

WEST GOSHEN SEWER AUTHORITY  
SPECIAL MEETING  
December 14, 2020  
6:00 PM

A special meeting of the West Goshen Sewer Authority was held on Monday, December 14, 2020 as a Video/Teleconference due to the COVID-19 Emergency Declaration that prevented an in-person Public Meeting. The purpose of the meeting was for the Authority board to interview four prospective firms who were invited to respond to an RFP to provide legal professional services to the West Goshen Sewer Authority. Those participating in the conference call were:

**Authority**

Theodore Murphy  
Tina Smith  
Walt Wills  
Shaun Walsh

**Administration**

Casey Lalonde

1. The special meeting of the Authority was called to order at 5:58 PM by Chair, Ted Murphy.
2. Ted Murphy identified the attendees.
3. The interviews proceeded as follows, with the bolded name being the proposed individual from each firm who would provide normal legal support to the Authority:
  - 6:00 PM – 6:30 PM  
Lamb McErlane - **Mr. Mark Thompson** & Ms. Helen Esbenshade
  - 6:30 PM – 7:00 PM  
UTBF – **Mr. Ryan Jennings** & Mr. Ross Unruh
  - 7:00 PM – 7:30 PM  
Buckley Brion – **Mr. Tom Oeste**
  - 7:30 PM – 8:00 PM  
Siana Law – **Mr. Eric Brown** & Mr. Michael Crotty

All interviewees were afforded the opportunity to provide a 5 minute opening statement, followed by a 20 minute Q&A interview with six questions, which were the same for each candidate:

1. (Ted Murphy) - Has a municipal client ever NOT followed your legal guidance and how did you resolve the resulting conflict?
2. (Tina Smith) - Please describe the most complex or contentious legal matter you have managed for a municipal client and how did you appropriately guide the Board to resolve the matter?
3. (Walt Wills) - In a construction contract dispute with a low value claim, for which legal fees would substantially exceed the claim amount, what are the key factors you would consider in providing a recommended course of action to the client?
4. (Shaun Walsh) - The West Goshen Sewer Authority has retained special counsel for managing an effluent discharge limit dispute with the EPA/DOJ. What is your opinion on the extent, if any, that the Authority Solicitor would need to be engaged in this matter and why?

5. (Ted Murphy) - Are you familiar with wastewater inter-municipal agreements like those between the West Goshen Sewer Authority and neighboring municipalities, and what problems do you know of that can, or you think could, arise between these entities?
  6. (Tina Smith) - What circumstances could arise that you would consider to be a conflict of interest in representing the West Goshen Sewer Authority and how would you manage the situation?
4. After the interview process, the Authority Board reconvened at 8:01 PM to discuss and deliberate the selection of the Solicitor for the Authority. The discussion took into consideration i) the RFP written responses and pricing proposals; ii) the responses to clarifying questions asked by Board members on the RFP proposals; iii) assessment of the Q&A process and the quality of interviewees responses; iv) board member judgment on issues such as the potential for conflict of interests, and the possibility of differentiation between firms in the billing hours for the legal work required to be performed. After a robust and comprehensive deliberation by all board members, Ted Murphy motioned to appoint the Authority Solicitor by the majority vote of members present. Seconded by Tina Smith. The Authority Board members requested input from two members of the public who had been in attendance throughout the interview process. Mr. John Hellman and Ms. Margie Swart provided comments on the process and their thoughts on the selection decision facing the Board. Both expressed satisfaction with the quality of the candidates in consideration and their competence to perform the work. Voting proceeded with 1 vote (Wills) for Buckley Brion and 3 votes (Walsh, Smith, Murphy) for UTBF. Therefore, Ted Murphy announced that by majority vote, UTBF were appointed the Authority Solicitor. As UTBF are the current provider of legal services to the Authority this is in effect a continuation of service effective January, 1<sup>st</sup>, 2021. Ted Murphy thanked the Board members for their engagement and efforts in making this a transparent, solid and effective process.

5. Any Other Business:  
No other items for Authority consideration were raised.

Shaun Walsh motioned to adjourn the meeting at 9:03 PM, seconded by Walt Wills.  
Approved 4-0.

Respectfully submitted,

Shaun Walsh,  
Secretary