

**WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS  
688 SUGARTOWN ROAD, MALVERN, PA  
MONDAY, NOVEMBER 28, 2022, AT 7:00 PM**

**MINUTES**

The Regular Meeting of the Willistown Township Board of Supervisors came to order at 7:00 PM. Supervisors Molly H.B. Perrin, Robert T. Lange, and William R. Shoemaker were present. Also present were Township Manager Shanna Lodge, Chief of Police Robert Klinger, Lieutenant Jeffrey Heim, and Solicitor Bill Christman.

The meeting was called to order at 7:01 PM. Supervisor Shoemaker led the Pledge of Allegiance and a moment of silence for military personnel and first responders.

**Announcements**

Supervisor Shoemaker announced that an executive session was held on November 21, 2022, regarding legal matters.

**New Business**

**Minutes** – Supervisor Perrin moved to approve the minutes of November 14, 2022. Supervisor Lange seconded the motion. There were no comments from the Board or the public and the motion carried.

**Expenditures** – Supervisor Perrin moved to approve the list of expenditures and interfund transfers dated November 25, 2022. Supervisor Lange seconded the motion. There were no comments from the Board or the public and the motion carried unanimously.

**Police Report** – Chief Klinger reported on department activity for the past month, including arrests for a disturbance at Paoli Hospital, a DUI, and citations for underage drinking.

**Contract Addendum** – Supervisor Shoemaker introduced a contract addendum for the Chester County Vision Partnership Program Grant, which supports the Township Comprehensive Planning Efforts. The addendum extends the grant contract term through June 30, 2023. Supervisor Perrin moved to approve the addendum to authorize the extension. Supervisor Lange seconded the motion. There were no comments from the Board or the public and the motion carried unanimously.

**Township Audit** – Supervisor Shoemaker introduced two action items related to the annual audit of Township finances. Supervisor Perrin moved to authorize the advertisement of a Resolution to appoint a certified public accountant in place of the Elected Auditors to make an examination of all accounts of the Township for Fiscal Year 2022. Supervisor Lange seconded the motion. There were no comments from the Board or the public and the motion carried unanimously.

Supervisor Shoemaker introduced a letter of engagement with Maillie LLP for auditing services for the years ending December 31, 2022, 2023, and 2024. He inquired if engaging the auditor would be premature, as the Resolutions appointing a CPA for those years have not yet been before the Board. Solicitor Christman noted that the engagement would simply be nullified should the resolutions be rejected. Supervisor Perrin inquired if the Township has engaged Maillie for these services in the past, which the Township has.

Henry Yordan of 152 Grubb Road commented on the completion date of the Township audit, which historically, has not met the Commonwealth's statutory deadline, which is in April of each calendar year. Supervisor Shoemaker and Manager Lodge noted that many if not most municipalities miss this deadline. It was further noted that the statute seems not to be enforced by the Commonwealth. Solicitor Christman noted that it is the Auditor, not the Township, who would be held liable for the missed deadline. Joe Heenan of 713 Monument Road suggested that other municipalities in the region meet the deadline. Mr. Yordan referenced East Goshen, which did not meet the deadline but completed its audit sooner than Willistown. Supervisor Shoemaker noted that the Township will specify in their engagement with Maillie that compliance with the date certain established by the state is expected.

Supervisor Perrin moved to authorize the Township Manager to engage Maillie. Supervisor Lange seconded the motion. There were no further comments from the Board or the public and the motion carried unanimously.

#### **Citizens' Comments**

Marie Kania of 2905 Sage Wood Drive expressed concern about a property near the east corner of Sugartown and Goshen regarding a buildup of refuse along the property frontage. Manager Lodge noted that she will consult with the Codes and Police Departments about the property.

Mr. Joe Heenan expressed his agreement with a request made at a previous Board meeting that draft minutes be shared with the public. He further requested that the Board intercede with the Open Space Review Board, which has not approved minutes this calendar year. Supervisors Shoemaker and Perrin requested that Manager Lodge remind all the Boards and Commissions of their responsibility to review and approve minutes.

Julie Frissora of 34 Chetwynd Road inquired regarding the total amount spent on services of Obermeyer during the sewer sale process. Supervisor Shoemaker reported that the amount paid between 2020 and 2022 totaled \$301,146.82, with a yearly breakdown of \$66,935.37 in 2020, \$55,666.29 in 2021, and \$178,545.16 in 2022. Julie Frissora requested that the recordings of the Sewer Benefit Committee meetings be re-posted if this was technologically and contractually possible. Manager Lodge suggested that she believes it is, and their removal was likely a website auto-archive. Additionally, Ms. Frissora asked if the Board of Supervisors consulted Obermeyer regarding the Aqua extension of the Outside Date. Supervisors Perrin and Shoemaker noted that they did not do so since they are attempting to minimize costs spent on counsel and the language in the Asset Purchase Agreement is clear.

Mr. Yordan suggested that his attorney believes the extension is not valid. Supervisor Shoemaker proposed that the Township could spend additional money on an Obermayer opinion. Mr. Yordan withheld a request for this for the time being.

Jerry Childers of 8 Colonial Way inquired about previous statements of the Board and the draft minutes item that had been previously mentioned. Mr. Yordan noted that other Townships in the region post draft minutes. Mr. Joe Heenan reiterated his support for the posting or sharing of draft minutes.

Jackie Springman of 36 Chetwynd inquired how much had been paid to legal counsel for the sewer sale. Supervisor Shoemaker stated again that the amount paid to Obermayer from 2020 to present totaled \$301,146.82. She inquired whether this payment caused the sewer fund deficit identified in the budget presentation. Supervisor Shoemaker advised this is not the case; it is an operating deficit. Manager Lodge noted that the deficit is due primarily to the Fairview Sewer Replacement project.

Ryan Heenan of 8 Castlebar asked a question about Ordinance 135-3, which relates to landowner permission for hunting on private property, and if the Township could provide a permission form to be signed by the landowner and carried by the hunter. The Supervisors advised that the Manager locate or draft the form and provide it to Mr. Heenan. Mr. Heenan was further advised that additional questions about hunting and this section of the Code could be directed to the Police Department.

Drew Alleva and Bud Haly of the Great Valley Community Organization spoke about their organization's work. A new private, non-profit community center is being constructed to serve Great Valley School District residents. The ground has recently been broken on the new center on Bacton Hill Road. Supervisor Shoemaker invited the Organization to offer a presentation to the Board at a future meeting.

Lou Pettinos of Applewood Road inquired about the source of the funds spent on Obermayer legal services. Supervisor Shoemaker advised that those funds come from the reserves in funds paid by the sewer ratepayers.

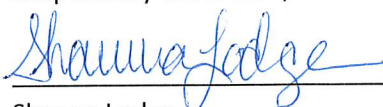
#### **Next Meeting**

The next meeting of the Board of Supervisors will be held Monday, December 12, 2022, at 7:00 PM in the Township Building and via Zoom.

#### **Adjournment**

There being no further business before the Board, the meeting was adjourned at 8:06 PM.

Respectfully submitted,



Shanna Lodge  
Township Manager