mcazie, Merrifield Village, Hershey's Mill, stated that he believes in the common good and  
33 that having a police department is important for that cause.

34  
35 Les Neri, President Pennsylvania Fraternal Order of Police, stated that he has been monitoring  
36 the developments for the past several weeks and had thought that progress was being made. He  
37 was surprised to learn recently that negotiations had stalled. He suggested that he could work  
38 with the supervisors to finalize a deal. Chuck noted that that would have to be cleared by the  
39 Association's attorney to avoid an unfair labor practice from being filed.

40  
41 At 8:37 pm Senya announced that the police discussion would continue at next Tuesday's Police  
42 Options Workshop and that the residents should check the Township's web Page for the location  
43 of the meeting, and that the Board would recess the meeting until 8:45 pm at which time they  
44 would continue with the items on the agenda.

45  
46 The meeting reconvened at 8:50 pm.

1 **Hershey Mill Dam**

2 Adam Brower of EB Walsh Associates and Neil DeReimer presented the plans and rendering for  
3 the Hershey Mill Dam. They noted that the improvements would consist of raising the top of the  
4 dam approximately one foot and construction of a secondary spillway with an estimated cost of  
5 \$214,000; however, the pond would not be dredged.  
6

7 In response to a question from Kathryn Yahraes, Neil advised that the trees on the dam must be  
8 removed.  
9

10 Ed Goll, 1204 Burning Bush, stated that we are wasting money unless the pond is dredged.  
11

12 Blake Goll, 1204 Burning Bush, noted that she works for a land trust and that she had found two  
13 fresh water mussels (1 dead & 1 alive) immediately upstream of the dam and that each mussel  
14 can filter 10 gallons of water a day. She advised that the Board needed to consider the  
15 environmental impact of keeping the dam.  
16

17 Neil advised that the residents intend to raise money to fix the dam.  
18

19 Joe Buonanno, Bowtree, asked how long the dam has been under discussion and how Neil  
20 intended to raise money. Rick advised that the Township was advised of the need to fix the dam  
21 in 2007. Neil stated that they have created a 501c3 to raise money.  
22

23 Leo Sinclair, Lockwood Lane asked if mussels were an endangered species? Adam said they  
24 had conducted a PNDI search for the project and we received a clean letter from the state.  
25

26 Carmen made a motion to send the plans to PS DEP. Thom seconded the motions, Senya asked if  
27 there was any additional public comment.  
28

29 Kevin McDonald asked if he Township had considered breaching the dam. Marty provided a  
30 history of the dam project noting that breaching has been considered and rejected after the  
31 residents said they would raise funds to fix the dam.  
32

33 The vote was taken: 4-1 with Marty opposed. Marty stated that we should resolve the dredging  
34 question before sending the plans to PA DEP. Adam stated that dredging was merely a cost  
35 issue and it does not impact the design of the dam.  
36

37 Thom noted that the decision is only to send the plans to PA DEP and Senya said we need to find  
38 out if PA DEP will approve the plans.  
39

40 **2013 Preliminary Budget**

41 Jon advised the Board that the Preliminary 2013 Budget has a projected deficit of \$400,000. He  
42 noted the following:  
43

44 Emergency Services are up \$367,524 or 9.4% with the assumption that the contract with  
45 Thornbury will not be renewed.  
46

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

3  
4 Zoning and Code increases by \$41,035 or 9.7%. This includes the project to update the Comp  
5 Plan (\$47,500).

6  
7 Administration increases by \$41,850 or 4.3%. Jon noted most of the increase is related to some  
8 salary and benefits costs that have been previously charged to Public Works.

9  
10 Park and Recreation is expected to increase by \$229,829 or 44.8% and this include \$240,000 for  
11 the Hershey Mill Dam. Art Polishuk requested that the Dam not be included for comparison with  
12 the 2012 Budget.

13  
14 Jon noted that the EIT is expected to grow by \$391,700 or 9.2% over the 2012 budget, however,  
15 the real estate tax and cable TV franchise fee will be slightly less than what was budgeted in  
16 2012.

### 17 18 **Generator**

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

21  
22 Carmen made a motion to solicit bids for a 250 kW natural gas generator; Senya seconded the  
23 motion and asked for public comment.

24  
25 In response to a question from Art Polishuk, Rick advised that the Public Works Annex has a  
26 generator.

27  
28 Kevin McDonald said the Township Building should have a generator.

29  
30 Leo Sinclair asked for the estimated cost and was advised \$165,150.

31  
32 The motion carried 5-0.

### 33 34 **Review of Minutes**

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

37  
38 The Board reviewed and corrected the draft minutes of September 25, 2012. Senya said the  
39 minutes would stand approved as corrected.

### 40 41 **Treasurer's Report & Expenditure Register Report**

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

43  
44 The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the  
45 Treasurer's Report of September 27 and the Expenditure Register Report as recommended by the  
46 Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Chuck

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

3  
4 **Action List**

5 Hershey Mill Dam – Discussed earlier this evening. .

6 TAG Action List – Merit Compensation presentation on October 16.

7  
8 **Correspondence & Reports of Interest**

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

11  
12 Leo Sinclair questioned the timing of the budget. Rick advised the Police Commission needed to  
13 provide a preliminary budget to the Board by October 1<sup>st</sup> and that East Goshen need to approve  
14 the police budget when it approved the Township budget.

15  
16 **Meetings & Dates of Importance**

17 Senya noted the upcoming meetings as listed in the agenda.

18  
19 **Public Comment Period**

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

24  
25 There being no further business, the regular meeting was adjourned at 10:49pm.

26  
27 **Executive Session**

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

29  
30 Louis F. Smith, Jr.  
31 Township Manager

32  
33 *Attachment: Treasurer's Report*

September 27, 2012

**TREASURER'S REPORT**  
**2012 RECEIPTS AND BILLS**

**GENERAL FUND**

Real Estate Tax	\$966.52
Earned Income Tax	\$80,381.70
Local Service Tax	\$700.00
Transfer Tax	\$63,673.16
General Fund Interest Earned	\$0.00
Total Other Revenue	\$61,785.81
Total Receipts:	<u>\$207,507.19</u>

**STATE LIQUID FUELS FUND**

Receipts	\$0.00
Interest Earned	\$0.00
Total State Liquid Fuels:	<u>\$0.00</u>

**CAPITAL RESERVE**

Interest Earned	<u>\$0.00</u>
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**TRANSPORTATION FUND**

Interest Earned	<u>\$0.00</u>
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**SEWER OPERATING**

Receipts	\$80,635.46
Interest Earned	\$0.00
Total Sewer:	<u>\$80,635.46</u>

**REFUSE**

Receipts	\$14,689.34
Interest Earned	\$0.00
Total Refuse:	<u>\$14,689.34</u>

**SEWER CAPITAL RESERVE**

Interest Earned	<u>\$0.00</u>
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Accounts Payable	83,604.89
Electronic Pmts:	
Health Insurance	\$0.00
Credit Card	\$0.00
Postage	\$1,000.00
Debt Service	\$0.00
Payroll	\$130,000.00
Total Expenditures:	<u>\$214,604.89</u>

\* See Memo

Expenditures:	<u>\$0.00</u>
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Expenditures:	<u>\$0.00</u>
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Expenditures:	<u>\$0.00</u>
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Accounts Payable	\$48,869.72
Debt Service	\$0.00
Total Expenditures:	<u>\$48,869.72</u>

Expenditures	<u>\$13,339.75</u>
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Expenditures	<u>\$8,011.63</u>
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**JOINT STATEMENT OF WESTTOWN TOWNSHIP AND EAST GOSHEN BOARD OF SUPERVISORS  
REGARDING THE WESTTOWN-EAST GOSHEN REGIONAL POLICE DEPARTMENT**

Westtown Township and East Goshen Township have been in discussions with the Westtown-East Goshen Police Association (union) regarding the continuation of the WEGO Regional Police Department. The discussions have encompassed two critical principal issues: (1) obtaining a labor agreement with the union which reflects the current economic realities which allow the financial requirements of the Regional Police Department to be financially sustainable for years to come; and (2) maintaining Thornbury Township as a client of the WEGO Regional Police Department. For the Regional Police Department to survive it was necessary to address both of the above issues. Unfortunately, despite the best efforts of both Townships, an acceptable agreement was not reached with the police union.

With respect to the discussions with the police union, the Townships authorized the submission of a final offer on September 25, 2012. Although this proposal was not entirely where each Township Board desired to be in the negotiations, the Boards viewed it as a compromise from the September 7, 2012 proposed agreement between the two parties. However, the police union rejected this proposed agreement discussed directly between the parties, and, instead, offered a counter proposal which the Association made on September 24, 2012. Reluctantly, the townships made a counter proposal to the police union proposal in a last-ditch effort to reach an agreement and save WEGO from dissolution. Here are some highlights of the last proposal made by the Townships:

- The officers would have received a 3.5% increase for the first year of a six-year contract and a 2.25% increase for the subsequent five years.
- The officers would have been placed in a new healthcare plan which would have provided the officers with the same level of medical benefits enjoyed in previous years, but with a deductible of \$2,000 for single officers and \$4,000 for family coverage. However, the Townships offered to fund 50% of the applicable deductible in a Healthcare Savings Account for each officer and his family to use. If the deductible was not used in part or in whole, the officer keeps the unused amounts.
- The officers would continue to contribute nothing toward the cost of their healthcare premiums for the next six years—unheard of in these difficult times.
- The officers would have had to accept the statutory 50% tax-free disability pension benefit (instead of the overly generous current 70% tax-free pension) in the event that they were injured on duty and could no longer perform their police duties, but could be gainfully employed in a non-police occupation.
- The officers would have had to accept some changes to the manner in which their defined benefit pension was calculated. No longer would the monetary increases from selling back sick, vacation and personal days be included in salary for pension calculations.
- The Townships agreed not to lay off a single officer for the next six years, thereby taking complete responsibility for any unforeseen expenses or increases for the next six years.

- The Townships offered to provide the survivors of an officer who is killed as the result of a non-work-related cause would have the ability to continue to purchase healthcare coverage under a group plan rather than going out and trying to purchase individual coverage; and officers would receive a \$50,000 increase in life insurance benefits from \$125,000 to \$175,000.

The police union rejected this generously-enhanced proposal. On September 28, 2012, the Townships expressly conveyed to the police union that the Townships would keep the enhanced September 25, 2012 offer open through Saturday, September 29, 2012, as a final-gasp attempt to capitalize on a thin chance that the Thornbury contract could be saved, thereby saving WEGO. Accordingly, the Townships and the Regional Police Commission expressly told the police union that acceptance of this offer was the only way to preserve Thornbury Township as a WEGO client and that, in the absence of accepting this proposal and maintaining Thornbury Township, WEGO would financially have to disband. On September 29, 2012, we were informed that the police union had again rejected our proposal.

During the time that the above discussions were occurring, Thornbury Township was moving toward completion of its agreement with West Chester Borough to purchase police services. Because of the failure of the police union to ratify the one of the many township contract proposals, there is no possibility, miraculous or otherwise, that the WEGO Regional could financially retain Thornbury Township as a client.

Because of the inability to reach an agreement with the police union and the subsequent loss of Thornbury as a client, each Board must face the reality that the only financial recourse is that the WEGO Regional Police Department will need to disband. Accordingly, each township must take the necessary steps to prepare for this event. These steps will include taking the affirmative vote to disband the police department. Although the members of the governing boards did not desire this outcome—and make no mistake that numerous opportunities were given to the police union to avoid this result, it is now, regrettably, inevitable. Despite this overwhelming disappointment, the members of each Township Board of Supervisors acknowledge that the paramount priority is to continue to ensure the safety of all of our residents, commercial/business owners and visitors.