



July 31, 2023

[REDACTED]  
Township Manager  
Bethel Township  
1092 Bethel Rd  
Garnet Valley, PA 19060  
[Township.manager@betheltwp.com](mailto:Township.manager@betheltwp.com)

**Risk Control Visit – June 30, 2023**

Dear Mr. [REDACTED]

This letter confirms my recent visit to the Bethel Township's facilities on behalf of your commercial insurance program underwritten by McKee Risk Management, Inc. and Old Republic Insurance Company. The purpose of the visit was to discuss the Township's general operations and loss prevention procedures as well as to survey a few of the larger facilities. During the meeting with select Township personnel, we discussed the risk control and loss prevention services that are available to the Township through McKee Risk Management.

**General Discussion:**

During our discussion, it was observed that the Township has a solid risk management program in place. In addition to the positive attributes identified during our meeting, it was further identified during our tour that the Township properties are well maintained and inspected on a routine basis. Additionally, as we discussed, the Township has formalized procedures in place for contractual risk transfer as it relates to Township the use of subcontractors and vendors to complete construction and maintenance projects. Therefore, no program-oriented recommendations were generated during our discussions. However, a few loss prevention deficiencies were identified during our property tours and the discussion of the use of the Township vehicles. These deficiencies are discussed within the attached recommendation section.

**Property Tours:**

The following Township owned properties were surveyed during my recent visit:

1. Township Complex – 1082, 1084, 1090, & 1092 Bethel Rd
2. Jack King Park
3. Schaefer Park

These Township facilities surveyed well from a general liability and overall. The buildings were found to be in good condition from a housekeeping and general maintenance standpoint. However, a few loss prevention deficiencies were identified during our property tours as we discussed. These deficiencies are discussed within the attached recommendation section.

**Recommendations:**

As noted above, recommendations are being submitted to assist the Township's risk and safety management efforts. These recommendations are attached for your review and implementation.

Please review each of the attached recommendations and contact us with any immediate questions or comments regarding the findings of the recently completed survey. Also, we would appreciate a written response indicating what actions the Township has taken, or plans to take, to meet with the intent of the recommendations. This notification is requested within 30-days of your receipt of this letter and should be forwarded to McKee Risk Management, Inc. Please note that recommendations classified as "Program Enhancement / For Advisement Only" do not require any follow-up response.

*Please understand that timely completion of recommendations is considered an important aspect of your commercial insurance program. Therefore, I or a representative from McKee Risk Management, Inc. will contact you, shortly after the 30-day timeline indicated above, if we have not received a response from you before then.*

**Risk Control Service Availabilities:**

McKee Risk Management, Inc. is available to assist your organization with risk control resources, such as safety training materials, safety program information and safety related handout materials. Please notify us if you are interested in the additional resources from McKee Risk Management, Inc.

**Closing:**

Thank you for your time and assistance during the completion of the recent survey visit. Should you have any questions regarding the recent survey do not hesitate to contact Dan Niewoehner, CSP, Vice President McKee Risk Management – Risk Control Services at 484-674-4063 or dniewoehner@mckeerisk.com. Thank you again for the time and assistance extended during our visit.

Sincerely,

Jeff Wrenn, ARM

Insurance Safety Consultants, *on behalf of McKee Risk Management, Inc.*

cc: Katie Sixeas, Arthor J Gallagher Risk Management Corp, [REDACTED]  
Erin Senay – McKee Risk Management, Inc.  
Dan Niewoehner - Risk Control Department – McKee Risk Management, Inc.

## RECOMMENDATIONS/OPPORTUNITIES FOR IMPROVEMENT

### **Essential**

#### **2023-06-01 MVR / Driver Evaluation**

A formal/written Motor Vehicle Record (MVR) evaluation criterion should be developed, communicated with employees who may operate motor vehicles as part of their job duties. The MVRs should be obtained for all drivers at hire and annually. The Township reviews MVRs in house without formal MVR criteria indicating what will be allowed and what will not be allowed on a driver's record. Guidelines for determining what is, or is not, an acceptable MVR should be developed by management, and employees whose driving records are deemed unacceptable should be limited to duties which do not involve operating a motor vehicle. Your insurance carrier has the following criteria that they request to be used at a minimum. The criteria (as provided during the survey) includes the following:

#### **MVR / Driver Evaluation**

- All drivers must have a valid driver's license or commercial driver's license where required
- Drivers must be 21 years of age and have at least 3 years of driving experience

Any driver with any **one (1) major violation** within the past 5 years or **three (3) or more minor violations** within the last 3 years does not meet underwriting standards and will be considered ***ineligible***.

#### **Major Violations**

- \* Driving while intoxicated, impaired, or under the influence of drugs or alcohol
- \* Any conviction related to the use of an automobile including:
  - Assault, homicide or manslaughter by motor vehicle
  - Resisting arrest
  - Fleeing or evading police/roadblock
  - Hit and run/leaving the scene of an accident
- \* Reckless driving
- \* Driving with a suspended or revoked license
- \* Refusal to take a sobriety or substance test
- \* Speed in excess of 20 MPH over posted limit
- \* Using a motor vehicle in the commission of a felony
- \* Speed contest (drag racing)

#### **Minor Violations**

- \* Failure to report an accident
- \* Moving violations that include
  - Speeding

- Improper Lane Change
- Failure to Yield
- Failure to obey traffic signal or sign
- Careless Driving
- \* Any at fault accident
- \* Texting while driving where prohibited
- \* Use of a cell phone without a hands-free device where prohibited

Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

### Essential

#### 2023-06-02 Schaefer Park Liability Hazards

Schaefer Park is unimproved land that has not been developed for public use. The park should be closed to the public until the property can be developed as a public use park. Currently, there is a gate and fence for the property but use is still allowed with a sign posted to "use at your own risk." To reduce the risk of injury to the public that may use the park, the park should be closed and include, but not be limited to, the following:

- Signs should be posted of the park closure and signs posted for no trespassing
- An arborist should be contracted to access the condition and health of the trees and any trees and/or limbs that need trimming or removal should be completed so that the potential for falling trees or limbs that could injure the public is reduced
- A park entrance should be created along with parking areas
- Public walkways/trails should improved so that these walking areas are level which will reduce the potential for a slip and fall
- Park use rules should be posted including the times when the park is open

Due to the current condition of the park, closing the park until improvements are made will reduce the potential for liability associated with injuries that may arise from the public using the undeveloped land.

Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

**Essential****2023-06-03 Employee Handbook Policies**

Complete and appropriate employment practice policies are a key part of any organization's employee handbook. Given that there have been claims related to employment practices in the past, it is appropriate now to have a qualified employment practices expert review the township handbook and make recommendations for improvements. Any recommendations made by this expert should be considered and applied/incorporated into the handbook as soon as possible. Updated policies will help to have a fair and equitable employment atmosphere within the municipality and help to avoid future claims.

**Date:** \_\_\_\_\_

**Action Taken:** \_\_\_\_\_

**Advisory****2023-06-04 Storage Clearance**

A minimum of 3 feet of clearance should be maintained at all times between stored materials and suspended heaters, electrical panels, electrical disconnects, transformers, switchgear, water heaters, boilers, etc. During the survey there were combustible items stored within 3 feet of the electrical panels, garage heater, and a water heater in the garage utility closet. Given that this type of equipment generates heat when operating and can serve as a source of combustion, clear space should be maintained to reduce potential fire hazards. When possible, it would be advised to store any combustible items in other areas where there are no electrical or mechanical system equipment.

**Advisory****2023-06-05 Fleet Safety Program**

Consider developing some basic fleet safety policies, which can be combined in your written safety program, to communicate the company's stance on vehicle safety matters, as well as to communicate important fleet safety policies that apply to the operation of company vehicles. Effective fleet safety communications will increase driver awareness and should reduce the potential for vehicle accidents. The policies should be reviewed with each employee that is approved by management to operate a company vehicle. The program may include, but not necessarily be limited to, the following topics:

- Driver Qualifications/MVR reviews - Including formal guidelines for what is considered and acceptable driving record for employees that are approved to operate vehicles for business travel.
- Driver Training
- Driver distractions/distracted driving
  - Handheld devices
  - Eating while driving
  - Radio Use
- Seat belt use for all passengers

- Vehicle Inspections
- Accident Reporting & Investigation

The fleet safety program should be reviewed by employees that operate company vehicles, and the drivers should be encouraged to sign the policy acknowledging that they have reviewed and understand the guidelines.

Please respond, in writing, as to the disposition of these recommendations within 30 days of receipt of this letter. Your response may be directed to:

Dan Niewoehner, CSP  
Vice President – Risk Control Services  
McKee Risk Management, Inc.  
610 Freedom Business Center Drive, Suite 300  
King of Prussia, PA 19406

Please note that recommendations classified as “*Program Enhancement / For Advisement Only*” do not require any follow-up response.

*McKee Risk Management, Inc. risk control services are not intended as a substitute of advice from legal counsel, nor are they intended to supplant the duty to provide a safe workplace, operation, product, or premises. The responsibility to provide safe working and operating conditions is solely that of the employer and/or property owner.*





March 25, 2024

[REDACTED]  
Bethel Township  
1092 Bethel Road  
Garnet Valley, PA 19060

**RE: Shaffer Park Resurvey – March 15, 2024**

Dear [REDACTED]

It was a pleasure meeting with you recently to complete a follow-up survey of Shaffer Park. Katie Sixeas of AJG Media joined us for the meeting and the following provides a brief summary of our findings and discussions during the visit.

**Survey Purpose:**

The specific purpose of our follow-up visit to the Shaffer Park property was to evaluate the current condition of the property in conjunction with the findings of our initial visit to the park which was completed on June 30, 2023. As a review, the following is a list of the areas of concern that were identified during our initial visit:

1. Signs should be posted of the park closure and signs posted for no trespassing.
2. An arborist should be contracted to assess the condition and health of the trees and any trees and/or limbs that need trimming or removal should be completed so that the potential for falling trees or limbs that could injure the public is reduced.
3. A park entrance should be created along with parking areas.
4. Public walkways/trails should be improved so that these walking areas are level which will reduce the potential for a slip and fall.
5. Park use rules should be posted including the times when the park is open.

It should also be noted that an additional purpose of the visit was to evaluate the potential for the township to re-open the park as the major capital improvement plans for the property are finalized and construction initiated/completed which will include points #3 & 4 above. (see attached plans)



### **Current Condition of the Park:**

During our walking tour of the Park and subsequent discussions, it was identified that recommendation subparts 1, 2, & 5 have been completed, whereas a licensed Arborist was contacted after our 6/30/23 survey visit to conduct a visual inspection of all of the trees located throughout the Park and subsequently, all high risk trees were removed and a 2<sup>nd</sup> round of tree removal is planned for later this year. Additionally, a Park Rules sign was erected and a Park Closed/No Trespassing sign has been posted since the time of our initial survey visit.

Also, as we conducted a walking tour of the Park we observed that No Trespassing signage was posted adjacent to the retention pond located at the rear of the property as well as a 'snow fence' had been erected around the pond. Additionally, with the exception of some small to moderate size branches that had fallen throughout the property over the late winter months, the Park's walking areas were found to be in good condition with no noticeable divets or tripping hazards.

### **Needed Actions Required Prior Park Re-opening:**

With the understanding that the township would like to re-open Shaffer Park prior to the initiation of the capital improvement project over the next 12-24 months, I did have an opportunity to review the findings of our recent visit to the property with the McKee Underwriting team. Accordingly, it was agreed that the Township can re-open the Park after the below action items that we reviewed during the visit are completed;

1. A pedestrian gate should be installed as a replacement (upgrade) to the current vehicular gate.
2. The existing vehicular gate should be kept locked and posted with "*authorized vehicles only*" signage.
3. The branches that had fallen throughout the property over the late winter months should be removed.
4. The snow fence around the retention pond should be repaired in the areas that were hit by falling branches over the winter.
5. The DPW or Parks Dept should continue their routine inspections of the park.

**Closing:**

Please be in touch with any questions regarding the findings of our re-visit to Shaffer Park as well as the action items listed above. Additionally, please be in touch when the actions items are completed and the Park is scheduled to be re-opened so that I am able to keep our Underwriting team updated. It was a pleasure meeting with you recently at Shaffer Park and again, please feel free to be in touch with any questions.

Best Regards,

*Dan*

Dan Niewoehner, CSP  
Vice President - Safety and Risk Consulting Group  
McKee Risk Management, Inc.

cc: Katie Sixeas - Arthur J Gallagher Risk Management Corp  
Erin Senay – McKee Risk Management

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### Site Photographs



General Info Sign



Park Rules



Retention Pond Signage



Retention Pond Fencing