

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
1580 PAOLI PIKE
January 2, 2007 – 7:00pm**

Present: Don McConathy, Marty Shane, Joe McDonough and Thom Clapper. Carmen Battavio was absent. Also present were Township Manager Rick Smith, Art Polishuk and Jim McRee (Planning Commission), Phyllis Marron (Park & Rec) and Linda Gordon (Historical Commission).

EXECUTIVE SESSION

The Supervisors met in Executive Session from 7:00pm to 7:14pm to review a potential legal matter.

WORKSHOP

Agenda Review

The agenda for the evening was reviewed.

Invoices

The current invoices were reviewed.

FORMAL MEETING

Call to Order & Pledge of Allegiance

Don McConathy called the meeting to order at 7:30pm and led everyone in the Pledge of Allegiance to the flag.

Appointment of Temporary Chairman

Thom moved to appoint Don as temporary Chairman. Joe seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Re-Organizational Actions

- A. **Resolution 07-1**, Election of Chairman Don McConathy. Motion: McDonough/Clapper. There was no discussion or public comment. The motion passed unanimously.
- B. **Resolution 07-2**, Election of Vice-Chairman Thom Clapper. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- C. **Resolution 07-3**, Appointment of Carmen Battavio as Police Commissioner. Motion: McDonough/Clapper. There was no discussion or public comment. The motion passed unanimously.
- D. **Resolution 07-4**, Appointment of Township Officials as follows:

- Manager/Secretary – Louis F. (Rick) Smith, Jr.
- Director of Finance/Treasurer – Kathleen Glass
- Director of Public Works – Mark Miller
- Zoning Officer – Mark Gordon
- Assistant Zoning Officer – Louis F. (Rick) Smith, Jr.
- Building Inspectors – Taylor H. (Mike) Merwin and Gary Althouse
- Fire Marshal – Ralph Brown
- Assistant Fire Marshals – Diane Degnan and Mark Miller
- Solicitor – Buckley, Brion, McGuire, Morris & Sommer
- Engineer – Yerkes Associates
- Back-up Engineer – Chester Valley Engineers
- Emergency Management Coordinator – William Keslick
- Assistant Emergency Management Coordinator – Ralph Brown

Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.

- E. **Resolution 07-5**, Reappointment of Township Employees. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- F. **Resolution 07-6**, Appointment of Township Depositories for Township Funds. Authorize Director of Finance/Treasurer to make investments at the following banks or any other banks meeting the fiduciary requirements of the Township and paying the best rate of interest and with the best terms.

Sovereign Bank
 First National Bank of West Chester
 National Penn Bank
 PLGIT-PA Local Government Trust and Plus
 Commerce Bank
 Wachovia Bank
 Citizens Bank

Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.

- G. **Resolution 07-7**, Certify Delegates to the State Convention as follows. Five Supervisors, the Township Manager and the Director of Finance/Treasurer will be delegates. The Voting Delegate will be Louis F. (Rick) Smith, Jr. The Alternate Voting Delegate will be Kathleen Glass. Motion: Clapper/McDonough. There was no discussion or public comment. The motion passed unanimously.
- H. **Resolution 07-8**, Confirm 2007 Holiday Schedule. Motion: Clapper/McDonough. There was no discussion or public comment. The motion passed unanimously.

- I. **Resolution 07-9**, Confirm 2007 Meeting Schedule. Motion: Clapper/McDonough. There was no discussion or public comment. The motion passed unanimously.
- J. **Resolution 07-10**, Act 511, Earned Income Tax. Motion: Clapper/McDonough. There was no discussion or public comment. The motion passed unanimously.
- K. **Resolution 07-11**, SB157 – Local Services Tax (Emergency & Municipal Services Tax). Motion: Clapper/McDonough. There was no discussion or public comment. The motion passed unanimously.
- L. **Resolution 07-12**, Establish 2007 Public Safety Boundaries. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- M. **Resolution 07-13**, Authorize Participation in the VALIC 457 Plan. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- N. **Resolution 07-14**, Authorize Participation in the Pension Plan, Invested with Key Financial & KDB Resources. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- O. **Resolution 07-15**, Establish Treasurer’s Bond for 2007 in the amount of \$5,000,000. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- P. **Resolution 07-16**, Establish Manager’s Bond for 2007 in the amount of \$1,000,000. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- Q. **Resolution 07-17**, Establish Tax Collector’s Bond for 2007 in the amount of \$500,000. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- R. **Resolution 07-18**, Establish 2007 Invoice Authorization Process. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- S. **Resolution 07-19**, Authorize Director of Finance/Treasurer to Pay Bills at the End of the Year. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- T. **Resolution 07-20**, Appoint Check Signers: Louis F. (Rick) Smith, Jr. and Kathleen Glass, with Diane Degan as alternate. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- U. **Resolution 07-21**, Authorize Payment of Certain Operating Disbursements that May Become Due and Payable Prior to Board of Supervisors’ Review and Approval. Motion:

Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.

- V. **Resolution 07-22**, Establish that the 2007 Mileage Rate Shall Be the Rate Set By the IRS (\$0.485). Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- W. **Resolution 07-23**, Appoint Township Manager and His Designee as Bid Opener. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- X. **Resolution 07-24**, Appoint Maillie Falconiero as Independent Auditors for the Township. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- Y. **Resolution 07-25**, Authorize Participation in the Section 125 Premium-Only Plan for Health, Dental and Life Insurance. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.

Don announced that Resolution 07-26, regarding the appointment of a representative to the WCRPC, had already been handled at a previous meeting and should not have been placed on the agenda.

- Z. **Resolution 07-27**, Establish Rules for Video or Audio Recordings of a Meeting. Motion: Shane/Clapper. There was no discussion or public comment. The motion passed unanimously.
- AA. **Resolution 07-28**, Establish Right-To-Know Procedure. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- BB. **Resolution 07-29**, Establish Meeting Procedure. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- CC. **Resolution 07-30**, Establish Procedure for Notification of Township Residents of Applications for Development, Conditional Uses, Variances, and Zoning Map Amendments. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- DD. **Resolution 07-31**, Confirm that the Township Will Accept the Postmark as the Date Paid for Real Estate Taxes. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.
- EE. **Resolution 07-32**, Establish Minimum Restoration Requirements for Openings in Township Roads and Road Rights-Of-Way. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.

Don announced that Resolution 07-33 regarding the Police Commission Citizen-At-Large will be tabled until the January 9 meeting.

FF. **Resolution 07-34**, Establish the 2007 Fee Schedule. Motion: Shane/McDonough. There was no discussion or public comment. The motion passed unanimously.

Approval of Minutes

The Board reviewed the minutes of November 28, December 12 and December 19, and made corrections. Marty moved to approve the minutes of November 28, December 12 and December 19 as corrected. Joe seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Chairman's Report

- Don McConathy announced that the Board met in Executive Session on December 19 to discuss a personnel matter. They also met earlier this evening to discuss a potential legal matter.
- Don then announced the 2007 ABC Appointments:

Peter Mylonas	Planning Commission
George Martynick	Planning Commission
Megann Hedgecock	Planning Commission
John Nicholson	Zoning Hearing Board
Michael Steinberger	Municipal Authority
Walter Wujcik	Conservancy Board
Scott Sanders	Conservancy Board
Virginia Newlin	Conservancy Board
Ellen Carmody	Historical Commission
Sue Ciorletti	Historical Commission
Connie Bain	Historical Commission
John Chatley	Vacancy Board

Joe moved to accept the 2007 appointments. Thom seconded the motion. There was no discussion or public comment. The motion passed unanimously.

- Don announced that the annual planning session will be held on Saturday, January 13.

Treasurer's Report

The Treasurer's report for January 2, 2007:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 3,388.22	
Earned Income Tax	\$ 104,087.28	
EMS TAX	\$ 10,063.63	Accounts Payable \$ 120,608.14
Transfer Tax	\$ -	Debt Service \$ 0.00
Codes, Park & Rec, Etc.	\$ 625,695.41	Payroll \$ 160,000.00
Total Receipts	\$ 743,234.54	Total Expenditures \$ 280,608.14
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 474,946.00	\$ 8,497.49
Transportation Fund	\$ 63,865.90	\$ 0.00
Sewer Operating	\$ 53,688.78	\$ 4,163.55
Refuse	\$ 4,568.54	\$ 15,230.84
Capital Projects	\$ 3,787.00	\$ 0.00

Marty made a motion to accept the Treasurer's Report and the receipts and to approve the expenditures pending the Board's review. Joe seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Status of 1419 Center Street

Rick reported that the Township should have access to the property sometime next week if the property owner does not respond to the court petition.

Applebrook Bridge

Joe moved that the Board authorize the Chairman to execute the Maintenance Security Agreement for the bridge at Applebrook. Thom seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Mershon Variance Application for 311 Jefferson Drive

No one was present to represent the applicant. Marty moved that the Board adopt the Planning Commission recommendation to oppose this application if Mrs. Mershon was aware the matter was on the agenda tonight yet did not inform the Township she could not attend. Thom seconded the motion. After some discussion regarding whether the Board should send a representative to the ZHB, Marty amended the motion to designate Jeff Sommer as representative for the Township at the ZHB meeting. If Jeff is unable to attend, Don McConathy will serve as the representative. Thom accepted the amendment. There was no further discussion and no public comment. The motion passed unanimously.

Correspondence & Reports of Interest

Don acknowledged receipt of the following:

- Complimentary letter from resident Lynn regarding Township Manager Rick Smith.
- Complimentary letter from resident Nelson regarding Public Works Director Mark Miller.

- Letter of intent from E.B. Walsh & Associates to submit an application to the PADEP for Sorrel Hill (Harlan Builders).
- Letter from resident Bill Egan expressing concerns about Comcast landscaping. Mr. Egan was present, and Don told him the Board would discuss this matter at the January 9 meeting after receiving a recommendation from the Planning Commission. In the meantime, Rick Smith will locate the BOS meeting minutes from October 2004.

Meetings & Dates of Importance

Don noted the list of upcoming meetings as listed in the agenda.

Public Hour – Hearing of Residents – Receipt of Petitions

None.

Fee Schedule

The Supervisors briefly discussed Section D on page 4 of Resolution 07-34.

Adjournment

There being no further business, the formal meeting adjourned at 9:05pm.

WORKSHOP (Resumed)

Salary Resolution

This item will be tabled until January 9.

Sludge Press

Joe moved to authorize the purchase of a motor control center for the sludge press, per the written request of Mark Miller. Marty seconded the motion. Marty told Rick he would like to know the cost of hauling the sludge, plus the risk and probability of having to do so. There was no further discussion and no public comment. The motion passed unanimously.

Liaison Reports

None.

Adjournment

There being no further business, the meeting adjourned at 9:20pm.

Respectfully submitted,

Anne Meddings
Recording Secretary