

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
RE-ORGANIZATIONAL & REGULAR MEETING
January 5, 2009 - 7:00pm**

Present: Marty Shane, Carmen Battavio, Joe McDonough and Don McConathy. Supervisor Thom Clapper was absent. Also present were Township Manager Rick Smith, Assistant Manager Joe Gill, and Phyllis Marron (Park & Rec).

WORKSHOP

Review of Minutes

The Board made corrections to the draft minutes of November 25, December 9, and December 18, 2008.

Tennis Courts

Joe would like to revisit the tennis court issue at a future meeting when all five Supervisors are present. Marty said the topic could be put on the agenda for the annual planning session, which may or may not take place in Hershey.

Bills

Current invoices were reviewed. There were questions about three invoices, which will not be approved and paid until they have been researched:

1. Invoice from Chester Valley Engineers for the bog turtle survey for the Applebrook pedestrian bridge; this may be a duplicate.
2. Two invoices from Great Valley Lockshop for Joe Gill's office door, for \$326 and \$1325 respectively.
3. Invoice for \$1,119 in attorneys fees.

Joe would like the staff to prepare a running total of the expenses incurred thus far for the Applebrook pedestrian bridge. He would like a memo from Mark Miller stating how much has been budgeted for the maintenance and heating of the park restrooms during the winter months. Joe also wants Mark Miller to provide a one-page memo to the Board regarding the replacement of the truck that was recently damaged.

Joe reiterated his request that a line be added to the bottom of the Treasurer's Report showing Budgeted General Fund Revenues (YTD) and Actual Revenues (YTD). Marty suggested adding a similar line for YTD expenses.

Resolutions

The Board reviewed the revised resolutions prepared by Rick. They agreed to vote on Resolutions 09-1 through 09-26 during the formal meeting this evening. The remaining resolutions will be reviewed after the formal meeting during workshop.

FORMAL MEETING

Call to Order & Pledge of Allegiance

Marty Shane called the meeting to order and led those present in the Pledge of Allegiance to the Flag.

Recording of Meeting

Marty asked if anyone would be recording the meeting, and there was no response.

Moment of Silence

Carmen called for a moment of silence to honor of the men and women serving their country in the armed forces, and their families.

Elect Chairman (Resolution 09-1)

Carmen nominated Marty Shane for the position of Chairman in 2009. Marty seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Elect Vice-Chairman (Resolution 09-2)

Joe nominated Carmen Battavio for the position of Vice-Chairman in 2009. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Police Commissioner (Resolution 09-3)

Don nominated Thom Clapper as Police Commissioner for 2009. Joe seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Township Officials (Resolution 09-4)

Joe moved to appoint the Township Officials for 2009 as follows:

- Manager/Secretary – Louis F. (Rick) Smith, Jr.
- Assistant Township Manager/Secretary – Joseph Gill
- Director of Finance/Treasurer – Deborah Beury
- Director of Public Works – Mark Miller
- Zoning Officer – Mark Gordon
- Assistant Zoning Officer – Louis F. (Rick) Smith, Jr.
- Building Inspectors – Taylor H (Mike) Merwin & Gary Althouse
- Fire Marshal – Ralph Brown
- Assistant Fire Marshals – Diane Degnan & 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

Don seconded the motion. There was no public comment. The motion passed unanimously, with Carmen abstaining from voting on Yerkes Associates as the Township Engineer.

Re-Appoint Township Employees (Resolution 09-5)

Joe moved to re-appoint the Township employees for 2009. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Township Depositories for Township Funds

- Sovereign Bank
- FNB of Chester County
- National Penn Bank
- PLAIT-PA Local Government Trust and Plus
- TD Bank
- Wachovia Bank
- Citizens Bank
- Penn Liberty Bank

And Authorize Director of Finance/Treasurer to make FDIC-Insured or Collateralized Investments at Banks Paying the Best Rate of Interest and With the Best Terms

(Resolution 09-6) Don moved to adopt both portions of Resolution 09-6. Joe seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Certify Delegates to the State Convention (Resolution 09-7)

Five Supervisors, The Township Manager, the Assistant Manager and the Director of Finance/Treasurer will be affirmed as delegates.

Voting Delegate: Rick Smith

Alternate Voting Delegate: Joe Gill

Carmen moved to adopt Resolution 09-7. The motion was seconded by Joe. There was no discussion or public comment. The motion passed unanimously.

Confirm 2009 Holiday Schedule (Resolution 09-8)

Carmen moved to adopt Resolution 09-8. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Confirm 2009 Meeting Schedule (Resolution 09-9)

Carmen moved to adopt Resolution 09-9. Don seconded the motion. Per Rick, the meeting schedule will be re-advertised. There was no public comment. The motion passed unanimously.

Appoint Berkheimer Associates as Act 511 – Earned Income Tax Collector for Township

(Resolution 09-10) Carmen moved to adopt Resolution 09-10. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Berkheimer Associates as Local Services Tax Collector for Township

(Resolution 09-11) Carmen moved to adopt Resolution 09-11. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Establish 2009 Public Safety Boundaries (Resolution 09-12)

Carmen moved to adopt Resolution 09-12. Joe seconded the motion. There was no discussion. Resident Anne Quinn asked to see the resolution, and was given a copy. The Board voted and the motion passed unanimously.

Authorize Participation in VALIC 457 Plan (Resolution 09-13)

Don moved to adopt Resolution 09-13. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Authorize Participation in Pension Plan Invested with Key Financial Inc. & RTD Financial Advisors, Inc. and Appoint Director of Finance/Treasure as Pension Plan Administrator (Resolution 09-14)

Don moved to adopt Resolution 09-14. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Establish Treasurer's Bond for 2009, in the Amount of \$5,000,000 (Resolution 09-15)

Don moved to adopt Resolution 09-15. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Establish Manager's Bond for 2009 in the Amount of \$1,000,000 (Resolution 09-16)

Don moved to adopt Resolution 09-16. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Establish Tax Collector's Bond for 2009 in the Amount of \$500,000 (Resolution 09-17)

Carmen moved to adopt Resolution 09-17. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Establish 2009 Invoice Authorization Process (Resolution 09-18)

Carmen moved to adopt Resolution 09-18. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Authorize Payment of Invoices at the End of the Year (Resolution 09-19)

Carmen moved to adopt Resolution 09-19. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Check Signers (Resolution 09-20)

2009 Check Signers will be Louis F. (Rick) Smith, Jr. & Deborah Beury, with Diane Degnan as the alternate. Carmen moved to adopt Resolution 09-20. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Authorize Payment of Certain Operating Disbursements That May Become Due & Payable Prior to Board of Supervisors' Review and Approval (Resolution 09-21)

Carmen moved to adopt Resolution 09-21. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Establish that the 2009 Mileage Rate Shall Be the Rate as Set by the IRS (\$0.55)

(Resolution 09-22) Carmen moved to adopt Resolution 09-22. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Township Manager and His Designee as Bid Opener (Resolution 09-23)

Carmen moved to adopt Resolution 09-23. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Appoint Maillie Falconiero as Independent Auditors for the Township (Resolution 09-24)

Carmen moved to adopt Resolution 09-24. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Authorize Participation in the Section 125 Premium-Only Plan for Health, Dental and Life Insurance (Resolution 09-25)

Carmen moved to adopt Resolution 09-25. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Confirm the Appointment of a Representative and Alternate Representative to the West Chester Regional Planning Commission (Resolution 09-26) *Note: This recommendation will be made on January 7.*

Carmen moved to adopt Resolution 09-26. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

[Update, January 13, 2009 – The representative will be Senya Isayeff with Al Zuccarello as the alternate.]

Approval of Minutes

Joe moved to approve the minutes of November 25, December 9, and December 18, 2008 as corrected in Workshop. Don seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Chairman's Report

Marty announced that the Township's Annual Planning Session will take place on Saturday, January 10.

PUBLIC HEARING

Metro PCS – Conditional Use Application for 25 Edgewood Road

Marty announced that this public hearing has been postponed to January 20 per the request of the applicant.

FORMAL MEETING (Resumed)

Treasurer's Report

The Treasurer's Report for January 5, 2009:

	RECEIPTS	EXPENDITURES
GENERAL FUND		
Real Estate Tax	\$ 0.00	
Earned Income Tax	\$ 120,571.11	
EMS TAX	\$ 11,694.68	Accounts Payable \$ 510,145.72
Transfer Tax	\$ 27,746.74	Debt Service \$ 26,582.30
Codes, Park & Rec, Etc.	\$ 49,882.13	Payroll \$ 120,000.00
Total Receipts	\$ 209,894.66	Total Expenditures \$ 656,728.02
Zoning Hearing Fund	\$ 0.00	\$ 0.00
State Fund	\$ 0.00	\$ 0.00
Capital Reserve	\$ 0.00	\$ 88,363.56
Transportation Fund	\$ 0.00	\$ 0.00
Sewer Operating	\$ 91,241.48	\$ 133,913.92
Refuse	\$ 8,685.39	\$ 11,428.80
Capital Projects	\$ 0.00	\$ 0.00

Joe moved to accept the receipts and approve the bills reviewed in Workshop with the exception of the following invoices pending further research:

1. Invoice from Chester Valley Engineers for the bog turtle survey for the Applebrook pedestrian bridge (possible duplicate).
2. Two invoices from Great Valley Lockshop for Joe Gill's office door, for \$326 and \$1325 respectively.
3. Invoice for \$1,119 in attorneys fees.

Don seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

Final Escrow Release for West Chester Area School District

Carmen moved to approve the final escrow release for the WCASD in the requested amount of \$1,025,605.35 per the December 11, 2008 recommendation of Public Works Director Mark Miller. This final release will close the escrow account. The funds will be used for the athletic fields and parking lot along Ellis Lane. Don seconded the motion. There was no discussion and no public comment. The Board voted and the motion passed unanimously.

Correspondence Reports of Interest

Marty acknowledged receipt of a letter of recommendation from the Planning Commission regarding the Annual Report Zoning Amendment and another letter of recommendation regarding the Conditional Use Zoning Amendment. The letters were both dated December 18, 2008.

Meetings & Dates of Importance

Marty noted the list of upcoming meetings in the agenda.

Public Comment

Resident Anne Quinn asked if the resolutions voted on this evening are available on the website. Don said they are not there yet, but they will be posted in a week or so.

Adjournment

The Board adjourned back to workshop at 8:27pm.

WORKSHOP (Resumed)

Liaisons

The Board selected 2009 ABC liaisons as follows:

- Planning Commission - Don
- Historical Commission - Joe
- Conservancy Board - Carmen
- Municipal Authority - Carmen
- Deer Management Committee - Marty
- Park & Rec – Thom
- Fire Department – Carmen
- West Chester Area Council of Governments – Thom

Applebrook Trail

The Board reviewed and discussed Rick's January 2 memo on this topic. Joe wants to see a budget for the pedestrian bridge and the path from the bridge to Line Road. Carmen said he would prefer for East Goshen not to spend money on the path, other than the bridge and the loop. He would like the new Willistown developer to pay for the rest of the trail. Don said he is in favor of putting in the path because it will be for the benefit of East Goshen residents. He said he is fine with putting in the paved portion for now; the trail can be extended later on. Marty agreed with Don. Joe agreed with Don and Marty but said he would prefer to see the cost data before making a final decision. Don and Joe would like to see something in writing from Pulte saying they are still willing to pay for the pedestrian bridge.

Resolutions

The Board reviewed draft resolutions 09-27 through 09-42. Rick will have them reformatted where necessary so they all appear uniform in font and layout. Unnecessary references to previous resolutions from prior years will be deleted.

Marty wants Resolution 09-28 to be reviewed by Jeff Sommer. Don suggested it also be reviewed by the State RTK officer.

Resolution 09-39 will be combined with 09-18. Rick will check with Jeff Sommer and, if necessary, Harrisburg regarding when invoices become public record.

Adjournment

There being no further business, the Board adjourned at 9:47pm.

EXECUTIVE SESSION

The Board met in Executive Session until 10pm to discuss a pending legal matter.

Respectfully submitted,

Anne Meddings
Recording Secretary