

WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES
688 SUGARTOWN ROAD, MALVERN, PA
JULY 24, 2017 AT 7:00 PM

The special meeting of the Willistown Township Board of Supervisors came to order at 7:00 PM. Supervisors William R. Shoemaker and Robert T. Lange were present. Also present were Township Manager David R. Burman, Special Solicitor Timothy Sullivan, and Wastewater Engineer William Malin.

Mr. Burman led the Pledge of Allegiance to the Flag, followed by a moment of silence for our troops.

Announcements

None.

New Business

Mr. Shoemaker introduced Mr. Sullivan who summarized the proposed purpose of the meeting.

Mr. Sullivan reported that the Board will be asked to consider three actions concerning the Valley Creek Trunk Sewer. First, the Board will be asked to consider action on a Resolution authorizing execution of a settlement agreement to resolve responsibilities for the rehabilitation of the Wilson Road Force Main of the Valley Creek Trunk Sewer, to provide for a process for the potential sale of the Valley Creek Trunk Sewer, to resolve litigation, and to authorize all necessary actions thereto. Next, the Board will be asked to consider a motion to engage Dilworth Paxson LLP as special transactional counsel, with payment and engagement terms to be controlled by the provisions of the Wilson Road Force Main / Valley Creek Trunk Sewer Settlement Agreement. Finally, the Board will be asked to consider a motion to engage PFM Group as special transactional consultant, with payment and engagement terms to be controlled by the provisions of the Wilson Road Force Main / Valley Creek Trunk Sewer Settlement Agreement.

Mr. Shoemaker asked those in attendance for questions and comments.

Mike Kerr of 33 Stonehenge asked about the bid process for sale of the Valley Creek Trunk Sewer, and when the bid dates would be announced. He expressed concerns about the decision to sell the pipe at a time when it recently has been rehabilitated. Mr. Kerr asked how many EDU's remain, and expressed concerns about rate increases under a new owner. Mr. Shoemaker expressed his feeling that government is generally not as efficient as a private entity for operating a sewer business. Mr. Malin reported that approximately 2,000 EDU's remain. Mr. Sullivan indicated that any sale of the Valley Creek Trunk Sewer would be subject to a three-year rate freeze. Beyond that, any private entity would require PUC Approval for rate changes, but public agencies, like sewer authorities, would not.

Victor Guglielmi of Wildwood Drive commented about Valley Forge Park. Mr. Shoemaker reported that the Park would have preferred that the pipe had been relocated off their property, but instead, it was rehabilitated in its original location.

Mr. Lange moved to approved Resolution 22 of 2017, a Resolution to authorize execution of a Settlement Agreement to resolve responsibilities for the rehabilitation of the Wilson Road Force Main of the Valley Creek Trunk Sewer; to provide for a process for the sale of the Valley Creek Trunk Sewer and wind-up of the Valley Creek Trunk Sewer Agreement; to resolve litigation; and to authorize all necessary actions thereto. Mr. Shoemaker seconded the motion. There were no further comments from the Board or the

public, and the motion carried by a vote of 2-0.

Mr. Lange moved to engage Dilworth Paxson LLP as special transactional counsel, with payment and engagement terms to be controlled by the provisions of the Wilson Road Force Main / Valley Creek Trunk Sewer Settlement Agreement approved this same date, and per the Dilworth Paxson LLP engagement letter dated June 13, 2017. Mr. Shoemaker seconded the motion. There were no further comments from the Board or the public, and the motion carried by a vote of 2-0.

Mr. Lange moved to engage PFM Group as special transactional consultant, with payment and engagement terms to be controlled by the provisions of the Wilson Road Force Main / Valley Creek Trunk Sewer Settlement Agreement approved this same date. Mr. Shoemaker seconded the motion. There were no further comments from the Board or the public, and the motion carried by a vote of 2-0.

Citizens' Comments

None.

Announcements

Mr. Shoemaker reported that the Board met in Executive Session just prior to this meeting to discuss pending litigation.

Next Meeting

The next meeting of the Board of Supervisors will be held on Monday, August 14, 2017 at 7:00 PM in the Municipal Meeting Room at 688 Sugartown Road.

Adjournment

There being no further business, the meeting adjourned.

Respectfully submitted,



David R. Burman
Secretary