

Exhibit K

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOREEN WOODWARD, Individually and
as Administrator of the Estate of
John David Woodward, Jr., deceased,
and as Parent and Natural Guardian of
E.W., a minor,
Plaintiff,

v. No. 23-5126

CHRISTOPHER BASHORE, Individually
And in his capacity as West Goshen
Township Manager, WEST GOSHEN TOWNSHIP
and WEST GOSHEN TOWNSHIP BOARD OF
SUPERVISORS
Defendants.

Video deposition of CHRISTOPHER
BASHORE, held in the law offices of Saltz
Mongeluzzi Bendesky P.C., One Liberty Place, 1650
Market Street, 52nd Floor, on Wednesday, July 17,
2024, commencing at 9:51 a.m., before Kathleen
McHugh, RPR, CRR, CCR-NJ, and Notary Public.

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18 ALSO PRESENT:

19 Neal Webb, Video Operator

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1 VIDEO OPERATOR: Good morning. We're
2 now on the record. Time is 9:51.

3 This is the video recorded deposition
4 of Christopher Bashore in the matter of Doreen
5 Woodward, et al., versus Christopher Bashore, et
6 al.

7 The deposition is being held in the
8 offices Saltz Mongeluzzi Bendesky, P.C., in
9 Philadelphia, Pennsylvania, on July 17th, 2024.

10 The videographer is Neal Webb, and the
11 court reporter is Kathy McHugh, both in association
12 with Lexitas.

13 Will counsel please announce their
14 appearances for the record.

15 MR. DORDICK: Sam Dordick for the
16 plaintiff.

17 MR. ALEXANDER: Paul Alexander on
18 behalf of the defendants.

19 VIDEO OPERATOR: The court reporter
20 will please swear in the witness and we can begin.

21 CHRISTOPHER BASHORE, having been duly
22 sworn, was examined and testified as follows:

23 COURT REPORTER: And counsel, usual
24 stipulations?

25 MR. DORDICK: Yes.

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1 MR. ALEXANDER: Yes.

2 EXAMINATION

3 BY MR. DORDICK:

4 Q. Sir, do you accept any responsibility for
5 the death of John David Woodward?

6 A. No.

7 Q. Do you believe that your actions as the
8 township manager in the days leading up to his
9 death were prudent and appropriate?

10 A. Yes.

11 Q. Do you believe that you played no role in
12 causing his death?

13 A. No.

14 Q. You don't believe that you played no role or
15 you believe that you played no role?

16 A. I believe that I played no role. There was
17 an investigation that was ongoing into certain
18 conduct, and there was ongoing invest -- there was
19 an ongoing investigation.

20 Q. I'm going to mark as Bashore 1 a copy of the
21 suicide note.

22 Sir, before today, have you ever seen
23 a copy of the suicide note that was left by
24 Mr. Woodward?

25 A. Yes, I've seen it.

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1 Q. And in what context did you see it?

2 A. Part of the workers' compensation case
3 that's pending with Pond Lehocky. There were some
4 records that were turned over to us, so I've seen
5 that. And then during prep, prep for this
6 deposition.

7 Q. You had a chance to read it?

8 A. Yes.

9 MR. DORDICK: Let's mark it and give
10 it to the witness, please.

11 (Exhibit Bashore 1 was marked for
12 identification.)

13 BY MR. DORDICK:

14 Q. I understand you said that you've read this
15 before, but if you need to I'll give you an
16 opportunity to read it again.

17 Based on your review in the past on
18 multiple occasions and your review today --

19 A. Uh-hum.

20 Q. -- do you agree that after telling his wife
21 and his daughter how much he loves them the very
22 first thing that Mr. Woodward's suicide note
23 discusses is waiting around to be fired from the
24 job that he loves?

25 A. Yes.

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1 Q. Sir, do you acknowledge that the only thing
2 in this letter, other than expressing to his family
3 how much he loved them, that in any way indicates a
4 reason or a cause for the suicide is in relation to
5 that second paragraph there where he discusses
6 waiting around to be fired from a job that he
7 loves?

8 A. I never told him he was going to be fired.

9 Q. That's not my question, sir. Do you need my
10 question repeated?

11 A. Sure.

12 Q. Do you acknowledge that in reviewing this
13 suicide note that the only thing in the note, other
14 than expressing his love for his wife and his
15 daughter, that in any way could be related to a
16 cause for his suicide or the reasons underlying it,
17 are related to him, as he says, waiting around to
18 be fired from a job that he loves?

19 A. Yes.

20 Q. Sir, you were the reason why he believed
21 that he may be fired from the job that he loves.
22 Do you acknowledge that?

23 A. No, because I was acting under the -- under
24 the direction of the board of supervisors, so it
25 was not just me. I may have been the one who

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1 delivered the letters that they were being placed
2 on administrative leave, but it was at the
3 direction of the governing body.

4 Q. So regardless of who you were acting under
5 the direction of, if anybody, do you acknowledge
6 that you and the communications that you provided
7 to him, both in the letters, in the meetings, and
8 face to face to Mr. Woodward, you were the reason
9 why he believed that he may be terminated from the
10 job that he loved and that he faithfully served for
11 decades?

12 MR. ALEXANDER: Objection to the form
13 of that question. He can't possibly know what
14 Mr. Woodward was thinking beyond this letter.

15 MR. DORDICK: You can object to the
16 form, but anything else is coaching the witness.

17 THE WITNESS: No, I don't -- I have no
18 idea what his interpretation was of those meetings.

19 BY MR. DORDICK:

20 Q. You're not aware that every single person in
21 that meeting, other than yourself, the people that
22 you were speaking to -- when I say "the meeting," I
23 mean the July 20, 2023 meeting --

24 A. Uh-hum.

25 Q. -- was under the impression that you were

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1 communicating to them that they could be fired,
2 they could go to jail, and that they committed
3 fraud?

4 A. I have absolutely no control over people's
5 interpretation of things.

6 Q. Are you aware that that's how they
7 interpreted it?

8 A. I'm sure that's how they interpreted it, but
9 I have no control over how they interpret things.

10 Q. So this is kind of like the typical MO for
11 somebody that commits verbal abuse, which is it's
12 not my fault for saying it, it's your fault for
13 interpreting it. It's not my fault for how you
14 interpret it. I'm sorry that you interpret it that
15 way. That's kind of what you're saying?

16 A. No, that's not what I'm saying.

17 Q. Okay.

18 A. What I'm saying is, I put them on
19 administrative leave. There was a whole back-and-
20 forth that occurred. I did not go in there and
21 start by saying, oh, this is what happened or
22 anything like that.

23 I delivered them a letter, told them
24 they were being placed on administrative leave, and
25 that they were -- there was an investigation that

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1 was going to be conducted.

2 At that point they started pushing
3 back, and each one of them gave a different story
4 as to how this occurred.

5 Q. Sir, we're going to get into the meetings,
6 but do you acknowledge that through those meetings
7 you accused Mr. Woodward and the superintendents of
8 fraud?

9 A. No, I did not do that.

10 Q. You did not do that?

11 A. No, I didn't do that.

12 Q. You realize that there's a writing that
13 we're going to go through that you wrote which
14 says, fraudulently submitted time records?

15 A. Yes, they were fraudulently submitted time
16 records. I never accused them of committing
17 payroll fraud.

18 I said what they were doing was
19 fraudulent. I did not accuse them of committing
20 payroll fraud.

21 Q. So you told them what they were doing was
22 fraudulent, but to you that means something
23 different than accusing them of fraud?

24 A. Yes.

25 Q. Okay. Sir, is it your testimony that in the

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1 days leading up to Mr. Woodward's suicide that you
2 did everything in your role as township manager
3 appropriately?

4 A. Yes.

5 Q. And by the book?

6 A. Yes.

7 Q. And how things should be done?

8 A. Yes.

9 Q. Sitting here today and looking back, you
10 wouldn't change a thing?

11 A. No.

12 Q. Sir, would you agree that in the days and
13 the weeks leading up to Mr. Woodward's suicide, you
14 played an integral role in communicating with
15 Mr. Woodward in regards to the investigation, the
16 snow time, and the unpaid administrative leave?

17 A. Yes.

18 Q. In fact, you played the central role in that
19 regard?

20 A. Yes. That's my job.

21 Q. I want to go through the time line with you.

22 A. Okay.

23 Q. Tell me when you started as township
24 manager?

25 A. January 3rd of 2022.

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1 Q. '22 or '23?

2 A. '22.

3 Q. At the time -- as assistant township
4 manager?

5 A. I was hired as assistant township manager on
6 September 20th, 2021, and was promoted to township
7 manager on January 3rd of 2022.

8 Q. When did LaLonde leave?

9 A. January 3rd, 2022. He tendered his
10 resignation on December 20th and left on January
11 3rd.

12 Q. So at the time of this investigation, you
13 know, in the two to three weeks leading up to the
14 suicide, you would have been township manager for
15 approximately a year and a half?

16 A. Correct.

17 Q. Tell me about your role as the township
18 manager, what do you do?

19 A. My role is to oversee day-to-day operations
20 of the municipality.

21 Q. What does that --

22 A. Meaning oversight of all departments,
23 management of our budget, finances, things of that
24 nature. Supervisory of all the -- of all the
25 department heads and then department heads have

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1 reports that report to them.

2 Q. So what does that mean, on a daily basis you
3 walk in and you do what?

4 A. On a daily -- I walk in, I review emails. I
5 check in on projects with our department heads,
6 attend meetings about township affairs.

7 I don't -- I don't really know what
8 you're -- what you're looking for. It changes on a
9 day-to-day basis. I could have a plan for
10 something and then that plan can completely change.

11 Q. And tell me what you did or if anything that
12 you did as assistant township manager in that time
13 period was different?

14 A. No, it was -- I mean, I worked for three
15 months under Casey. He was the manager at the
16 time. He hired me.

17 I started September 20th, and I
18 assisted in the oversight of day-to-day operations.
19 I attended meetings at his direction. I attended
20 whatever matters I needed to.

21 Q. Basically shadowed him to learn the job?

22 A. I wouldn't say it was shadowing, because my
23 interactions with Casey were fairly limited. He
24 was not in the office pretty regularly, and I also
25 had been doing this for 13 years at the time that I

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1 was hired.

2 So all I really needed to do was kind
3 of learn the operations of kind of how West Goshen
4 operated. I had a general understanding of
5 municipal operation given my experience.

6 Q. Tell me about that experience.

7 A. I've worked in municipal government since
8 2008, primarily in Southeastern Pennsylvania. I
9 started off as an assistant to the township manager
10 for four years. I have a masters from Villanova
11 and a graduate certificate in city management.

12 I was the assist -- I've been in a
13 management level position since 2012. I worked
14 from -- in Jenkintown, Washington Township in Berks
15 County, Malvern borough, and then West Goshen.

16 MR. DORDICK: I'm going to mark this
17 article as Bashore 2.

18 (Exhibit Bashore 2 was marked for
19 identification.)

20 BY MR. DORDICK:

21 Q. Sir, I've just handed you or you've been
22 handed an article titled Christopher Bashore
23 Malvern Borough Manager, dated Wednesday, February
24 17, 2016, and it's a very short article that's an
25 interview between you and somebody related to your

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1 role with the Borough of Malvern.

2 A. Uh-hum. Yes.

3 Q. Are you aware of this article?

4 A. Yes.

5 Q. You've seen it before?

6 A. Yes, this was done by Dave Campli.

7 Q. Who is Dave Campli?

8 A. He's the president of the Malvern -- he was
9 at the time the president of the Malvern Business &
10 Professional Association.

11 Q. Can you flip to page 2 for me, please?

12 A. Sure.

13 Q. And this is basically a recording of a short
14 question-and-answer interview of you, correct?

15 A. Um-hum.

16 Q. Basic -- is that a yes?

17 A. Yes.

18 Q. I don't mean to be difficult. Um-hum and
19 uh-uh look the same on the transcript.

20 A. Okay, yes.

21 Q. So all of your answers have to be verbal.

22 A. Yes.

23 Q. This was basically to introduce you to the
24 Borough of Malvern so they could get to know you a
25 little bit.

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1 A. Yes.

2 Q. If you look at the third question up from
3 the bottom, How do you define success? Do you see
4 that?

5 A. Yes.

6 Q. Can you read your answer?

7 A. Living a good life, grounded in ethics.
8 Feeling like at the end of each day that you have
9 had an impact on something or someone.

10 Q. Do you believe that in your actions related
11 to the investigation into snow time, your meeting
12 with Mr. Woodward and the superintendents, and in
13 the days and weeks leading up to his death, you
14 acted in all ways grounded in ethics?

15 A. Yes.

16 Q. And do you believe that you had an impact on
17 anybody's life as a result of your actions?

18 A. I guess that could -- I guess that could be
19 stated.

20 I mean, I, I don't know exactly what
21 you're asking. Are you saying that like I caused
22 Dave's death or impacted his family, like, is that
23 what you're asking?

24 Q. Did you impact his family?

25 A. Is that what you're asking?

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1 Q. I just asked you: Did you impact his
2 family?

3 A. I don't think I did directly. Dave through
4 his actions did.

5 Q. So it's Dave's fault?

6 A. Well, I'm not saying it's Dave's fault. I'm
7 not saying anybody is at fault here.

8 I took -- I took the actions necessary
9 based on the information that I had in the
10 investigation that was being conducted at the
11 direction of the board -- at the direction of the
12 board and at the guidance of our legal counsel.

13 Q. Do you believe that you through your
14 actions, regardless of what justification you had
15 for them, had an impact on Mr. Woodward?

16 A. I really don't know how to answer that
17 question. I mean, I suppose -- I suppose they did,
18 but I really don't know how to answer that
19 question.

20 Q. Do you believe that you had an impact on his
21 wife?

22 A. Me directly?

23 Q. Through your actions.

24 A. No.

25 Q. Do you believe that you through your actions

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1 had an impact on his daughter?

2 A. No.

3 Q. You can set that aside.

4 I'm going to hand you a document we'll
5 mark as Bashore 3.

6 (Exhibit Bashore 3 was marked for
7 identification.)

8 BY MR. DORDICK:

9 Q. I've just handed you an email that you wrote
10 on July 18, 2023 at 12:36 p.m. to Dave Woodward and
11 Mark Bertolami. Do you see that?

12 A. Uh-hum. Yes.

13 Q. Subject line is Personnel Matter.

14 A. Yes.

15 Q. You say, Good afternoon Dave and Mark.

16 I would like to meet with you at
17 2 p.m. this afternoon in order to discuss a
18 personnel matter. We will meet in my office.

19 Thank you.

20 A. Yes.

21 Q. Why did you write this email?

22 A. Because I wanted to schedule a meeting with
23 Dave and Mark to discuss what I had discovered
24 related to a secret bank of paid time off that was
25 off the books.

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1 Q. Okay. Let's break that down. When you say
2 that you had discovered. Tell me about -- you're
3 referencing snow time, correct?

4 A. Correct.

5 Q. Tell me how and when you, quote, unquote,
6 discovered snow time?

7 A. So on July 6th, 2023 it was brought to my
8 attention that an employee in our public works
9 department, Lisa Covatta, had failed to accurately
10 record a sick day on her timesheet.

11 I had become aware that she was absent
12 on June 20th by Dave. After the June 20th -- Lisa
13 had recently been diagnosed with a serious medical
14 condition and Dave had made me aware of that, and
15 after our June 20th board meeting I asked Dave how
16 she was doing. And Dave said to me, she's doing
17 pretty well, but she was out that day with a
18 stomach virus.

19 Her timesheet gets turned in. There's
20 no sick day -- there's no sick day recorded on it,
21 and she was -- she used to record our copier counts
22 for reporting to our copier company, and she
23 doesn't do that anymore, but she was up in our
24 office area. So I asked her about why there was no
25 sick day on her timesheet and that Dave had told me

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1 that she had been out sick.

2 She looked at me and said, it was --
3 I was? And I said, yeah, that's what Dave told me.
4 And she said, well, it must have been secret
5 squirrel time, you know what that is. And I said,
6 no, what is that. And she proceeded to explain to
7 me how it worked.

8 So I told her to check her records.
9 Let me know. And about a week later on July 13th,
10 I followed up with her and asked her if she checked
11 that day. And she said, yeah, it was squirrel
12 time. And I repeated to her, like, what is this
13 squirrel time?

14 And she explained to me that there's a
15 spreadsheet that's kept and how it all operates,
16 and on that conversation she emailed me the
17 spreadsheet. So I started looking through the
18 spreadsheet, seeing some of the entries, which
19 included, you know, I'm awarding myself time
20 because I woke up but didn't come in so I'm giving
21 myself time anyway.

22 There were some entries for -- that we
23 couldn't figure out that said bonus on them that we
24 didn't know what they were at the time. And I
25 think they went back to like 2014.

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1 And we had -- and then I started kind
2 of combing through our personnel manual, through
3 any files that I had from my predecessor. I could
4 find nothing written down on it.

5 So now this had come to my attention,
6 and at that point I only knew that it was occurring
7 in the streets department, so I contacted Dave and
8 Mark to meet with me and to put an end to it.

9 Q. I want to ask you some questions about some
10 of the information you just told me.

11 A. Okay.

12 Q. First, I'm going to mark this as Bashore 4.

13 (Exhibit Bashore 4 was marked for
14 identification.)

15 BY MR. DORDICK:

16 Q. Sir, are these -- is this a copy -- and I
17 understand it's not appearing exactly as it would
18 in Excel -- but is this a copy of the Excel
19 timesheets that Covatta emailed to you?

20 A. Yes.

21 Q. What did you do once you received these
22 timesheets other than review them?

23 A. I reviewed them with our HR director.

24 Q. Who is that?

25 A. Jennifer Latzer.

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1 Q. Other than reviewing it with your HR
2 director -- and first, tell me why did you review
3 with her?

4 A. She's our HR director. It's an HR-related
5 matter. She oversees payroll. This is a payroll
6 issue.

7 Q. Okay. And so what was your purpose of
8 reviewing it with her specifically, was it to
9 double-check anything?

10 A. To make her aware, because again, she's H --
11 she's the HR director. She oversees payroll. It's
12 a payroll issue.

13 Q. When did you have that meeting with Latzer?

14 A. June 13th -- July 13th. When I
15 discovered -- when I received this.

16 Q. And as a result of that review with Latzer,
17 what, if anything, did you do next with these
18 records?

19 A. I didn't disseminate them to anybody. I
20 reviewed them and made the determination that I had
21 to meet with Dave and Mark and put a stop to this.

22 Q. All right. Now, you referenced -- squirrel
23 time, snow time, same thing?

24 A. Correct.

25 Q. You kept referencing it as secret snow time,

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1 squirrel time. Tell me what you know if anything
2 about how that policy was developed and
3 implemented?

4 A. At the time I received this I knew nothing
5 about how it was -- how it came to be, other than
6 Lisa told me that when administrative offices were
7 closed for weather events, they got that time to
8 use later on.

9 However, as you review the -- as you
10 review the spreadsheets and as we started looking
11 to -- into this, it was a lot more than that.

12 Q. Sitting here today, what do you know about
13 how and when the snow time policy was implemented?

14 A. Based on the interviews it started sometime
15 around I'm going to say like 2010 based -- the
16 earliest date we received from the interviews that
17 were conducted was 2010.

18 Q. So well over a decade it had been going on,
19 even over a decade before you had even become the
20 township manager.

21 A. Correct. And the spreadsheet that we had
22 went back to I believe 2014, but there was carry-
23 forward from that which indicated that it had been
24 going on longer.

25 Q. And what have you learned and what do you

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1 know sitting here today about who implemented that
2 policy.

3 A. As far as I'm aware it was a combination of
4 Casey LaLonde, Ray Halvorsen, and it's been
5 mentioned to me possibly Dave as well.

6 Q. Casey LaLonde was who?

7 A. He was the prior township manager.

8 Q. And Halvorsen was who?

9 A. He was the director of public works and also
10 a member of the board of supervisors.

11 Q. So this policy that you were referring to as
12 secret, as far as you know, was developed and
13 implemented by the township manager and somebody
14 who served as the chairman of the board of
15 supervisors?

16 MR. ALEXANDER: Objection to the term
17 "policy."

18 THE WITNESS: Mr. LaLonde and in my
19 role as township manager does not have the
20 authority to, to create policy without the approval
21 of the board.

22 BY MR. DORDICK:

23 Q. That's not what I asked you. Do you
24 remember my question?

25 A. Okay. It was put on -- it was put together

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1 by the township manager. But my point is the
2 township manager had no authority to do that.

3 Q. Okay. My point is that it was not secret.
4 The township manager knew it. The person who
5 served as the chairman on the board of supervisors
6 knew it.

7 A. He was not the chairman --

8 Q. Let me finish -- let me finish my question.

9 The chairman of the board of
10 supervisors knew it, and many members of the
11 streets department and the other departments
12 involved knew about it and were well aware of its
13 existence. It was you that didn't know it.

14 A. It was me and the entire finance department
15 that didn't know about it. It was all future
16 members of the board of supervisors that didn't
17 know about it.

18 And Mr. Halvorsen was not the chairman
19 of the board of supervisors based on Dave's
20 interview. Mr. Halvorsen was not on the board in
21 2010.

22 Mr. Halvorsen was elected to the board
23 when the board was expanded in the 2011 election to
24 five members, and I actually don't know if he was
25 chair in 2012, but I don't remember off the top of

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1 my head.

2 So nobody in this regard, if you're to
3 believe Dave's testimony during the investigation,
4 in 2010 had the authority to enact this.

5 Q. Regardless of whether they had the authority
6 or not, many people throughout the West Goshen
7 Township administration knew about it.

8 A. There's a key point that I forgot to
9 mention. When Lisa transmitted to -- the
10 spreadsheet to me, she distinctly said that she
11 named the file extension the way that she did,
12 which was CX with an XL extension, so that no one
13 could figure out what it meant, which tells me that
14 they were deliberately hiding something.

15 Q. Are you going to answer my question?

16 A. I believe I just did. You said it wasn't
17 secret and it was known by a lot of people. But
18 the fact that she named that file extension tells
19 me that it was being hidden deliberately.

20 I had also been on the job for a year
21 and a half. Casey during the three months I worked
22 with him never mentioned this one time.

23 This has operational impacts on the
24 township. You would have thought that he would
25 have mentioned it to me. He didn't. Dave never

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1 mentioned it to me, not once. Mark never mentioned
2 it to me, not once, until July 18th.

3 Q. What was the question I just asked you?

4 A. You said that it was well known throughout
5 the township: Many members of the streets
6 department, past members of the board, the township
7 manager, and they implemented it, and they did.

8 Q. Okay. Let's go through all the people that
9 knew about it.

10 A. Okay.

11 Q. LaLonde, obviously.

12 A. Uh-hum.

13 Q. Yes?

14 A. Yes.

15 Q. Halvorsen?

16 A. Yes.

17 Q. Woodward?

18 A. Yes.

19 Q. Bertolami?

20 A. Yes.

21 Q. Covatta?

22 A. Yes.

23 Q. Many members of those departments who
24 utilized it?

25 A. Yes.

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1 Q. And name for me anybody else you know of
2 that was aware of it.

3 A. Mike Moffa. Dorine McClune. They were the
4 superintendents. Members of their departments. No
5 one in our finance department who's charged with
6 overseeing the payroll and reporting it.

7 Q. So you didn't know about it.

8 A. No, I didn't.

9 Q. So when you call it "secret," it wasn't a
10 secret within these departments.

11 A. That is what Lisa referred to it as. She
12 called it secret squirrel time.

13 Q. That's what you're referring to it as today.

14 A. No, I'm referring to that because Lisa
15 referred to it that way. I did not come up with
16 that term. She did.

17 Q. So you agree it was not secret?

18 A. No, I don't agree that it wasn't secret. It
19 was called secret. It was kept from people in
20 authority who were charged with reporting these
21 things.

22 Q. And for the superintendents, the people
23 within these departments, as far as they knew, the
24 prior township manager is the one that enacted it?

25 A. Um-hum.

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1 Q. Correct?

2 A. Correct, yes. Sorry.

3 Q. And somebody that eventually at some point
4 served as the chairman of the board of supervisors?

5 A. Yes. But --

6 Q. And when he served as the chairman of the
7 board of supervisors, obviously he knew about it?

8 A. Yes.

9 Q. Okay. Now, these people, the
10 superintendents and the people in their
11 departments, they're not in board of supervisors's
12 meetings, correct?

13 A. No, that's not correct. Dave attended --
14 Dave attended every single board meeting I ever
15 went to except for maybe one. Mark is at a number
16 of board meetings. Mike Moffa has been to a number
17 of board meetings. Dorine has been to a number of
18 board meetings, primarily budget meetings.

19 But no, they have attended meetings of
20 the board. Actually there used to be reports
21 delivered by -- up until a certain point -- this
22 predates my tenure -- all the department heads used
23 to attend the board meetings and give reports.

24 Q. Who gave reports, the department heads?

25 A. The department heads.

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1 Q. Do you believe that the department heads and
2 the people within these departments, the rank-and-
3 file employees, would have any reason to know the
4 policies and procedures for the transfer of
5 information between outgoing and incoming board of
6 supervisors's members?

7 A. No.

8 Q. They would have no reason to know that,
9 correct?

10 A. No, they would have no -- rank-and-file,
11 like you're talking about general -- like general
12 laborers, like --

13 Q. Yeah, the rank-and-file. People that
14 utilized the snow time.

15 A. No, they would have no reason to know that.
16 I wouldn't expect them to.

17 Q. Even the superintendents, they're not aware
18 of the policies and procedures by which the board
19 of supervisors operates under regarding the
20 transfer of information between outgoing and
21 incoming board members?

22 A. I don't necessarily agree with that. They
23 should -- they should be aware of that. They meet
24 with -- they meet with the board. They should be
25 aware of that information.

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1 Q. How should they be aware, is it communicated
2 to them in writing what the policies and procedures
3 are for transfer of information?

4 A. Maybe not necessarily in writing, maybe
5 through discussions with the township manager. We
6 generally do have meetings with the board, like
7 personnel executive sessions, so they're involved
8 in those, too.

9 Q. Okay. You're speculating a lot, sir.
10 Are you sitting here today aware
11 specifically of any --

12 A. No, I'm not.

13 Q. Let me finish the question.
14 -- sitting here today aware
15 specifically of any communications or policies and
16 procedures about communicating to the
17 superintendents and the department heads what
18 policies and procedures the board of supervisors
19 operate under in regards to the transfer of
20 information between outgoing and incoming board of
21 supervisors's members?

22 A. The only information I'm aware of is what's
23 contained in our code of ordinances which says that
24 the board does not have any communication other
25 than inquiry or inquest with anybody under my

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1 direction.

2 So no, it would fall on the township
3 manager. So essentially it would fall on Casey --
4 prior to me -- me, to communicate that information
5 to the incoming board members.

6 Q. And in between -- you know, between Casey on
7 his -- in terms of him outgoing and you incoming as
8 the new township manager, these people, the rank-
9 and-file employees, the superintendents, the
10 department heads, also would have no idea what was
11 communicated between Casey and you in terms of
12 information related to snow time, if any?

13 A. No, but there were -- there was one snow
14 closure I'm aware of in January of 2022. It did
15 occur on a Friday. And through a year and a half,
16 if this was going on, Dave, Mark, Mike, Dorine,
17 they all had plenty of opportunities to let me
18 know.

19 Q. So as far as the rank-and-file employees
20 were aware, the superintendents were aware, the
21 department heads, the policy was enacted by the
22 former township manager and somebody who eventually
23 served on the board of supervisors, true?

24 MR. ALEXANDER: Objection to the
25 characterization as a policy.

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1 THE WITNESS: Yes, I would agree with
2 that. That's probably what they were aware of.

3 BY MR. DORDICK:

4 Q. All right. They would have no reason to
5 know of exactly what, if anything, was communicated
6 between the outgoing and incoming board of
7 supervisors's members and township manager, true?

8 A. True.

9 Q. So as far as they were aware, Casey could
10 have told you about the snow time?

11 A. He could have, but he didn't.

12 Q. As far as these people were aware, he very
13 well could have, true?

14 A. I guess that could be assumed.

15 Q. And as far as these people were aware,
16 the -- Halvorsen, as the outgoing chairman of the
17 board of supervisors, could have communicated to
18 the other board of supervisors's members, including
19 the ones incoming after his tenure, the snow time
20 policy.

21 A. Considering the fact that Casey and Ray
22 destroyed a significant amount of records of the
23 township on their way out the door, I think it's
24 reasonable to assume that he did not communicate it
25 to the incoming board members.

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1 Q. Why -- how would you make that link? Why
2 would you make that link?

3 A. Because I became aware at one point that
4 there -- that there was a large hand truck of
5 records from the supervisors's office that were
6 discarded after the election in 2017 when Ray lost.
7 Ray was very upset that he lost based on the
8 information that I was provided.

9 And I think it's reasonable to assume
10 that Ray did not communicate anything to the
11 incoming board members, based on the knowledge that
12 I have.

13 Q. Okay. Does everybody have that knowledge?

14 A. I would think that certain people would. I
15 don't know exactly who, but some people would. I
16 know Casey for certain would.

17 Q. Okay. The people that we're discussing, the
18 rank-and-file employees, the --

19 A. Oh, the rank-and-file employees, absolutely
20 not.

21 Q. Let me finish the question. Let me finish
22 the question.

23 The rank-and-file employees, the
24 superintendents, the department heads, we discussed
25 how as far as they were aware Casey very well could

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1 have told you about snow time.

2 At the same time, as far as they were
3 aware, first, Halvorsen could have told other board
4 members during his tenure about it, correct?

5 A. Yes, but I know that he did not.

6 Q. Okay. You know that he did not. They would
7 have no reason to know that, true?

8 A. Yes.

9 Q. So as far as they were aware, Halvorsen
10 could have during his tenure communicated this to
11 the other board members and discussed it?

12 A. I suppose that could be assumed, yes.

13 Q. And as far as they were aware, on his way
14 out the door he could have communicated to the
15 incoming board members, true?

16 A. Sure. I'm sure -- I'm sure that could be
17 assumed.

18 Q. So the people that were actually utilizing
19 this policy, the snow time policy, as far as they
20 were aware, township manager and somebody that
21 served on the board of supervisors implemented the
22 policy and said that it was okay.

23 And then incoming board members and
24 township manager comes in, and as far as they
25 were -- they could have known about it as well.

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1 A. I think your characterization of a policy is
2 totally inaccurate.

3 Q. Is that because he's been objecting to it?

4 A. No, because this isn't a policy. Policies
5 are written and put in place by the board. The
6 board is the governing body. Only they can set
7 policy.

8 Mr. Halvorsen as an individual member
9 of the board of supervisors has zero unilateral
10 authority to enact a policy. None whatsoever.

11 So the department heads, the
12 superintendents, they're all charged with enforcing
13 the policies that are adopted by the township.

14 They're written in our personnel
15 manual or sometimes they might even be in some sort
16 of memo. There is no documentation about this
17 whatsoever.

18 Q. Whether or not there was the operational
19 authority to enact a formal written policy about it
20 doesn't affect whether or not the rank-and-file
21 employees or the superintendents believed it to be
22 a proper policy through the conduct and
23 communications of LaLonde and Halvorsen, true?

24 A. I mean, I guess that could be assumed, but I
25 don't know if I necessarily agree with that because

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1 we publish a personnel manual and nowhere in our
2 personnel manual is anything like this outlined.

3 Q. Okay. But you're aware that LaLonde as the
4 township manager said it was okay. He's the one
5 that implemented it.

6 A. He might have said it was okay, but he
7 didn't have the authority to do it, and also Casey
8 said yes to everything.

9 Q. What does that mean?

10 A. That means he didn't like confrontation with
11 anybody, and a specific rule of leadership is to be
12 able to say no in certain instances.

13 And when you're a public works
14 employee, you have to come in and plow snow.
15 That's part of your job. They get -- a lot of
16 times get paid overtime for that.

17 So he did not have the authority to do
18 this. He did not say no to people.

19 Q. Whether or not he had the authority, whether
20 or not it was proper, doesn't change the fact that
21 his subordinates were specifically instructed and
22 told by him that it was okay to do, fair?

23 A. Fair, yes. That is a fair statement.

24 Q. Same with Halvorsen.

25 A. In what regard?

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1 Q. That just because he may or may not have the
2 operational authority to enact a policy like that
3 doesn't change the fact that the people that
4 actually utilize the policy were aware that he was
5 involved in the implementation and that he said it
6 was okay.

7 A. Okay. Yes, I would agree with that.

8 Q. Turning back to your email that you wrote on
9 July 18th.

10 A. Uh-hum.

11 Q. Besides the HR manager --

12 A. Um-hum.

13 Q. -- before writing this email, who if anybody
14 besides the HR manager and Covatta did you discuss
15 this snow time with?

16 A. I believe I discussed it with our finance
17 director Christine Riffey.

18 Q. And tell me about that conversation.

19 A. Well, payroll and things -- and HR fall
20 under our finance department, and I let her know
21 that this was occurring.

22 Q. Anybody else?

23 A. Probably our -- I believe maybe our payroll
24 coordinator, Kim Greene.

25 Q. Anybody else?

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1 A. That's all I can think of for right now. I
2 can't recall.

3 Q. Before writing this email, did you discuss
4 with anybody on the board of supervisors the issue
5 of snow time that you had discovered?

6 A. No.

7 Q. Outside counsel?

8 A. No.

9 Q. Does the township, to your knowledge, have
10 any kind of published procedures for investigating
11 an incident like this?

12 A. No.

13 Q. During your prior experience before you got
14 to West Goshen had you ever encountered a situation
15 like this?

16 A. Not like this specifically, but I've done
17 workplace investigations before. We've hired
18 third-party outside companies to investigate
19 workplace issues.

20 Q. In any of your prior municipal governance
21 experience before West Goshen --

22 A. Uh-hum.

23 Q. -- did any of those municipalities or the
24 suborganizations to those municipalities have any
25 kind of published procedures for investigations?

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1 A. For investigations specifically, not that
2 I'm aware of.

3 Q. How did you know what to do?

4 A. Well, the first thing I started doing was
5 looking through -- looking through old files to see
6 if there was anything. It's just based on my
7 training.

8 Q. Tell me about the training.

9 A. Again, I've gone through HR training through
10 PELRAS, which is the Public Employer Labor
11 Relations Advisory Service, which is run through
12 the Pennsylvania Municipal League. I've gone
13 through various HR trainings through the municipal
14 leadership program, which is done by the Delaware
15 Valley Trust. Again I've -- there was an HR
16 component and a human relations component and
17 personnel management component to -- at Villanova
18 that I took.

19 So it was just based on the training
20 for that. I was looking through files. I was
21 looking through whatever information I could find.

22 I -- first place I started was our
23 personnel manual just to make sure I didn't miss
24 anything to see if it had been documented in there,
25 because this started presumably in 2010 and our

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1 manual was updated in 2015. We put in there time
2 for -- we put in there that we gave people time for
3 donating their blood, and -- which essentially
4 worked out to paying people for their blood because
5 we pay people out for compensatory time at the end
6 of the year as required.

7 So I thought perhaps when the manual
8 was updated this might have been included in it.
9 It wasn't. So that was the first place I started.

10 Then I started looking through Casey's
11 files, doing searches for snow time, squirrel time,
12 emergency closures. Couldn't find anything.

13 Q. Tell me how you searched Casey's files. Are
14 they electronic?

15 A. Yes.

16 Q. And so how -- what kind of system or
17 database are they in?

18 A. It's just a Windows database. It's Windows.
19 It's in -- it's just his folders from his desktop
20 and from his -- from his user file on our network
21 drive.

22 Q. So were you just going kind of folder by
23 folder, document by document, or were you executing
24 like keyword searches?

25 A. I was executing keyword searches. And I was

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1 looking for anything related to the 2015 policy
2 manual update just to see if there was anything.

3 I was looking in folders -- any folder
4 that had any sort of relevance to personnel or HR
5 or anything like that.

6 Q. Were all of the documents in those files
7 typewritten or were there handwritten notes --

8 A. No, there were no handwritten --

9 Q. -- memos, things like that?

10 A. No handwritten notes. Everything was either
11 scanned or -- like scans, like PDFs or Word
12 documents or things of that nature.

13 Q. To your knowledge everything was word
14 searchable?

15 A. Correct. And it was -- I think they went
16 back to either -- I know his emails that I searched
17 only went back to 2012, just because I believe
18 that's when we changed our email server. And I
19 think his files went back to like 2008. And I
20 found nothing. So I, I know -- I believe there's a
21 file extension there with a 2008 on it.

22 Q. As of the time that you wrote this email on
23 July 18th at 12:36 p.m. --

24 A. Uh-hum.

25 Q. -- to the extent that there was any

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1 investigation ongoing into the snow time issue, the
2 extent of the investigations would have been
3 whatever you were doing?

4 A. Correct.

5 Q. The only person investigating at the time
6 was you?

7 A. Correct.

8 Q. You emailed Dave and Mark together.

9 A. Uh-hum.

10 Q. Did you meet with them together?

11 A. Yes.

12 Q. So tell me about who was at the meeting:

13 You, Dave, Mark and who?

14 A. My executive assistant Jennifer Polonoli.

15 Q. Where was the meeting, your office?

16 A. In my office, yes.

17 Q. Did it occur at 2 p.m. that afternoon, so an
18 hour and a half after you sent the email?

19 A. Yes.

20 Q. I'm going to pull up -- take out what we'll
21 mark as Bashore 5.

22 (Exhibit Bashore 5 was marked for
23 identification.)

24 BY MR. DORDICK:

25 Q. Sir, this is a memorandum that you wrote,

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1 correct?

2 A. Correct.

3 Q. And it's from the Office of the Township
4 Manager. That's you?

5 A. Yes.

6 Q. It's to the D. Woodward-Personnel File from
7 you regarding Unbook Paid Time-Off dated July 18th,
8 2023. This is the memorandum which memorializes
9 your meeting on July 18th that was set up by the
10 email that we just looked at.

11 A. Correct.

12 Q. So very first paragraph, this starts off
13 with inaccurate information, correct?

14 A. No, that is not correct.

15 Q. You told me that you met with Dave and Mark
16 together.

17 A. I did. I did a separate memo for each of
18 their files.

19 Q. So when this says, I interviewed J. David
20 Woodward, Public Works Director, on unbooked paid
21 time-off, quote, unquote, Secret Squirrel Time.
22 Jennifer Polonoli, Executive Assistant to the
23 Township Manager, was in attendance as a witness,
24 you don't mention anything about Mark.

25 A. Because there was a separate memo done for

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1 Mark.

2 Q. Okay. But he was there.

3 A. He was there, but there was a separate memo
4 done for Mark.

5 Q. Just because there was a separate memo --
6 this doesn't say anything about, only for this
7 memo. This says, Jennifer Polonoli, Executive
8 Assistant to the Township Manager, was in
9 attendance as a witness. So was Mark.

10 A. Mark was not a witness.

11 Q. He was in attendance.

12 A. He was in attendance, but she was there as a
13 witness. Because whenever you go into these things
14 you want to bring someone else in as a witness.

15 Q. So what, did Mark cover his eyes and ears
16 during your interview?

17 A. No, but he was a subject of the interview.
18 He was not a witness.

19 Q. Okay. You interviewed them separately.

20 A. I interviewed them together.

21 Q. Okay. So when this says, I interviewed J.
22 David Woodward, it should say, I interviewed J.
23 David Woodward and Mark.

24 A. Okay. I'm sure you can do that. I'm sure
25 you could say that, but I separated them out for

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1 the personnel files.

2 Q. Is there a reason why for this memo you
3 didn't want to communicate that Mark was also in
4 attendance?

5 A. No, there was not a specific reason.
6 Just because I wrote two -- I wrote two separate
7 memos for each of their files.

8 Q. And his --

9 A. The one -- the one for Mark does not mention
10 Dave.

11 Q. Okay. And is there a reason why for each of
12 these memos you didn't want to communicate that the
13 other person was also there?

14 A. I -- there were -- no, there was no specific
15 reason. I was writing two separate memos.

16 Q. This goes on, It was brought to my attention
17 that this was time granted to employees in the
18 Public Works Department during emergency closures
19 of the administrative offices (i.e., snow events)
20 for the difference in time.

21 First, tell me about the departments
22 within public works.

23 A. Public works is divided into three divisions
24 between streets, parks, and wastewater. And they
25 each have their own superintendent and they have a

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1 separate set of employees. I think there's maybe
2 40 employees across all three divisions, maybe a
3 little more.

4 Q. And each division has its own
5 superintendent?

6 A. Correct.

7 Q. This gives an example of how snow time would
8 work. It says, Mr. Woodward advised that this
9 began under previous leadership and continued. I
10 informed Mr. Woodward that this was not permitted
11 by any Township policy and ultimately resulted in
12 fraudulent timesheets being submitted as they
13 showed employees working when they had not been
14 on-site. Do you see that?

15 A. Yes.

16 Q. So you had informed Mr. Woodward, number
17 one, that this was not an official policy or
18 permitted by township policies.

19 A. It was not.

20 Q. You informed him of that.

21 A. Yes.

22 Q. And you also informed him that it was fraud.

23 A. I'm sure -- okay, I guess you could take it
24 that way. Sure.

25 Q. You agree that you informed him that it was

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1 fraud?

2 A. I informed him that their activities were
3 fraudulent. I -- sure, I guess you could say I
4 told him that it was fraud.

5 Q. So there's no difference between somebody
6 saying your activities are fraudulent and saying
7 you're committing fraud, fair?

8 A. Fair.

9 Q. So during this meeting you went into it
10 knowing information you had already gathered about
11 snow time, you had spoken with Covatta, you
12 reviewed the timesheets with HR and with, with
13 finance, correct?

14 A. Correct.

15 Q. You looked through the files of Casey
16 LaLonde to determine whether or not this was some
17 kind of documented policy.

18 A. Correct.

19 Q. And then you go into this meeting. You tell
20 Mr. Woodward and Mark Bertolami -- right?

21 A. Correct.

22 Q. -- this was not a permitted policy. That it
23 was in fact fraud and that there had been fraud
24 committed.

25 A. Sure, yes.

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1 Q. This goes on to say, It was also advised
2 that this practice violated Township's Non-Uniform
3 Employee Policy Manual. Also, I informed
4 Mr. Woodward that part of the job for employees in
5 the Public Works Department was to be available for
6 such events such as snowstorms. I additionally
7 advised him that this practice ends immediately and
8 any time that was "accrued" is now zeroed.
9 Finally, I informed him that if it does happen
10 again, there will be serious repercussions. Do you
11 see that?

12 A. Uh-hum. yes. Yes.

13 Q. That accurately reflects at least a summary
14 of the meeting.

15 A. Yes.

16 Q. Now, in response to being informed or
17 advised that the practice must end immediately,
18 what did -- what, if anything, did Woodward and
19 Bertolami say?

20 A. Dave did not do a lot of talking. He kind
21 of sat there not really saying anything. Mark did
22 most of the talking, and essentially he just kind
23 of explained how it worked more or less.

24 And then at one point Mark said, I --
25 when I said that it ends immediately, Mark said

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1 that the guys were going to be really upset.

2 Dave at one point said, Fine, it's
3 over. And that was the extent of it. He really
4 did not say a whole lot.

5 Q. So at a minimum Mr. Woodward communicated to
6 you in response to being told that the practice
7 must end, basically, okay, it will end?

8 A. Yes.

9 Q. And this was on July 18th.

10 A. Correct.

11 Q. So in regards to at least Mr. Woodward, and
12 continuing forward, you had confidence as a result
13 of that meeting, at least from what he had told
14 you, that the practice was going to stop moving
15 forward.

16 A. I wouldn't say "confidence." I was hopeful
17 that it would stop going forward.

18 At this point I didn't really -- I
19 kind of lost a level of trust with them, so I
20 wasn't sure if it was going to stop.

21 Q. He had at least communicated to you that
22 yes, it will stop?

23 A. Yes.

24 Q. Okay. And nothing that he nor Mark
25 Bertolami said in that meeting made you believe at

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1 that point in time because of what they said that
2 no, they're going to continue doing it.

3 A. I, I don't recall. I don't recall feeling
4 any way, but I was hopeful that it was going to
5 stop.

6 Q. Now, when you reference and you told
7 Mr. Woodward and Mr. Bertolami that if it happened
8 again there would be serious repercussions, did you
9 in the meeting literally say to them, if it happens
10 again, there will be serious repercussions?

11 A. Yes.

12 Q. Did you elaborate on what those serious
13 repercussions were that you were referencing?

14 A. No.

15 Q. What did you mean by it?

16 A. I meant there were going to be serious
17 repercussions. There would be discipline. There
18 would be further disciplinary action taken in
19 accordance with our personnel policy.

20 Q. Okay. In your mind, when you said serious
21 repercussions and, you know, you thought further
22 disciplinary action, what were you thinking?

23 A. I had no idea what I was thinking because it
24 would depend on -- it would depend on the
25 seriousness of the infraction. I did not -- I did

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1 not elaborate on what it would be.

2 Q. Prior to this meeting you had worked
3 generally with Mr. Woodward for about a year and a
4 half.

5 A. Correct.

6 Q. Tell me about how often you would interact
7 with him as part of your job as the township
8 manager?

9 A. I would say almost daily.

10 Q. For what purposes?

11 A. Just to get status updates on projects.
12 He -- we would go out and look at our paving
13 projects together. We would look at like major
14 construction projects together. We would have
15 meetings regarding upcoming projects. We were
16 about to get started on a major stormwater project
17 on a street, about an \$800,000 project, so we would
18 talk about that. Budgetary items.

19 Mostly work related. Generally our
20 nonwork-related discussions pertained to family,
21 Disney, and baseball. That was pretty much it.

22 Q. You got to know him fairly well?

23 A. I -- yeah, that's accurate.

24 Q. Did you in any way consider him over the
25 year and a half that you got to know him as not

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1 just a colleague but also a friend?

2 A. No he was a -- he was a colleague.

3 Q. When you said that you would sometimes
4 discuss personal matters, you said one of the
5 things was family.

6 A. Yes.

7 Q. You knew that he had a wife?

8 A. Yes.

9 Q. You knew that he had a daughter?

10 A. Yes.

11 Q. She was at that time 16, 17ish?

12 A. Yes.

13 Q. You knew that she'd be going to college
14 soon?

15 A. Yes.

16 Q. Did Dave talk to you about that?

17 A. Intermittently. I, I would generally ask
18 him like what she was interested in doing or where
19 she was interested in going, and he would tell me.

20 Q. What did he tell you if you can recall?

21 A. They were going and looking at colleges that
22 spring and summer. I had gone through -- to --
23 that fall I had gone to a conference at -- out in
24 Pittsburgh for the Pennsylvania Municipal League,
25 and I knew she was interested -- they were visiting

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1 a college out there and I told him that I thought
2 Pittsburgh was a pretty interesting city based on
3 the couple of days that I was out there for a
4 conference.

5 I knew she was interested -- I
6 remember him saying at one point that she was
7 interested in going to Penn State, but he didn't
8 think that that -- he said something to me that he
9 didn't know if that was the right fit for her. But
10 I knew she was interested in that.

11 And I think he said she was interested
12 in like, like crime, like forensic science or
13 something like that. So that's pretty much what he
14 told me.

15 Q. You also referenced that you would discuss
16 Disney?

17 A. Yes. He went to -- he went to Disney.
18 I've, I've been to Disney a couple of times, so ...

19 Q. Just generally family vacation-type stuff?

20 A. Correct.

21 Q. Okay.

22 A. And he had -- his office was covered in
23 Disney memorabilia. Had a lot of Disney stuff.
24 And I know he had a picture on his work laptop from
25 Disney World.

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1 So, you know, we would talk about
2 Disney. Mostly -- a lot of times about like --
3 about like restaurants there. And he would go on
4 trips and we would just kind of talk about the
5 different places that they would go.

6 Q. And you would talk about the family time
7 that he had in Disney with his wife, his daughter?

8 A. Actually not really specifically about his
9 family, mostly about like specific -- mostly about
10 like specific restaurants.

11 Q. Okay. You obviously came to learn through
12 your work with Mr. Woodward that he was a long-time
13 employee of the township.

14 A. Yes.

15 Q. Did you know about how long he worked for
16 the township?

17 A. I know he left -- he started sometime I want
18 to say in like the mid '90s and was there for maybe
19 a little under five years.

20 And then came back in 2005. During
21 that period of time he worked for Westtown
22 Township. He came back in 2005 and was there for
23 18 years. So I think all told it was 23 in varying
24 capacities.

25 Q. Through your employment with the township

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1 and other municipalities you're generally aware of
2 how pensions work, correct?

3 A. Yes.

4 Q. You knew that -- as of July 18th you knew
5 through your experience with Mr. Woodward and
6 getting to know him and how long he had worked for
7 the township that he either was or was very close
8 to being pension eligible.

9 A. He was actually technically already -- he
10 had already been eligible. Our pension plan
11 provides for early retirement at age 50 and 15
12 years of service. Normal retirement is age 60. So
13 he was about seven years away.

14 Q. You knew that part of the benefit of working
15 for your whole career for a municipality, for a
16 governmental agency, is the pension, correct?

17 A. Correct.

18 Q. That's a big benefit of committing a
19 professional life of service to a municipality or a
20 governmental agency?

21 A. Correct.

22 Q. You knew that Mr. Woodward had in fact
23 committed his professional life to serving the
24 township.

25 A. Yes. Sure.

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1 Q. And for, you know, 20 plus years, basically,
2 he had worked for the township fulfilling various
3 roles.

4 A. Yes.

5 Q. You knew that this was his only job, right?

6 A. His only job at the time or the only job he
7 ever had?

8 Q. No, only job at the time.

9 A. Oh, yes.

10 Q. You knew that this was his sole source of
11 income, as far as you knew?

12 A. I have no knowledge of his financial
13 position.

14 Q. Based on your discussions with him and his
15 family, obviously you knew at the time or if you
16 had thought about it at the time he was using his
17 job for income to support his family.

18 A. That's what all employees do.

19 Q. Right, that's what he did.

20 A. Yes, that's what all employees do.

21 Q. Obviously his income from his job would be
22 important to doing that, fair?

23 A. That's an accurate statement for all
24 employees of the township.

25 Q. And you knew that then when you met him in

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1 2022, you knew it in July of 2023, and you know it
2 now.

3 A. Yes, and that's accurate for all employees
4 of the township. Dave -- just so we're clear, Dave
5 and I fired people together. So when you're
6 talking about the importance of income, it's
7 accurate for all employees together.

8 Q. I'm not saying he was unique in the sense
9 that he relied upon his job for income. Everybody
10 does that, right?

11 A. Yes.

12 Q. You understood when you were having these
13 communications with him related to snow time in
14 these meetings that his income was important for
15 supporting his family, right?

16 A. But when you're an -- I agree. But when
17 you're a management level employee with as much
18 tenure as Dave had, you shouldn't be conducting
19 yourself in this manner.

20 Q. In what manner is that?

21 A. In keeping a set of paid time off records
22 that are kept completely off the books from the
23 township. They're not accurately reflected in any
24 official records of the township.

25 And when I say "official," I'm talking

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1 about things that are turned over for audits that
2 we have to get done every year, timesheet records
3 that we're required to maintain accurately, things
4 of that nature.

5 Q. You're aware through the investigations and
6 the interviews done in relation to this issue --
7 well, first, let me back up.

8 Obviously interviews were performed or
9 conducted by people other than yourself.

10 A. Correct.

11 Q. Are you aware of what those interviews
12 concluded or what information was drawn out in
13 those interviews?

14 A. Yes.

15 Q. So you must be aware that every single
16 person that was interviewed believed that what they
17 were doing was proper?

18 A. Yes, I guess you could say that. Yeah.

19 Q. And they believed what they were doing was
20 proper for the reasons that we discussed before
21 which was that the snow time policy, nonpolicy,
22 whatever you want to call it, was established and
23 implemented by the actual township manager and
24 somebody that ended up serving as the chairman of
25 the board of supervisors, that's why they believed

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1 it to be okay, right?

2 That's what you gleaned from those
3 interviews.

4 A. Yes. Yes.

5 Q. Okay. So this is not a situation where
6 Mr. Woodward or anybody else thought that they were
7 doing something wrong and trying to hide that,
8 correct?

9 A. I don't agree with that statement, because
10 again, I go back to Lisa's statement to me about
11 how she was charged with keeping these records, and
12 she said to me, I named the file the way I did so
13 no one could figure out what it was. To me that
14 tells me you were trying to hide something.

15 Q. Right. That tells you what Lisa was trying
16 to do.

17 A. Yes. And Lisa was charged through Dave and
18 prior to her Ray with overseeing time and
19 attendance.

20 Q. To be clear, you have no direct knowledge of
21 any communications, instructions or anything from
22 Mr. Woodward, LaLonde or anybody to Lisa Covatta
23 about keeping it secret, fair?

24 A. About keeping it secret? No, I do not have
25 any, any knowledge about that, but I'm aware that

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1 Dave or Ray -- most likely Ray and then Dave after
2 Ray -- gave her the direction to oversee this and
3 essentially run with it. That she was in charge of
4 time and attendance and she did -- she oversaw
5 this.

6 Q. That is a very different thing than saying
7 from Woodward or Ray to Covatta, do this and keep
8 it secret, make sure nobody knows. That's very
9 different, correct?

10 A. Why was it never sent over to anybody in our
11 finance department?

12 Q. Answer my question, please.

13 A. Can you repeat the question?

14 Q. Sure. It's one thing to say, you're in
15 charge of supervising this, keep track of it, run
16 with it. That's something very different than
17 saying, you're in charge of doing this, keep track
18 of it, run with it, but keep it secret.

19 You have no knowledge that that second
20 communication ever occurred from anybody to Covatta
21 in terms of keep it secret, correct?

22 A. No, I'm not aware that that occurred. But
23 again I go back to why was this not communicated to
24 anybody in our payroll or finance department.

25 Q. Right. Who are the people that are

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1 primarily responsible for communicating high-level
2 things like that to the payroll or finance? It
3 would be the township manager like yourself,
4 correct?

5 A. Township manager or any of the department
6 heads. The department heads all report their own
7 payroll.

8 Q. Okay. Do you know whether or not there were
9 any discussions between LaLonde and anybody,
10 including Woodward, Bertolami, Covatta, anybody,
11 about communicating to finance?

12 A. No, I'm not aware of any discussions.

13 Q. Do you --

14 A. And I know this was -- I know for a fact
15 this was never communicated to anybody in the
16 finance department.

17 Q. Do you know how LaLonde operated in terms of
18 whether it would be more typical for him to have
19 communications about high-level things like this
20 with finance or the department heads?

21 A. Typically he would -- he would communicate
22 those items.

23 Q. And do you know whether or not he would
24 always update the department heads or the
25 superintendents on his communications?

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1 A. Based on the information I have, he would
2 not update them.

3 Q. Okay. So for the department heads, just
4 based on how LaLonde would typically operate, it
5 would be LaLonde communicating with the finance
6 department, and then not communicating whether
7 or -- whether he did or what he said to the
8 department heads, correct?

9 A. I suppose.

10 Q. So when LaLonde implements this snow time
11 procedure and it is carried out by the department
12 heads and the superintendents, they would have no
13 idea whether or not he communicated with finance,
14 fair?

15 A. They would have no idea? I actually --
16 actually I don't know if that's fair because
17 truthfully Casey and Dave were pretty close. They
18 were borderline inseparable.

19 I think it would have come out at some
20 point that he -- he should have told them that he
21 communicated it to them.

22 Q. Pure speculation. You have no idea whether
23 or not that happened.

24 A. Based on -- based on the record of Casey
25 that I'm aware of, he would not have communicated

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1 that to anybody.

2 Q. Okay. So based on what you know, whether
3 Casey communicated this snow time procedure to
4 finance is something that never would have been
5 provided to the department heads like Woodward.

6 A. Well, potentially. I mean, our payroll
7 coordinator provides the department heads with
8 updates regularly on where their employees stand
9 with their paid time off: Vacation, personal, sick
10 time, et cetera.

11 When we started this process and we
12 first spoke to Tina Sharon in the wastewater
13 department, she did say to me, I was surprised that
14 I never saw the snow time on any of the reports
15 that Kim sent over to us. Which tells me that
16 there was some level of awareness that finance was
17 never notified.

18 Q. Awareness by whom?

19 A. By probably the superintendents and the
20 people reporting payroll.

21 Q. Okay. Tell me about what you did after the
22 July 18, 2023 meeting with Dave and Mark.

23 A. With Dave and Mark? I spoke with our HR
24 director about it, let her know what was discussed.
25 She was -- at that point we only knew this was

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1 occurring in the streets department, and she
2 advised me that I would want to reach out to Mike
3 and Dorine to find out if it was occurring there.

4 So I sent a similar email to Mike and
5 Dorine to meet with me. Dorine was actually off
6 that day unbeknownst to me and so she called me.
7 She confirmed that this was occurring. That she
8 kept a spreadsheet of it.

9 And then I told her the same exact
10 thing that I told Dave and Mark, that it stops
11 immediately and if it continues there's going to be
12 serious repercussions.

13 Mike came into my office and I told
14 him the exact same thing.

15 Q. Mike Moffa --

16 A. Correct.

17 Q. -- and Dorine McClune --

18 A. Correct.

19 Q. -- am I correct that they both communicated
20 to you in response to you saying this ends
21 immediately, basically, okay?

22 A. Yes.

23 Q. Nobody pushed back on that and said, no,
24 we're still going to do it?

25 A. No.

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1 Q. So as of July 18th, after your meeting with
2 Dave and Mark, your phone call with McClune, and
3 your meeting with Mike Moffa, you had told
4 everybody that was either the department head or
5 the superintendent of the affected departments this
6 practice ends immediately, right?

7 A. Yes.

8 Q. And they had all basically said, you got it,
9 okay.

10 A. Yes.

11 Q. Okay. So in terms of ending the practice,
12 from July 18th forward, you had communicated what
13 you needed to?

14 A. Yes.

15 Q. After the final meeting with Moffa on July
16 18th --

17 A. Uh-hum.

18 Q. -- between that point in time and July 19th,
19 tell me what, if anything, you did, in regards to
20 this issue.

21 A. So I met with the board of supervisors on
22 July 19th. We have a standing monthly executive
23 session to just kind of go over any sort of matters
24 related to the township in terms of personnel,
25 litigation, any sort of real estate matters,

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1 anything like that. And I informed the board of
2 what I had discovered and what actions I took, and
3 that I met with the department heads and told them
4 it stopped immediately.

5 Q. During your meeting on the 19th with the
6 board of supervisors, first, was that in person?

7 A. Yes.

8 Q. Where was it?

9 A. It was at the township building.

10 Q. Who was present for the board of
11 supervisors?

12 A. It was Shaun Walsh, the -- who was the chair
13 of the board at the time, Ashley Gagne, the vice
14 chair, Tinamarie Smith and John Hellmann. Robin
15 Stuntebeck who was on the board at the time was not
16 in attendance.

17 Q. Tell me what, if anything, they communicated
18 to you when you informed them of the snow time?

19 A. They were very upset. They wanted to talk
20 to our labor counsel and get guidance from them.

21 Q. Labor counsel being Eckert Seamans?

22 A. Correct.

23 Q. Okay. Are -- were you involved in the
24 communications between -- I don't want -- if you
25 were, I don't want to know what they were yet --

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1 involved in the communications between the board of
2 supervisors and Eckert Seamans in regards to this
3 issue?

4 A. Like, okay, so I set up -- I set up the
5 meetings, and yes, I sat in on the meetings that we
6 had with, with Eckert Seamans.

7 Q. When was the first meeting?

8 A. July 20th.

9 Q. We're obviously going to talk and look at
10 some documents soon about a meeting that you had on
11 July 20th with Woodward, McClune, Moffa, and
12 Bertolami.

13 A. Correct.

14 Q. Was your meeting that you sat in with Eckert
15 Seamans on the 20th before or after that meeting
16 with the superintendents and director?

17 A. Before.

18 Q. How long before?

19 A. Hour and a half, two hours before. Maybe --
20 yeah, probably two hours before.

21 Q. You referred to Eckert Seamans as the
22 township's labor counsel.

23 A. Correct.

24 Q. Is Eckert Seamans on some kind of retainer?

25 A. So generally municipalities don't put

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1 attorneys on retainer. They're appointed by the
2 governing body and then we're billed on an hourly
3 basis.

4 So they were appointed -- so
5 essentially the relationship with Eckert Seamans,
6 they were appointed -- we had contract negotiations
7 with our police department in 2022. The board
8 appointed them as, as general -- as special counsel
9 for those contract negotiations.

10 And the negotiations went well and
11 they enjoyed the relationship that they had with
12 them, so they were appointed as our general labor
13 counsel in January of 2023.

14 Q. So in order to engage them for this issue,
15 it's not like some new retention documents needed
16 to be executed.

17 A. Correct.

18 Q. I understand what you're saying about not
19 putting them on retainer. In effect they were on
20 retainer.

21 A. Yes. We have a professional services
22 agreement with them.

23 Q. Do you know who it was that made the initial
24 communication to Eckert Seamans about this issue?

25 A. Me.

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1 Q. The meeting with Eckert Seamans on the 20th,
2 in person or Zoom or --

3 A. It was virtual. Zoom, GoTo Meeting. We
4 primarily use the GoTo Meeting platform.

5 Q. What was communicated to Eckert Seamans
6 factually about what you had learned?

7 A. I told them what I discovered and how it
8 operated, and generally what I understood about how
9 it operated.

10 Q. What was the purpose for engaging Eckert
11 Seamans on this snow time issue?

12 A. The board wanted guidance on how to proceed
13 forward.

14 Q. As a result of --

15 MR. DORDICK: Are you going to assert
16 privilege over the actual substance of
17 communications during that meeting?

18 MR. ALEXANDER: The substantive
19 communications I am. I think you're going at what
20 the result was. Is that what you're just looking
21 for at the end?

22 MR. DORDICK: Essentially.

23 MR. ALEXANDER: I think we can just
24 get to the result if you want to do that.

25 BY MR. DORDICK:

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1 Q. As a result of the meeting with Eckert
2 Seamans was an investigation launched?

3 A. Yes, that was at the advice of counsel.

4 Q. Counsel being Eckert Seamans?

5 A. Correct.

6 Q. Tell me what you knew on the 20th as a
7 result of that meeting what the scope of that
8 investigation would be?

9 A. It was going to be -- it was going to look
10 into any implications related to -- related to
11 potential payroll, payroll fraud, payroll --
12 inaccurate timesheets being submitted.

13 It was going to look into the snow
14 time issue, how it originated, who implemented it,
15 how it sort of grew, what these other entries were
16 on these sheets, because there was no explanation
17 as to what some of these entries were. We couldn't
18 even figure some of them out.

19 And there was -- they were also going
20 to -- I believe there was a mention about
21 potentially maybe even looking into if there was
22 any other kind of financial fraud.

23 Q. Okay. Basically the scope of the
24 investigation that would be conducted by Eckert
25 Seamans was looking into the genesis of snow time,

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1 how it was implemented, how it was developed, how
2 it was utilized over the years, and potential
3 implications of the use of snow time.

4 A. Yes, and also how it expanded.

5 Q. Now, when you say "expanded," I saw a
6 reference in some reports from Eckert Seamans and
7 things like that about how it may have started as
8 just compensating time that certain employees had
9 to work when other administrative employees didn't,
10 but then expanded to something far beyond that.

11 A. Correct.

12 Q. Throughout the investigation or as a result
13 of the investigation did you ever learn that
14 Mr. Woodward played any role in directing the
15 expansion in the ways that you learned?

16 A. I didn't. I actually didn't find out about
17 his involvement in any expansion until after he
18 passed away.

19 Q. Okay. What involvement would that be?

20 A. That there was a meeting that was held with
21 the -- Lisa is also our deputy emergency management
22 coordinator, and there was a meeting that was held
23 with the county after an ice storm in 2014. Lisa
24 said she would take secret squirrel time to attend
25 that meeting and Dave said okay. So that was

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1 outside the original scope of what was done.

2 Q. Would you agree that a fair characterization
3 of the results of the investigation in regards to
4 the expansion of snow time was less that it was
5 directed intentionally to expand and more that
6 there was a lack of oversight?

7 A. Yes, and I believe Dave admitted that in his
8 interview.

9 Q. But this was not a situation that was
10 discovered where Dave or anybody else specifically
11 instructed, other than on maybe one anecdotal
12 occasion, about expanding snow time, fair?

13 A. Fair, yes.

14 Q. Okay. Were you informed in any way as a
15 result of the meeting with Eckert Seamans as to how
16 long they expected the investigation to take?

17 A. No. We were hoping that it was going to be
18 fairly quickly, but when you do -- I've learned
19 over time when you do these things, you start
20 turning up new stones and you have to go down some
21 of those paths. There's sometimes things that take
22 longer than anticipated.

23 We'd scheduled the interviews to be
24 done in a week. We kind of thought it was going to
25 be wrapped up in a week, maybe two.

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1 Q. So when you walked out of that meeting
2 virtually with Eckert Seamans, you generally
3 understood the scope of what the investigation
4 would be --

5 A. Uh-hum.

6 Q. -- and the thought that you had and others
7 had as a result of that meeting would -- that
8 hopefully the inter -- the investigation is
9 concluded in a week or two?

10 A. Yes. Because we just -- we were going to
11 try and move as quickly as possible with this.
12 They started the -- they started working on this
13 the very next day and they were out there 9:30 in
14 the morning that Monday. What was that, the 23rd I
15 would -- 24th.

16 Q. I'm assuming, but correct me if I'm wrong,
17 I'm assuming that during your discussions with the
18 board of supervisors and/or Eckert Seamans the
19 issue of placing certain employees on
20 administrative leave, unpaid administrative leave,
21 was brought up?

22 A. Yes, that was brought up by our labor
23 counsel.

24 Q. Okay. Was -- tell me about the decision to
25 place certain employees, including Mr. Woodward, on

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1 unpaid administrative leave.

2 A. It was recommended that they all be treated
3 equally. That they all be given the exact same
4 punishment -- or not punishment. They were all,
5 all given the exact same -- all put out the exact
6 same time. That was the recommendation.

7 Q. Unpaid administrative leave is a punishment,
8 correct?

9 A. I suppose you could argue it that way. It
10 wasn't being looked at as punitive at the time.

11 Q. Okay. There would be a difference between
12 paid administrative leave and unpaid administrative
13 leave, correct?

14 A. Correct.

15 Q. What is the distinction if you can tell me
16 as to when and why somebody would be placed on
17 unpaid leave versus paid?

18 A. I, I guess the distinction would be the
19 seriousness of the infraction and the level in
20 their -- in the organization.

21 These were high-ranking, long-tenured
22 members of the organization. I guess that would be
23 the distinction. Scott didn't elaborate on it. He
24 just said he recommended unpaid administrative
25 leave.

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1 Q. Scott being one of the Eckert Seamans
2 attorneys?

3 A. Scott, Scott Blissman, he's our primary
4 attorney.

5 Q. It would be very fair for all of these
6 employees, including Mr. Woodward, to see and
7 interpret being placed on unpaid administrative
8 leave as a punishment.

9 A. Yes, I suppose so.

10 Q. And this punishment was inflicted before any
11 results of the investigation were obtained,
12 correct?

13 A. I would disagree with that because we had
14 enough information to know that this was going on
15 behind -- behind everyone's back.

16 Q. Again, you say behind everybody's back, but
17 again, it was the former township manager, the
18 board of supervisors's chairman, all of the people
19 within the department.

20 I understand that you feel like it may
21 have been behind your back on --

22 A. No, I don't feel -- Sam --

23 Q. Hold on. Let me finish the question. It's
24 got to be for the record.

25 A. Okay.

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1 Q. And perhaps without the knowledge of certain
2 people in HR or finance. But as we've discussed,
3 many people in these departments knew of its
4 existence and they -- none of them thought they
5 were doing anything improper, true?

6 A. True.

7 Q. Okay. Did you feel at all insulted or
8 slighted that nobody had told you about it?

9 A. I did feel -- I did feel a certain level
10 of -- that there was a certain level of dishonesty
11 that they were keeping this from me, that this
12 never occurred, given how much I interacted with
13 primarily Dave and Mark, and to a lesser extent
14 Mike and Dorine.

15 I was particularly upset because one
16 of the first things I did when I got to West Goshen
17 was argue for pay increases for all the members of
18 the public works department. When I got there in
19 2021 at the end of the pandemic, we had one of the
20 lowest starting wages for public works employees.

21 I -- one of the first things I did was
22 do a salary analysis and argued that they should
23 get paid more. And some people got like nine
24 percent pay -- seven, eight, nine percent pay
25 increases. I also argued for Mike Moffa to get a

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1 \$15,000 pay increase the budget before that.

2 So all the while this whole thing is
3 going on behind my back, as you said, and I'm
4 arguing for these people to get more money, and
5 this is occurring.

6 No one could have come to me in a year
7 and a half and told me that this occurs or that
8 this was implemented in the past. They told me
9 about the blood time when we had a blood drive, but
10 no one thought to tell me about this.

11 Q. First, to be clear, you used the phrase
12 behind my back or behind our backs, correct?

13 A. Yes. I never --

14 Q. That's how you felt.

15 A. I never said that to, to them in that
16 meeting on July 20th.

17 Q. During this time when you learned about snow
18 time, you felt like it was being done behind your
19 back, right?

20 A. Yes.

21 Q. You felt disrespected?

22 A. To a -- to a certain degree, sure.

23 Q. Insulted that nobody had told you?

24 A. I wouldn't say insulted.

25 Q. Okay. You felt like people were doing

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1 things behind your back intentionally and keeping
2 you in the dark?

3 A. Yes.

4 Q. And you were incredibly frustrated by that?

5 A. Yes, because this had oper -- I'm charged
6 with overseeing day-to-day operations of the
7 township and this had operational impacts.

8 Q. You also, I would assume, felt personally
9 slighted, because you had worked with these people
10 so closely for a year and a half.

11 A. No.

12 Q. There's no personal aspect of it at all?

13 A. No, this is professional.

14 Q. Okay. So you had gotten to know these
15 people working with them every single day of your
16 professional life for a year and a half, spending
17 the vast majority of your time, awake at least,
18 with them, and you didn't feel at all personally
19 insulted or slighted that they had, as you had seen
20 it, kept you in the dark about this?

21 A. I wouldn't say -- I wouldn't say personally.
22 I mean, the investigation was going to reveal the
23 results, and we were going to take the appropriate
24 action. And then whatever happened, happened and
25 we were going to move forward. That was the plan.

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1 Q. The plan was to have this investigation done
2 by formal outside counsel?

3 A. Correct.

4 Q. And as you said, once the results of that
5 investigation were obtained, take appropriate
6 action, fair?

7 A. Fair.

8 Q. Okay. Would you agree that it would not be
9 prudent to prematurely take action without the
10 results of the investigation?

11 A. No, because this was not premature.

12 Q. Okay.

13 A. We had already -- we -- I had basically
14 already been doing an investigation into this.

15 Q. Okay. An informal investigation.

16 A. If you want to call it that, sure.

17 Q. What would you call it?

18 A. I mean, as township manager doing an
19 investigation, there's a formal aspect to it. So
20 I'm looking through official records of the
21 municipality in order to be able to find anything
22 about this. I'm talking to individuals involved.

23 So there is a formal -- I would argue
24 there is a formal element to it, and then we
25 brought in outside counsel to go further.

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1 Q. You were not doing it pursuant to any
2 established policy or procedure, correct?

3 A. There is none.

4 Q. So I'm correct?

5 A. Yes.

6 Q. Prior to we'll say July 18th, I'm assuming
7 you were aware of the incident in Kennett Square
8 where a municipal employee had embezzled a few
9 millions dollars and went to jail.

10 A. Yes.

11 Q. How did you learn about that incident? It
12 was generally in the news?

13 A. It was generally in the news. I actually --
14 I was at a conference in Lancaster when I first
15 heard about it, and then I followed it as it
16 continued.

17 Q. So at the time that you first learned about
18 snow time, you knew about the Kennett Square
19 incident?

20 A. Yes.

21 Q. Did you believe that you as the township
22 manager were in any way implicated in what you
23 believed to be potential fraud?

24 A. That I was implicated? No, because I didn't
25 set this up. However, if I don't inform the board

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1 about it, I'm complicit in it.

2 Q. When you learned about this snow time,
3 knowing about the Kennett Square incident and given
4 that you accused or informed these people that they
5 were committing fraud, were you in any way
6 concerned that as the township manager you may
7 ultimately be held responsible?

8 A. Yes, there was a small level of concern
9 there. Yes.

10 Q. Based on your knowledge of the Kennett
11 Square incident and your experience working in
12 municipal governance, first, as we discussed, you
13 at least believed at the time that you wrote the
14 email on July 18th, had the meeting with the board,
15 the meeting with the outside counsel, and the
16 meeting on July 20th, that fraud had occurred?

17 A. Yes.

18 Q. And you knew based on your prior experience
19 and the Kennett Square incident that fraud like
20 that, you believed, had the potential to
21 significantly impact the professional and even
22 personal lives of those involved?

23 A. I -- yes, I suppose so.

24 Q. It had the potential, if fraud was
25 uncovered, established, proven, had the potential

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1 to destroy the professional lives of those
2 involved, fair?

3 A. Fair.

4 Q. Destroy the personal lives of those
5 involved, fair?

6 A. Fair.

7 Q. And you knew that going into July 18th,
8 19th, 20th?

9 A. I suppose so, yes.

10 Q. I'm going to mark this as Woodward -- I'm
11 sorry, Bashore 6.

12 (Exhibit Bashore 6 was marked for
13 identification.)

14 BY MR. DORDICK:

15 Q. Sir, is this a letter that you personally
16 wrote?

17 A. No.

18 Q. Who wrote this?

19 A. Scott Blissman.

20 Q. Okay.

21 A. I drafted an initial one and this version is
22 his.

23 Q. You signed your name on this one, correct?
24 That's your signature on the bottom?

25 A. Yes.

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1 Q. Given the fact that -- well, first, before
2 you signed it, did you review it?

3 A. Yes.

4 Q. Did you agree with everything in it?

5 A. Yes.

6 Q. So by signing your name on it, it's as good
7 as if you had written it?

8 A. I suppose you could argue that, but again,
9 we were operating on the advice of counsel.

10 Q. When you gave -- well, you gave this letter
11 to Woodward, McClune, Moffa, and Bertolami,
12 correct?

13 A. Correct.

14 Q. In a July 20, 2023 meeting.

15 A. Correct.

16 Q. When you gave it to them, did you say
17 anything about, I didn't write this, I just signed
18 my name to it?

19 A. No, because that's not how I operate.

20 Q. As far as they were aware this was a letter
21 written by you from you?

22 A. Yes.

23 Q. When did you receive this in relation to
24 when the July 20th, 2023 meeting was?

25 A. Maybe about half an hour beforehand. Maybe,

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1 maybe a little bit -- maybe a little bit longer.

2 Probably a half hour I would say.

3 Q. What time of the day was the meeting?

4 A. It was around 4:00 I believe.

5 Q. How did you communicate to the individuals

6 involved in this meeting that it would be

7 occurring?

8 A. I emailed them and told them not to leave

9 without meeting with me, and then I emailed them

10 again and said we'll meet in conference room A,

11 which is one of the conference rooms in the

12 township building.

13 Q. Can you tell me who was present at the

14 meeting, if anybody, besides yourself, Woodward,

15 Bertolami, McClune, and Moffa?

16 A. Jennifer Latzer.

17 Q. Anybody else?

18 A. No.

19 Q. Was anybody taking notes during this meeting

20 or recording it in any way?

21 A. No.

22 Q. Was there any memos created as a result of

23 this meeting?

24 A. No.

25 Q. Why was a memo created as a result of your

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1 meetings with all of these people individually or
2 together in the case of Woodward and Bertolami but
3 not as a result of this meeting?

4 A. It's standard procedure, anything like --
5 any sort of like personnel meeting to do a memo to
6 the file to document it accordingly.

7 In this instance we were then going to
8 be doing an investigation which would serve as the
9 documentation for whatever disciplinary action may
10 have been -- may have resulted.

11 Q. Okay. You referenced a standard procedure
12 to do memos like that after personnel meetings,
13 right?

14 A. Correct.

15 Q. Is that written in the manual?

16 A. No, it's based train -- it's based on my
17 training through the years.

18 Q. So it's an unwritten policy?

19 A. I wouldn't call it a policy. I would call
20 it a -- I would call it a standard practice.

21 Q. It's an unwritten standard practice.

22 A. Based on appropriate training, yes.

23 Q. What's the difference between a standard
24 practice and a policy?

25 A. A policy is something that's enacted by the

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1 policymakers. A practice is something that just
2 occurs over time.

3 Q. So would you characterize the snow time here
4 as a practice or a policy?

5 A. More a practice.

6 Q. Okay. And again, it was a practice that was
7 approved by and okayed by the township manager.

8 A. Yes. As we came to learn, yes.

9 Q. So you followed this unwritten practice of,
10 of your work in memorializing the meetings that you
11 had with all four of these individuals on July
12 18th?

13 A. Yes.

14 Q. You did not follow that in regards to the
15 meeting that you had with these individuals on July
16 20th, true?

17 A. No. No, and as I explained, there was going
18 to be an investigation with a report coming out of
19 it which would serve as the documentation.

20 And essentially, this is the
21 memorial -- this exhibit is the memorialization of
22 that meeting, because this was basically everything
23 that I told them.

24 Q. You think this is everything that you told
25 them?

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1 A. Well, this is everything I told them in
2 terms of the pun -- in terms of -- not the
3 punishment -- in terms of the next steps that were
4 going to occur.

5 Q. You've said it now twice. It was a
6 punishment, right?

7 A. I just can't think of a better word -- of
8 another word to use. These were the next steps
9 that were going to occur.

10 Q. The best word that you know of in the
11 English language to describe what was done with
12 regard to these individuals is punishment, true?

13 MR. ALEXANDER: Can we just be more
14 clear about what you're talking about when you said
15 let's describe what happened --

16 BY MR. DORDICK:

17 Q. Placing them on administrative leave,
18 unpaid.

19 A. It was an action that was being taken to the
20 next steps in the investigation to preserve any
21 kind of records.

22 Q. What is the best word that you can think of
23 that you know to summarize what was done here, for
24 placing them on unpaid administrative leave? You
25 said it twice now.

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1 A. I'll say action being -- actually I'll say
2 action being taken. These are the next steps in
3 the -- in the investigatory process.

4 Q. It was a punishment, right?

5 A. I don't agree that it was a punishment.

6 Q. You've said it twice.

7 A. I understand that I said that. I couldn't
8 think of anything better to say. But these
9 were the -- this was the next step.

10 Q. Your position and your explanation for why
11 there was no memo written to memorialize this
12 meeting was because, hey, we already have a letter
13 telling these people that they're being placed on
14 unpaid administrative leave and we were going to
15 have a formal investigation.

16 A. Correct.

17 Q. You've seen the reports from the -- that
18 formal investigation by Eckert Seamans, correct?

19 A. Yes.

20 Q. Was -- were there portions of that report
21 which you felt accurately reflected what was said
22 and what was done during that July 20 meeting?

23 A. No.

24 Q. So the report that you say would have
25 memorialized it, didn't.

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1 A. Well, what it -- I don't understand what
2 you're talking about.

3 Are you talking about when they said
4 that it started? Are you talking about when Mike
5 said nothing nefarious was going on? Are you
6 talking about the various stories that I received
7 during that July 20th meeting? I'm not sure what
8 you're talking about.

9 Q. Okay. Do you -- I asked you whether or not
10 you felt the reports by Eckert Seamans fairly
11 memorialized what happened at that July 20th
12 meeting. You said no.

13 A. No, because the report by Eckert Seamans
14 didn't take into account the July 20th meeting.
15 Because at the July 20th meeting, when I walked in
16 there and I told them they were being placed on
17 administrative leave and that an investigation was
18 being done, each one of them had a different story
19 about how this started.

20 That meeting lasted all of five, maybe
21 10 minutes, and they -- nothing that they said in
22 that meeting was relayed during their interviews to
23 Eckert Seamans.

24 Q. Okay. So there was nothing in effect that
25 memorialized what actually happened at that

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1 meeting, fair?

2 A. Fair, yes.

3 Q. Whereas with the July 18th meeting there was
4 memos created.

5 A. Yes, I did a memo to their file.

6 Q. And the -- really everything related to this
7 investigation that was not memorialized or
8 documented -- I'm sorry, let me strike that.

9 Everything with regard to this
10 investigation was memorialized and documented,
11 either in memos from you, emails from you,
12 investigation reports from Eckert Seamans,
13 everything except this July 20th meeting, fair?

14 A. Yes, because there was a mem -- there was a
15 letter that was going into their file. There was
16 also going to be a report.

17 Q. Have you had the opportunity to read the
18 depositions of other people in this case?

19 A. No.

20 Q. Are you aware -- and I don't want to know
21 how, if you are -- but are you aware generally of
22 what other people have said that were present at
23 that meeting?

24 A. I'm only aware of really what's in the
25 Complaint, that was in the Complaint.

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1 Q. Okay. Let's go through portions of this
2 July 20, 2023 letter. First, this one is to J.
3 David Woodward. Fair to assume that there would be
4 separate letters separately addressed to the other
5 people?

6 A. Yes.

7 Q. This meeting occurs. They all walk into
8 conference room A. Are you already there?

9 A. No.

10 Q. When did you get to the meeting?

11 A. I got there maybe a couple minutes after
12 they got there. They were all there seated when I
13 walked in.

14 Q. Okay. How many seats were there?

15 A. There were a bunch of seats.

16 Q. Okay. It's not like there were only enough
17 seats for the people that were already there when
18 you got there?

19 A. No.

20 Q. You could have sat down if you wanted.

21 A. I could have, but I didn't.

22 Q. Okay. You walk in. Tell me the first thing
23 that you say and to whom you said it.

24 A. I said to all four of them that they are
25 being placed on unpaid administrative leave related

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1 to the use of snow time pending an investigation.

2 Q. Did you hand this letter to them before or
3 after you made that opening statement?

4 A. I think it was after.

5 Q. Did anybody respond to that opening
6 statement?

7 A. They all pretty much kind of slouched in
8 their -- maybe not slouched. They all -- they kind
9 of reacted sort of despondent. Like oh, my God,
10 this is ridiculous sort of thing.

11 Dave said, this goes back to the '90s.
12 Dorine said, Sharon Lynn started this. Mike Moffa
13 said, no one is trying to hide anything. Nothing
14 nefarious is going on here. And Mark said, Ray
15 and Casey started this. Mark was the only one of
16 the four who said Ray and Casey started this.

17 And I did ask them at one point, I
18 don't remember when, why none of them told me that
19 this was occurring, and Dave looked directly at me
20 and said, we never gave it a second thought.

21 Q. So at least based on what you were told at
22 that point in time, by Dave at least, this was not
23 a situation where people had gotten together and
24 conspired, hey, let's keep this away from Bashore,
25 finance, HR?

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1 A. No, but the fact that during the interview
2 Mark said he put a stop to it, he was trying to put
3 a stop to it, kind of implies to me that they might
4 have known that there was something wrong with it,
5 because why would he try and stop it after all the
6 people who implemented it were gone.

7 Q. Well, you say "they." Do you have any --

8 A. Well, why would --

9 Q. -- knowledge or information that Mark
10 Bertolami communicated any concerns he may have had
11 about snow time to anybody else involved in this?

12 A. Lisa --

13 Q. Except for Lisa when he told her.

14 A. Lisa -- the only person I'm aware of is
15 Lisa, that apparently at the beginning of '22 he
16 told her that snow time stops and he was letting
17 people run out what they had accumulated over a
18 series of years.

19 Q. This July 20, 2023 meeting occurred before
20 the investigation really even got off the ground by
21 Eckert Seamans.

22 A. By Eckert Seamans, yes.

23 Q. Okay.

24 A. But there was already -- as I said, there
25 was already a level of investigation occurring.

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1 Q. And the level of investigation was just you
2 interviewing a couple of these people to learn
3 about what snow time was and the extent of it.

4 A. And to discover if there was anything in
5 writing from Casey.

6 Q. Right. Your investigation did not involve
7 or include looking at legality of what was going
8 on, correct?

9 A. Correct. However, I came to under -- I
10 understood how this would operate. So I don't know
11 how else to characterize it when you submit a
12 timesheet that says you worked when in reality you
13 didn't.

14 And there's no notation on our
15 timesheets that say, you know, that -- no notation
16 that shows any PTO being utilized, because when we
17 submit timesheets we note on there, you know, X
18 number of hours of vacation time.

19 Q. You believed it was fraud. You didn't know
20 and didn't look into whether or not that violated
21 any kind of like criminal statutes or anything like
22 that, fair?

23 A. Fair.

24 Q. In the letter in front of you, the last
25 sentence in the first paragraph starts with

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1 Moreover, do you see that, on the right-hand side?

2 A. Okay, yes.

3 Q. Moreover, members of the Public Works
4 Department, including you, failed to advise the
5 current Board of Supervisors and/or Township
6 Administration of its existence, operation, and
7 scope. Township administration, who does that
8 include?

9 A. Myself, our finance department, anyone in a
10 position of leadership. Primarily, primarily me
11 and I would say our finance department.

12 Q. The next paragraph has information about
13 what is and is not acceptable during the period of
14 unpaid administrative leave, correct?

15 A. Correct.

16 Q. Was that purely advice of counsel or does
17 that come from some kind of published policy,
18 procedure, manual?

19 A. That was purely the advice of counsel.

20 Q. So the instruction that you are prohibited
21 from entering the Township building or contacting
22 any Township employee without my consent, that's
23 not like a written rule?

24 A. No.

25 Q. That was purely advice of counsel.

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1 A. As I said, this -- the final version of this
2 came from Scott Blissman.

3 Q. Now, looking back up at the last sentence of
4 the first paragraph, it says, Failed to advise the
5 current Board of Supervisors and/or Township
6 Administration. It references "current" because of
7 what we discussed before where the prior board of
8 supervisors, by virtue of Ray Halvorsen, and the
9 prior township manager were aware of it.

10 A. No, that's an inaccurate statement because
11 we talked to someone who served -- or at least one
12 of the board members spoke to someone who served on
13 the board with Mr. Halvorsen, and he had no
14 knowledge of this.

15 And I know at least one of the other
16 board members talked to another supervisor who
17 served with Mr. Halvorsen, and they had no
18 knowledge of it.

19 Q. The chairman of the board at one point knew.

20 A. But again I go -- yes, the chairman of the
21 board knew, but I go back to the chairman does not
22 have the authority to unilaterally enact policy or
23 prac -- or procedure or anything like that.

24 And again, based on Dave's testimony
25 during the investigation, if this did start in

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1 2010, Mr. Halvorsen was essentially a subordinate
2 to Casey. He was not on the board.

3 Q. Okay. Other than informing the individuals
4 in this July 20, 2023 meeting that they were going
5 to be placed on unpaid administrative leave, per
6 what this letter says --

7 A. Um-hum.

8 Q. -- was there any other purpose for your
9 meeting?

10 A. No. Just to tell them that this was
11 happening and they were -- there was going to be an
12 investigation and they were going to be contacted.

13 Q. Was any other information communicated to
14 them or did you make any other statements, other
15 than you are being placed on unpaid administrative
16 leave?

17 A. Yes. After, after they started pushing back
18 and making the statements that they said, I said,
19 something like this is part of the reason why Lisa
20 Moore went to prison. I said it had audit
21 implications and payroll implications.

22 Q. You said Lisa Moore. That would be the
23 woman from Kennett Square?

24 A. Yes, or Kennett Township.

25 Q. The very clear implication of you saying

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1 part of this is the reason why she, Lisa Moore in
2 Kennett Square -- Kennett Township went to prison
3 was to communicate to the people in that meeting
4 that because of what you believed they had done,
5 going to prison was something that was potential?

6 A. No, it was not. My more -- the basis for
7 that statement was more to convey the seriousness
8 of what was going on because none of them were
9 taking it seriously.

10 Q. How do you know that none of them were
11 taking it seriously?

12 A. The way they reacted in the meeting.

13 Q. Did the way that they reacted in the meeting
14 upset you?

15 A. Yeah, I was -- I was upset.

16 Q. You were all of -- you were the supervisor
17 or superior to all of them, correct?

18 A. Correct.

19 Q. During this meeting they were all sitting,
20 right?

21 A. Yes.

22 Q. You were standing.

23 A. Yes.

24 Q. You were literally physically talking down
25 to them.

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1 A. I don't agree with that.

2 Q. Your head was above theirs.

3 A. Okay, fine, if you want to get -- if you
4 want to literally say that, fine, yes, I was
5 standing -- I was standing talking to them.

6 Q. You were literally standing over and above
7 them talking down to them, correct?

8 A. Correct.

9 Q. And you are their superior when it comes to
10 work, correct?

11 A. Correct.

12 Q. Do you agree that your statement to them
13 that part of this is the reason why that woman in
14 Kennett Square went to prison that it would be
15 reasonable for them to interpret what you said as
16 communicating to them that, hey, guys, you might go
17 to jail over this?

18 A. I have no way of determining how they
19 interpret things.

20 Q. Okay.

21 A. Again, my point was not to say, you are
22 going to jail. My point was to convey the
23 seriousness of what was going on to them, because
24 none of them took it seriously.

25 Q. The purpose of you with that

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1 communication -- and let's talk about what else you
2 said.

3 During this meeting did you again
4 bring up -- and I won't use the word accuse yet --
5 but bring up fraud?

6 A. I don't remember saying fraud. I remember
7 saying payroll and audit implications. I never
8 said that state audits are fraudulent.

9 Q. Okay.

10 A. That statement never came out of my mouth.

11 Q. You realize other people remember you saying
12 that.

13 A. I never said that.

14 Q. Are you aware that other people remember you
15 saying that?

16 A. I'm assuming somebody who provided
17 information related to the Complaint said that. I
18 never said that.

19 Q. Sir, the purpose of you communicating to
20 these people that this other woman had gone to
21 jail, prison, for something very similar, and
22 discussing -- whether you used the word fraud or
23 not -- was basically to scare them, correct?

24 A. No, it was not to scare them. It was to
25 have them understand the seriousness of what was

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1 going on. It was not to scare them, because as I
2 said, none of them were taking it seriously.

3 Q. Sir, let's call it for what it is. You were
4 upset professionally, maybe personally, that this
5 snow time was not communicated to you. You felt
6 like it was being done behind your back.

7 And through this July 20 meeting you
8 wanted to communicate to them that this is
9 something that their professional and maybe even
10 personal lives might be ruined by, fair?

11 A. No, I don't necessarily agree with that.

12 Q. Okay.

13 A. Because again, none of them took it
14 seriously, and my point was to convey to them the
15 seriousness of it.

16 Q. Your intention in that meeting at that time
17 was to make them understand it was serious?

18 A. Yes.

19 Q. And by -- in a way you did that by
20 communicating to them, hey, somebody else went to
21 prison for something similar?

22 A. That there was a component of something like
23 this as to why she went to prison, yes.

24 Q. You told me earlier today that you
25 understood that something like this, if established

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1 and proven, had the potential to ruin somebody's
2 professional and personal life.

3 A. It could, yes.

4 Q. Your intent in that meeting was to
5 communicate that, fair?

6 A. Sure, but it was more along the lines of
7 seriousness, not to say I'm going to destroy you.
8 It was to get them to understand the seriousness of
9 what was going on.

10 Q. Sir, you were yelling at this meeting,
11 correct?

12 A. No.

13 Q. You're aware that other people said you were
14 yelling.

15 A. Yes, I know that that's in -- I know that
16 that's in the Complaint.

17 Q. Did you convey to the attendees at this
18 meeting, including Mr. Woodward, that they could go
19 to jail?

20 A. No.

21 Q. You say you were not yelling.

22 A. Correct. I'll admit to being angry, but I
23 was not yelling at them.

24 Q. Were you fired up?

25 A. No. I was -- I was upset.

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1 Q. Did you imply to any of them, intentionally
2 or otherwise, that they could be fired?

3 A. No. I never once in that meeting said that
4 they were going to be terminated.

5 Q. Do you feel like you were being aggressive
6 in that meeting?

7 A. No.

8 Q. I'm going to read you some testimony from
9 Dorine McClune in her deposition, page 39, starting
10 at line 11.

11 Question: So, Mr. Bashore conveyed to
12 you in that meeting that you could go to jail.

13 Answer: Yes.

14 You disagree with that?

15 A. I do disagree. That's her interpretation.

16 Q. Your testimony today is that you didn't say
17 that.

18 A. I didn't. I said something like this is
19 part of the reason why Lisa Moore went to prison.

20 Q. Wink, wink.

21 A. No.

22 Q. Question, line 14. You said he was yelling.

23 Answer: Yes.

24 A. No, I was not yelling.

25 Q. They just all understood you to be yelling?

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1 MR. ALEXANDER: Objection to that.

2 It's not even an accurate statement of their
3 testimony.

4 MR. DORDICK: I'm literally reading
5 it.

6 MR. ALEXANDER: You're reading one
7 person's testimony.

8 BY MR. DORDICK:

9 Q. Question: You said -- you said he was
10 yelling.

11 Answer: Yes.

12 That's what Dorine McClune said.

13 A. That's her interpre -- that's her -- yelling
14 is subjective. She could perceive it as yelling.
15 I don't know how the others felt about it, but I
16 was not yelling.

17 Q. Okay. You were not yelling. She just felt
18 that you were yelling.

19 A. Yes, that's her interpretation.

20 Q. Okay. You were certainly speaking louder
21 than we are right now.

22 A. Yes.

23 Q. Okay. You were also standing up looking
24 down at them when you were doing it, as their
25 superior.

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1 A. I don't agree with that -- yes, I was
2 standing, but I don't agree with your
3 characterization.

4 Q. You were literally standing, looking down at
5 them, speaking -- we won't use the word yelling --
6 but speaking a lot louder than you are right now as
7 their superior, correct?

8 A. Correct. But again, I disagree with your
9 characterization.

10 Q. Telling them, hey, somebody in Kennett
11 Square went to prison for issues very similar to
12 this, right?

13 A. Yes.

14 Q. And the purpose of that was to communicate
15 to them what you already knew and what you told me
16 you knew at the time, which was that something like
17 this you felt could have the potential to destroy
18 somebody's personal and professional life, you
19 wanted to communicate that, correct?

20 A. No, I wanted to communicate -- if you want
21 to imply that, yes, sure. I was more communicating
22 the seriousness of what was occurring. Because
23 again, none of them took it seriously.

24 Q. She was asked a question on page 62, line
25 two: Was Mr. Bashore aggressive in this meeting?

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1 Answer: Yes.

2 You don't feel like you were being
3 aggressive.

4 A. No.

5 Q. Now, tell me, when you had your meeting with
6 the board of supervisors and Eckert Seamans on July
7 19th and 20th, before this, did anybody tell you
8 that you should communicate to them that somebody
9 else had gone to prison for something similar?

10 A. No.

11 Q. Did anybody tell them -- tell you that you
12 should communicate to them or imply to them that
13 you could be fired?

14 A. No, and again, I didn't communicate to them,
15 nor did I imply that to them.

16 Q. Did anybody from Eckert Seamans or the board
17 of supervisors tell you that in this July 20th,
18 2023 meeting you should do whatever you can to
19 communicate the seriousness of this?

20 A. No.

21 Q. Those were all decisions that you made,
22 correct?

23 A. Yes, in response to their demeanor.

24 Q. You kind of flew off the rails at this
25 meeting, correct?

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1 A. I vehemently disagree.

2 Q. You certainly went off script.

3 A. I vehemently disagree.

4 Q. So tell me, when you walked in that meeting,
5 was the plan to communicate to them that somebody
6 else had gone to prison for something similar?

7 A. No, the plan was to communicate to them that
8 they were being placed on administrative leave and
9 that there was going to be an investigation.

10 Q. Was the plan to --

11 A. Well, was it their plan to basically be
12 nonchalant about this?

13 Q. Sir, the greatest part about a deposition is
14 I get to ask the questions. I don't have to answer
15 them.

16 So I'm going to ask you the question.
17 Again, was it the plan to walk into the meeting and
18 communicate to them that somebody else had gone to
19 prison for something similar?

20 A. No.

21 Q. Okay. Was it the plan to imply,
22 communicate, or in any way insinuate that they may
23 be terminated?

24 A. No, and I didn't do that.

25 Q. Was the plan to yell at them?

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1 A. No. And again, I didn't do that.

2 Q. Okay. So when you were in the meeting, to
3 the extent that any of that happened, it was off
4 plan?

5 A. I'm -- okay, you can characterize it that
6 way.

7 Q. Certainly with regard to communicating that
8 somebody had gone to prison for something similar,
9 that happened, right?

10 A. Yes.

11 Q. Okay. That was not planned.

12 A. No, but again, that was a reaction to their
13 behavior.

14 Q. You were frustrated coming into this meeting
15 because as we discussed you felt like it was being
16 done behind your back. You felt in some way
17 slighted.

18 And then when you had this meeting,
19 those frustrations grew and you kind of lost your
20 cool a little bit, fair?

21 A. Sure.

22 Q. This meeting ended up being a way that you
23 ultimately vented those frustrations, correct?

24 A. No, I wouldn't agree with that.

25 Q. Okay. When you were losing your cool as you

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1 just agreed with, were you making any
2 observations --

3 MR. ALEXANDER: I don't recall him
4 saying he agreed to losing his cool.

5 THE WITNESS: Yeah, I didn't agree
6 with you.

7 MR. ALEXANDER: He didn't agree with
8 it at all.

9 MR. DORDICK: Can you read back the
10 record, please?

11 THE WITNESS: Well, maybe I said sure.
12 I don't -- I don't recall saying that.

13 MR. ALEXANDER: Give accurate answers.
14 Don't just -- say what you mean.

15 THE WITNESS: Okay.

16 BY MR. DORDICK:

17 Q. Were you not giving truthful testimony under
18 oath when I just asked you that?

19 A. No, but I don't recall saying that I lost my
20 cool. I recall saying I didn't agree with it.

21 Q. I asked you if you lost your cool and you
22 said sure.

23 A. Well, I got -- I said sure. Fine. I got --
24 I got frustrated.

25 Q. Looking back, did you act in a way that you

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1 believe you should have?

2 A. I, I -- I think based on the elements of
3 what occurred and the fact that they pretty much
4 took this as nonchalant, should I have gotten --
5 maybe I couldn't have been -- maybe I could have
6 been less frustrated, but no, I don't -- I don't
7 regret getting upset with them.

8 Q. Did anybody tell you before this July 20th
9 meeting going into it that it was your job to
10 communicate to them the seriousness of it?

11 A. No, but that comes with the territory.

12 Q. Your job at this meeting was to hand them a
13 letter and inform them that they were being placed
14 on unpaid administrative leave, a punishment,
15 correct?

16 MR. ALEXANDER: Objection to the form
17 of the question.

18 THE WITNESS: It comes with -- it
19 comes with the territory when you're a manager.

20 BY MR. DORDICK:

21 Q. So correct?

22 A. Correct.

23 Q. You went way beyond that job in this
24 meeting, correct?

25 A. No, I disagree.

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1 Q. Okay. Certainly informing them that
2 somebody else had gone to prison for something
3 similar, that was beyond your job.

4 A. I don't agree.

5 Q. So you believe that everything that you did
6 within that July 20th, 2023 meeting was part of
7 your job and your role as township manager and you
8 were acting at all times in that regard?

9 A. Yes, in order to convey to them the
10 seriousness of what was occurring.

11 Q. When you informed these personnel that they
12 were being placed on unpaid administrative leave,
13 and you told them about the woman that had gone to
14 prison for it, and whether or not you did or didn't
15 say committed fraud, you had certainly told each
16 one of them in your July 18th meetings that fraud
17 had occurred?

18 A. Yes, that it was fraudulent activity. Yes.

19 Q. Okay. Obviously, as a result of that, these
20 people were upset, fair?

21 A. Fair.

22 Q. During that July 20th, 2023 meeting they
23 were very obviously, objectively to you, upset?

24 A. Yes. Well, they didn't -- yes. Okay. They
25 didn't show -- it was more of a sort of nonchalant

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1 behavior as to like, this is ridiculous, as more to
2 being like, like angry and like pounding a table.

3 Like when I think upset, I think more
4 like that angle. They were more like, this is
5 ridiculous.

6 Q. They were upset.

7 A. Sure.

8 Q. You knew as you told me before that
9 Mr. Woodward at least had committed his
10 professional life to that job.

11 A. Yes.

12 Q. He was well known in the municipal
13 governance industry, at least in West Goshen, as
14 somebody that had worked for a long time for the
15 township?

16 A. In -- as specifically to West Goshen, yes.

17 Q. Within West Goshen, that community, he was
18 somebody that was known to have been a long-
19 standing, committed employee, correct?

20 A. Yes.

21 Q. You can very obviously foresee that
22 something like this if proven and communicated to
23 the public would be incredibly humiliating to him
24 professionally, correct?

25 A. Correct. However, at the time, more likely

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1 than not, if there was any sort of action that
2 would have been taken it would have been handled as
3 any kind of personnel matter, so I don't know -- he
4 could have assumed that, but I don't know.

5 Q. At the time that you had these meetings, you
6 knew everything that we just discussed about his --
7 I'll say stature in the community with regard to
8 his employment, how longstanding he was, how
9 long he had -- you know, how much he had worked for
10 and committed himself to the township, right?

11 A. Correct.

12 Q. Obviously if something like this were to
13 come out about potential fraud or anything like
14 that, at least him being accused of it, that is
15 something that you as of July 18th, 19th, 20th can
16 foresee would be incredibly humiliating to him
17 professionally.

18 A. Yes.

19 Q. Even personally.

20 A. Yes.

21 Q. You knew that during the July 20th meeting,
22 correct?

23 A. Sure. I mean, I didn't think about that,
24 but sure.

25 Q. If you had thought about it, at the July

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1 20th meeting that's something that would have been
2 foreseeable as a result of him being accused of
3 some kind of fraud in a public setting.

4 A. I -- I don't -- I don't know. I really
5 can't answer that.

6 Q. These people during the meeting, you told me
7 obviously already, they were upset. You could tell
8 that they were upset during the meeting.

9 A. Based on their demeanor, yes.

10 Q. To the extent that any of them thought or
11 interpreted this meeting as communicating that they
12 might be fired over this, that for at least
13 Mr. Woodward is something that very clearly would
14 affect his ability to support his family, correct?

15 A. It would affect any employee to support
16 their family.

17 Q. I understand.

18 A. So I agree with you, but again, it would
19 affect any employee.

20 Q. Okay. So it would affect any employee,
21 including Mr. Woodward, right?

22 A. Yes.

23 Q. You knew that, right?

24 A. Yes.

25 Q. You knew that it would impact potentially

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1 his ability to send his daughter to college, which
2 you knew that they were actively looking into
3 doing, right?

4 A. I -- it's safe to assume that, yes.

5 Q. You knew that that could potentially impact
6 his entitlement to pension, right?

7 A. No, I did not think there was any -- there
8 was going to be any impact on his pension. He was
9 already vested. He already had 23 years of
10 service. He already exceeded the category for
11 an -- for early retirement.

12 I didn't think that there would be any
13 impact on his pension, because truthfully there
14 probably wouldn't have been.

15 Q. Is, is entitlement to pension something that
16 could be impacted whether you retire versus are
17 fired for fraud?

18 A. No. He would have to have been -- to the
19 best of my knowledge, he would have to have been
20 convicted, like criminally convicted.

21 Q. And during this meeting you communicated to
22 him and others that that had actually happened with
23 somebody else for a similar circumstance, right?

24 A. Yes.

25 Q. During this meeting we discussed how they

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1 would be upset. You could tell that they were
2 upset. We discussed that you knew that this could
3 destroy their personal and professional lives. We
4 discussed that you knew and could foresee that this
5 would be something incredibly humiliating to
6 Mr. Woodward personally and professionally, and
7 that if he believed and if the others believed that
8 they could be fired and criminally prosecuted for
9 this, given that you were their superior, these
10 people were in a vulnerable situation in that
11 meeting, correct?

12 MR. ALEXANDER: Object to the form of
13 the question.

14 THE WITNESS: I suppose you could
15 characterize it that way.

16 BY MR. DORDICK:

17 Q. And during this meeting you had that sense,
18 right?

19 A. No.

20 Q. Okay. Looking back, when you say you
21 suppose I could characterize it that way, these
22 people, during the meeting and following, during
23 this investigation, they were certainly vulnerable.

24 A. Yes, as would any employee in the situation.

25 Q. Including Mr. Woodward.

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1 A. I mean, sure.

2 Q. So Mr. Woodward, as you said any employee
3 would be, was vulnerable in the situation, very
4 obviously upset during this meeting, is somebody
5 that would, as any employee you said, be impacted
6 in their ability to provide for their family,
7 depending on the repercussions of this, as you were
8 communicating them, potentially impact his pension,
9 potentially impact his ability to send his daughter
10 to college, all, at the time of this July 20, 2023
11 meeting and in the week or so after, correct?

12 MR. ALEXANDER: Object to the form of
13 the question.

14 THE WITNESS: I mean -- can you repeat
15 that?

16 BY MR. DORDICK:

17 Q. Sure. Probably not repeat it, but I'll
18 rephrase it.

19 A. Okay.

20 Q. At the time of this July 20th, 2023 meeting,
21 when you had communicated what we've already
22 discussed, Mr. Woodward -- and I understand that
23 you said that all employees for certain things like
24 impact of ability to support their family, but I
25 want to focus on Mr. Woodward -- Mr. Woodward you

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1 acknowledge would be incredibly humiliated to be
2 accused of a fraud like this in a public setting,
3 both personally and professionally.

4 He was obviously upset during this
5 meeting. This was something that you agreed could
6 potentially, based on what you communicated about
7 convictions and going to prison, impact his
8 pension.

9 And it was something that some of
10 these employees at least believed they could get
11 fired over. And what you were doing in this
12 meeting was trying to communicate the seriousness
13 of this, which you knew to be something that could
14 potentially destroy their personal and professional
15 lives as you told me, correct?

16 MR. ALEXANDER: Object to the form of
17 the question.

18 THE WITNESS: I suppose you could
19 characterize it that way, sure.

20 MR. DORDICK: We've been going a
21 while. Why don't we take a five-minute break.

22 VIDEO OPERATOR: Going off the record.
23 Time is 11:47.

24 (Recess.)

25 VIDEO OPERATOR: Back on the record.

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1 Time is 11:55.

2 BY MR. DORDICK:

3 Q. Right before we broke we were discussing and
4 I had kind of listed off all of the things that you
5 kind of knew or were aware of generally about the
6 potential impact that something like this and
7 statements that you made could have on somebody
8 like Mr. Woodward including Mr. Woodward
9 specifically. Do you remember that?

10 A. Yes.

11 Q. Would you agree that just based on human
12 experience and the decades that you've lived, that
13 in situations where somebody is basically with
14 their back to a wall, where they may be personally
15 and professionally humiliated, may lose their job
16 or feel like they may lose their job, feel like
17 they might go to prison, feel like they might not
18 be able to support their family, that's when
19 somebody can do something drastic like harm
20 themselves or others, right?

21 A. No, I wouldn't agree with that.

22 Q. You wouldn't agree with that?

23 A. No.

24 Q. Okay. You have certainly seen situations in
25 the past, in the news, in your personal life maybe,

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1 I don't know, but where somebody does do something
2 drastic like harm themselves or others. It's
3 because they perceive themselves to be with their
4 back to a wall, right? You've seen that?

5 A. Not necessarily. Not all the time.

6 Q. Okay. Is it your testimony today that given
7 everything that we've discussed that you knew
8 that -- I kind of just covered -- the humiliation,
9 the potential jail, losing your job, inability to
10 support your family, that it was completely outside
11 the realm of possibility that some kind of drastic
12 action would be taken by somebody?

13 A. Yes. There was nothing that -- there was no
14 change to Dave's demeanor in that meeting on July
15 20th that was different from anybody else. There
16 was absolutely no indication that anything like
17 this was going to happen.

18 In fact, on July 24th when the
19 interviews started, there was no change in his
20 demeanor. He spoke to me just like -- I spoke to
21 him very brief -- had a brief interaction with him,
22 and it was like he was normal self.

23 Q. You're referencing July 24th and we'll get
24 to it, but that was when the interview occurred
25 with the Eckert Seamans attorneys.

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1 A. Correct.

2 Q. Were you present for the interview?

3 A. No.

4 Q. You sounds like communicated with him prior
5 to the interview.

6 A. Well, I communicated with him for when his
7 interview was going to be. And as the interview
8 got started, there was a phone call from his
9 attorney, and on the advice of our counsel we --
10 advice of our counsel, the township's counsel, we
11 stopped the interviews, convened, and I walked in
12 and said to Dave to call his attorney.

13 And when, when I walked in there I
14 said hi to him, and he turned around and he said,
15 hey, bud, like nothing was going on. He was his
16 normal self.

17 Q. Would you agree that in planning for the
18 July 20th meeting, you know, you had a couple of
19 days, you had conversations with counsel, the board
20 of supervisors, to plan how that meeting would go?

21 A. There was no planning on how that meeting
22 would go.

23 Q. There was discussions on what would occur at
24 that meeting.

25 A. The only discussion was that they were going

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1 to get this letter.

2 Q. Okay. The lead-up to this meeting and what
3 this meeting was going to be about and covered by,
4 this was not some kind of snap decision, instant
5 decision you had to make, there was time to discuss
6 and plan with counsel, with this board of
7 supervisors, about what was going to occur in terms
8 of the investigation and communication to the
9 employees.

10 A. There was a very short window.

11 Q. Couple days, right?

12 A. Well, no, it was the afternoon of the -- it
13 was like near the end of the day on the 19th and
14 then midday on the 20th for a couple of hours.

15 I didn't -- going into that meeting
16 with our counsel and our -- with our labor counsel
17 and the board, I didn't know -- I didn't really
18 know what direction it was going in.

19 Q. You had time in terms of -- at least a
20 number of hours, maybe even a day going back to the
21 19th, to discuss with the board of supervisors and
22 even counsel on the 20th, what could or would or
23 should be done in terms of the meeting,
24 communicating to employees about unpaid leave, and
25 anything else, correct?

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1 A. No.

2 Q. You had the time to do it.

3 A. That's assuming that that was my whole day.

4 No, I didn't have the -- I didn't have the time to
5 do it.

6 Again, the schedule was there was an
7 afternoon meeting on the 19th. I was directed to
8 contact our labor counsel. That conversation
9 lasted a few minutes, and it was, let's convene a
10 meeting for the board tomorrow. What's your
11 availability?

12 We convened the meeting. The meeting
13 lasted 90 minutes, maybe. And then we were
14 drafting this and meeting with them.

15 Q. I want to be clear and I'll make the
16 distinction, perhaps I wasn't in my questioning.

17 I'm not talking about just the length
18 of the meeting. But from the time on the 19th
19 until this meeting occurred on the 20th, you had
20 available to you about 24 hours to think about this
21 if you wanted to.

22 A. I didn't know this meeting on the 20th was
23 going to occur until we had the meeting with our
24 counsel. So no, I did not have the time to think
25 about how I would go and prepare things and --

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1 because I didn't know this meeting was going to
2 occur until the afternoon of the 20th.

3 Q. You knew that you were going to be meeting
4 with counsel and discussing the investigation.

5 A. We were going to be discussing next steps.

6 Q. Okay. And when you had a 90-minute meeting
7 with counsel and then after that meeting you had
8 the July 20th meeting, you told me that it was how
9 long before?

10 A. Maybe -- okay. So we had that meeting with
11 our counsel on the 20th. And then it was maybe,
12 maybe an hour gap, maybe less than that. I don't
13 know.

14 Q. Between the meeting and that gap, certainly
15 well over an hour that you had available to you to
16 think about what would happen during the meeting?

17 A. Well, I don't know if it was well over an
18 hour.

19 Q. You told me the meeting with counsel was
20 like 90 minutes.

21 A. Roughly 90 minutes, yeah, maybe two hours.

22 Q. That's over an hour.

23 A. Well, that is, but you're talking -- your
24 question was about the gap.

25 Q. I said between the meeting -- the meeting

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1 was 90 minutes to 120 minutes. That time period,
2 as well as the gap leading up to the July 20th
3 meeting with Woodward and the others, you had
4 available to you a number of hours --

5 A. No.

6 Q. -- certainly -- let me finish -- certainly
7 over one, to think about how this meeting would go.

8 A. No, because on the 19th I met with the
9 board. I didn't know I was having a meeting on
10 July 20th with the department heads.

11 Then we had our meeting with our
12 counsel the afternoon of July 20th. Then the
13 letters were -- the sequence of events was we had
14 the meeting with our labor counsel. I drafted a
15 letter. Sent it to Scott. Scott sent the final
16 version that you have. And then we met with them.

17 It was a very short period of time.
18 So your characterization that I had all this time
19 to think about what I was going to do was -- is
20 totally inaccurate.

21 Q. You -- certainly over an hour.

22 A. No.

23 Q. Okay. You said that the meeting with the
24 counsel was 90 minutes to 120 minutes, fair?

25 A. Yes.

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1 Q. Okay. Was it in the very last 10 seconds of
2 that meeting that they said, here, you're going to
3 have a meeting with them and we're going to give
4 you a letter to give them?

5 A. Yes, it was very -- it was near the end of
6 the meeting.

7 Q. Okay. How long before the end of the
8 meeting?

9 A. A few minutes.

10 Q. Okay.

11 A. And --

12 Q. Did they provide you with the letter at that
13 point?

14 A. No, I draft -- again, I drafted it. Sent it
15 to Scott. And then Scott emailed me back with
16 this.

17 Q. You drafted it after the meeting with Eckert
18 Seamans, correct?

19 A. Correct.

20 Q. How long did it take you to draft the
21 letter?

22 A. A few minutes. 15 minutes, maybe.

23 Q. Then you sent it to him?

24 A. Um-hum.

25 Q. Right?

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1 A. Yep.

2 Q. How long did it take him to get it back to
3 you?

4 A. I don't recall.

5 Q. More than a minute?

6 A. More than a minute, but I don't recall. It
7 wasn't very long.

8 Q. Less than five hours?

9 A. Yes, less than five hours.

10 Q. Can you narrow that down at all?

11 A. No, it was a -- I don't recall. I don't
12 recall the gap between when I sent it to him and
13 when he responded.

14 Q. So certainly more than a minute. Certainly
15 less than five hours.

16 A. Yes.

17 Q. Less than four hours?

18 A. Yes.

19 Q. Less than three?

20 A. Yes.

21 Q. Can you narrow down that gap in terms of
22 approximately how long it was?

23 A. Maybe 45 minutes. I can't recall.

24 Q. So between you sitting down to write the
25 letter and receiving the letter back from him,

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1 approximately an hour?

2 A. Sure.

3 Q. Okay. And then after you received the

4 letter back, how long was it until you walked into

5 the meeting room with the other people?

6 A. A few minutes. Maybe 15 minutes.

7 Q. 15 minutes there. We'll say 10, 15 minutes

8 at the tail end of your meeting with Eckert Seamans

9 where this issue was brought up. Fair?

10 A. Fair.

11 Q. So between the time when it was brought up

12 with Eckert Seamans until the time that you walked

13 into that meeting, at least an hour and a half?

14 A. No, I would say maybe an hour.

15 Q. Okay. Well, you told me that it was 15

16 minutes for you to write it, and then about 45

17 minutes for him to get it back to you. That's an

18 hour right there.

19 A. Well, again, I'm approx -- I'm

20 approximating. I don't remember the time frame.

21 Q. Okay. That's approximately an hour right

22 there.

23 A. Again, it -- so, okay, maybe an hour, maybe

24 an hour and 15 minutes.

25 Q. Okay.

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1 A. Again, it was a very, very short window.

2 Everything was done in a very, very short window of
3 time.

4 Q. You had an hour plus to -- there was an hour
5 plus period of time that you knew you were going to
6 have a meeting, fair?

7 A. I wanted to actually wait through the
8 weekend to meet with them on Monday, but Scott
9 advised us to do it that day. So I didn't really
10 have -- so your characterization that I had all
11 this time, again, is inaccurate.

12 Q. So couple of things there. First, how
13 long -- when was it that you knew that you were
14 going to have a meeting on July 20th with these
15 people?

16 A. That, that day.

17 Q. Yes, but when did you learn?

18 A. During that meeting on July 20th with Eckert
19 Seamans.

20 Q. Okay. From that point in time until when
21 you walked into the meeting room, hour and a half,
22 approximately.

23 A. Sure, it was at the tail end of the meeting.

24 Q. Okay. During that hour and a half, that --
25 all that time was available for you, since you knew

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1 you were going to have a meeting, to think to
2 yourself about how this meeting is going to go.

3 A. I -- no, I don't agree because I don't know
4 how this meeting is going to go. I don't go into
5 things with preconceived notions.

6 Q. You're not -- my question is very specific.
7 You had that time available to you to think about
8 how this meeting would go if you wanted to.

9 A. I don't agree with that.

10 Q. Okay. There was like an hour and a half,
11 right, we already discussed that, approximately,
12 between when you learned there was going to be a
13 meeting on July 20th with these people and when you
14 walked in the door.

15 A. Yes.

16 Q. That hour and a half, if you wanted to,
17 during that period of time, you could have sat down
18 and thought about what exactly am I going to say.

19 A. I don't -- I don't necessarily agree with
20 that. Because again, you're going into a meeting
21 and you're reacting to who you're talking to and
22 how they're going to react.

23 I didn't know how they were going to
24 react, so I had no preconceived notions going in.

25 All I knew is I was going in there delivering them

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1 this letter. I had no plan for anything else.

2 Q. I know that you're saying that you didn't
3 have a plan. You had the time available to you to
4 develop a plan for the meeting had you felt it was
5 necessary.

6 A. No, I don't agree with that. I don't agree
7 with that.

8 Q. So that hour and a half period of time.

9 A. I'm drafting this.

10 Q. Okay.

11 A. I'm waiting for Eckert Seamans. And --

12 Q. You know that there's going to be a meeting
13 on July 20th.

14 A. I know in that short window of time that
15 there is going to be a meeting on July 20th.

16 Q. If you had felt so inclined, during that
17 hour and a half period of time, you could have
18 thought about what do I want to say in this
19 meeting. What am I going to say if they say X, Y
20 and Z. What am I going to communicate to them.
21 How am I going to end the meeting.

22 You could have thought about those
23 things, right?

24 A. No, I can't -- you react in the moment, and
25 I don't know what I'm going to encounter when I go

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1 in and talk to them.

2 Q. So is it your testimony, sir, that even
3 though you knew for an hour and a half,
4 approximately, that you were going to have a
5 meeting with these people where you're informing
6 them that they're being placed on an unpaid
7 administrative leave, that during that period of
8 time there was something that prevented you from
9 thinking about how the meeting was going to go?

10 A. No, I'm just saying, all I knew is I was
11 going to go in and deliver this to them.

12 Q. Okay.

13 A. That's all I knew.

14 Q. You had about an hour and a half, if you
15 wanted to -- I understand what you're saying about
16 I didn't develop a plan -- but you had available to
17 you at least about an hour and a half to think
18 about, if you wanted to, how is this meeting going
19 to go.

20 A. No. Again, all I was going to do was give
21 them -- give them this letter. That was my plan.

22 I didn't know how they were going to
23 react. I didn't know what was going to be said. I
24 didn't -- I didn't know what was going to occur. I
25 didn't think about that.

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1 Q. You could have thought about it during that
2 time if you felt so inclined.

3 A. I, I don't really know how to answer that.

4 MR. ALEXANDER: He's answered this
5 question several times.

6 MR. DORDICK: He hasn't. He hasn't.

7 MR. ALEXANDER: He's answered it every
8 time.

9 BY MR. DORDICK:

10 Q. There's a difference between actually
11 thinking about something versus having the
12 opportunity to think about something and not
13 thinking about it, fair?

14 A. You're, you're speaking in a lot of
15 hypotheticals.

16 Q. Okay. During that hour and a half you're
17 telling me that you did not sit down and think to
18 yourself about planning how that meeting is going
19 to go, right?

20 A. My only plan was to deliver this to them.

21 Q. Okay. During that period of time, did
22 anybody tell you you are not to think about how
23 this meeting is going to go?

24 A. Of course not.

25 Q. Okay. Where were you during that hour and a

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1 half period of time?

2 A. I was in my office.

3 Q. Okay. You were in your office. You could
4 have sat in your chair in your office and thought
5 to yourself, how is this meeting going to go. If
6 you wanted to think about what am I going to say,
7 you could have done that.

8 A. You're also discounting the fact that I had
9 a block of time taken out of my day. I was dealing
10 with this. And then I had other things to deal
11 with before the end of the day. So ...

12 Q. All I'm saying is that you had an hour and a
13 half, approximately, available to you that if you
14 wanted to you could have thought about what's going
15 to occur at the meeting.

16 I understand you're saying you didn't.
17 You had the time available to you to think about
18 that, fair?

19 A. I don't believe an hour and a half with
20 something this serious is enough time to plan
21 something out. That's actually part of the reason
22 why I pushed for additional time.

23 Q. Yeah, we're going to talk about that in a
24 minute.

25 You had approximately an hour and a

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1 half to think about aspects of the upcoming
2 meeting, correct?

3 A. There was a 90-minute gap.

4 Q. Okay. What did you do during that 90
5 minutes?

6 A. I did my job.

7 Q. Other matters?

8 A. Yes. I waited -- I drafted this. I waited
9 for it to come back. And I attended to other
10 matters that were waiting for me.

11 Q. Now, you told me that you wanted to wait and
12 not do the meeting on July 20th.

13 A. Yes.

14 Q. You felt it would be more prudent to wait
15 and not have this meeting on July 20th.

16 A. Yes.

17 Q. Because therefore you'd have more time,
18 there would be more investigative action taken, and
19 you'd have more information, right?

20 A. No, I don't agree with that.

21 Q. Okay. Tell me why not.

22 A. Because I wanted to be able to -- I wanted
23 more time to draft this letter. It was the end of
24 the day. They left at 4:00. Their schedule was
25 6:00 to 4:00, except Mark, he works five days a

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1 week.

2 I wanted -- I wanted more time to
3 prepare. I wanted -- I wanted additional time.

4 Q. Do you believe that the most prudent course
5 of action in regards to punishing any of these
6 employees would have been to wait until the formal
7 investigation is completed, get the results of that
8 formal investigation, and proceed based on advice
9 of counsel?

10 A. No, because I believe we had enough
11 information based on the spreadsheets that had been
12 recovered and the information that had been
13 gathered to -- once our counsel gave us that advice
14 to take that action.

15 Q. Okay. I understand the action you took in
16 terms of placing them on unpaid administrative
17 leave was taken on advice of counsel, correct?

18 A. Correct.

19 Q. In terms of any kinds of accusations of
20 actual fraud or potential jail time, having those
21 kinds of discussions, it would have been more
22 prudent to wait until the actual formal
23 investigation is completed so you know whether or
24 not there's been actual fraud and any actual
25 potential criminality, fair?

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1 A. When I describe -- when I described the
2 situation to Scott on July 19th, he said something
3 to the effect of, at best it's dishonest. At worst
4 it's payroll fraud.

5 Q. All right. Well, we know the investigation
6 was concluded, right?

7 A. Yes.

8 Q. Anybody fired?

9 A. No.

10 Q. Was anybody even docked pay?

11 A. I mean, minus the -- minus the vacation time
12 that they used and Dorine's choice not to use any
13 vacation time to be paid, no.

14 I mean, Dorine made the choice not to
15 be compensated during that week.

16 Q. Were any of them criminally prosecuted?

17 A. No, but we had a number of discussions about
18 whether or not this should have been referred to
19 the DA's office.

20 Q. And it wasn't.

21 A. The board made that determination.

22 Q. It was not referred to the DA's.

23 A. No, it was not.

24 Q. Was anybody the subject of further
25 discipline after they were brought back from their

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1 unpaid administrative leave?

2 A. They were all given disciplinary letters at
3 the direction of the board.

4 Q. Okay. So once the investigation was
5 actually concluded, nobody was fired, nobody went
6 to jail. So to the extent that there was any kind
7 of, quote, unquote, fraud, it did not rise to the
8 level of criminality?

9 MR. ALEXANDER: Objection. That calls
10 for a legal conclusion.

11 BY MR. DORDICK:

12 Q. As far as the board was concerned.

13 A. No, again, they're not attorneys.

14 Q. If -- do you believe that if the board
15 thought that there was criminal action that it had
16 a choice of whether or not to refer it to the DA?

17 A. I'm not going to opine on that.

18 Q. Sir, you know that -- well, let's start with
19 you. As a township manager, don't you believe that
20 you have an obligation to refer to the DA anything
21 that you believe constitutes criminal action?

22 A. That would come at the direction of the
23 board.

24 Q. Do you believe that the board in this
25 circumstance knew that there was criminal action

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1 and made the decision not to refer it to the DA?

2 A. That would come at the advice of counsel and
3 I don't -- I don't recall the specifics of the
4 conversations, but I know that there were
5 discussions related to whether or not this rose to
6 the level of criminality and if there should be a
7 DA's referral made.

8 Q. And the result of those discussions was no
9 to both.

10 A. That was the board's decision.

11 Q. Okay. How long -- when you had this July
12 20th meeting, you were still under the impression
13 that you got from the attorneys, either the day
14 before or on July 20th, that this investigation
15 would take a week or two.

16 A. That was my thought. But again, as I said
17 earlier, once you start overturning certain stones,
18 you go down different paths.

19 Q. You didn't know whether or not there were
20 any stones that would be unturned that would lead
21 down some path, right?

22 A. At this point based on the spreadsheet that
23 we had from the streets department, we really only
24 knew that it was related to emergency closures,
25 like emergency weather-related closures.

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1 We did not know that it included time
2 for guessing the weight of a pumpkin, not hitting a
3 mailbox, carryover of vacation time that should
4 have lapsed under our personnel policy, things
5 that -- taking time when they woke up but didn't
6 get called in, things of that nature, we didn't
7 know the extent of that.

8 Q. That was all information that just came out
9 in the interview.

10 A. It came -- yes, that came out during the
11 interview process. We -- as I started combing --
12 as you comb through this you can kind of see those
13 entries, so they were questioned on what these
14 entries meant.

15 Q. Okay. So the interviews themselves maybe
16 took an extra 10, 15, 20 minutes, right?

17 A. The interviews themselves?

18 Q. Because of these additional issues like the
19 pumpkin weight, the mailboxes, those things, right?

20 A. No. Those interviews were scheduled for at
21 least an hour. Lisa's lasted I want to say four
22 hours.

23 Q. They were going to be lasting as several
24 hours anyway. These additional stones that were
25 unturned maybe tacked on an additional 15, 20

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1 minutes.

2 A. No, I don't agree with that. I think they
3 added significantly more time and more cost to it
4 because they were much more -- in my opinion, more
5 egregious.

6 Q. The interviews for all of these people were
7 all completed the day that they were supposed to be
8 completed, right?

9 A. No, Dorine brought -- was brought back.

10 Q. Okay. She was brought back because of an
11 issue with counsel, right?

12 A. No. She was--

13 Q. Why was she brought back?

14 A. She was brought back because after
15 I informed her that -- after there was the -- yeah.
16 After I informed her that this was to stop, she
17 deleted the contents of her spreadsheet.

18 During the investigation we recovered
19 that spreadsheet and there were inaccuracies in her
20 testimony based on that spreadsheet versus what she
21 said during her interview on July 24th.

22 So once we discovered those
23 inaccuracies, Eckert Seamans made the decision to
24 bring her back for a second interview.

25 Q. Okay. So --

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1 A. So your mis -- your characterization is
2 inaccurate.

3 Q. All told the investigation was concluded in
4 a matter of weeks.

5 A. In a matter of -- the inter -- the initial
6 interviews were made -- were done that week on
7 Monday and Thursday. We got a summary report on
8 August 8th from Eckert Seamans and the final report
9 sometime in September.

10 And they wanted to interview Casey.
11 That was scheduled for the -- that was scheduled
12 for the week of August 6th, I believe, and he
13 declined twice.

14 Q. When were these employees brought back from
15 unpaid administrative leave minus Mr. Woodward?

16 A. On Monday, July 31st.

17 Q. That would be the Monday after Mr. Woodward
18 committed suicide.

19 A. Yes.

20 Q. Which was a Friday.

21 A. Yes.

22 Q. So at least the investigation and the
23 interviews had progressed to a point at that point
24 in time, as of July 31, that the decision was made
25 it's okay to bring these people back?

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1 A. No.

2 Q. Then why did they come back?

3 A. That decision was made by -- that decision
4 was made by the board just to bring them back
5 because of the events that occurred.

6 Q. Explain that to me.

7 A. They made the -- a decision was made with
8 Mr. Walsh to bring them back but the investigation
9 continued.

10 Q. Okay.

11 A. It was made clear to them that the
12 investigation was continuing and it had not
13 concluded. No one ever said to them that it
14 reached a point where they would come back because
15 of the status of the investigation.

16 Q. They were taken off of unpaid administrative
17 leave.

18 A. Yes.

19 Q. Okay. Tell me about that decision. Why was
20 that decision made?

21 A. It was a decision just to bring them back.

22 Q. Why?

23 A. It was a decision of the board to bring them
24 back to -- because of what occurred, because --

25 Q. Explain to me the link between

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1 Mr. Woodward's suicide and bringing these people
2 back.

3 A. It was just to reestablish normalcy. There
4 was a state of -- like we were -- we were -- just
5 wanted to reestablish normalcy.

6 Q. Were you involved in that decision?

7 A. I had a conversation with Mr. Walsh. I did
8 not relay it to the supervisors. Shaun did.

9 Q. Tell me about that conversation with
10 Mr. Walsh. Tell me literally everything that was
11 said that you can recall.

12 A. We just agreed to bring them back and
13 continue the investigation and see it through to
14 the end.

15 Q. When did that conversation occur?

16 A. July 30th.

17 Q. Sunday.

18 A. Yes.

19 Q. Over the phone or in person?

20 A. Over the phone.

21 Q. What time of day?

22 A. Evening.

23 Q. What --

24 A. Maybe like -- I don't -- I don't recall.

25 Maybe like 7:00. I don't know.

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1 Q. How long did it last?

2 A. A few minutes.

3 Q. Okay. Who called who?

4 A. Which time? I talked to Shaun multiple
5 times.

6 Q. Were there multiple conversations related to
7 the issue of bringing those with -- those employees
8 back?

9 A. Oh, no, only one. I believe Shaun called --
10 I believe Shaun called me back, if I'm referring
11 correctly.

12 Q. You called him. He missed the call. He
13 called you back?

14 A. No, I called him and told him what had
15 occurred. And then he called me back later.

16 Q. How did you learn what occurred?

17 A. I got a -- so first I got a phone call from
18 the chief of police and he -- I was out -- I was
19 out and he told me to call him back when I got
20 home. And I told him I could still take the call,
21 and he said, no, call me back when you got home.

22 I was told by a member of the board of
23 supervisors who heard from a friend about what had
24 occurred.

25 Q. Who was that member?

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- 1 A. Tina Smith.
- 2 Q. She told you via phone call?
- 3 A. She texted me and let me know.
- 4 Q. There's a text message?
- 5 A. All she said was that, did you hear that
- 6 Dave passed away?
- 7 Q. And you said, I'm sure, no.
- 8 A. Yeah, I said no.
- 9 Q. When did you learn how he passed away?
- 10 A. When I called Mike Carroll back.
- 11 Q. Who's Mike Carroll?
- 12 A. He's the chief of police.
- 13 Q. What did he tell you?
- 14 A. I asked him what happened and he said it
- 15 appeared to be a suicide.
- 16 Q. And was that the extent of the conversation?
- 17 A. Yeah.
- 18 Q. That was on Sunday.
- 19 A. Um-hum.
- 20 Q. Yes?
- 21 A. Yes.
- 22 Q. After you learned that you then called --
- 23 A. I called Shaun.
- 24 Q. -- Shaun Walsh?
- 25 A. Uh-hum. Yes.

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1 Q. Did he pick up that call?

2 A. Yes.

3 Q. And that's when you had the discussion about
4 Mr. Woodward's suicide, not necessarily about
5 bringing the other employees back.

6 A. Yes.

7 Q. Then Shaun calls you back later that night
8 and has that discussion.

9 A. Yes.

10 Q. Tell me what, if anything, Shaun said during
11 that discussion?

12 A. He just said he would communicate it to
13 them.

14 Q. Okay. Who brought up the notion of bringing
15 back the other employees?

16 A. I think it was a joint decision between me
17 and him. I don't re -- I don't recall who
18 specifically said it, but I think it was a joint
19 decision between both of us.

20 Q. And what was the logic or reasoning
21 underlying that decision?

22 A. Just to reestablish normalcy.

23 Q. Okay. When you learned about how
24 Mr. Woodward died, what were your thoughts?

25 A. I was shocked.

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1 Q. Anything else?

2 A. I was just very surprised. I couldn't
3 believe it.

4 Q. Obviously this was somebody that you had
5 worked with for a year and a half and become close,
6 at least professionally, correct?

7 A. Correct.

8 Q. When you learned that he committed suicide,
9 once you got over the initial shock of it, didn't
10 you think to yourself, is this related to what's
11 going on with the snow time, the investigation, the
12 administrative leave?

13 A. No, because I had been through -- I've been
14 through these workplace investigations before and
15 nothing like this has ever happened.

16 Q. Okay.

17 A. So I did not -- I didn't really think -- I
18 thought it was just a rash decision and I could not
19 believe -- I was stunned.

20 Q. So I just want to make sure I understand
21 your testimony correctly. You have these meetings
22 that we've discussed with Mr. Woodward and others.
23 You place Mr. Woodward on unpaid administrative
24 leave.

25 You knew, as we've discussed already,

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1 that there was a potential for professional and
2 personal humiliation. You knew that and
3 communicated to him that other people had gone to
4 prison over similar things.

5 Certain people in that meeting
6 remember you implying that they could be
7 terminated, and he was placed on unpaid
8 administrative leave.

9 And when you found out that he
10 committed suicide, your testimony today is that you
11 didn't have any thought whatsoever that maybe the
12 two are connected?

13 A. Well --

14 MR. ALEXANDER: Object to form.

15 THE WITNESS: -- because this is not a
16 thing that normally occurs. These personnel
17 matters happen all the time and people don't take
18 these kinds of actions.

19 Dave and I fired people together. One
20 with Mike Moffa. As far as I know that person
21 didn't kill themselves.

22 We had an employee that we were --
23 that Dave and I were both prepared to fire in our
24 wastewater department and he chose to quit before
25 that occurred. And as far as I know, he didn't

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1 commit suicide.

2 So these things -- these, these
3 personnel matters happen all the time, and this
4 type of action is incredibly rare.

5 BY MR. DORDICK:

6 Q. The person in the wastewater department that
7 quit before being fired, were they accused of
8 fraud?

9 A. No.

10 Q. Were they foreseeably subject to potentially
11 severe professional and personal humiliation?

12 A. They were placed on I believe it was
13 six-month probationary period, and that was a
14 decision that Dave and Mike Moffa and I came to
15 together. I don't remember if it was three or six
16 months. Knowing that it was essentially a last
17 chance.

18 Q. Was that person informed that their conduct
19 was potentially criminal and could result in going
20 to jail?

21 A. No.

22 Q. So after everything that we've discussed,
23 and after everything you know about the meetings,
24 especially one on July 20th where Mr. Woodward, as
25 well as the others, as you told me, were obviously

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1 upset, you find out that he commits suicide, and
2 your honest testimony today is you never once
3 thought that day, is this connected with the snow
4 time investigation?

5 A. Maybe in the initial shock, but looking back
6 at it, no, this was a rash -- this was a rash
7 decision in my opinion.

8 Q. What do you mean, maybe in the initial shock
9 of it, but looking back this was a rash decision?
10 What do you mean?

11 A. What I mean is, we were in the midsts of
12 something, so could there have been a part of me,
13 sure, but looking back on everything, no, it was
14 a -- he made a -- he made a rash decision.

15 We hadn't concluded anything. We
16 hadn't met with him. No one implied to him that he
17 was getting fired. So he made that decision
18 himself.

19 Q. When you say nobody implied to him that he
20 was being fired, at least Miss McClune felt that
21 you were implying in the July 20th meeting that
22 people were going to be fired. I read you that
23 testimony, right?

24 A. That was her interpretation, and as I said
25 earlier, I have no control over how people

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1 interpret things, and that was her interpretation
2 of things. I never once said that.

3 Q. You did say that other people had been
4 criminally convicted for it.

5 A. What I said was, something like this is part
6 of the reason why Lisa Moore went to jail. That is
7 what I said.

8 Q. Don't you under -- don't you understand or
9 see how telling somebody that could give them the
10 impression, number one, they could go to jail?

11 A. No. Again, it was to convey the seriousness
12 of it.

13 Q. So you think that telling people in that
14 meeting that the conduct that you guys are engaged
15 in is similar to the conduct of Miss Moore in
16 Kennett and she went to prison, you don't think
17 that they would reasonably interpret that as, oh,
18 man, maybe we might go to prison?

19 A. Again, I have no -- I have no control over
20 how people interpret things, and I didn't say it
21 with that intention.

22 Q. If I told you that, you know, there's some
23 guy in my office that was wearing a gray jacket and
24 blue shirt and black undershirt with glasses and
25 because of that he went to prison, wouldn't you

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1 understand my statement to you right now to be, you
2 might go to prison?

3 A. No, I would -- I would say that that's
4 conveying a seriousness of a situation.

5 Q. Okay. The seriousness being that that kind
6 of situation has the potential, as we discussed, to
7 utterly destroy somebody's professional and
8 personal life, right?

9 A. That's their interpretation.

10 Q. That's a reasonable interpretation based on
11 what you knew about the seriousness of it, fair?

12 A. I don't -- I don't agree. That's their
13 interpretation.

14 Q. When did, to your knowledge, Shaun Walsh
15 communicate to the other employees that they were
16 good to return?

17 A. The evening of July 30th.

18 Q. And then they returned on Monday?

19 A. Yes.

20 Q. Had you waited until the end of the
21 investigation, the formal investigation, to take
22 any action in relation to Mr. Woodward, or make any
23 statements to him regarding prison or anything like
24 that, he wouldn't have been fired, correct?

25 A. I can't say that. We never concluded the

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1 investigation or got to that. I can't say that.

2 Q. Nobody else was fired.

3 A. I cannot say that.

4 Q. Nobody --

5 A. Well, no, I cannot say that Dave would have
6 been fired. Nobody else was fired but I can't -- I
7 can't say that Dave would have -- would -- I cannot
8 say what would have happened to Dave.

9 We never concluded the investigation
10 or reached that point or had really any discussions
11 about that.

12 Q. The investigation was concluded.

13 A. Well, the investigation was concluded. Your
14 question was more like you said that Dave would
15 have been fired. I can't assume that Dave would
16 have been fired. I don't know what would have
17 happened because we didn't have the results of the
18 investigation at the time of his death.

19 Q. I said Dave -- if you had waited until the
20 investigation was completely concluded before
21 taking any action, Dave would not have been fired,
22 correct?

23 A. I can't answer that question. I don't know
24 what would have happened.

25 Q. Okay. Was -- the investigation was done,

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1 right?

2 A. Yes.

3 Q. He was interviewed, right?

4 A. Yes.

5 MR. ALEXANDER: Let me be clear. When
6 you say the investigation was done, when are you
7 saying the investigation was done?

8 It's done -- at some point it
9 obviously ended. Are you saying it was done when
10 Dave killed himself?

11 BY MR. DORDICK:

12 Q. No, the investigation was completed at some
13 point.

14 A. Yes.

15 Q. As a result of that investigation by Eckert
16 Seamans nobody was fired, correct?

17 A. Correct.

18 Q. For the investigation Dave was interviewed,
19 right?

20 A. Yes.

21 Q. As was everybody else except for LaLonde.

22 A. Yes.

23 Q. Did Eckert Seamans, to your knowledge,
24 determine that Dave was somehow more culpable than
25 everybody else?

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1 A. I don't think there was -- I don't recall.

2 I don't think that there was -- I don't recall.

3 I'm just trying to think.

4 Q. Sitting here today, knowing the results of
5 the investigation and knowing what actually
6 happened with the remaining employees, is there any
7 reason you believe that Dave would have been fired?

8 A. I can't answer that.

9 Q. Do you have any reason sitting here today to
10 believe that he would have been fired?

11 A. I can't answer that.

12 Q. Well, you've -- you either have a reason to
13 believe it or you don't.

14 A. I can't really answer that because, again,
15 everything happened -- Dave committed suicide
16 before everything was done. I'm not going to opine
17 on what could have happened.

18 Q. Okay. My point being, right now, are you
19 able to sit here and think of something and tell
20 me, no, I think Dave would have been fired and not
21 everybody else because something?

22 A. I can't think of anything.

23 Q. Okay.

24 A. But again, it never reached that point.

25 Q. You didn't have to communicate to any of

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1 these people during the July 20th meeting anything
2 about the Kennett Square woman, correct?

3 A. No, but again, none of them were taking it
4 seriously, and I needed to convey to them the
5 seriousness of the situation.

6 Q. Again, nobody told you that it was your job
7 to do that, right?

8 A. No.

9 Q. Looking back, do you have any regrets
10 whatsoever for how you handled this?

11 A. No.

12 Q. You think that all of your conduct was
13 pristine?

14 A. I think I handled -- I handled the situation
15 the way it was given to me.

16 Q. If you had handled it differently, do you
17 believe that Dave would still be here?

18 A. I'm not going to opine on that. I don't --
19 I do not know what was going through his mind.

20 Q. Can you pick up Exhibit 1, I believe. All
21 the way back. There you go.

22 That's a suicide note, right?

23 A. Yes.

24 Q. In reading that note, can you tell me what
25 if any information Dave provides as to the reason

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1 why he committed suicide?

2 A. I can't opine on what's going through his
3 mind. I, I don't know what's going through his
4 mind.

5 Q. Well, we know what's going through his mind.
6 Why don't you read the second paragraph.

7 A. Well, I understand that he says I can't take
8 anymore of this waiting around to be fired from a
9 job that was my life.

10 So, I mean ...

11 Q. He had that thought, that he was waiting
12 around to be fired from a job that was his life, as
13 a result of the July 18, 2023 meeting with you and
14 July 20, 2023 meeting with you, and maybe even the
15 July 24th interview.

16 A. I disagree with that interpretation, because
17 this could also point to his failure as a manager
18 in overseeing this and the expansion of it, and he
19 admitted to that failure during his interview with
20 Eckert Seamans.

21 So to me, when I read this, and again,
22 what happened is terrible, but when I read through
23 this, it reads more to me like somebody who is
24 taking a certain level of responsibility because he
25 admitted during his interview with Eckert Seamans

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1 that he was in charge of overseeing paid time off
2 for employees and timekeeping and he didn't do
3 that.

4 Q. You just told me that you can't know what he
5 was thinking and then you just did that, right?

6 A. Yeah, I'm just going off of what I see here.

7 Q. Was it Dave's fault that you were yelling at
8 people in the July 20th meeting?

9 A. I didn't yell at people.

10 Q. Was it Dave's fault that you were speaking
11 with a raised voice?

12 A. I didn't -- again, I didn't yell at people.
13 I would barely even call it with a raised voice.

14 And again, you're characterizing this
15 like I went in there and basically started berating
16 them, when you're missing everything that led up to
17 it, which is their behavior towards everything.

18 Q. So it's not your fault that you acted like
19 that. It's their fault that they made you act like
20 that.

21 A. I -- no, I'm not saying -- no, you're
22 misinterpreting it.

23 I'm not saying it's their fault, but
24 whenever you go into these types of situations,
25 sometimes things get -- could potentially get

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1 heated. And I did not go in -- I went in there to
2 give them their letters. That was it.

3 They stood there and they thought
4 about how -- or sat there and thought about how
5 ridiculous it was, gave me different stories for
6 how this occurred, and then it ended.

7 Q. Miss McClune, again, page 39, questions and
8 answers. Question: So Mr. Bashore conveyed to you
9 in that meeting that you could go to jail.

10 Answer: Yes.

11 Question: You said he was yelling.

12 Answer: Yes.

13 Question: Was he standing the whole
14 time?

15 Answer: Correct.

16 Question: Was he looking down at
17 everyone?

18 Answer: Yes.

19 Page 40. Question: Did he imply that
20 you all could be fired?

21 Answer: Yes.

22 Page 62. Question: Was Mr. Bashore
23 aggressive in this meeting.

24 Answer: Yes.

25 You refute all of that.

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1 A. I -- yeah, I don't agree with any of that.

2 And again, that's her interpretation.

3 Q. Sitting here today, you believe that your
4 actions and the July 20th, 2023 meeting had
5 absolutely no impact on Dave Woodward's suicide?

6 A. I believe it was -- no, I believe it was
7 more his thought of how he potentially failed, and
8 again, he admitted that during his interview with
9 Eckert Seamans.

10 Reading, reading this and reading
11 the -- and I'm not a psychologist -- but reading
12 the guilt that he expresses towards his coworkers
13 tells me that he was overcome with guilt because of
14 his actions.

15 Q. And you have zero guilt for yours.

16 A. I never said I had zero guilt. I said I had
17 no regrets for what I did.

18 At the -- am I upset that Dave took
19 the action that he did? Certainly. But I believe
20 he was more upset with himself.

21 If I was to blame for his suicide, he
22 would have mentioned me in his note.

23 Q. Sir, you don't know that.

24 A. I think it's fair to assume that.

25 Q. Sir, do you carry any guilt for what

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1 happened?

2 A. No, I don't carry any guilt for what
3 happened.

4 Q. So my question of you have zero guilt for
5 what happened is yes?

6 A. Do I have empathy for what -- for what
7 occurred and for his family, yes. But do I believe
8 I was the cause of it, no.

9 Q. So my question, do you have any guilt for
10 what happened, the answer is no?

11 A. I do not believe I was the cause of Dave's
12 suicide.

13 Q. Do you have any guilt?

14 A. I do not believe that I was the cause of
15 Dave's suicide.

16 Q. Do you have any guilt?

17 MR. ALEXANDER: That's his answer.
18 Asked and answered.

19 THE WITNESS: I --

20 MR. ALEXANDER: Don't answer.

21 He's answered you already.

22 MR. DORDICK: He's asked -- he's
23 answered me about cause.

24 BY MR. DORDICK:

25 Q. My question specifically, sir, do you have

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1 any guilt?

2 A. I do not believe that I am the cause of
3 Dave's suicide.

4 Q. Do you have any guilt?

5 MR. ALEXANDER: That's his answer.

6 MR. DORDICK: He's answering with
7 cause.

8 BY MR. DORDICK:

9 Q. Sir, there's a yes or a no or an I don't
10 know.

11 A. I don't know.

12 Q. So sitting here today you don't know whether
13 or not you have any guilt for what happened.

14 A. I do not believe I am the cause of Dave's
15 suicide.

16 MR. ALEXANDER: That's his answer.
17 It's as far as we're getting.

18 BY MR. DORDICK:

19 Q. Is guilt the same or different than cause,
20 in your mind?

21 A. Guilt would be that I had a -- I played a
22 role in his suicide. I do not believe reading this
23 that I played a role in his suicide.

24 Q. Based on what you just said, you have no
25 guilt.

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1 A. I do not believe I was the cause of Dave's
2 suicide.

3 Q. Based on what you just said, am I correct in
4 understanding you that you carry no guilt for what
5 happened?

6 A. I do not believe that I am the cause of
7 Dave's suicide.

8 MR. ALEXANDER: Objection with even
9 your terminology and what you mean by guilt.

10 BY MR. DORDICK:

11 Q. In your mind --

12 A. I've told you that I have empathy. I've
13 told you that I feel bad for what happened to his
14 family. I do not believe I am the cause of Dave's
15 suicide.

16 Q. In your mind is that the same or different
17 than feelings of guilt?

18 A. Again, I told you I have empathy towards his
19 family. I am sorry for what occurred. But I do
20 not believe I am the cause of Dave's suicide.

21 Q. Again, I'm focused very particularly on the
22 word "guilt." To you does that mean the same thing
23 or different than feeling that you were the cause
24 of and having empathy for Dave's family?

25 Is it the same or different in your

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1 mind?

2 A. I -- I'm not answering that question because
3 I believe I've answered it already.

4 Q. So you're not answering the question because
5 you do carry guilt for what happened, correct?

6 A. No, I do not carry quilt for what happened.
7 Do I feel empathy for his family? Am I sorry this
8 occurred? Yes.

9 Did I make -- did I push Dave to kill
10 himself? No.

11 Did I -- am I mentioned anywhere in
12 this letter? No.

13 Did I cause Dave to kill himself? No.

14 So no, I did not cause Dave to commit
15 suicide.

16 Q. And you have no guilt for what happened.

17 A. I did not cause Dave to commit suicide.

18 Q. And you have no guilt for what happened.

19 A. I did not cause Dave to commit suicide.

20 Q. And you have no guilt for what happened.

21 MR. ALEXANDER: All right. This is
22 senseless. This is done.

23 MR. DORDICK: Let me look through my
24 notes. Let's take five minutes.

25 VIDEO OPERATOR: Going off the record.

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1 Time is 12:41.

2 (Recess.)

3 VIDEO OPERATOR: We are back on the
4 record. Time is 12:44.

5 BY MR. DORDICK:

6 Q. Sir, were you ever interviewed by Eckert
7 Seamans?

8 A. No.

9 Q. Did you ever have any discussions with
10 Eckert Seamans regarding what exactly occurred
11 during the July 20th meeting?

12 A. I may have spoken to Scott but I don't
13 recall.

14 Q. Do you know -- Scott being the lead attorney
15 for Eckert Seamans.

16 A. Scott Blissman, yes.

17 Q. Do you know whether or not you ever informed
18 Scott that you accused the members -- or the
19 attendees of that meeting, either at that meeting
20 or certainly during July 18th -- of fraud?

21 A. I don't recall.

22 Q. Do you recall whether or not you told Scott
23 that you communicated to the attendees of the July
24 20th, 2023 meeting that other people had gone to
25 jail or prison for similar conduct?

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1 A. I don't recall.

2 Q. Was Mr. Halvorsen ever interviewed?

3 A. Mr. Halvorsen is deceased.

4 Q. Since when?

5 A. Since July of 2022.

6 Q. Since the conclusion of the investigation or
7 since Mr. Woodward's suicide, have there been any
8 changes, to your knowledge, in practices or
9 procedures at West Goshen, other than termination
10 of snow time?

11 A. We ended the -- the board adopted a new
12 personnel manual and that went into effect in the
13 beginning of this year. One of the things it
14 eliminated was the blood drive time. That's the
15 only thing that's really been put into effect.

16 We have changed some things related to
17 our sick time policy. Those were the major
18 changes. Some adjustments to holiday time.

19 Q. Have you ever had any discussions with
20 anybody, except for counsel, and I'm referring to
21 Mr. Alexander and his office -- if you've had
22 discussions with Eckert Seamans, don't tell me what
23 they are yet, but I want to know if they
24 happened -- but conversations with anybody
25 regarding Dave's suicide and specifically whether

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1 or not it may or may not be related to the snow
2 time investigation, the meetings, any of that?

3 A. I don't recall.

4 Q. You don't recall whether or not you had any
5 of those discussions, even with the people that had
6 been on administrative leave and brought back?

7 A. I may have spoken to Mark briefly. I know
8 I -- I do know I had a conversation with Mike Moffa
9 during his performance evaluation and talked to him
10 about kind of what occurred.

11 Q. Tell me about that conversation.

12 A. I just told him that, you know, I was upset
13 because I felt kind of betrayed by what they did,
14 and -- because I went to bat for them, and that was
15 pretty much the extent of it.

16 Q. Did you discuss Mr. Woodward's suicide?

17 A. I just told him that I couldn't believe that
18 Dave took the action that he did, and I'll never
19 understand it. And Mike told me that -- Mike
20 basically said the same thing.

21 Q. Have you ever been informed or notified in
22 any way that any of the other West Goshen Township
23 employees blame you in any way?

24 A. I'm sure they do. I haven't been formally
25 notified of that, but I'm sure some of them do.

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1 Q. Why is that?

2 A. Because I was the -- I -- I'm in charge, and
3 like the whole thing happened under my watch.

4 And yes, I'm sure there's a level of
5 blame there. But I don't -- I do not believe that
6 I'm the cause of it.

7 Q. Did you have any discussions with Shaun
8 Walsh other than the weekend following the suicide
9 about the suicide?

10 A. I don't recall.

11 Q. Even up until today.

12 A. I mean, we've talked about the
13 investigation, but I don't recall the specific
14 details about everything.

15 Q. Shaun Walsh is still on the board?

16 A. Yes.

17 Q. What's his position?

18 A. He's just a supervisor. He's no longer a
19 chair.

20 Q. Who's the chair?

21 A. Ashley Gagne.

22 Q. Have you been deposed in the workers'
23 compensation matter?

24 A. No.

25 Q. Has anybody at West Goshen to your

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1 knowledge?

2 A. No.

3 Q. Have you been notified of any deposition?

4 A. The only one I know that that's occurred was
5 of Doreen Woodward.

6 Q. Have you had any discussions with other West
7 Goshen Township employees or people on the board,
8 like Mr. Walsh, about this litigation?

9 A. With the board, yes. I apprise them of
10 what's going on. I keep them up to date.

11 Q. Okay. How about with Shaun, outside the
12 context of discussions with the board, private
13 conversations?

14 A. Not that I can recall.

15 Q. What have you told the board in terms of
16 this litigation?

17 A. Just the status of -- just like the status
18 of where it's going through the process.

19 Q. How about with the workers' compensation
20 matter, same thing?

21 A. Yes. My job is to keep them informed of
22 these matters.

23 Q. How about people outside of the board,
24 conversations about this litigation or the workers'
25 comp matter?

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1 A. The only person I can think of that I've
2 spoken to about it was Jen Latzer because she was
3 involved with me.

4 Q. And when would that conversation or
5 conversations, when would they have occurred?

6 A. I don't recall.

7 Q. What were they about?

8 A. I don't recall.

9 Q. Generally they were about this litigation?

10 A. Yes, just that it was going through the
11 process.

12 Q. Okay. Other current employees of the
13 township have been deposed in this case, you're
14 aware of that.

15 A. Yes.

16 Q. Have you spoken with them about their
17 depositions?

18 A. No.

19 Q. And that would be both leading up to their
20 deposition and since it happened.

21 A. No. Actually -- no.

22 MR. DORDICK: Sir, I believe those are
23 all the questions I have for you now. If
24 Mr. Alexander has anything, then I may have follow-
25 up, but if not, thank you for your time.

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1 MR. ALEXANDER: I just have a couple.

2 EXAMINATION

3 BY MR. ALEXANDER:

4 Q. Bashore 1, the suicide note.

5 A. Yes.

6 Q. You testified at length about this. There's
7 nothing in the suicide note that mentions the word
8 jail, correct?

9 A. Correct.

10 Q. I have no more questions on that.

11 Part of your investigation, between
12 July 18th and July 20th, you said you talked to
13 finance department.

14 A. Yes.

15 Q. And Dorine McClune was actually in the
16 finance department at one point, wasn't she?

17 A. Yes, she was.

18 Q. And, to your knowledge, with speaking to
19 people in finance department, including Jenn
20 Latzer, I believe you said Miss Greene, did anyone
21 in the finance department know what snow time or
22 secret squirrel time was?

23 A. No.

24 Q. And just to be clear, in regards to finance
25 department, they handle payroll?

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1 A. Yes.

2 Q. And who submits the payroll slips then every
3 two weeks so people get paid?

4 A. The superintendents or the department heads.

5 Q. Is it signed?

6 A. Yes. Or they should -- they should be, yes.

7 Q. And for squirrel time, snow time, whatever
8 it's called, whatever it's choosed to be called, if
9 somebody was taking four hours of squirrel time,
10 would that be indicated on the payroll slip that
11 was submitted to payroll?

12 A. No.

13 Q. What would it -- what would it -- where
14 would it say they were? Yes, that is what -- the
15 question.

16 (The court reporter interrupted for
17 clarification.)

18 BY MR. ALEXANDER:

19 Q. Like would it say that they were taking any
20 time? Would it say they were at work? What would
21 the payroll slip say?

22 A. It would say they were at work, like a
23 normal workday.

24 Q. Okay. You were asked a bunch of questions
25 about literally talking down to them --

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1 A. Yes.

2 Q. -- at the July 20th meeting. Did you tell
3 everyone to be seated?

4 A. No, they chose to be seated. When I came in
5 they were already sitting.

6 Q. Any reason why you didn't sit?

7 A. I just chose not to.

8 Q. During that July 20th meeting -- and you
9 were asked a lot of general questions about how
10 people were acting. I'm going to ask you questions
11 directly about Dave.

12 Did Dave's demeanor in any way change
13 during the course of that meeting that you could
14 observe?

15 A. No. I saw absolutely no change in Dave's
16 demeanor.

17 Q. Now, did anything occur during that meeting
18 that led you to believe that he might hurt himself?

19 A. No.

20 Q. What about during the July 18th interview
21 with him and Mark Bertolami, anything during that
22 occurred?

23 A. No.

24 Q. And you said you briefly interacted with him
25 on July 24th?

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1 A. Yes.

2 Q. Was that the extent of your in-person
3 interaction with him?

4 A. Yes. That was the extent of any interaction
5 I had with him.

6 Q. A lot has been talked about Kennett Square,
7 the Lisa Moore you said, correct?

8 A. Correct. Kennett Township.

9 Q. What was your exact words you recall saying
10 during the meeting about that situation?

11 A. I recall saying, something like this is part
12 of the reason why Lisa Moore went to jail.

13 Q. And what did you mean by that?

14 A. It was to convey the seriousness of -- it
15 was to convey the seriousness of what was
16 occurring.

17 There was a component -- I believe
18 there was a component of that where she inflated
19 her salary based on like PTO or compensatory time
20 or something to that effect, so there was a time
21 component to what she did.

22 And kind of my purpose of that was,
23 I'm not going to be implicated in this activity,
24 and this is serious and you guys aren't taking this
25 seriously.

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1 Q. Do you feel as township manager you had a
2 duty to tell the board about what was going on?

3 A. Absolutely. If I don't, I'm complicit in
4 it.

5 Q. You were asked a bunch of questions that
6 used the phrase something similar to describe what
7 you talked about the woman Lisa Moore in Kennett
8 Square doing and what was happening with July
9 20th -- in that July 20th meeting. Is that your
10 term, something similar? If it is something -- if
11 it is, tell me why you think it's something
12 similar.

13 A. Let me just -- so I can understand it. Do I
14 think what they were doing was as serious or
15 similar to what Lisa was doing, is that what you're
16 asking?

17 Q. Yes, you can answer that.

18 A. Okay. I -- yes, I believe there was
19 something similar. Obviously clearly not to the
20 same exact magnitude, but there was a component in
21 what was occurring there and the secretiveness of
22 the activity that was occurring. There are certain
23 similarities that occurred.

24 Q. You were read portions of Dorine McClune's
25 testimony.

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1 A. Yes.

2 Q. And you mentioned earlier that you knew she
3 was in the payroll department?

4 A. Yes. Well, she was in the finance
5 department, yes.

6 Q. And I'm reading on page 90, line 12. She
7 was asked: And snow comp time is not on the
8 payroll slips.

9 Answer: No.

10 So you knew that the payroll slips
11 that you guys were submitting were incorrect.

12 Answer: Yes.

13 You believe them to be fraudulent.

14 And her answer, line 19: They were.

15 A. I would agree with that.

16 Q. And --

17 MR. DORDICK: Objection to the form
18 given that no question was asked.

19 BY MR. ALEXANDER:

20 Q. You were -- you -- so you were asked a lot
21 of questions about her take on that meeting. Were
22 you aware at the time that she believed that the
23 payroll slips that she was doing were fraudulent?

24 A. No. All she said during that meeting on the
25 20th was, Sharon Lynn started this, and she asked

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1 if she should -- if they should get lawyers, to
2 which I said, that was their choice.

3 Q. I just want to be clear on one thing in
4 regards to the discipline that was given out.
5 There was a question about them coming back from
6 administrative leave.

7 A. Uh-hum.

8 Q. And that was unpaid administrative leave?

9 A. Correct.

10 Q. And they were given an option as to whether
11 or not to use other time?

12 A. Yes.

13 Q. And only one person chose not to use time,
14 correct?

15 A. Correct.

16 Q. And was that the only punishment in that
17 discipline letter?

18 A. No, they were granted no -- they were --
19 their wages were frozen for 2024.

20 Q. There were a lot of questions -- I just want
21 to clear something out in regards to the -- I guess
22 the -- I guess the organizational chart of West
23 Goshen Township. There were questions about
24 superintendents and department heads.

25 A. Um-hum.

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1 Q. Where are department heads?

2 A. So public works is the only division that
3 has superintendents that oversee. So there's a
4 department head in charge of each department. And
5 then in public works there are superintendents that
6 oversee each division, and they report to -- they
7 were reporting to Dave.

8 Q. Were any of the other department heads, to
9 your knowledge, aware of this secret squirrel time
10 or snow comp time, whatever it's called?

11 A. Any of the other -- outside of public works?

12 Q. Outside of public works.

13 A. Not our finance director. Not that I can --
14 in terms of -- no, not that I'm aware of.

15 Q. Is that actually the title, department head?

16 A. Well, technically, yes. I mean, they're
17 usually like finance director. Director of code
18 enforcement. Public works director. Like it
19 usually has director at the end of it.

20 Q. Okay. So I was just trying to be clear
21 whether department head was a term of art that was
22 being used or whether that was their actual title.

23 A. No, it's more a term of art.

24 MR. ALEXANDER: I don't have any
25 further questions.

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1 MR. DORDICK: I just want to follow-up
2 on two things briefly.

3 EXAMINATION

4 BY MR. DORDICK:

5 Q. You had testified earlier that nobody in
6 finance was aware of the snow time.

7 A. Correct.

8 Q. Just to be very clear, because Dorine
9 McClune was at one point in finance, she was aware
10 of it.

11 A. Not when she was in the finance department.
12 She became aware of it I would assume when she
13 became park superintendent.

14 Q. Okay. Tell me when that was.

15 A. Long before my tenure. Maybe mid 2010s.

16 Q. So your knowledge is that when Miss McClune
17 was in the finance department she was not
18 knowledgeable of or engaged in the practice of snow
19 time.

20 A. Correct.

21 Q. How was that determined?

22 A. By what I heard just now. He read that she
23 didn't know about it in the finance department.

24 Q. Okay. I thought he had just read testimony
25 about the timesheets being fraudulent.

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1 MR. DORDICK: Do you have that
2 testimony, Paul?

3 MR. ALEXANDER: Yes.

4 THE WITNESS: I thought I heard that
5 she was in the finance department. I could have
6 misheard.

7 BY MR. DORDICK:

8 Q. Miss McClune was, correct?

9 A. Yes, she was. But to the best of my
10 knowledge, no one in the finance department ever
11 knew about this practice at any point in time.

12 Q. Do you know whether or not Miss McClune knew
13 about the practice when she was in finance?

14 A. I don't know that.

15 Q. Okay.

16 A. I, I do not know that.

17 Q. Okay. You were asked questions or a
18 question about Dave's demeanor during the July 20th
19 meeting, correct?

20 A. Correct.

21 Q. Dave, like everybody else, you understood,
22 and was very obviously upset, correct?

23 A. No, it wasn't obvious. Don't -- no. The,
24 three of them were the most vocal. Dave was pretty
25 even-keeled. He didn't actually say a whole lot

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1 during that meeting.

2 Q. That term, even-keeled, did you think of
3 that by yourself?

4 A. No, he was even-tempered. He was fine. He
5 was his normal self.

6 Q. No, that phrase particularly, even-keeled,
7 where did you hear that?

8 A. I thought of it.

9 Q. Just right now?

10 A. Yes, he was even-tempered, even-keeled.
11 It's a common term.

12 Q. So sitting here today under oath your
13 testimony is you're not aware that anybody else may
14 have testified to, quote, unquote, even-keeled or
15 that you were informed by somebody or instructed to
16 use the phrase even-keeled?

17 A. I was not instructed to use that phrase. I
18 don't recall if it's been relayed to me, but I --
19 it's a common phrase.

20 He was even-tempered. He was even-
21 keeled. He was perfectly fine. He didn't raise
22 his voice. He didn't get upset. He only said a
23 few things.

24 Q. You had said earlier everybody in the
25 meeting was obviously upset about what was

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1 happening. Do you remember saying that?

2 A. Yes.

3 Q. Okay. Dave is included in everyone, right?

4 A. He wasn't visually upset.

5 Q. You understood him to be upset during the
6 meeting.

7 A. I -- he did not display it.

8 Q. Okay. Earlier you had said, very clearly,
9 that you understood everybody in that meeting was
10 upset. Do you remember saying that?

11 A. Yes.

12 Q. Okay. The people in that meeting were
13 expressing to you their frustration and confusion
14 over what was happening, correct?

15 A. Dave's frustration was more, more expressed
16 not so much as like a visual being upset, just
17 relaying the information again. He was calm. He
18 was the least of all four of them.

19 Q. Did you have any conversations with Dave,
20 between July 20th and July 24th, other than a text
21 message to tell him when to come in for the
22 interview?

23 A. The only other conversation I had was as I
24 said earlier, we got a call from Fran Miller, their
25 attorney, about the interviews that were being

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1 conducted.

2 This was maybe 10 minutes into the
3 interview process, and he asked for our attorney's
4 name. I told him it was Scott. I had him call --
5 I gave him Scott's contact information. He
6 contacted Scott. They spoke.

7 Scott asked me to pull the other
8 attorneys conducting the interviews out of the
9 room. So I got them out. We made the decision to
10 have me go in and tell Dave that Fran Miller called
11 him and to contact him and let me know when he's
12 done.

13 So I walked in there. I said -- I
14 said hi to Dave. Dave turned around and he said,
15 hey, bud. And then he turned to me -- and then I
16 told him to call Fran Miller. He said, do you have
17 his cell phone number. And I said, let me know
18 when you're done. He said, okay. And that was the
19 last time I spoke to him.

20 Q. So nothing between July 24th and July 28th?

21 A. No, no communication.

22 Q. At any point in time during the
23 investigation process, up until the point in time
24 when the suicide occurred, did you ever speak with
25 Dave's wife?

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1 A. No.

2 Q. Since the suicide, have you spoken with
3 Dave's wife?

4 A. No.

5 Q. Obviously you haven't spoken to his
6 daughter, correct?

7 A. Correct.

8 MR. DORDICK: All right. Those are
9 all the questions I have. Thank you.

10 MR. ALEXANDER: Just one on Dorine
11 McClune, follow-up on that.

12 EXAMINATION

13 BY MR. ALEXANDER:

14 Q. Do you know when she was in the finance
15 department?

16 A. I don't -- Dorine has been with us since
17 1990, I believe. So she's bounced around from
18 numerous departments. I know she was in streets
19 for a period of time, and finance, and ultimately
20 in the parks department. I don't know the period
21 of time she was in the finance department.

22 Q. Do you know if it was before Casey LaLonde
23 was township manager?

24 A. I believe it was, but I don't -- but I do
25 not know.

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1 MR. ALEXANDER: Okay. I've got
2 nothing further.

3 VIDEO OPERATOR: This concludes
4 today's video deposition. We're going off the
5 record at 1:08 p.m.

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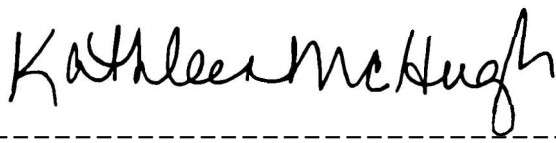
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CERTIFICATION

I, KATHLEEN MCHUGH, an RPR, CRR,
CCR-NJ, and Notary Public, in and for the State of
Pennsylvania, hereby certify that the foregoing is
a true and accurate transcript of the deposition of
said witness who was first duly sworn by me on the
date and place herein before set forth.

I FURTHER CERTIFY that I am neither
attorney nor counsel for, not related to nor
employed by any of the parties to the action in
which this deposition was taken; and further that I
am not a relative or employee of any attorney or
counsel employed in this action, nor am I
financially interested in this case.



KATHLEEN MCHUGH
RPR, CRR, CCR (NJ,)
And Notary Public

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