

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
April 12, 2011 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Don McConathy, Supervisors Carmen Battavio, Marty Shane and Thom Clapper. Also present were Township Manager Rick Smith, Kathryn Yahraes (Historical Commission), Phyllis Marron (Park & Rec), and Jim McRee (Deer Committee and Planning Commission). Derek Davis, assistant to State Rep. Dan Truitt, was in the audience.

Executive Session

The Board met in Executive Session until 7:15pm to interview a candidate for the Pension Committee.

Call to Order & Pledge of Allegiance

Senya called the regular meeting to order at 7:18pm. He asked Kathryn Yahraes to lead everyone in the Pledge of Allegiance.

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.

Recording of Meeting

No one indicated that they planned to record the meeting.

Public Comment on Non-Agenda Items

None.

Chairman's Report

- Senya acknowledged receipt of audit letters from Maillie, Falconiero & Company, LLP dated March 28, 2011 and April 4, 2011.
- Senya announced that the Board met in Executive Session on April 5 to discuss a personnel matter.

Cell Tower Proposals

Don briefed Carmen on the discussion the Board had on this topic at the April 5 meeting, which Carmen was unable to attend. Don said he wants the Township to perform its due diligence to make sure the TowerOne proposal is complete.

Carmen agreed with the Board's decision from last week that Media Capital Advisors should not be granted an extension. Carmen said that as a contractor himself, he understands what does and does not constitute a complete proposal. Therefore, he agrees with the staff that only the Liberty Towers proposal is complete. He said the Board needs to move forward on this issue and not delay it any longer.

Marty moved to proceed with the one complete proposal received from Liberty Towers. Carmen seconded the motion.

Thom said he thinks it would be a mistake not to look at all three proposals – from Liberty Towers, US Wireless and TowerOne Partners. He reminded the Board that the submissions are just proposals, not bids. Don said the US Wireless proposal could be considered complete in his opinion, and he is not sure that TowerOne should be thrown out. Marty noted that Liberty Towers is the only firm that spent the time, energy and money to put together a complete proposal per the Township's specs, and they also sent a representative to several Board meetings. Marty said if the Board goes forward with Liberty Towers, it doesn't mean that the Board cannot deny them down the road.

Rick reminded the Board that they previously determined appearance to be their most important criteria for deciding about a cell tower. He suggested they look at the types of towers proposed by the various firms to help them narrow down their choice of which firm to go with. The Board discussed this.

Public Comment: Paul Comer, Gateswood Drive – Asked what benefit the Township would get from throwing out some of the proposals. Carmen said there is a bidding process to follow, and the Board needs to make a decision to move forward, because before long a federal suit is going to be filed against the Township by a cell tower company who wants to put a tower behind the Wawa. Carmen noted that he personally has a lot of trust in the representative from Liberty Towers.

Thom said the Township will have greater leverage if it keeps more than one cell tower firm in play.

Public Comment: Kathryn Yahraes, Vista Drive – Asked what the financial benefit would be to the Township by allowing a cell tower to be installed. Don estimated it would generate roughly between \$50-\$80K per year. The Board then spent time discussing the financials for the various proposals and how much revenue would be generated for the Township.

Public Comment: Phyllis Marron, N. Chester Road – Said the Board has spent way too much discussing this matter to and needs to make a decision and move forward.

There was no further discussion or public comment on the motion. The Board voted 3:2 and the motion did not pass. (Senya, Thom and Don were opposed).

Carmen then moved to recommend the Board put together an RFP for a consultant who would review all the cell tower proposals and come back with a recommendation to the Board. Senya seconded the motion.

Marty said he didn't think the Board was at that point yet where a consultant would be needed.

Public Comment: Jim McRee, Oneida Lane – Said if the motion were to pass, the Board would be in the exact same position one month from now. He suggested the Board decide where they want a tower and what it should look like before doing anything else.

There was no further discussion or public comment on the motion. The Board voted 4:1 against the motion. (Only Carmen was in favor.)

Marty recommended that Thom and either Senya or Don meet with the companies who submitted proposals. Don said the Board must decide where they want a tower and then review all the financials. Marty agreed.

Senya said TowerOne's proposal was very lacking in his opinion. He thinks the Township should only talk to Liberty Towers and US Wireless. However, the rest of the Board disagreed and thought TowerOne should be part of the process.

Rick will have the Finance Department put together a spreadsheet of the financials for each firm.

Marty moved to have two Board members (Thom and Don) and the Township Manager meet with the three firms and come back to the rest of the Board in six weeks with a recommendation.

Public Comment: Jim McRee, Oneida Lane – Said he supported the motion.

There was no further discussion or public comment. The motion passed unanimously.

Security System for Board Room

At Carmen's recommendation, the Board agreed to discuss this matter later in Executive Session.

Amendment to Park & Rec Ordinance

The Supervisors reviewed this draft amendment which will increase the number of members from five to seven, and they had no comments or concerns. The Board will vote on this at a future meeting.

Public Comment: Kathryn Yahraes, Vista Drive – Asked if the Planning Commission and/or Board of Supervisors will have to approve the booklet the Historical Commission is putting together regarding the use of firearms by re-enactors in the Township Park. She was told the Historical Commission will need to get the Board's approval each time re-enactors will be using firearms in the park.

Resolution 2011-54 Establishing Compensation for the Real Estate Tax Collector

Thom moved to adopt Resolution 2011-54. Don seconded the motion. Carmen asked if Kristin Camp okayed the resolution and Rick told him yes. Marty said he would like to know if there are other local Townships that only pay their tax collectors \$1 per year. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

Boot Road Traffic Concerns

Rick shared some concerns expressed by resident Bill Blackburn regarding 1) left turns from Boot Road onto the cutoff road that runs behind the Sunoco, and 2) parking issues at the St. Peter & Paul Church. The Board agreed to have Carmen get input from Police Chief John Dumond before discussing these issues any further.

2011 Budget Adoption for "Other Funds"

Marty moved to approve the 2011 budgets for the "Other Funds" – specifically, the Sewer Operating Fund, Refuse Fund, Transportation Fund, Liquid Fuels Fund, Capital Reserve Fund, and Sewer Capital Reserve Fund, per the April 8, 2011 recommendation of the Township Manager. Don seconded the motion. Don asked if the Municipal Authority budget should also be approved, and Rick said it was not necessary for the Board to approve it. There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

Sewer Rates

The Board reviewed and discussed the new sewer rates outlined in Deb Beury's memo dated April 7. The majority of the Board indicated they were comfortable with the numbers provided by Deb.

Don moved to adopt the following sewer rates for Q2, Q3 and Q4 of 2011 and Q1 of 2012, as set forth in Resolution 2011-34A:

Fixed Rate Per User: \$25.69/quarter (increase of 9.2%)
Rate per 1,000 Gallons: \$7.19 (increase of 1.1%)

Non-metered single-family residential customers are billed on a fixed rate of \$25.69/quarter plus a variable rate of \$7.19/1,000 gallons based on the average use for single-family metered residential customers.

Carmen seconded the motion.

There was no discussion and no public comment. The Board voted 4:1 and the motion passed. (Thom was opposed because he does not agree with the rate calculation method.)

Don asked that the staff post the new rates to the Township website.

Tennis Court Repairs

Marty moved to authorize the expenditure of \$5,435 to repair cracks in the tennis courts at the Township Park, per the April 8, 2011 recommendation of Public Works Director Mark Miller. The funds will come from the Park & Rec budget (\$2,000), and the maintenance & repair budget (\$3,435). Don seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Transportation Improvement Projects – Information for CCPC

The Board reviewed Rick's April 8 memo on this topic. They advised Rick to leave the Boot Road improvement project (from Wilson Drive to Greenhill Road) on the CCPC list, and not remove it. Don suggested that Rick add the proposed bike path along Paoli Pike.

Farmers' Market at Township Park

The Board discussed the possibility of having a Farmers' Market at the Township Park, and were unanimously in favor of it. Carmen said if it comes to fruition there should be a rule imposed on the vendors that anything they bring into the park (produce, crates, boxes, etc.) must be taken out, and no trash is to be left behind in Township receptacles. Thom said the Park & Rec Board is still trying to determine the best spot to have the market. Carmen suggested they consider the parking lot near the Comcast black box building.

Any Other Matter

Waterview Apartments - Carmen noted there have been emails going around concerning an issue at the Waterview Apartments. He said if residents have questions, complaints or concerns about activities taking place in their neighborhood, they should contact the police.

Firearms Ordinance – Don said a resident informed the Park& Rec Board that the firearms ordinance has not been updated on the Township website, nor have signs in the park been updated. Rick will look into this.

Request to Remove Linden Tree – The Board reviewed a request from resident Jeff Merten to remove a linden tree from his front yard. The tree belongs to the Township. Rick will inform Mr. Merten that the tree cannot be removed unless it is diseased or poses a safety hazard.

Executive Assistant Position

The Board reviewed the updated job description and proposed salary range for this position. Carmen said in his opinion the salary range is too high based on current economic conditions. Perhaps the education and experience requirements for the job could be tweaked to allow a lower salary.

Marty moved to proceed with hiring an Executive Assistant with a minimum of an Associate's Degree (Bachelor's Degree preferred) and the other requirements for the job as outlined in Mark Gordon's April 8 memo to the Board, and as amended at the last Board meeting. Senya seconded the motion.

Marty said if the Township hires the right person, the individual could potentially replace two of the positions lost in the staff restructuring last year. Thom said this job would equate to 1½ positions, possible 1¾ positions, and he is only willing to replace 1 full-time position.

Don said he is opposed to adding this position and at this salary level.

Carmen said his impression from talking to the department heads is that hiring an Executive Assistant for Rick is most needed at this time. While he is in favor of adding the position, he is

not in favor of the salary level. Carmen suggested the Board consider adopting a two-tier salary structure so that all new hires come in at a certain percentage lower than existing employees.

Carmen suggested that Marty and Senya consider revising their motion to indicate that the starting salary for this position would be \$43.5K. Both accepted the amendment. Marty said that using that figure as a guideline, the salaries for new hires would be approximately 20% below the current tier.

Carmen then suggested dropping the college requirement and renaming the job a "Manager's Assistant." Marty told him that in order for the Township to get the best possible person for the job, some minimum requirements must be set, such as for education.

Senya asked Rick for his opinion. Rick said he is most interested in hiring someone with initiative who can take an idea or project and run with it.

Senya then requested the motion be amended to indicate the job description will be tweaked before the job is advertised. Marty accepted the amendment.

Public Comment: Candy Ellis, Paoli Pike – Cautioned the Board against calling the position a Manager's Assistant, in case the person would get the impression they would report only to Rick, and not be willing to help out in other areas of the office as needed.

Public Comment: Kathryn Yahraes, Vista Drive – Asked what positions this person would supervise, since the job description includes supervising "Administrative Staff." Rick said this job would oversee the Receptionist and Administrative Assistant, but would have no actual supervisory responsibilities. The Board agreed therefore that this line should be removed from the job description.

There was no further discussion or public comment. The Board voted 3:2 and the motion passed. (Don and Thom were opposed.)

Rick said he would revise the job specs per the discussion this evening. Kathryn Yahraes provided some further suggestions for tweaking the job description.

Review of Minutes

The Board agreed to table the draft Minutes of April 5 since the discussion about the Executive Assistant was left out. The Recording Secretary will revise the minutes for review at the next meeting.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for April 7, 2011.

The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of April 7 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Don seconded the motion. At Don's request, Rick will attempt to get Lenni Electric to reimburse the

Township for the \$108 spent on the PennDOT keyboard/monitor set-up (invoice # 00002657). There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

Action List

Street Signs – The Board reviewed Rick's proposed plan to replace all Township street signs within 10 years. Thom said he is opposed to spending money to replace the signs, but is okay with replacing signs as they wear out.

Correspondence & Reports of Interest

None.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

Keep East Goshen Beautiful Day - Kathryn Yahraes reported that 157 individuals were involved in Keep East Goshen Beautiful Day; however, some of the individuals and teams have not yet cleaned up their sections. She noted that State Rep. Dan Truitt and his staff participated, as well as the Gentle Touch Carwash, some of the deer hunting groups, and the West Chester Christian School.

Historical Commission Activities - Kathryn Yahraes reported that the Historical Commission members and volunteers are converting the Plank House over to the Civil War era. She invited the Supervisors to stop over and see the changes being made. Their presentation/teaching materials are also being updated, and volunteers are being retrained. The Historical Commission is still working on archiving all of the period items in their possession.

Adjournment

There being no further business, the regular meeting was adjourned at 10:32pm.

Executive Session

The Board met in Executive Session until 10:50pm to discuss a personnel matter.

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

April 7, 2011

**TREASURER'S REPORT
2010 RECEIPTS AND BILLS**

GENERAL FUND

Real Estate Tax	\$157,256.46	Accounts Payable	\$310,128.75
Earned Income Tax	\$4,900.00	<u>Electronic Pmts:</u>	
Local Service Tax	\$454.76	Health Insurance	\$0.00
Transfer Tax	\$0.00	Credit Card	\$0.00
General Fund Interest Earned	\$610.00	Postage	\$0.00
Total Other Revenue	\$30,794.42	Debt Service	\$0.00
Total Receipts:	<u>\$194,015.64</u>	Payroll	\$42,000.00
		Total Expenditures:	<u>\$352,128.75</u>

STATE FUND

Interest Earned	<u>\$5.94</u>	Expenditures:	<u>\$0.00</u>
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CAPITAL RESERVE

Interest Earned	<u>\$729.50</u>	Expenditures:	<u>\$0.00</u>
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TRANSPORTATION FUND

Interest Earned	<u>\$166.98</u>	Expenditures:	<u>\$0.00</u>
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SEWER OPERATING

Receipts	\$225.00	Accounts Payable	\$3,162.44
Interest Earned	\$0.00	Debt Service	\$0.00
Total Sewer:	<u>\$225.00</u>	Total Expenditures:	<u>\$3,162.44</u>

REFUSE

Receipts	\$225.00	Expenditures	<u>\$6,410.26</u>
Interest Earned	\$0.00		
Total Refuse:	<u>\$225.00</u>		