

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
March 3, 2009 – 7:00pm**

Present: Chairman Marty Shane, Vice-Chairman Carmen Battavio, Joe McDonough, Don McConathy and Thom Clapper. Also present were Township Manager Rick Smith, Assistant Township Manager Joe Gill, Kathryn Yahraes (Historical Commission), Jim McRee (DMC), Jane Fava (Conservancy Board). George Martynick (Planning Commission) was present for a portion of the meeting.

WORKSHOP

Minutes

The draft minutes of February 24 were reviewed and corrected.

Bills

Current invoices were reviewed. The Supervisors questioned three invoices that staff will research and get back to the Board on – one for mailboxes and parts, one for a \$2,500 “agency fee” for bonds, and one for a Genie lift. The Board agreed to approve these expenditures but wants more information on them.

Resolutions

The Board discussed some final changes to Resolutions 09-18A, 09-28, 09-34B, 09-43, 09-45 and 09-101. All but one of the changes were suggested by Don. The Board was in agreement to make the changes.

Pending Action List

The Board reviewed the Pending Action List. The resolution on Collections is being reviewed by the Township Solicitor. The Board agreed to make decisions about Sheriff’s Sales on a case-by-case basis, and not to have a set monetary amount owed or a set time limit before taking a property to Sheriff’s Sale. Marty wants to discuss recycling at a future workshop.

FORMAL MEETING

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 8:05pm and led everyone in the Pledge of Allegiance to the flag.

Recording of Meeting

No residents indicated they would be recording the meeting.

Moment of Silence

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

Public Comment on Non-Agenda Items

Kathryn Yahraes (Historical Commission) – Reported that former Supervisor Mary Powell just had knee replacement surgery and all went well.

Art Polishuk, 1424 Grand Oak Lane – Expressed dissatisfaction that the Township website was not updated to notify residents that trash would not be picked up today. Rick told Art he believed the trash would be picked up on March 4. Art wanted to know who was in charge of updating the website and Joe Gill said it was his responsibility now. Don told Art that he has advised Joe Gill to meet weekly with staff to make sure the web information is up-to-date and accurate.

Penny Simmons, 1628 Herron Lane – Told the Township that she and Julie Bonhage were present to talk about the Bishop Shanahan High School post-prom event. Ms. Simmons thanked the Board for their generous sponsorship of this event in the past. She requested the Board reconsider their decision to cut a donation to this event from their 2009 budget. Ms. Simmons said she had brought letters from seven people urging East Goshen to reconsider their decision. She explained that the event receives no monetary support from the school and therefore donations are vital. Approximately 350-400 students will attend this year, and there are 17 students from East Goshen that she is aware of (there may be more). This event is important to help keep the kids safe and off the road on what is statistically a very risky night for them. Don asked how many other Townships have donated to this event. Ms. Simmons said she was not sure, but East Goshen's donation has always been one of the largest. Carmen said he has seen some prom night tragedies as a member of the Goshen Fire Company, and he agreed with Ms. Simmons that it is important for East Goshen to support this event and the one for East High School. Carmen moved for the Board to reconsider its decision to cut a \$500 donation to this event and a \$500 donation to a similar event for East High School from the budget. Marty seconded the motion. Residents Art Polishuk, Jim McRee and Jane Fava spoke in favor of the Board donating money to this cause.

Marty told Ms. Simmons he agreed with Carmen and the residents that the Board should donate to the post-prom events this year, but warned that economic conditions may not allow it for 2010. He asked if Ms. Simmons would give the post-prom committee a heads up on this so they can be prepared for that possibility. Marty said the Board should know by November if they will be able to contribute in 2010 or not.

Thom told Ms. Simmons and Ms. Bonhage that although he supports this event very much he would be voting against it because he disagrees with using taxpayer money for charitable causes that are selected by the Board. He wished the ladies best success with their event.

Don said he is willing to have the Township support this event, but would like the donation to be less than \$500 due to the small number of East Goshen residents who will be participating.

Joe had no comment on the motion.

The Board voted 3:2 to pass the motion. (Thom and Don were opposed).

The ladies thanked the Board for their reconsideration. Marty told Ms. Simmons the Board would send out letters to the Post-Prom Committees for both schools letting them know of the Board's decision change. Ms. Simmons then gave the Board letters from seven people urging East Goshen to reconsider their decision. She said she knew of one or two additional letters yet to come, and the Board asked her to please forward them upon receipt.

Bill Egan, Mill Creek Drive – Asked if the Township provided furniture or computers to the District Court. Rick said no. Bill said that by his calculations, per square foot, the District Court cost more than the new Justice Center in West Chester. Marty agreed that the cost of the District Court was very high, but noted the cost will be capitalized over a 10-year period. He offered to give Mr. Egan a summary sheet showing all the expenses involved in the project, when the sheet is available, which should be soon. Mr. Egan said he is concerned that costs for the new sewer plant will likewise get out of hand if the Board doesn't keep a close eye on expenditures. Marty said the Board is aware of this potential and plans to keep an eye out for any change orders. Don restated his opinion that the Board hire a project manager for the project to help keep costs under control. Joe said this project has to be managed; the Board cannot handle it by just approving payments for items that pop up during construction. Marty said that before any change order is accepted, it must be approved by the Board. Joe said the Board also needs to know how each change will impact the budget. Carmen said the Municipal Authority had an emergency meeting last Tuesday morning to discuss the blower issue. The meeting was advertised. He suggested that the Board members attend any future such meetings called by the Municipal Authority. Joe said he did not know about the meeting last week, but if he had he would have attended. Don said the Board should be notified of issues, such as the blowers, ahead of time so that such items can be discussed before the Municipal Authority meetings. Don would like the Municipal Authority or Pennoni to provide a list of potential future issues/expenditures to the Board. Rick will ask for this information.

John Schorn, 1401 Larch Lane – Asked what is the monthly rental fee the District Court pays the Township. The Board members told him they were not sure, but will check and let him know at the next meeting. Mr. Schorn asked if the rate will increase annually, and Mary said yes. Mr. Schorn asked if the Township pays for janitorial and snowplowing services to the District Court, and Rick said yes. Mr. Schorn asked if the cost for these services is included in the rent, and Rick said yes. Mr. Schorn then asked when the rental fee was calculated – while the project still cost \$300K or after it had ballooned to \$900K. Marty said the county set the rate in the beginning before any work was done, and the county left no room for negotiation on the rate. Mr. Schorn said he objected early on during this project that paying \$37K for architectural fees was absurd, as in his opinion they should have cost only \$7-8K. Marty said the District Court will become profitable to the Township, and will not be a money-losing venture. He assured Mr. Schorn that he would have answers to his questions at the next meeting.

Art Polishuk, 1424 Grand Oak Lane – Said paying \$200 a square foot for a courtroom is outrageous and irresponsible. The Board should have hired a competent project manager to oversee the project. Joe said the Board agreed with Art and is also upset over the expense of the project. Mr. Polishuk said the Board needs to hire competent professionals for projects like the District Court and the sewer plant. He asked to also receive a copy of the District Court expense summary sheet when it is available.

John Schorn, 1401 Larch Lane – Asked if the Township put any of its own money into the District Court. Marty said funding came from the Capital Reserve fund.

Approval of Minutes

Carmen moved to approve the minutes of February 24, 2009 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 Board met in Executive Session on February 24 to discuss pending legal matters and the police labor contract. Resident Art Polishuk asked to know the nature of the legal matters. Marty said they discussed Omega and also the deer hunt.

Treasurer's Report

The Treasurer's Report for February 26, 2009:

	RECEIPTS	EXPENDITURES	
GENERAL FUND			
Real Estate Tax	\$ 28,369.89		
Earned Income Tax	\$ 189,348.84		
LST	\$ 34,000.00	Accounts Payable	\$ 23,531.44
Transfer Tax	\$ 0.00	Debt Service	\$ 0.00
Codes, Park & Rec (2009)	\$ 10,893.82	Payroll	\$ 40,000.00
Total Receipts	\$ 262,612.55	Total Expenditures	\$ 63,531.44
State Fund	\$ 0.00		\$ 0.00
Capital Reserve	\$ 0.00		\$ 0.00
Transportation Fund	\$ 0.00		\$ 486.75
Sewer Operating	\$ 40,582.53		\$ 9,773.05
Refuse	\$ 15,357.55		\$ 7,842.27
Capital Projects	\$ 0.00		\$ 0.00

Joe moved to accept the Treasurer's Report as submitted, and the receipts, and to approve the expenditures reviewed in workshop. Don seconded the motion but asked that it be approved “in accordance with the February 27 memo from the Treasurer.” Joe accepted the amendment. There was no discussion and no public comment. The Board voted unanimously to pass the motion.

Approval of Resolutions

Resolution 09-18A, Establishing the Invoice Authorization Process

Don moved to approve this resolution as amended in workshop. Carmen seconded the motion. There was no discussion and no public comment. The Board voted unanimously to approve the motion.

Resolution 09-28, Establishing Rules for Compliance with the Pennsylvania Right To Know Law

Don moved to approve this resolution as amended in workshop. Carmen seconded the motion. There was no discussion. Resident Art Polishuk asked if it had been reviewed by the Township Solicitor and Marty said yes. There was no further public comment. The Board voted unanimously to approve the motion.

Resolution 09-34B, Establishing and Consolidating the Various Fees and Charges Imposed Pursuant to the Code of the Township

Don moved to approve this resolution as amended in workshop and noted that the only changes were to Sections 18 and 19. Joe seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Resolution 09-36, Establishing a Policy for Mailbox Replacement

Don moved to approve this resolution. Joe seconded the motion. There was no discussion. Resident Bill Egan asked if there was any provision for repairing or replacement landscaping damage done by snow plows, and the Board told him no. The Board voted 4:1 to approve this motion (Thom was opposed).

Resolution 09-43 Governing E-mail Communications by and Among Supervisors, Staff and Other Township Authorities

Carmen moved to approve this resolution as amended in workshop. Don seconded the motion. There was no discussion. Resident John Schorn asked if e-mails between Supervisors regarding Township business are considered public record, and Marty said they are. The Board voted 4:1 to approve this motion (Thom was opposed).

Resolution 09-45, Establishing a Sexual Harassment Policy for ABCs

Carmen moved to approve this resolution as amended in workshop. Thom seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

Resolution 09-101, for Plan Revision Regarding the Hershey's Mill and Reserve Pump Stations

Don moved to approve this resolution as amended in workshop. Carmen seconded the motion. There was no discussion or public comment. The motion passed unanimously.

Resolution 09-102, for Plan Revision regarding the Lockwood Chase Sewage Treatment Plant

Don moved to approve this resolution. Carmen seconded the motion. There was no discussion. Resident John Schorn asked if this plant is owned by the Township. Joe said no; it is owned by the Municipal Authority. Resident Art Polishuk asked for a brief description of the plan. Marty said the plan is to close the plant and move the sewage to the new sewer plant. There was no further public comment. The Board voted unanimously to approve the motion.

Don announced that the newly approved resolutions will be posted to the Township website within a couple of days.

Correspondence and Reports of Interest

Marty acknowledged receipt of a letter from resident Gloria Mastic regarding the recent sewer rate increase.

Meetings & Dates of Importance

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

Adjournment

There being no further business, the meeting adjourned at 9:15pm.

EXECUTIVE SESSION

The Board met in Executive Session until 10:40pm to discuss labor contract negotiations.

Respectfully submitted,

Anne Meddings
Recording Secretary