

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
WORKSHOP
Tuesday, March 9, 2010
7:00 PM

1. Pledge of Allegiance
2. Moment of Silence
3. Minutes of 3/2/10
4. Invoices
5. Sewer Ordinance
6. E-mail archiving
7. Manley Road Speed Limit
8. Applebrook Bridge
9. Resident Canada Geese
10. CC Tax Collection Committee - LST
11. Resolutions to be adopted as Ordinances
12. Action List with revised format
13. Any Other Matter
14. Liaison reports
15. Subdivision, Land Development, CU & ZHB applications
16. Public Comment

THE SEWER
ORDINANCE IS
STILL BEING
FINALIZED.

I WILL E-MAIL
COPIES TO YOU
MONDAY

**EAST GOSHEN TOWNSHIP
MEMORANDUM**

TO: BOARD OF SUPERVISORS
FROM: JOE GILL, ASSISTANT MANAGER
SUBJECT: EMAIL SERVER & ARCHIVING
DATE: 3/5/2010
CC: RICK SMITH, MANAGER

During 2009 I investigated email systems and obtained quotes for the Township migrate to a new email system. The 2010 Capital Budget includes \$30,000 intended for this upgrade.

Our needs are:

1. Update Hardware - the current server is at full capacity as it is also used for the backup of Township applications. The server is also 6 years old.
2. Update software – we currently use Microsoft Mail, a program rarely used since the release of Microsoft Exchange. There are several technical issues related to continued use of Mail.
3. Improve Records Retention - our current system does not allow for appropriate archiving and has virtually no search functionality. Further, we are not providing email accounts for all people conducting Township business. This could create extreme difficulty and expense with regard to Right to Know Law compliance.

The quotes obtained last year are for the purchase and installation of a new server, Microsoft Exchange email software, and archiving/searching software. Together these potential solutions would cost about \$20,000 or more to implement, with annual software maintenance of \$2,700, and annual support estimated at \$2,500. First year costs would total over \$25,000. Annual costs would subsequently be about \$5,000, plus hardware replacement approximately every 5 years.

In consultation with Burt Denenstein, our current IT Contractor, we have an alternative. Bee.net, our current website and email hosting provider, offers an ASP (Application Service Provider) plan that provides a comprehensive solution to our needs. Essentially, BEEMAIL would provide the email server, email software, archiving and search functionality, and account maintenance at their location. We would not have to purchase or maintain hardware or software.

We currently pay \$2/per month/per account for about 40 accounts through Bee.net. The new application would allow all ABC's secure internet accessible Township email bringing total number of accounts to about 80. The new cost would be \$7/per month/per account. First year costs would total under \$7,000, an incremental increase of \$6,000, for 80 accounts. We already pay \$1,000 for 40 accounts which would double if we used 80 accounts. Annual costs would be about \$7,000 ongoing, without need for upgrades or replacements.

I recommend taking the ASP route which could be implemented over Easter weekend.

WORKSHOP
7,
3 pgs

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171
Fax (610) 425-8950
E-mail rsmith@eastgoshen.org

RS

Date: March 5, 2010
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Manley Road Speed Limit.

The posted speed limit on the eastern section of Manley Road between North Chester Road and Dutton Mill Road is 25 MPH. The western end of Manley Road is posted for 35 MPH.

It has been suggested that the Board consider raising the speed limit on the eastern part of Manley Road to 35 MPH.

Enclosed are my memo of December 21, 2009 and the excerpt from the minutes of January 12, 2010.

I have reviewed the files and concluded.

1. The 25 MPH speed limit was part of the Township Code that was December 1, 1998. This means that the signs were installed prior to that date.
2. I did not find any request to lower the speed limit to 25 MPH in our files.
3. There is no mention of lowering the speed limit on Manley Road in the Board minutes from 1995 thru 1997.

If the Board wants to raise the speed limit to 35 MPH it could do so by adopting an ordinance.

203

FILE COPY

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: December 21, 2009
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Manley Road Speed Limit.

The posted speed limit on the section of Manley Road between North Chester Road and Dutton Mill Road is 25 MPH. The west end of Manley Road is posted for 35 MPH.

The police department monitored speeds on 12/8/09 and the 85th percentile speed is 43 MPH for east bound vehicles and 45 MPH for west bound vehicles. Under §212.108 of 67 PA Code the speed limit should be 35 MPH (45 MPH less 10 MPH for insufficient stopping sight distance)

The PA Vehicle Code allows for the establishment of a 35 MPH limit in an "Urban District" and a 25 MPH limit in a "Residence District". Both of these terms are defined in the vehicle Code. I would opine that the "Urban District" definition is applicable for this section of Manley Road.

If the Board wants to raise the speed limit to 35 MPH it could do so by adopting an ordinance.

Hydrologic Study for Hershey's Mill Dam

Don reported that Advanced GeoServices will have the hydrologic study done by the end of January.

Traffic Signal for Paoli Pike and Line Road

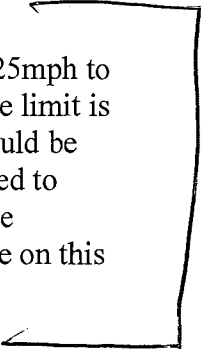
The Township received a response letter from PennDOT stating that left-hand turn lanes would be required at this intersection if a traffic signal were to be installed. Don said the project will therefore be put on hold once again.

Landscaping at Township Building

Marty will ask Justin Harding for a proposal to compare to the one received from W.D. Wells.

Manley Road Speed Limit

The Board discussed whether the speed limit on Manley Road should be changed from 25mph to 35mph. Thom said the police do not want the limit raised. Marty is concerned that if the limit is raised to 35mph people will drive 50mph, but the other Board members doubted this would be the case due to the nature of the roadway. Don said he would like the speed limit changed to 35mph because the road justifies it; and furthermore he does not like to see the police use Manley Road as a speed trap to raise revenue. Marty requested that Rick find the old file on this topic for the Board to review before making a decision on this matter.



Resolutions That Can Be Added To or Adopted as an Ordinance

Don requested that this item be put on hold pending further review.

PSATS Convention in Hershey, April 2010

The Board discussed who would attend the convention. The entire Board is planning to attend, along with Rick Smith and Joe Gill. The Board agreed that the new Supervisor (yet to be appointed), should also attend. Marty will need to stay three nights. Carmen will stay one night only and will plan to bunk in Marty's room.

Trees in Sewer Rights of Way

The Board reviewed and discussed Rick's December 29 memo on this topic. The Supervisors agreed that the Township can continue to remove trees in sewer rights-of ways as necessary.

List of Services to Residents

Don requested that Joe Gill prepare a list of services (such as removing trees in sewer rights-of-way) that the Township currently provides to residents, along with the cost associated with each service. The Board can then review this list.

Public Comment: Dan Truitt, Grand Oak Lane – Recommended the Board compare East Goshen's services to those of another Township such as East Bradford.

Omega Costs (King George Court)

Rick provided a list of the Omega costs, which total \$48,713.49.

WORKSHOP
8.
3pgs

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171
Fax (610) 425-8950
E-mail rsmith@eastgoshen.org

Date: March 5, 2010
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Applebrook Bridge

We received the permit for the Applebrook Bridge on February 22, 2010. Attached is my February 23, letter to Brian Jackson at Pulte. With respect to item 4 in my letter, we can start work before June 15 with approval from the PA Fish and Boat Commission. I sent an e-mail to Brian asking if he wants me to ask for such approval.

Frank Vattilano is working on a grant application for the loop path on the other side of the bridge. Applications are due in to the State in mid April. Not sure what the time line for approval is but based on our experiences with the LED Grant and the H2O Grant, if we were successful on a grant for the loop path we would not receive the agreement until December 2010 at the earliest. You typically you can not start work on a project until the agreement is in place, so the path would not be built until 2011.

I raise this since Mark was planning to start construction on the loop path this year. He would remove the top soil and install the millings. The paving would not be done until 2011. Our out of pocket costs for 2010 would be minimal (rental for a track loader) since we have plenty of millings.

I would add that we would use the top soil to construct the berm along Line Road. This would help prevent people from parking there during soccer events.

The question is should Mark add the path to his to-do list for 2010?

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

203

February 23, 2010

Mr. Brian Jackson
Pulte Homes of PA
100 Northbrook Drive, Suite 200
Trevose, PA 19053

Re: Applebrook Pedestrian Bridge

Dear Brian:

On February 22, 2010 the Township received the permit for the Applebrook Pedestrian Bridge.

I have enclosed a copy of the Permit for your use, It is my understanding that Chester Valley Engineers has forwarded you copies of the E&S Plan and the Wetland Impact Statement. I would note the following:

1. You on behalf of Pulte need to execute and submit the "Acknowledge of Notification of Permit Conditions" to PA DEP. (Condition #11) Please send me a copy.
2. You need to notify PA DEP in writing at least 15 days prior to the commencement of construction. (Condition #9)
3. You need to notify the Chester County Conservation District prior to the commencement of construction. (Condition # 18)
4. Since Ridley Creek is a stocked trout stream no work can be done between March 1 and June 15. (Special Condition D)

It is my understanding that you intend to utilize a contractor to construct the bridge. Accordingly, your contractor would need to provide the Township with a certificate of insurance, naming East Goshen Township as an additional insured.

I have asked Christy Anderson at Del Val Soil if they have any additional information on the bridge. It is my understanding that the bridge would be similar what was constructed for the Applebrook Golf Club, with the exception that everything, including the abutments, would be done with pilings.

I would suggest that once you have selected a contractor that we get together to make sure everyone is on the same page.

Please give me a call at 610-692-7171 or e-mail me at rsmith@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Louis F. Smith, Jr.
Township Manager

Enclosure

F:\Data\Shared Data\Property Management\53-4\53-4-89 (Pulte)\CU\Letter re bridge 011708.doc

WORKSHOP
9.
5 pages

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Voice (610) 692-7171
Fax (610) 425-8950
E-mail rsmith@eastgoshen.org

Date: March 5, 2010
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Resident Canada Geese

Attached are my letters to the US Department of Agriculture. I spoke to Gino and he will forward us a cost estimate in April or May.

The round-ups are done in June or July, when the geese lose their flight feathers.

We are set up to addle eggs again this year.

F:\Data\Shared Data\Public Works Dept\Geese\Memo to BoS 030510.doc

295

610-692-7171

www.eastgoshen.org

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

February 8, 2010

Mr. Gino Dangelo
US Department of Agriculture
Wildlife Services
Philadelphia International Airport
DOA, Terminal E
Philadelphia, PA 19153

Re: Resident Canada Geese

Dear Gino:

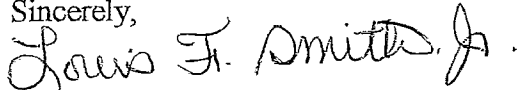
East Goshen Township has for the last three years utilized non-lethal methods to harass the resident Canada Geese in East Goshen Township. These methods include such measures as adding eggs, installing fences and Mylar tape around the ponds, and utilizing balloons and dog cutouts to harass the geese. Hunting is not an option because the ponds which the geese frequent are located in Township Open Space in residential neighborhoods.

While there has been slight improvement we are still have to many geese, and I continue to receive calls from residents whose property abuts the open space.

We have sent you two requests to do a round up of 50% of the population if non-lethal methods were unsuccessful after three years. I would like at this time to request an update of when this round up would be done.

Enclosed you will find copies of the two letters and aerial photos we have sent you. If you have any questions please feel free contact me at 610-692-7171 or rsmith@eastgoshen.org.

Sincerely,



Louis F. Smith, Jr.
Township Manager

enclosures

LFS:jm

F:\Data\Shared Data\Public Works Dept\Geese\Letter to USDA update.doc

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199



December 1, 2009

Mr. Gino Dangelo
US Department of Agriculture
Wildlife Services
Phila International Airport
DOA, Terminal E
Philadelphia PA 19153

Re: Resident Canada Geese

Dear Gino:

Following up on our conversation as suggested in the Wildlife Services letter of June 28, 2005 (enclosed) East Goshen Township has for the last three years utilized non-lethal methods to harass the resident Canada Geese in East Goshen Township. These methods include such measures as adding eggs, installing fences and Mylar tape around the ponds, and utilizing balloons and dog cutouts to harass the geese. Since the ponds which the geese frequent are located in Township open space which is in residential neighborhoods hunting was not an option.

Unfortunately, while there has been a slight improvement we still have too many geese and I continue to receive calls from residents whose property abuts the opens space about the geese and the mess they leave behind.

I have enclosed aerial photos of the ponds in question. There are five ponds in the south end of the Township and one pond and a sewer plant treatment lagoon and storage lagoon in the north end of the Township. The close-up photos also depict lot lines on them. As a frame of reference most of the lots around the ponds are 25,000 square feet (125' wide and 200' deep). I have enclosed a disk with electronic copies of the photos.

Your letter states that the Wildlife Service would conduct a roundup of 50% of the population if the non-lethal methods were unsuccessful after three years. Accordingly, I would like the Service to conduct such a round up.

Please give me a call at 610-692-7171 or e-mail me at rsmith@eastgoshen.org if you have any questions or need additional information.

Sincerely,

Louis F. Smith, Jr.
Township Manager

Enclosures as noted

495

FILE

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

October 27, 2009

Mr. Albert Polillo
US Department of Agriculture
Wildlife Services
Phila International Airport
DOA, Terminal E
Philadelphia PA 19153

Re: Resident Canada Geese

Dear Mr. Polillo:

As suggested in your letter of June 28, 2005 (enclosed) East Goshen Township has for the last three years utilized non-lethal methods to harass the resident Canada Geese in East Goshen Township. These methods includes such measures as adding eggs, installing fences and Mylar tape around the ponds, utilizing balloons and dog cutouts to harass the geese. Since the ponds which the geese frequent are located in Township opens space which is in neighborhoods hunting was not an option.

Unfortunately, while there has been a slight improvement we still have too many geese and I continue to receive calls from residents whose property abuts the opens space about the geese, and the mess they leave behind.

Your letter states that the Wildlife Service would conduct a roundup of 50% of the population if the non-lethal methods were unsuccessful after three years. Accordingly, I would like the Service to conduct such a round up.

Please give me a call at 610-692-7171 or e-mail me at rsmith@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Louis F. Smith, Jr.
Township Manager

Enclosure

595



U.S. FISH AND WILDLIFE SERVICE
RESIDENT CANADA GOOSE NEST & EGG REGISTRATION
CONFIRMATION

*You have now completed your registration. This registration is valid ONLY from March 1 – June 30, 2010
for control activities.*

Registration No. RG-00543A

Date Of Registration: 3/6/2007

Date Amended: 3/5/2010

Registrant (Landowner) Name: East Goshen Township

Registrant Type: Agency

Registrant Address and Contact Information:

1580 Paoli Pike
West Chester. PA 19380
Telephone: 610 692 7171
E-Mail: rsmith@eastgoshen.org

Location of Properties where Activity will occur:

- 1) Chester, Lochwood Sewer Facility, Dolphin Drive, Malvern, PA
- 2) Chester, East Goshen Township Property, West Chester, PA

Agent/Employee:

- 1) Louis F Smith, Jr
- 2) Mark Miller
- 3) George Thompson
- 4) Steven Biondi
- 5) Steve Walker
- 6) Terry Darlington
- 7) Jeff Brown
- 8) Chas Linder
- 9) Mike Ennis
- 10) Shane Edge
- 11) Kevin Miller

Conditions: You and your agents or employees must comply with the Resident Canada Goose Nest & Egg Depredation Order Conditions.

If agents or employees will conduct the nest and egg work on your behalf, you may sign this registration confirmation and provide them a copy as evidence of your authorization to perform the work.

WORKSHOP
11.
10/22

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Voice (610) 692-7171
Fax (610) 425-8950
E-mail rsmith@eastgoshen.org

THIS WAS TABLED
ON 1-12-10

Date: December 14, 2009
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Resolutions that can be added to or adopted as an ordinance

At your meeting on November 24, 2009 you requested that I develop a budget to adopt ordinances for those actions that the Board typically adopts by resolution at the Re-Organization meeting in January.

We would need to adopt 14 separate ordinances. The estimated cost would be about \$28,560 broken down as follows:

Legal - \$11,900

It costs between \$600 and \$1,100 for the solicitor to prepare that legal notice, put the ordinance in the proper format and attend the public hearing to adopt an ordinance. Use \$850 per ordinance.

Advertising - \$4,760

The cost is dependent on the number of lines in the legal notice and range from \$238 to \$450. Use \$340 per ordinance.

Court Reporter - \$700

The reporter is paid an appearance fee of \$80 then \$3.90 a page. I assumed that we would adopt the ordinances over the course of two meetings and that there would be minimal discussion (10 pages) on each ordinance.

General Code - \$11,200

It costs about \$800 to codify an ordinance

I have attached copies of three of the draft ordinances so that you would have some idea of the end product.

 **DRAFT**

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 129 - 10 - ____

AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE
CODE OF EAST GOSHEN TOWNSHIP, BY THE
ADDITION OF A NEW CHAPTER 3 ENTITLED "ABC
PROTOCOL".

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Code shall be amended as follows:

SECTION 1. A new Chapter 3, titled, "ABC Protocol" shall be added to read as follows:

Chapter 3
ABC PROTOCOL

§ 3-1. Short title.

This chapter shall be known as the "East Goshen Township ABC Protocol Ordinance."

§ 3-2. Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter.

ABC's -- East Goshen Township Authorities, Boards or Commissions or other advisory panels.

BOARD -- The Board of Supervisors of East Goshen Township.

TOWNSHIP -- The Township of East Goshen, Chester County, Pennsylvania.

§ 3-3. Personnel Matters

- A. Personnel issues shall be directed to the attention of the ABC Chairperson.
- B. Personnel issues shall be discussed only in Executive Sessions and treated as confidential.
- C. The Chairperson shall meet with affected parties individually and/or jointly when deemed appropriate.

D. The Chairman shall make every effort to reconcile any differences with the respective parties prior to referring the issue to the Chairperson of the Board of Supervisors.

§ 3-4. Sexual Harassment

A. The sexual harassment policy for all ABC's shall be as follows.

1. East Goshen Township strictly prohibits sexual harassment by members of its ABC's in any form and by any person.

2. All ABC members have the right to perform their duties in an environment free of all forms of sexual harassment, and to provide procedures for reporting, investigating and swiftly resolving complaints of sexual harassment, whether verbal or otherwise.

3. It is both illegal and against the policies of the Township to sexually harass an ABC member by making unwelcome sexual flirtations, advances or propositions or by creating an intimidating, hostile or offensive meeting environment through verbal abuse or physical conduct of a sexual nature.

4. The Board recognizes that the question of whether a particular action or incident is a purely personal, social relationship, without a discriminatory effect, requires a factual determination based upon all of the facts of a particular situation. Given the nature of this type of discrimination, the Board also recognizes that false accusations of a sexual harassment can have serious effects on innocent men and women, and, where proven, will subject the offender to disciplinary action.

5. Definition: Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, propositions, or suggestions, and other verbal or physical conduct of a sexual nature. Examples of acts of sexual harassment that shall not be tolerated include, but are not limited to:

Written - suggestive or obscene letters, poems, notes or invitations;

Verbal - derogatory comments, epithets, slurs or jokes;

Physical - impeding or blocking movement, touching, patting, pinching, or any other unnecessary physical interference with normal activity;

Visual - sexually oriented gestures, display of sexually suggestive or derogatory objects, pictures, cartoons, posters or drawings; and

Other - threats or insinuations that lack of sexual favors will result in reprisal, punitive action, change of assignment, or without support for appointment.

6. Prohibition: The Board will not tolerate sexual harassment by anyone against an ABC member or sexual harassment by an ABC member. Sexual harassment in Township public meetings and workshops is strictly forbidden. Sexual harassment is a violation of Federal and State laws. Therefore, all Federal and State laws relating to sexual harassment or sex discrimination, or both, will be enforced.

7. Prohibited actions: Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature when:

(a) Submission to or rejection of the conduct is made either explicitly or implicitly a condition of approval an applicant's business with the Township; and/or

(b) Submission to or rejection of the conduct by an individual is used as a basis for making a decision affecting the individual's business with the Township; and/or

(c) The conduct has the purpose or effect of unreasonable interference with an ABC member's performance of his or her duties, or creates an intimidating, hostile or offensive meeting and/or workshop environment.

(d) Prohibited sexual harassment may also include actions by members of the opposite sex of an employee as well as members of the employee's own sex.

(e) Prohibited sexual harassment may include actions which are overtly sexual or other actions if the actions constitute gender-based discrimination.

8. Disciplinary action: An ABC member who engages in or knowingly condones sexual harassment related to Township activity shall be subject to disciplinary action, up to and including removal.

9. Retaliation: Retaliation in any form against an ABC member who exercises his right to make a good faith complaint under this subchapter or who cooperates in an investigation of any complaint is strictly prohibited, and will itself be cause for appropriate disciplinary action.

10. Education: ABC members will be educated in sexual harassment issues. Education may consist of written materials, formal training, educational videos, orientation sessions, discussions or individual counseling. ABC members will be provided with a copy of this policy and

shall sign an acknowledgment that they have received and reviewed the policy.

11. Meeting Environment: The Chairperson of each ABC shall create an environment which encourages discussion of sexual harassment issues, where ABC members are educated and sensitized to sexual harassment, and where individuals with sexual harassment questions or complaints are provided with a response which is clear, impartial and timely.

12. Complaint Mechanism:

(a) Any person encountering sexual harassment may wish to tell the person that his or her actions are unwelcome and offensive.

(b) Any person who believes that he or she is being sexually harassed shall report the incident(s) to the Township Manger as soon as possible in order to provide the Township with sufficient time to expeditiously act to protect the person from further harassment and to initiate the appropriate investigative and, if warranted, disciplinary measures. The complaint may be written or verbal. If the harassing party is the Township Manager, the employee shall report the complaint with the Chairman of the Board of Supervisors.

(c) There shall be no retaliation by the Township against anyone for filing a complaint related to a charge of sexual harassment, or assisting, testifying, or participating in the investigation of such a complaint.

(d) The Township Manager shall consult, when appropriate, with the Chairman of the Board of Supervisors, with respect to the investigative and corrective steps to be taken. Such consultation and investigation shall be undertaken promptly following receipt of a complaint and shall be documented in the form of a written report, which shall determine whether the complaint is founded or unfounded.

(e) If the complaint is determined to be meritorious, the Township Manager or Chairman of the Board of Supervisors, as applicable, shall take prompt and appropriate action to terminate the harassment and to apply the appropriate disciplinary action.

13. Oversight and Resolution of Complaints and Appeals: The Board of Supervisors shall provide appropriate oversight and resolution of complaints.

SECTION 2. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining

1 provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the
2 intent of the Board of Supervisors that this Ordinance would have been adopted had
3 such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been
4 included herein.

5
6 **SECTION 3. Repealer.** All ordinances or parts of ordinances conflicting with
7 any provision of this Ordinance are hereby repealed insofar as the same affects this
8 Ordinance.

9
10 **SECTION 4. Effective Date.** This Ordinance shall become effective five days
11 after its enactment as law provides.

12
13 ENACTED AND ORDAINED this _____ day of _____, 2010.

14
15 ATTEST:

EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS

16
17
18
19 _____
20 Secretary

E. Martin Shane, Chairman

Carmen R. Battavio, Vice Chairman

Thomas Clapper, Ph.D., Member

Joseph M. McDonough, Member

Donald McConathy, Member

 **DRAFT**

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 129 – 10 - ____

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE
CODE OF EAST GOSHEN TOWNSHIP, BY THE
ADDITION OF A NEW CHAPTER 140 ENTITLED
"FINANCE ".**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Code shall be amended as follows:

SECTION 1. A new Chapter 140, titled, "Finance" shall be added to read as follows:

**Chapter 140
FINANCE**

§ 140-1. Short title.

This chapter shall be known as the "East Goshen Township Finance Ordinance."

§ 140-2. Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter.

BOARD -- The Board of Supervisors of East Goshen Township.

TOWNSHIP -- The Township of East Goshen, Chester County, Pennsylvania.

§ 140-3. Depositories.

A. Depositories – The Director of Finance/Treasurer is authorized to deposit Township funds at banks paying the best rate of interest and with the best terms. Depositories shall be approved from time to time by resolution of the Board.

B. Collateralization of Deposits - Custodial credit risk is the risk that, in the event of a bank failure, the Township's deposits may not be returned to it. The Township uses both insurance provided by the Federal Deposit Insurance Corporation and collateralization to guard against custodial credit risk. In addition to the insurance provided by the Federal Deposit Insurance Corporation, Township deposits held by banking institutions shall be fully collateralized. All banks holding Township funds shall pledge collateral held by one or

1 more independent third-party institutions, not in the Township's
2 name, in the amount of at least 102% of the deposit value. The
3 bank shall provide the Township with proof of this monthly.
4

5 C. Check Signers – Two signers are required for all checks. The Township
6 Manager, Assistant Township Manager and Director of Finance/Treasurer are
7 authorized to sign checks.
8

9 **§ 140-4. Pensions and benefit plans.**

10
11 A. Non-Uniformed Pension Plan – The Board authorizes participation in the
12 pension plan for non-uniformed Township employees. The Non-Uniformed
13 Pension Plan assets shall be managed by Key Financial Inc. and INR Advisory
14 Services LLC.
15

16 B. Paid Firefighter Pension Plan - The Board authorizes participation in the
17 pension plan for Goshen Fire Company paid firefighters. The Paid Firefighter
18 Pension Plan assets shall be managed by Key Financial Inc.
19

20 C. VALIC 457 Plan - The Board authorizes participation in the VALIC 457 Plan
21 pension plan for the non-uniformed Township employees and the Goshen Fire
22 Company paid firefighters.
23

24 D. Section 125 Premium Only Plan for Health, Dental and Life Insurance - The
25 Board authorizes participation in the Section 125 Premium Only Plan for Health,
26 Dental and Life Insurance for the non-uniformed Township employees and the
27 Goshen Fire Company paid firefighters.
28

29 E. Plan Administrators – The Director of Finance/Treasurer shall be the Plan
30 Administrator for the Non-Uniformed Pension Plans and the Paid Firefighter
31 Pension Plan. The Director of Finance/Treasurer and the Township Manager
32 shall be the Plan Administrators for the VALIC 457 Plan. The Office Manager
33 shall be the Plan Administrator for the Section 125 Premium Only Plan for
34 Health, Dental and Life Insurance.
35

36 **§ 140-5. Bonds.**

37
38 A. Treasurer's Bond – The Treasurer's Bond shall be in the amount of
39 \$5,000,000.
40

41 B. Township Manager's Bond – The Township Manager's bond shall be in the
42 amount of \$1,000,000.
43

44 C. Assistant Township Manager's Bond - The Assistant Township Manager's
45 bond shall be in the amount of \$150,000.
46

47 D. Tax Collectors' Bond - The Tax Collector's Bond shall be in the amount of
48 \$500,000.
49

1 **§ 140-6. Invoices.**

2
3 A. The Board reviews and approves proposed expenditures of the Township at
4 its public meetings normally held on the first, second, third, fourth, and fifth
5 Tuesdays of each month.
6

7 B. The Township Treasurer shall prepare the draft Expenditures Register, upon
8 which shall be listed the vendor, amount to be paid, and the account to which the
9 expense is charged.

10
11 C. A copy of the draft Expenditures Register shall be provided to each member of
12 the Board.
13

14 D. The Board shall review the draft Expenditures Register and act on it at a
15 public meeting.
16

17 E. Upon the approval of the Board, the checks shall be signed and issued.
18

19 F. Exception - The Township Manager has the authority to approve and release
20 disbursements, as requested by the Township Treasurer, which become due and
21 payable in the intervals between public meetings in such amounts as may be
22 necessary to pay the following:
23

- 24 1. Salaries and wages of employees of East Goshen Township,
- 25 2. Scheduled monthly contributions toward operating expenses of the
- 26 Westtown/East Goshen Police Department, and
- 27 3. All other usual and ordinary expenses in amounts up to and including
- 28 \$50,000 each.
29

30 A report of all such disbursements approved and released by the Township
31 Manager will be submitted to the Board at its next scheduled public meeting.
32

33 G. End of the year exception - The Township Manager has the authority to
34 approve and release disbursements, as requested by the Township Treasurer,
35 which become due and payable in the interval between the last public meeting in
36 December and the reorganization meeting in January.
37

38 A report of all such disbursements approved and released by the Township
39 Manager will be submitted to the Board at the reorganization meeting in January.
40

41 **§ 140-7. Procurement Cards.**

42
43 A. PFM Financial Services LLC ("PFM") has agreed to administer, on behalf of
44 participating local governments and schools in the State of Pennsylvania, a
45 Procurement Card system. The Procurement Cards will be issued to individual
46 authorized employees of the Township, by the Bank of Montreal, a Canadian
47 chartered bank with a subsidiary known as Harris Bank which has an office at
48 115 South LaSalle Street, Chicago, IL 60603, with established limits and
49 purpose.

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B. It is the desire of the Board to enable each authorized individual employee to procure authorized supplies and other products for the Township purposes in order to facilitate and governmental processes and efficient Township operations.

C. It is the desire of the Board to reduce the economic burden on the resources of the Township by increasing efficiency and reducing the administrative costs of the Township and to respond to the exigencies of the day-to-day operations in accordance with the procurement process as established by Pennsylvania Statutes.

D. The Board recognizes that the Procurement Card is neither a substitute for public bidding nor the Township's existing procurement program, and that the Procurement Card Program is not being implemented for the purpose of bid splitting and/or the avoidance of the statutorily mandated public bidding process.

E. The Board recognizes the economic and financial savings and benefits to be gained by establishing an electronic Procurement Card system and sponsors and endorses the Corporate MasterCard Procurement Card Program;

F. The procedure for use of the Procurement Card shall be as follows:

1. The Township Manager is authorized to enter into an Agreement with Bank of Montreal (with subsidiary known as Harris Bank) to secure Procurement Cards for each authorized employee of the Township under such terms and conditions as approved by its legal counsel and the Township.

2. As a condition precedent to receiving the Procurement Card, each authorized employee shall execute a Procurement Card Use Agreement.

3. As a condition precedent to receiving the Procurement Card, the Township Manager shall establish a monetary limit of authority for each employee's use of the Procurement Card.

4. As a condition precedent to issuance of a Procurement Card, the Township Manager shall establish in writing purchasing parameters (hereafter referred to as PLIGIT P-Card Procedures Manual) in accordance with the law including but not limited to:

- (a) a listing of goods and services which may be procured using the Card;
- (b) authorized vendors;
- (c) monetary Procurement Card limits.

5. As a condition precedent to receiving the Procurement Card, each employee recipient shall sign an Agreement of Indemnity, which is included in the Procurement Card Use Agreement.

1 6. The Board hereby expressly authorizes the Township Manager to
2 execute the Procurement Card Use Agreement on its behalf.
3

4 7. Upon receipt and use of a Procurement Card, the cardholder shall
5 submit receipts and such information as periodically requested by the
6 Township Manager.
7

8 8. The Township Manager shall establish procedures and internal controls
9 to implement this program, to ensure that Procurement Cards are being
10 used only for authorized Township business purposes and in compliance
11 with applicable law, and to allow for easily verifiable audits of their use.
12

13 9. These procedures and internal controls and any changes thereto shall
14 be submitted to the Board at least annually for its review and approval.
15

16 10. The Board has indicated to PFM that the account to be debited in
17 connection with the Township's use of the Procurement Cards will be an
18 account of the Township with the Pennsylvania Local Government
19 Investment Trust. The Township will specify the specific account to PFM,
20 which serves as Administrator of the Pennsylvania Local Government
21 Investment Trust, and PFM is authorized by East Goshen Township to
22 debit such account and make payment to Bank of Montreal in connection
23 with the Township's use of the Procurement Cards.
24

25 **§ 140-8. Real Estate Taxes.**
26

27 A. Imposition of a real estate tax - The Township imposes a tax levy on the
28 owners of real property in the amount of 1.25 mills (or 12.50 cents per One
29 Hundred (\$100.00) Dollars of assessed valuation of taxable property). The tax
30 levy shall be established and set from time to time by resolution of the Board.
31

32 B. Real estate tax payments received by mail - For the purpose of calculating the
33 date of real estate tax payments received, the Township will accept the postmark
34 as the date paid.
35

36 C. Real estate discount and penalties - in accordance with Section 10 of the
37 Local Tax Collection Law, 72 P. S. § 5511.10, the Board establishes the following
38 rates of discount and penalties on the real estate tax:
39

40 1. A discount of two percent (2%) from the amount of the real estate tax
41 provided that the real estate tax is paid in full within two (2) months after
42 the date of the tax notice; and
43

44 2. A penalty of ten percent (10%) of the real estate tax due and payable if
45 the real estate tax is not paid in full within four (4) months after the date of
46 the tax notice.
47

3. The penalty shall be added to the principal of the real estate tax and collected by the Tax Collector in accordance with the Local Tax Collection Law.

D. Waiving of penalties – The policy for waiving the real estate tax penalty shall be as follows:

- 1. The property owner must contact the Township within 30 days of the date of the late notice.
- 2. The property owner's account must be current.
- 3. The penalty will be waived provided full payment is received within 45 days of the date of the late notice.
- 4. The Township will send the property owner a letter advising them that the penalty has been waived.
- 5. The penalty can only be waived one time in any rolling three year period.

§ 140-9. Sewer and Refuse

A. Waiving of penalties – The policy for waiving the sewer and/or refuse penalty shall be as follows:

- 1. The property owner must contact the Township within 30 days of the date of the late notice.
- 2. The property owner's account must be current.
- 3. The penalty will be waived provided full payment is received before the first day of the following quarter.
- 4. The Township will send the property owner a letter advising them that the penalty has been waived and outlining the payment options available.
- 5. The penalty can only be waived one time in any rolling three year period.

B. Collection Process – The collection procedures for delinquent sewer and refuse accounts shall be as follows.

- 1. According to the East Goshen Township Code (specifically Chapter 188 titled "Sewers" and Chapter 194 titled "Solid Waste") all bills are due within 45 days of the date of the bill. If the quarterly bill is not paid by the 45th day after the date of the bill, the Township will send the property owner a late notice and impose a penalty of 10% of the amount owed.
- 2. If the quarterly bill is not paid by the 60th day after the date of the bill, the Township will impose an additional penalty of ¾ of 1% of the amount owed per month.
- 3. If the property owner fails to pay the quarterly bill for two consecutive quarters, the Township will send the property owner a letter that outlines the collection process, when payment is expected and the options

available to the property owner. The property owner has 30 days to make full payment or establish a payment agreement from the date of the letter.

4. If the property owner fails to pay the balance due or enter into a payment agreement with the Township, within 30 days of step 3 above, the account will be turned over to the Township Solicitor who will send the property owner a letter by regular and certified mail return receipt advising them that the account is past due and that they have 30 days from the date that they received the letter to bring the account current or a lien will be filed against the property for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs.

5. If the property owner refuses to accept the certified mail, the Solicitor will send the property owner a letter by regular mail advising them that the account is past due and that they have 10 days from the date of the letter to bring the account current or a lien will be filed on the property for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs.

6. If payment is not received within 30 days of the property owner's receipt of the letter sent pursuant to step 4 above, or within 10 days of the property owner's receipt of the letter sent pursuant to step 5 above, the Solicitor will file a lien for the amount that is currently past due including any interest, penalties, attorney's fees, administrative fees and filing costs. The lien will continue to accrue interest on any past due amount and any additional past due amounts will be added to the lien.

7. When a delinquent account exceeds \$3,000.00, the Board of Supervisors may authorize the Township Solicitor to file a civil complaint with the District Court seeking a judgment against the property owners for the amount that is currently past due including any interest, penalties, attorneys fees, administrative fees and filing fees incurred in the collection of the account. If a judgment is obtained against the property owners, the Township may seek to collect said judgment by executing against the personal property of the defendant/property owners. If the Township is able to collect the judgment, the Township will satisfy the lien.

§ 140-10. General.

A. Mileage – When authorized by the Township Manager or his/her designee persons who utilize their personal vehicle for Township business shall be reimbursed for the use of their personal vehicle at the mileage rate established by the Internal Revenue Service.

B. Bid Opener – The Township Manager or his/her designee is authorized to open sealed bids.

C. Grants – The guidelines for the grant application process for all Authorities, Boards and Commissions (“ABCs”) is as follows:

1. All ABCs are encouraged to submit a grant application to foundations, federal, state, county, and local sources whenever possible for all expenditures over \$500.

2. To avoid multiple grant requests to the same agency from different ABCs, preliminary Board approval is required prior to submission to possible funding sources.

3. The ABC must authorize grant preparation costs (from its budget) and the preparation of the grant application at a public meeting of the ABC.

4. All projects/activities are to receive preliminary Board approval for the idea before grant-writing procedures are commenced. The following information should be submitted to the Board.

- (a) Description of your activity/project.
- (b) What do you hope to accomplish with this activity/ project?
- (c) Who benefits and what are the benefits?
- (d) A preliminary cost estimate.
- (e) What Township resources would be required?

5. Before final Board approval is granted, the following information is to be provided:

- (a) A one page Executive Summary
- (b) What is the total estimated cost for this project?
- (c) How did you arrive at the estimated cost?
- (d) Who are your funding partners (major and minor)?
- (e) What are the Township obligations? For any applications that involve the use of Township Labor, Equipment, or Materials a memorandum from the Director of Public Works shall be submitted.

- (1) Financial
- (2) Labor
- (3) Equipment
- (4) Materials
- (5) Other

(f) What is the timetable with respect to?

- (1) Submission date for grant
- (2) Expected grant approval date
- (3) Expected beginning activity/project date
- (4) Expected completion date

(g) Who are the primary grant writers for this submission?

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(h) Who is expected to be the contractor?

6. All grant applications are to be submitted to Board for their review and final approval one month before the submission deadline to the funding source.

D. Release of Financial Information - The policy with regard to the release of financial information shall be as follows.

1. A copy of the Treasurer's Report, which summarizes the revenue and expenses for the major budget items in draft form for the preceding one to three (1-3) weeks, will be available for public inspection at the meeting at which the report will be discussed by the Board.

2. A copy of the draft Expenditures Register detailing the bills recommended for payment by the Treasurer will be available for public inspection at the meeting at which the report will be discussed by the Board.

3. Questions from the public regarding individual invoices will not be discussed during regular Board of Supervisor meetings or workshops. This is to ensure correct information is provided to answer any questions regarding invoices.

4. Any questions regarding the individual invoices shall be made in writing to the Board referencing the Register summary date, page, specific invoice including vendor, and question.

5. The Board will review such requests along with a recommendation from staff, and direct a response in a timely manner. All responses will be in writing.

6. The Township will charge the general reproduction fee for any copies of the approved Register requested.

7. The Township reserves the right to redact any data from the Register permitted by the Right to Know Law.

8. All written requests and responses from the Board will be made part of the public record.

E. Identity Theft - Pursuant to the Fair and Accurate Credit Transaction Act of 2003 (the "Act"), the Federal Trade Commission and other federal agencies have issued regulations that require creditors to develop, adopt and implement written identity theft prevention programs; and

These regulations require that creditors, which includes a municipality that provides utility service where payment for the utility service is deferred to a future

1 day, must identify, detect and respond to patterns, practices or specific activities
2 known as "red flags" that could indicate identity theft ; and
3

4 The Township bills commercial property owners for sewer service in arrears
5 pursuant to Section 188-10(b) of the East Goshen Township Code, therefore the
6 Township is defined as a "creditor" under the Act and must adopt a written
7 Identity Theft Protection Policy.
8

9 The Township Identity Theft Prevention Policy (Policy) shall be as follows:
10

11 1. Identification of Red Flags: The Township received notice from a
12 customer, a victim of identity theft or a law enforcement agency that an
13 account has been opened or used fraudulently.
14

15 2. Detecting Red Flags: If Township receives notice that a customer's
16 identity may have been stolen by using the information obtained by the
17 Township in opening or processing a sewer account, the Township Utility
18 Coordinator or Manager will contact the complaining customer and
19 perform an investigation to determine the basis for the complaint.
20

21 3. Responding to Red Flags: Township Utility Coordinator or Manager will
22 prepare a report of his or her investigation and file the report with the
23 Board of Supervisors and if necessary the Township Police Department.
24

25 4. Administering the Program: Township Manger shall annually review the
26 Policy to determine if it continues to be in compliance with the Act.
27 Appropriate revisions will be made based on changes in federal law or if
28 there are changes in the way that the Township administers sewer
29 accounts where fees are collected in arrears.
30

31 **SECTION 2. Severability.** If any sentence, clause, section, or part of this
32 Ordinance is for any reason found to be unconstitutional, illegal or invalid, such
33 unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining
34 provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the
35 intent of the Board of Supervisors that this Ordinance would have been adopted had
36 such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been
37 included herein.
38

39 **SECTION 3. Repealer.** All ordinances or parts of ordinances conflicting with
40 any provision of this Ordinance are hereby repealed insofar as the same affects this
41 Ordinance.
42

43 **SECTION 4. Effective Date.** This Ordinance shall become effective five days
44 after its enactment as law provides.
45

46 ENACTED AND ORDAINED this _____ day of _____, 2010.
47

48 ATTEST:

EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS

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Secretary _____

E. Martin Shane, Chairman

Carmen R. Battavio, Vice Chairman

Thomas Clapper, Ph.D., Member

Joseph M. McDonough, Member

Donald McConathy, Member

 **DRAFT**

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 129 – 10 - ____

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE
CODE OF EAST GOSHEN TOWNSHIP, BY THE
ADDITION OF A NEW CHAPTER 152 ENTITLED
"MEETING PROCEDURE".**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township that the East Goshen Township Code shall be amended as follows:

SECTION 1. A new Chapter 152, titled, "Meeting Procedure" shall be added to read as follows:

**Chapter 152
MEETING PROCEDURE**

§ 152-1. Short title.

This chapter shall be known as the "East Goshen Township Meeting Procedure Ordinance."

§ 152-2. Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter.

ABC's -- East Goshen Township Authorities, Boards or Commissions or other advisory panels.

BOARD -- The Board of Supervisors of East Goshen Township.

TOWNSHIP -- The Township of East Goshen, Chester County, Pennsylvania.

§ 152-3. Recording of meetings.

A. Recording of meetings - The provisions set forth in the Act 84 of 1986, as amended (the Sunshine Law), permits persons who are attending a meeting to record the proceedings; and

Section 711(a) of the Sunshine Law permits an agency, such as a Township, to adopt and enforce reasonable rules for the use of recording devices; and

1 B. The Board believes that it would be in the best interest of the Township to
2 adopt such reasonable rules.
3

4 C. The Board of Supervisors hereby adopts the following rules for any person
5 wanting to make a video or audio recording of the proceedings at any meeting of
6 the Board or at a meeting of any of the ABC's.
7

- 8 1. The Chairman will ask at the beginning of the meeting if anyone plans
9 to record the meeting.
- 10
- 11 2. An individual wanting to record a meeting must advise the Chairman of
12 their intention to record all or part of a meeting and whether the
13 recording will be video, audio, or both.
- 14
- 15 3. The video/audio recording device(s) shall be located along the right
16 side or rear of the meeting room in plain view of the Board or ABC and
17 to the audience.
- 18
- 19 4. Any additional desired lighting shall be placed in the rear of the
20 meeting room.
- 21
- 22 5. The use of the recording device may not disrupt the normal routine of
23 the meeting.
- 24
- 25 6. The meeting will not be disrupted for any changes of recording media.
- 26
- 27 7. The device and/or lights must be self-powered, i.e., it may not be
28 plugged into a Township power outlet.
- 29
- 30 8. Direct access to the Township audio network will not be permitted.
- 31
- 32 9. Executive Sessions of the Board may not be recorded.
- 33

34 **§ 152-4. Order of Business.**

35
36 A. All regular and special meetings of the Board and ABC's shall be conducted
37 according to the following order of business, unless a different order of business
38 is specifically adopted by the Board or ABC.
39

- 40 1. Call to Order
- 41
- 42 2. Pledge of Allegiance
- 43
- 44 3. Ask if Anyone is Recording the Meeting
- 45
- 46 4. Approval of Minutes
- 47
- 48 5. Chairman's Report
- 49

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- 6. Public Hearings (Board only)
- 7. Staff Reports
- 8. Old Business
- 9. New Business
- 10. Any Other Matter
- 11. Correspondence
- 12. Reports of Interest
- 13. Meetings & Dates of Importance
- 14. Public Comment – Hearing of Residents
- 15. Adjournment

The Chairperson, in their sole discretion, shall have the power to rearrange the agenda in order to accommodate the needs of: other ABC members; the public; or an applicant.

§ 152-5. Code of Conduct.

- A. The following shall be applicable at all Board and ABC meetings.
 - 1. Meetings shall be conducted using parliamentary procedure based on Robert’s Rules of Order.
 - 2. Chairpersons and members shall be courteous and respectful of other members and guests at all times.
 - 3. Liaisons are guests and shall be recognized by the Chairperson before speaking.
 - 4. Only ABC members shall occupy the dais or conference table.
 - 5. Discussion prior to any official action shall take place only at public meetings in accordance with the Sunshine Law.
 - 6. No official action can take place unless there is a quorum at a meeting.

§ 152-6. Responsibilities.

- A. Responsibilities of Chairperson:

- 1 1. The Chairperson shall be responsible for setting the agenda and
- 2 conducting all meetings.
- 3
- 4 2. The Vice-Chairperson shall act as chair in the absence of the
- 5 Chairperson.
- 6
- 7 3. The Chairperson shall be responsible for starting meetings on time.
- 8
- 9 4. The Chairperson shall be responsible for the behavior of all in attendance.
- 10
- 11 5. The Chairperson shall allow time for public discussion before any official
- 12 action is taken and at the end of each meeting.
- 13
- 14 6. The Chairperson may rearrange the agenda prior to the beginning of the
- 15 meeting, if deemed appropriate.
- 16
- 17 7. The Chairperson and Vice-Chairperson shall be elected at the ABC's
- 18 annual reorganization meeting, and rotation of chairs every two years is
- 19 recommended.
- 20
- 21 8. The Chairperson may make or second motions.
- 22
- 23 9. The Chairperson shall encourage participation of all members.
- 24

25 **B. Responsibilities of Members**

- 26
- 27 1. Members shall come prepared for all meetings and be on time.
- 28
- 29 2. Members shall notify the Chairperson if they are unable to attend a
- 30 meeting.
- 31
- 32 3. Members shall refrain from interrupting or having sidebar conversations
- 33 while another member or guest is speaking.
- 34
- 35 4. Members shall not leave the meeting, unless absolutely necessary, until
- 36 the meeting is adjourned.
- 37

38 **SECTION 2. Severability.** If any sentence, clause, section, or part of this

39 Ordinance is for any reason found to be unconstitutional, illegal or invalid, such

40 unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining

41 provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the

42 intent of the Board of Supervisors that this Ordinance would have been adopted had

43 such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been

44 included herein.

45

46 **SECTION 3. Repealer.** All ordinances or parts of ordinances conflicting with

47 any provision of this Ordinance are hereby repealed insofar as the same affects this

48 Ordinance.

22

1 **SECTION 4. Effective Date.** This Ordinance shall become effective five days
2 after its enactment as law provides.

3
4 ENACTED AND ORDAINED this _____ day of _____, 2010.

5
6 ATTEST:

EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS

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10 _____
Secretary

E. Martin Shane, Chairman

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Carmen R. Battavio, Vice Chairman

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Thomas Clapper, Ph.D., Member

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Joseph M. McDonough, Member

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26 _____
Donald McConathy, Member

BOS Pending Actions List

12. ACTION LIST

7.

3/5/2010

Page 1 of 3

Type	Item	Original Target Date	Action Due Date	Owner	Status / Comments	List Date	Complete Date
ADM	Metered Billing	27-Jan-09	9-Mar-10	BoS	Implementation now for end of Q1 2010. Working with AMS on system programming. Drafting letter to residents. Ordinance 3/23.	22-Feb-08	
ADM	Add Resolutions to Ordinance	2-Jun-09	9-Mar-10	Solicitor	Can Resolutions be added to Ordinances? Cost prohibitive at \$30k	10-Feb-09	
ADM	Employee Benefits	16-Feb-10	9-Mar-10	Joe	Make Plan to review insurance and other benefits costs. Include in Residents Advisory Group?	12-Jan-10	
ADM	Information Systems Analysis	23-Feb-10	9-Mar-10	BoS	Report on systems appropriateness and effectiveness. What is correct replacement cycle for PC replacement? Include in Advisory Group?	26-Jan-10	
ADM	Staffing Analysis	26-Feb-10	9-Mar-10	BoS	Review Responsibilities vs Job Descriptions. Include in Advisory Group?	16-Feb-10	
ADM	Elected Officials & Web Site	2-Mar-10	9-Mar-10	Joe	Add Elected Auditors & Tax Collector information to web site.	9-Feb-10	
ADM	2010 Sponsorships: Fireworks & Leaf Bags	2-Mar-10	9-Mar-10	Frank	Applebrook to contribute \$10k for fireworks. Possibly TD Bank for funding for both.	15-Dec-09	
ADM	Police Vacation Policy	9-Mar-10	9-Mar-10	X		2-Mar-10	
ADM	Update Park Ordinance for DMP	17-Feb-09	16-Mar-10	X	Jeff prepare changes to Park Ordinance per earlier discussion. Elected not to amend Ordinance. Reviewing again.	20-Jan-09	
ADM	Web Site Upgrade Status	15-Sep-09	16-Mar-10	X	Still awaiting 3-party agreement but Triton proceeding. Send letter for signatures. Pages being converted. Will need EE training.	24-Jul-09	
ADM	Line Road Parking Ordinance	16-Mar-10	16-Mar-10	Solicitor	Ordinance for parking and fines.	16-Feb-10	
ADM	General Code Expense	16-Mar-10	16-Mar-10	MG	recommendation to reduce/minimize expenses.	2-Feb-10	
ADM	Sewer Ordinance	23-Mar-10	23-Mar-10	X	Adopt Ordinance for metered billing.	2-Mar-10	
ADM	Converting pension plan to 401K type plan	31-Mar-09	6-Apr-10	X	Investigate options. Tom Anderson to do actuarial study and draft papers for new plan.	2-Jan-07	
ADM	Quarterly Review of Right to Know Requests	14-Jul-09	6-Apr-10	Rick Smith	Copy of prior quarter's Right to Know requests.	10-Feb-09	
ADM	Deer Management Committee	2-Mar-10	6-Apr-10	DMC	Program status & Annual Report. What should function, membership, and frequency of meetings be going forward?	15-Dec-09	
ADM	Grant Writing	6-Apr-10	6-Apr-10	Staff	Review and report on availability of Grants from State & Fed Programs. Would it be worth it to have a person devoted to Grant Writing?	16-Feb-10	
ADM	Energy Conservation in Twp Bldg	???	6-Apr-10	Rick	We are participating with County wide audit. Find out cost to install motion sensitive light switches and programmable thermostats for Twp Bldg.	10-Feb-09	
ADM	Review Comp Plan Action List (Ch 10)	21-Apr-09	20-Apr-10	X	Ensure current actions are being addressed. Need to review ABC accomplishments and update status chart.	20-May-08	
ADM	Purchasing Policy	1-Sep-09	20-Apr-10	X	Who is authorized to Purchase and who approves invoices? Joe working on breakout of expenses that would be covered under Policy.	24-Jul-09	
ADM	Township Advisory Group (TAG)	23-Feb-10	20-Apr-10	X	TAG announced. Resumes due 4/15.	26-Jan-10	
ADM	Review/clean up Wireless Ordinance	17-Feb-09	4-May-10	Solicitor	Bring ordinance up to standards and close some loopholes. Remove annual reporting & fee. Wireless carrier name change. Review satellite dishes conditions	2007	
ADM	Review/update records retention Resolution	17-Mar-09	4-May-10	Staff	Review existing guidance on records retention, including e-mail to ensure it complies with PA Museum Commission guidance. Funded 2010. Must identify system/vendor for new email, plan transition, implement plan.	20-Jan-09	
ADM	Soccer Fields @ Line Road	15-Dec-09	4-May-10	Staff	Should increase parking fine to \$35 and Westtown/Thornbury should match. Police Commission to discuss enforcement. Maybe install barrier.	24-Nov-09	
ADM	Passive Use Ordinance for Parks	4-May-10	4-May-10	Frank	Parks Board to review Ordinance & make recommendation on passive use. Address issue of bikes, skateboards, rollerblades etc.	26-Jan-10	
ADM	Police Scheduling	15-Sep-09	6-Jul-10	BoS	Committee Established (Joe & Charlie)	11-Aug-09	

BOS Pending Actions List

Type	Item	Original Target Date	Action Due Date	Owner	Status / Comments	List Date	Complete Date
ADM	Annual Training Plan	7-Oct-10	7-Oct-10	Diane	Submit Annual Training Plan for inclusion in Budget discussions.	12-Jan-10	
ADM	ABC Appreciation Event Guest List	2-Nov-10	2-Nov-10	BoS	Who should be invited from outside Township? Westtown Supervisors?	15-Dec-09	
ADM	ARCView System (GIS)	2-Mar-10	4/27/110	Mark G	Should we train internally or outsource?	24-Nov-09	
DPW	Park Bridge Permit	17-Feb-09	9-Mar-10	Rick Smith	Awaiting response from ACOE. Engineering issues resolved. Easement language approved. Execute easement.	24-Jul-07	
DPW	Geese Management Program	1-May-09	9-Mar-10	BoS	2007, 2008, 2009 program success based on anecdotal info. Request sent in 12/09 for USDA to remove excess geese. 3rd letter sent 2/17.	23-Jan-07	
DPW	Township Building Plantings	13-Oct-09	9-Mar-10	Mark M	Report from DPW due on what we can do internally for front of admin bldg. Possible use of volunteers.	15-Sep-09	
DPW	Invasive Species	20-Oct-09	9-Mar-10	Mark M	Parks & Conservancy Boards propose plan regarding invasive species in Twp open space. Site walk 12/12. Await Conservancy report.	11-Aug-09	
DPW	Manley Road Speed Limit	12-Jan-10	9-Mar-10	Rick	Police did study, copy to Rick. WEGO to provide data on tickets issued. Rick to pull old file for info on why speed limit was lowered.	15-Dec-09	
DPW	Brookmont & Rte 352	9-Mar-10	9-Mar-10	Staff	PADOT to do skid test.	15-Dec-09	
DPW	Ridley Creek Expansion Monthly Update	16-Mar-10	16-Mar-10	Staff	Provide monthly status report.	23-Feb-10	
DPW	LED traffic signal replacement report from Mark	17-Mar-09	12-Apr-10	Staff	Grant applied for 10/23/08, and 7/24/09. Specs drafted. Grant approved. Prep and put out bid documents by end of March.	5-Jun-07	
DPW	Hershey's Mill Dam	17-Feb-09	13-Apr-10	x BoS	Grant declined. Committee formed to determine best option. Classification probably not changing. Hydrologic Study by advanced Geo Services due early Feb.	22-May-07	
DPW	Applebrook Park: Grant for Circle Path	10-Nov-09	13-Apr-10	Mark M	Parks to file grant application.(42)	28-Jul-09	
DPW	Quarterly report on I&I work done on system	26-Jan-10	13-Apr-10	Rick	Pennoni to prepare quarterly report on I&I work done. Include progress, costs and estimates of I & I.	9-Dec-08	
DPW	Road Resurfacing	9-Feb-10	13-Apr-10	Mark M	Draft Plan to identify road lifetimes and likely resurfacing schedule.	15-Dec-09	
DPW	Tree Vitalize Grant (Conservancy)	13-Apr-10	13-Apr-10	Conservancy	Board approved for Conservancy to apply for grant for \$4920.	12-Jan-10	
DPW	PECO Green Region Grant (Conservancy)	13-Apr-10	13-Apr-10	Conservancy	Board approved for Conservancy to apply for grant for \$10,000.		
DPW	Ridley Creek Expansion Monthly Update	20-Apr-10	20-Apr-10	Staff	Provide monthly status report.	23-Feb-10	
DPW	Ridley Creek Expansion Monthly Update	18-May-10	18-May-10	Staff	Provide monthly status report.	23-Feb-10	
DPW	Public Works Service Outsourcing	21-Apr-09	8-Jun-10	BoS	Cost and quality of services in-house vs out-house. Study to start with analysis of 2010 mowing. Then 2010 plowing.	16-Sep-08	
DPW	Ridley Creek Expansion Monthly Update	15-Jun-10	15-Jun-10	Staff	Provide monthly status report.	23-Feb-10	
DPW	Recycling Contract	13-Jul-10	13-Jul-10	Mark M	Investigate possible change of pick up to 2nd half of week and cost of collecting Compact Fluorescent Lamps (CFL's).	22-Sep-09	
DPW	Sanitation Contract	13-Jul-10	13-Jul-10	x	Draft bid specs. Collaborate with Westtown.		
DPW	Algae/Scum treatment in ponds	21-Apr-09	12-Oct-10	Rick Smith	P&R/Conservancy Boards make recommendation on how to control algae in our ponds. Barley bales installed. Awaiting PECO for pump electric. BowTree completed. Need location for 2011.	21-Oct-08	
FIN	Monthly Financial Reports	23-Mar-10	23-Mar-10	Joe	Provide cover memo with monthly reports highlighting important items.	16-Feb-10	
FIN	Report on Unbudgeted Items	23-Mar-10	23-Mar-10	Joe	List items outside budget expectation with suggested offsets for expenses.	2-Mar-10	
FIN	District Court Reports	23-Mar-10	23-Mar-10	Deb	Update the Long Term report and reissue the costs to develop report.	16-Feb-10	
FIN	Capital Reserve Fund Analysis	27-Oct-09	20-Apr-10	Joe	Is funding sufficient for future needs? (24)	28-Jul-09	
FIN	Q1 2010 Financial Reports	16-Feb-10	20-Apr-10	Deb	Provide Q1 Report including items in 2/19/10 Memo.	16-Feb-10	
FIN	2009 Year End Financial Reports	23-Feb-10	20-Apr-10	Deb	Review Reports at Hershey including items in 2/19/10 Memo.	12-Jan-10	

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BOS Pending Actions List

Type	Item	Original Target Date	Action Due Date	▲	Owner	Status / Comments	List Date	Complete Date
FIN	Traditions Development	15-Dec-09	27-Apr-10	x	Deb	What are Township costs for West Goshen development? Revised report due.	24-Nov-09	
FIN	Quarterly Summary of Pending Legal Cases	27-Apr-10	27-Apr-10		Rick	Revised report due.	25-Jun-09	
FIN	Services List	27-Apr-10	27-Apr-10		Joe	Create list of services and their costs provided by Township.	12-Jan-10	
FIN	Friends of East Goshen Township 501c3	25-May-10	25-May-10		Joe	Investigate requirements to start non-profit to support Township Boards and Commissions. Solicitor agreed to do pro bono.	23-Feb-10	
FIN	Historic Books	23-Feb-10	22-Jun-10		Joe	Reconcile inventory and report sales every 6 months.	28-Oct-09	
PCZ	1661 E Strasburg Road Land Development	26-Jan-10	Completed	x	MG	Applicant revising plans. Hearing 3/2.	24-Nov-09	2-Mar-10
PCZ	Stream Buffer Increase	6-Oct-09	16-Mar-10		MG	No information has been presented to PC, just a verbal request. PC asked CB to present data and supporting documentation @ 12/2/09 mtg.	15-Sep-09	
PCZ	Parking for Multi-Use Space in IP/BP District	20-Oct-09	16-Mar-10		MG	PC to review and recommend changes / No formal recommendation yet.	2-Aug-06	
PCZ	Planting around new generator installations	17-Nov-09	16-Mar-10		PC	PC working on draft of new ordinance for generators	22-Jan-08	
PCZ	Noise Ord for Emergency Generators	17-Nov-09	16-Mar-10		PC	Update noise ordinance to today's conditions and include emergency generators. Sub-Committee appointed by PC. Amendment to be made when Generator Ordinance is drafted.	12-Aug-08	
PCZ	CTDI Parking	12-Jan-10	16-Mar-10		MG	Violation of Conditional Use.	12-Jan-10	
PCZ	T-Mobile Conditional Use	16-Mar-10	16-Mar-10	x	MG	Conditional Use hearing.		
PCZ	WCF Tower Behind Wawa	16-Feb-10	23-Mar-10	x	MG	ZHB Application for Varinace, Hearing set for 3/11.	24-Nov-09	
PCZ	Telecom Registration and Reporting	20-Apr-10	20-Apr-10		MG	2010 Letter out week of 1/4/10. Quarterly update due.	24-Feb-09	
PCZ	Traditions Development	3-Nov-09	27-Apr-10	x	MG	Board met w R. Unruh to discuss on 12/15, WGT CU hearing cont. on 1/20/2010. WG continued to 4/14.	24-Nov-09	
PCZ	Malvern Bank Land Development	24-Nov-09	27-Apr-10	x	MG	Yerkes letter issued. Hearing 4/6.	15-Dec-09	
PCZ	WCF Tower @ Township Building	26-Jan-10	15-Jun-10		MG	BOS to meet with Tower One on 1/26/2010 to review and discuss concept at Twp. Building	24-Nov-09	

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**EAST GOSHEN TOWNSHIP
ACTION LIST**

PROPOSED pl

#	Item	Action Due Date
ADM 08-01	Metered Billing	9-Mar-10
ADM 09-03	Add Resolutions to Ordinance	9-Mar-10
ADM 09-11	2010 Sponsorships: Fireworks & Leaf Bags	9-Mar-10
ADM 10-01	Employee Benefits	9-Mar-10
ADM 10-04	Information Systems Analysis	9-Mar-10
ADM 10-06	Elected Officials & Web Site	9-Mar-10
ADM 10-07	Staffing Analysis	9-Mar-10
DPW 07-01	Geese Management Program	9-Mar-10
DPW 07-04	Park Bridge Permit	9-Mar-10
DPW 08-04	Invasive Species	9-Mar-10
DPW 08-05	Township Building Plantings	9-Mar-10
DPW 09-01	Manley Road Speed Limit	9-Mar-10
DPW 09-02	Brookmont & Rte 352	9-Mar-10
ADM 09-01	Update Park Ordinance for DMP	16-Mar-10
ADM 09-07	Web Site Upgrade Status	16-Mar-10
ADM 10-08	Line Road Parking Ordinance	16-Mar-10
DPW 10-02	Ridley Creek Expansion Monthly Update	16-Mar-10
PCZ 06-01	Parking for Multi-Use Space in IP/BP District	16-Mar-10
PCZ 08-01	Planting around new generator installations	16-Mar-10
PCZ 08-02	Noise Ord for Emergency Generators	16-Mar-10
PCZ 09-02	Stream Buffer Increase	16-Mar-10
PCZ 10-01	CTDI Parking	16-Mar-10
PCZ 10-02	General Code Expense	16-Mar-10
FIN 10-03	Monthly Financial Reports	23-Mar-10
FIN 10-04	District Court Reports	23-Mar-10

Proposed p2

#	Item	Action Due Date
PCZ 09-03	1661 E Strasburg Road Land Development	23-Mar-10
PCZ 09-04	WCF Tower Behind Wawa	23-Mar-10
ADM 07-02	Converting pension plan to 401K type plan	6-Apr-10
ADM 09-04	Quarterly Review of Right to Know Requests	6-Apr-10
ADM 09-05	Energy Conservation in Twp Bldg	6-Apr-10
ADM 09-12	Deer Management Committee	6-Apr-10
ADM 10-09	Grant Writing	6-Apr-10
DPW 07-03	LED traffic signal replacement report from Mark	12-Apr-10
DPW 07-02	Hershey's Mill Dam	13-Apr-10
DPW 08-02	Quarterly report on I&I work done on system	13-Apr-10
DPW 08-03	Applebrook Park: Grant for Circle Path	13-Apr-10
DPW 09-03	Road Resurfacing	13-Apr-10
DPW 10-01	Tree Vitalize Grant (Conservancy)	13-Apr-10
DPW 10-03	PECO Green Region Grant (Conservancy)	13-Apr-10
ADM 08-02	Review Comp Plan Action List (Ch 10)	20-Apr-10
ADM 09-06	Purchasing Policy	20-Apr-10
ADM 10-03	Residents Advisory Group	20-Apr-10
FIN 09-02	Capital Reserve Fund Analysis	20-Apr-10
FIN 10-01	2009 Year End Financial Reports	20-Apr-10
FIN 10-05	Q1 2010 Financial Reports	20-Apr-10
PCZ 09-01	Telecom Registration and Reporting	20-Apr-10
ADM 09-09	ARCView System (GIS)	27-Apr-10
FIN 09-01	Quarterly Summary of Pending Legal Cases	27-Apr-10
FIN 09-04	Traditions Development	27-Apr-10
FIN 10-02	Services List	27-Apr-10
PCZ 09-05	Traditions Development	27-Apr-10
PCZ 09-07	Malvern Bank Land Development	27-Apr-10

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Proposed #3

#	Item	Action Due Date
ADM 07-01	Review/clean up Wireless Ordinance	4-May-10
ADM 09-02	Review/update records retention Resolution	4-May-10
ADM 09-10	Soccer Fields @ Line Road	4-May-10
ADM 10-05	Passive Use Ordinance for Parks	4-May-10
FIN 10-06	Friends of East Goshen Township 501c3	25-May-10
DPW 08-01	Public Works Service Outsourcing	8-Jun-10
PCZ 09-06	WCF Tower @ Township Building	15-Jun-10
FIN 09-03	Historic Books	22-Jun-10
ADM 09-08	Police Scheduling	6-Jul-10
DPW 08-06	Recycling Contract	13-Jul-10
ADM 10-02	Annual Training Plan	7-Oct-10
ADM 09-13	ABC Appreciation Event Guest List	2-Nov-10

**EAST GOSHEN TOWNSHIP
ACTION ITEM**

Proposed p4

Item: **Sewer Metered Billing** No: **ADM 08-01**

List Date: **2/22/2008** Completed Date:

Description: **Implement metered billing for all sewers customers according to water usage.**

Date	Action
3/2/2010	Reviewed Draft Ordinance and letter to ratepayers. Need revisions. Ordinance to Solicitor. Rick to redraft with Don & Senya.
3/9/2010	