

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
AUGUST 4, 2015 – 7:00 pm  
FINAL MINUTES**

**Present:** Chairman Marty Shane, Vice-Chairman Senya D. Isayeff, and Supervisors Janet Emanuel, Chuck Proctor, Carmen Battavio, Township Manager Rick Smith, Township CFO Jon Altshul and ABC Member Erich Meyer (Conservancy Board).

**Call to order & Pledge of Allegiance:**

Marty called the meeting to order at 7:00 pm and asked Carmen to lead the Pledge of Allegiance.

**Moment of Silence:**

Carmen called for a moment of silence to honor the members of the military around the world who serve to keep us safe and for their families.

**Recording of Meeting:**

No one indicated that they would be recording the meeting.

*Candace Mulholland and Adam Farence*, reporter and staff writer for the *Daily Local News*, advised the Board that they would be in attendance for the duration of the meeting.

**Chairman's Report:**

- Marty announced that the Board will meet in Executive Session at 6:00 pm on August 5, 2015, to discuss a Police labor contract matter.
- Marty acknowledged Dan Truitt and staff member Joe Mobile in the audience.
- Marty recognized **Roger P. Adams**, P.E., Chief of Bureau of Waterways Engineering & Wetlands, Division of Dam Safety and **Desmond Reynolds**, P.E., Chief, Eastern Section, Bureau of Waterways Engineering & Wetlands, Division of Dam Safety, representatives from the Department of Environmental Protection, who were present and prepared to discuss the update on Dam Safety requirements.

Roger commented on the dams in Dan Truitt's District, and most specifically about Milltown Dam, having been completed in 1924 as a water supply dam. East Goshen Township became the owner of it in 1985. As part of the National Dam Inspection Program, during the 1970's, Milltown Dam (MTD) was classified as a "high hazard" dam because of the potential loss of life downstream in extreme rainfall conditions. At this time, the national standard was the Probable Maximum Precipitation (PMP), which was 24 inches of rainfall within a 24 hour period. In 1981, Milltown Dam only passed 30% of the PMP standard.

Marty asked about the classifications of dams. Roger said dams are rated in the following ways: **A Dams**— the largest, over 100 ft in depth; **B Dams** – 40-100 ft of depth; and **C Dams** – under 40 ft. in depth. The other standard is Hazard Potential Standards. **#1 Dams** have the potential to put over 10 lives at risk with property loss, **#2 Dams** have the potential to put 1-10 lives at risk;

**#3 Dams** may cause road flooding and some property damage; and **#4 Dams** cause no property damage. Hershey Mill Dam (HMD) is classified as a C-3 Level Dam; and Milltown Dam is classified as a C-1 Dam. Roger also brought copies of the evacuation plans for both Milltown Dam and Hershey Mill Dam. Rick commented that these evacuation plans are also published on the Township website.

*Paul Knox, 40 Lochwood Lane*, asked if any studies have been completed on flood protection that Milltown Dam provides and what the DEP's recommendation would be for handling the MTD. Roger commented that there is no current study on flood protection provided by MTD, and that MTD has 5 feet of available storage before it tops over the dam. Roger said that the DEP is not biased about how to best handle the MTD situation and that they would work with the owners of the dam to handle this situation in the best manner possible.

*John Smith, 26 Lochwood Lane*: inquired about the changing standards of the DEP regarding rainfall levels for Dams. In 1985 the standard was 24 inches of rainfall for a 24 hour period, and now the standard is 36" within a 24 hour period. Roger answered that the system is now based on **National Oceanic and Atmospheric Administration (NOAA)** standards which increased the precipitation amounts.

*Richard Swenson, 20 Reservoir Road*, asked what happens to the people downstream in the case of 36" of rain without the dam, and also in light of the high level of silt build up in the reservoir. Roger commented that half of the sediment would run out in this scenario.

*Jim Brandolini, 1200 Burning Bush Lane*, commented that he lives very close to the Hershey's Mill Dam (HMD) and he has never seen the dam overflow. Greenhill Road floods, but he sees this more as a result of poor storm sewer drainage than due to the dam itself. He feels that if this dam is breached, there would a lot of property damage along Greenhill Road and asked how the amount of water draining through this area would be handled? Roger answered that HMD only needs to pass the 100 year water standard.

*Chuck Heppler, 12A Reservoir Road*, commented that MTD always has a level of water running over the top of the dam, and asked how the DEP would handle the loss of wildlife if the dam were breached. Roger said that the dam is at greatest risk when the entire reservoir is at maximum level and when the earthen part of the dam is topped over and that the PA Boat and Fish Commission would be involved in a dam breach scenario to protect wildlife. Mr. Heppler also asked whether there are any funding resources for dam reinforcement. Roger affirmed that there is state funding for breaching dams. Roger also commented that the DEP has no official timeline in this situation, but they want to see progress in handling the MTD situation.

*Mike Lemicke, 4 Reservoir Road*, questioned the accuracy of the water storage capacity numbers of the MTD Reservoir by the DEP and asked whether these dimensions could change or be changed as part of the Gannett Fleming study. He also asked if the DEP sees any environmental issues in a breach scenario. Roger said the DEP capacity numbers for the MTD Reservoir are studied very seriously and they are sure that there is an imminent issue at hand. He also stated that the DEP has not looked at environmental issues in this matter.

*Chuck Heppler, 12A Reservoir Road*, asked if there was another study being done by the DEP that would change the current number standards and when it would be completed. Roger said there is a new study underway regarding Top Probable Mass, but that it would be completed in one to two years and that it would not be of help in the MTD situation because of timing.

*Karen Jones, 21 Lochwood Lane*, asked what would happen if the Township decided to do nothing with the MTD. Roger said the Township could be subject to legal action, including fines, if no progress is made regarding the MTD.

*Antoinette Schorn, 28 Reservoir Road*, said she has lived across from the MTD for over 48 years and has never seen a problem with flooding. She said the dam and reservoir are very dear to her heart, that she loves to see the multitude of wildlife in and around the area. She feels this area is a place of serenity and wonder and asked why the government can't find the money necessary to rehab and fix the dam.

*Georgine Whittum, 33 Lochwood Lane*, asked what happens to the big drop-off on the downside of the dam if there is a breach, what happens to all the built up sediment in the reservoir, whether there are any models as to what the area would look like in a breach, and why there is building going on downstream of the Dam. She also asked if there was some need to breach the dam as opposed to spending the money to correct the dam? Rick answered that there is no building allowed in the 100 year flood plain area downstream and that diagrams are on the Township website that illustrate what the area would look like after a breach. Roger said that the built up sediment in the Reservoir would be removed in stages with stabilizing methods.

*Jim Sealey, 47 Lochwood Lane*, inquired about the Gannett Fleming study and the loss of life calculations. Marty commented that the Township decision will be based mostly on the findings in the Gannett Fleming report and that the Township will weigh all costs against the loss of life calculations. Marty also said that Hershey Mill Dam and the associated potential loss of life is very low compared to the MTD situation.

*Jim Brandolini, 1200 Burning Bush Lane*, asked if there was a way of reducing the water volume in the reservoirs and whether the Township could add a drainage pipe to the reservoir and/or re-contour the reservoirs. Roger answered that the water that flows through this area would still need to be addressed.

*Eric Neast, from Gannett Fleming*, said that a drainage pipe would not help in a 100 year storm scenario and that Gannett Fleming will look at overtopping designs and protections. He said another option would be to make the dam smaller and reduce the height of the dam so that it would no longer be under the DEP regulatory control. He also stated that the sediment buildup would most likely be an issue and that in a breach situation the Township would need to consider water channeling options. Marty commented that the Township had already considered reducing the reservoir size, but that the residents were opposed to this.

*Georgine Whittum, 33 Lochwood Lane*, thanked Mr. Neast for his explanation and commented that no one knows where the natural pattern of the water will flow in a breach situation, and that it may be more costly to handle the rechanneling of the water in a breach remedy.

*Karen Jones, 21 Lochwood Lane*, asked if there has been consideration given to water rechanneling in a breach remedy, and what happens to the current zoning in such a scenario? Marty answered that the Township is all built out in that area.

Carmen commented that he has noticed our storm patterns appear to occur more quickly and severely and asked if the DEP could be overreacting to these changes. Roger said that the DEP doesn't create the storm reports, rather they are created by NOAA.

Chuck commented that he is aware that the MTD is filling up with silt and significantly reducing the amount of water it can hold. He opined that the same situation is occurring in Ridley and Chester Creeks. Considering this situation problematic and one that would most likely require an expensive remedy, he suggested that the Township look at this issue on the whole and not just as it relates to dams.

Senya asked Roger what other communities have done in similar situations and whether Roger can provide a list of those communities with contact information. Roger answered that his department oversees approximately 25 dam removals per year and that he will look into this request and get back to the Board with names and contact information. Marty concurred that this was a good idea.

Senya asked Roger how much time could pass with the Township doing nothing about MTD before the DEP would start legal action. Roger said that would depend on where the MTD sits on the DEP's list of "high hazard dams". Roger was not able to say where the MTD is on that list, but that the list undergoes review every year.

Marty asked Roger how long the Township would have after the Gannett Fleming report is finalized and the Township had time to review it before the DEP would require the Township to start taking action on the MTD. Roger answered that DEP would consider after approximately six months from the Gannett Fleming report finalization a reasonable amount of time for the Township to formulate a plan on MTD and to commence the remedy.

Marty asked for confirmation that if the MTD was built/reinforced to withstand the new rainfall standard it would provide adequate protection downstream. Roger said that was correct.

Rick asked how the roadway downstream would be affected in overtopping situations during severe rainfall. Roger indicated that this would be something the Township would need to consider and that special concrete configurations are recommended for roadways in these types of areas.

Senya summarized that he sees the major issues to be weighed surrounding the MTD issue and other similar Dams that require rehabilitation are: the potential loss of life downstream of them; how much flood protection they provide; and the aesthetic nature they provide to the community.

Roger pointed out that the Federal Permit for the Hershey Mill Dam expires in June 2016. The Federal authorities are working to have that permit converted when it expires, to coincide with the State Permit which expires on December 31, 2018.

Roger thanked the Township and its residents for their thoughts and comments and expressed his empathy for the emotional nature of this situation.

**At 9:30 p.m., Marty thanked Roger and Eric for their time in meeting with the Board and the residents of East Goshen Township, and called for a five minute break in the meeting.**

**New Business:**

- **Consider New Kent Apartments Final Plan Revision:** Chuck moved to approve the Final Plan revisions for the Approved New Kent II Land Development dated 10/9/12, approved on 8/6/2013 and last revised on 6/15/15 with the following condition:
  - The applicant shall convert both 309 and 312 Hampton Court into one bedroom units with dens prior to the issuance of any use and occupancy for the new building.Senya seconded, with condition that the written motion needed to correct the date of “last revised on 6/15/15” to “last revised on 7/15/15”. The Board unanimously voted in favor of this motion.
- **Consider East Goshen Park Master Plan Proposal:** Marty tabled this discussion to the August 11, 2015 Board meeting.

**Old Business:**

- **Consider Delaware Valley Health Trust:** Carmen motioned that the Township staff should be directed to take any steps necessary to ensure that the Township can transition to the Delaware Valley Health Trust. Senya seconded. The Board voted unanimously in favor of this motion.

**New Business (Continued):**

- **Consider Authorizing the Chairman to execute the stormwater agreement for 1406 Bramble Lane:** The Board unanimously authorized the execution of this agreement.
- **Consider Township Newsletter Policy:** Carmen motioned to adopted Resolution 2015 – 133 establishing guidelines for the East Goshen Township Newsletter. Chuck seconded. The Board voted unanimously to adopt this Resolution.
- **Consider E-waste Event Dates:** Carmen motioned to authorize the Township staff to coordinate an e-waste event on November 21, 2015, and in subsequent years, in the spring and fall of each year on Saturdays mutually convenient to the Township and the recycling vendor. Janet seconded. The Board voted unanimously to authorize the Township staff in this matter.

**Any Other Matter:**

- **Consider Letter from Chester County 20 20:** Senya asked the Board to consider a \$100 general expense contribution to the Chester County 20 20 group. Carmen made a motion to this effect. Senya seconded. The motion passed unanimously.
- **Consider East Goshen Township Namechange:** Senya asked the Board to consider a name change of East Goshen Township to Goshenville Township. The other four Board members did not agree to this suggestion.

**Approval of Minutes:**

The Board reviewed and corrected the draft minutes of the July 21, 2015 meeting. Marty said the minutes would stand approved as corrected.

**Treasurer's Report:**

*See attached Treasurer's Report for July 30, 2015.* The Board reviewed the Treasurer's Report and the current invoices. Carmen moved to graciously accept the Treasurer's Report and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Marty seconded the motion. The Board voted unanimously to approve the motion.

**Correspondence, Reports of Interest:**

- The Board acknowledged receipt of Karen Martynick's letter regarding Sycamore trees and the Township's response.
- The Board acknowledged receipt of the Carroll Engineering letter re: General Permit no. 11 and E. Boot Road Bridge.

**Adjournment:**

There being no further business, Senya made a motion to adjourn the meeting at 10:12 pm. Janet seconded the motion. The motion passed unanimously.

Respectfully submitted,  
*Christina Rossetti Hartnett*  
*Recording Secretary*

Attachment: *Treasurer's Report for July 30, 2015*

July 30, 2015

**TREASURER'S REPORT  
2015 RECEIPTS AND BILLS**

**GENERAL FUND**

Real Estate Tax	\$1,851.17	Accounts Payable	\$42,539.17
Earned Income Tax	\$48,400.00	Electronic Pmts:	
Local Service Tax	\$5,100.00	Health Insurance	\$0.00
Transfer Tax	\$0.00	Credit Card	\$0.00
<i>General Fund Interest Earned</i>	\$0.00	Postage	\$0.00
Total Other Revenue	\$23,726.53	Debt Service	\$0.00
Total Receipts:	<b>\$79,077.70</b>	Payroll	\$94,293.97
		Total Expenditures:	<b>\$136,833.14</b>

**STATE LIQUID FUELS FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total State Liquid Fuels:	<b>\$0.00</b>	Expenditures:	<b>\$0.00</b>

**SINKING FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Sinking Fund:	<b>\$0.00</b>	Total Expenditures:	<b>\$86,473.00</b>

**TRANSPORTATION FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Sinking Fund:	<b>\$0.00</b>	Expenditures:	<b>\$0.00</b>

**SEWER OPERATING FUND**

Receipts	\$93,985.24	Accounts Payable	\$281,424.70
<i>Interest Earned</i>	\$0.00	Debt Service	\$0.00
Total Sewer:	<b>\$93,985.24</b>	Credit Card	\$1,238.58
		Total Expenditures:	<b>\$282,663.28</b>

**REFUSE FUND**

Receipts	\$37,658.64		
<i>Interest Earned</i>	\$0.00		
Total Refuse:	<b>\$37,658.64</b>	Expenditures:	<b>\$13,878.30</b>

**SEWER SINKING FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Sewer Sinking Fund:	<b>\$0.00</b>	Expenditures:	<b>\$0.00</b>

**OPERATING RESERVE FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Operating Reserve Fund:	<b>\$0.00</b>	Expenditures:	<b>\$0.00</b>

**Events Fund**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Events Fund:	<b>\$0.00</b>	Expenditures:	<b>\$0.00</b>