

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
September 6, 2016 – 7:00 pm  
APPROVED MINUTES**

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

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

Senya called the meeting to order at 7:05 pm and asked Eric Meyer to lead the assembly in the Pledge of Allegiance.

**Moment of Silence:**

Carmen called for a moment of silence to honor the members of the military who keep us safe both locally and abroad.

**Recording of Meeting:** None

**Chairman's Report:** Senya reported that the Board met in Executive Session at 6pm prior to tonight's meeting to discuss a police personnel matter. He announced that Montajeon Gay had resigned from the Historical Commission. He also announced the following 2017 Minimum Municipal Obligations for the Township's pension plans:

- Firefighters Defined Benefit Plan: \$59,720
- Non-Uniformed Defined Benefit Plan (Frozen): \$0
- Non-Uniformed Defined Contribution Plan: \$80,787
- Police Commission Non-Uniformed (Admin) Defined Contribution Plan: \$9,804

**Consider Recommendation on Refuse and Recycling Bids**

Rick reported the following bid results

Advanced Disposal Services Eastern PA:	\$691,420.68
A.J. Blosenski Inc:	\$694,920.36
Solid Waste Services (d/b/a J.P. Mascaro & Sons):	\$909,486.60
Eagle Disposal of PA, Inc:	Did not bid, but asked to be kept on list for future bids

Rick observed that Advanced Disposal was unresponsive with respect to Section 24 of the bid specifications. He recommended that the contract be awarded to Blosenski. Senya asked if the bid document was clear that the missing items in question were required, and Rick said that it was.

Chuck made a motion to reject the bid from Advanced Disposal Services Eastern PA, Inc since it is unresponsive to the Section 24 addenda of the bid specifications and award the bid for the collection of municipal waste and recycling services to the lowest responsible and responsive bidder, A.J. Blosenski, Inc in the amount of \$694,920.36. Carmen seconded the motion.

Marty asked the Board if it was appropriate to reject a bidder for a deficiency in a bid. Carmen suggested that the Board consider rebidding the contract. Senya observed that contractors need to follow the rules and instructions in responding to bids and that every contractor understands this. Rick added that the Board has discretion to disqualify a bid based on deficiencies.

Jim Clark, A.J Blosenski, stated that he believes that the discrepancies in Advanced's bid were material.

The motion passed 5-0.

#### **Consider Proposal from Gannet Fleming on the Milltown Dam**

Rick explained that the Department of Environmental Protection (DEP) has advised Gannet Fleming that it would prefer that the reservoir be dewatered and the streambeds in the existing reservoir naturally re-establish themselves over a period of time. As a result, this preferred approach could delay the proposed landscaping and design above the dam. Senya observed that Gannet Fleming's price also reflects its institutional knowledge of both the Milltown Dam and DEP.

Marty made a motion to accept Gannet Fleming proposal for engineering services and permitting documents for the partial breach of Milltown Dam in the amount of \$123,400. Chuck seconded the motion.

Chuck Hepler, 12A Reservoir Road, stated that he would have preferred to have seen an alternative to having the reservoir dewatered and the drained reservoir sit there for a year while the stream channels establish themselves.

Mike Lehmicke, 4 Reservoir Road, expressed concerns about unsightly weeds growing in the dewatered floodplain while the stream channels are established and asked whether Township taxpayers could oppose DEP's preferred approach, as well as whether temporary vegetation would be planted.

Senya observed that both DEP and Gannet Fleming have a lot of experience with breaching dams in Pennsylvania and that we take their preferred approach into consideration. Both Senya and Carmen stressed the need to keep the community informed of Gannet Fleming's and DEP's activities. Carmen added that nothing will happen until the permit is issued, which probably wouldn't be for another six months.

The motion passed 5-0.

Marty observed that the Board has not received many resumes from residents living around the Dam to serve on the Dam Committee. He asked Mr. Hepler and Mr. Lehmicke to encourage their neighbors to apply.

### **Consider Proposal from Gannet Fleming on the Hershey's Mill Dam**

Rick observed that DEP will do the environmental assessment for the Hershey's Mill Dam, which will reduce Gannet Fleming quoted price by \$9,500.

Marty made a motion to accept Gannet Fleming's proposal for engineering services and the development of permitting documents for the breach of Hershey's Mill Dam at a cost of \$103,500, or \$9,500 less than the quoted price of \$113,000. Carmen seconded the motion. The motion passed unanimously.

### **Public Comment**

Bernie Greenberg, Hershey's Mill Villages, recommended that the Board carefully review Pennoni's comments about the water quality permit for Sunoco's proposed pipeline.

### **Consider Recommendation on Smoke Alarms**

Rick explained that the staff's recommendation is to eliminate the three exceptions in the Township code with respect to requiring smoke alarms on all floors and in all bedrooms of residential dwellings. He added that the township has received letters of support from the County and the Fire Company. He noted that nationally 4,000 people die per year from house fires, of which half were in homes without working smoke alarms.

Marty stated that he was adamantly opposed to amending the code as there are no data showing that installing a smoke detector on every floor and in every bedroom will lead to fewer deaths; that there is no way to ensure compliance other than at the time of sale; and that the Township should be careful not to overstep our bounds with residents' privacy.

Carmen stressed that this ordinance deals with human lives and that the Board has an obligation to do everything it can to keep residents safe.

Janet made a motion to direct staff to advertise the proposed ordinance amendment and schedule a hearing date. Carmen seconded the motion.

Senya observed that this recommendation may be appropriate for multi-family dwellings, but not for detached homes.

The motion did not pass by a vote of 2-3, with Senya, Chuck and Marty opposed.

### **Consider Additional Information on Recreation Survey**

Jon provided an overview of his memo about whether respondents to the Township's recent recreation survey who expressed an interest in programs for high schoolers had children or dependents under 18 at home. He noted that the survey had been well received by the Park & Recreation Commission at its meeting last week and recommended that the Finance Committee discuss next steps about the survey findings at its next meeting.

### **Consider Recommendation on Roof Replacement**

The Township received the following bids for the municipal building roof replacement project:

<b>Vendor</b>	<b>Amount</b>
Pro Cam Roofing Corp	\$220,653
Laurant Construction Co., Inc	\$226,026
Wilkinson Roofing & Siding, Inc	\$269,433
Garvey Roark, LLC	\$283,362
Premier Roofing Services LLC	\$285,317
D.A. Nolt, Inc	\$395,000
Jottan, Inc	\$6,110,826

Rick added that we also received a quote for resurfacing the roof from A. Poletto & Associates for \$24,300, which would extend the roof's useful life for some period of time. Rick stated that the roof is at a stage where the Township needs to take action, but it is not yet leaking or beyond the point at which resurfacing would prolong its useful life. The Board directed Rick to get bids for resurfacing the roof before taking further action.

### **Consider Recommendation to Replace Pick-up Truck**

Rick reported that we received two price quotes through COSTARS for a replacement for the 2007 Ford pick-up truck: \$41,113 from Hoskins Ford and \$44,145 through New Holland Ford. Carmen made a motion to purchase a 2017 Ford F350 through Hoskins Ford for \$41,143. Marty seconded the motion. The motion passed unanimously.

### **Consider Recommendation on Financial Security Agreement for Lot 1 in the 1662 East Boot Road Subdivision**

Carmen made a motion to approve the financial security agreement for the development proposed for 1662 East Boot Rd, Lot 1. Marty seconded the motion. The motion passed 5-0.

### **Consider Recommendation on Recreation Payment Portal**

Jon explained that the Township had cancelled the agreement with AMS for the proposed recreation payment portal and would receive a credit on future invoices. He recommended that the Township contract with MyRec for a payment portal. Chuck made a motion to contract with MyRec on a payment portal at an estimated cost of \$3,295. Carmen seconded the motion. The motion passed 5-0.

### **Consider Recommendation on DAS Zoning Ordinance**

Rick explained that this proposed amendment was identified as an issue by the West Chester Council of Governments and would regulate distributed antenna systems (DAS), which help telecommunications companies expend their wireless data footprint. Janet noted a handful of typos in the proposed ordinance. Janet made a motion to submit the ordinance to the Chester County Planning Commission for its review and comment. Carmen seconded the motion. The motion passed 5-0.

### **Consider Stormwater Agreements**

Marty made a motion to authorize the Chairman to execute storm water management operation and management agreements for 1553 Colonial Lane, 411 Misak Drive, 922 N. Chester Road and 1507 Grand Oak Lane. Carmen seconded the motion. The motion passed 5-0.

**Approval of Minutes from June 28<sup>th</sup> and August 16<sup>th</sup>**

Janet made a motion to approve the minutes of the June 28<sup>th</sup> Board of Supervisors meeting as corrected. Chuck seconded the motion. The motion passed 5-0.

Janet made a motion to approve the minutes of the August 16<sup>th</sup> Board of Supervisors meeting as corrected. Carmen seconded the motion. The motion passed 5-0.

**Treasurer's Report:**

*See attached Treasurer's Report for September 1, 2016.* 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 Board voted unanimously to approve the motion.

**Adjournment**

There being no further business, Marty made a motion to adjourn at 9:22. Chuck seconded. The motion passed 5-0.

Respectfully submitted,  
*Jon Altshul*

Attachment: *Treasurer's Report for September 1, 2016*

September 1, 2016

**TREASURER'S REPORT  
2016 RECEIPTS AND BILLS**

**GENERAL FUND**

Real Estate Tax	\$2,556.88	Accounts Payable	\$396,386.98
Earned Income Tax	\$133,000.00	<b>Electronic Pmts:</b>	
Local Service Tax	\$20,100.00	Credit Card	\$3,331.10
Transfer Tax	\$64,712.99	Postage	\$0.00
<i>General Fund Interest Earned</i>	\$0.00	Debt Service	\$0.00
Total Other Revenue	\$160,752.79	Payroll	\$157,262.00
Total Receipts:	<b>\$381,122.66</b>	Total Expenditures:	<b>\$556,980.08</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	Accounts Payable	\$85,223.30
<i>Interest Earned</i>	\$35.68	Credit Card	\$0.00
Total Sinking Fund:	<b>\$35.68</b>	Total Expenditures:	<b>\$85,223.30</b>

**TRANSPORTATION FUND**

Receipts	\$396.25		
<i>Interest Earned</i>	\$0.00		
Total Sinking Fund:	<b>\$396.25</b>	Expenditures:	<b>\$0.00</b>

**SEWER OPERATING FUND**

Receipts	\$258,359.24	Accounts Payable	\$44,104.40
<i>Interest Earned</i>	\$2.75	Debt Service	\$0.00
Total Sewer:	<b>\$258,361.99</b>	Credit Card	\$642.17
		Total Expenditures:	<b>\$44,746.57</b>

**REFUSE FUND**

Receipts	\$48,713.14		
<i>Interest Earned</i>	\$2.76		
Total Refuse:	<b>\$48,715.90</b>	Expenditures:	<b>\$16,937.40</b>

**SEWER SINKING FUND**

Receipts	\$0.00		
<i>Interest Earned</i>	\$0.00		
Total Sewer Sinking Fund:	<b>\$0.00</b>	Expenditures:	<b>\$8,743.17</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>