

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
April 3, 2012 – 7:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper and Supervisors Marty Shane, Carmen Battavio and Chuck Proctor. Also present were Township Manager Rick Smith, Susan Carty (Planning Commission), Bob Esty and Joe Zug (Friends of East Goshen), Township Solicitor Jeff Sommer, Jeremy Gerrard of the *Daily Local News*, and Scout Anthony Mariani of Troop 7 in Malvern.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm. Resident Joseph D'Antonio, Jr. led everyone in the Pledge of Allegiance.

Moment of Silence

Carmen Battavio called for a moment of silence to honor the troops.

Recording of Meeting

Resident Leo Sinclair said he would record the meeting.

Chairman's Report

Senya announced that the Board met in Executive Session with the Westtown Township Supervisors on March 29 to discuss police contract matters. Rick Smith announced that resident Jonathan Altshul will be starting on April 9 as the Township's new Director of Finance.

Public Comment: Art Polishuk, Grand Oak Lane – Asked if this new employee will replace another employee and Senya said yes.

Public Comment on Non-Agenda Items

None.

Draft Park Commission Ordinance

The Board reviewed and edited the draft ordinance with Jeff Sommer.

Public Comment: Leo Sinclair, Lochwood Lane – Said this document is a redundancy of the existing Park Ordinance. Carmen explained that this document applies to the Park and Rec members and therefore is not redundant. Mr. Sinclair asked if the Township has made sure this does not conflict with the Open Space Ordinance and Mr. Sommer said yes.

Public Comment: Joseph D'Antonio, Jr., Millrace Lane – Questioned why the Park and Rec members are being charged with the protection of historic resources in the Mission Statement, when the Township has a Historical Commission for that purpose. Thom explained that the language was put into the document so that when the park is used the historic resources will not be damaged.

Public Comment: Linda Polishuk, Grand Oak Lane – Asked if there have been incidents of damage in the park. Senya said there have been a number of incidents of vandalism.

Public Comment: Art Polishuk, Grand Oak Lane – Said the language in §51-2 regarding reimbursement to members for expenses incurred is too broad. The Board agreed and edited that section. He then asked about the duties of the Secretary in §51-5 and whether the Park and Rec Secretary would be expected to take meeting minutes at no pay. Thom said yes and indicated he would like to phase out Recording Secretaries for ABCs beginning with the Park & Rec Commission. Mr. Polishuk asked if the Township plans to keep the paid Director of Recreation, and was told yes. Mr. Polishuk noted that the two-year-old TAG recommendations, which put responsibility on the Park and Rec Board to have their programming be self-funding, were not included in the document. Marty said he agreed that the financial duty to cover all direct and indirect costs associated with park programs should be added to the document; however, he noted that while the Supervisors accepted the TAG report they did not necessarily accept every recommendation in it. Mr. Polishuk asked why the Township doesn't ask the paid Director of Recreation to take the meeting minutes. Senya then stated that the Township is not going to ask ABC members to take minutes. Art said in that case, the language should be revised to reflect that. The Supervisors then discussed this matter and four out of five agreed the Park and Rec Commission should have a paid Recording Secretary like the other ABCs. Thom was opposed.

Public Comment: Leo Sinclair, Lochwood Lane – Asked Jeff Sommer to explain the rules for advertising ordinances. For Mr. Sinclair's benefit Jeff explained the rules again, reiterating his comments from the beginning of the discussion.

Public Comment: Joseph D'Antonio, Jr., Millrace Lane – Questioned again why Park and Rec members will be charged with the protection of historic resources in the Mission Statement. Rick told him the roles of the Historical Commission and the Park and Rec Commission are not in conflict.

There was no further public comment. The consensus of the Board was for staff to proceed to advertise the ordinance as amended.

Resolution for Off-Premises Signs and Billboards

Jeff Sommer summarized the need for this resolution.

Public Comment: Art Polishuk, Grand Oak Lane – Asked if this could be adopted tonight, and Mr. Sommer said yes.

Carmen moved to adopt the resolution for municipal cure of zoning regulations pertaining to off-premises signs and billboards. Chuck seconded the motion. There was no discussion or public comment. The Board voted unanimously to approve the motion.

Introduction of Scout Anthony Mariani

Senya introduced resident Anthony Mariani, who is a Star Scout from Troop 7 in Malvern, and a freshman at East High School. Anthony was attending the meeting as part of his work for his Communications Badge.

Friends of East Goshen By-Laws

Rick noted that Township Solicitor Kristin Camp had already reviewed the draft by-laws of the Friends of East Goshen 501(c)3, and her comments had been incorporated into the draft.

The Board reviewed the by-laws, and discussed the role of the Friends.

Marty said the Friends should be the primary, but not exclusive, fundraiser for East Goshen. Senya said the Friends also serve as a clearinghouse for anyone wishing to make a tax-deductible donation to the Township. It was noted that the 501(c)3 will have sole discretion in how donated funds are to be allocated.

Rick said he would check with Kristin Camp if the Friends can be included on the Township's insurance.

Bob Esty said the Friends are planning their own website, separate from the Township site.

Rick said the Friends have already been provided with a list of Township businesses. Rick said that going forward, he will have staff include information about the 501(c)3 in the new resident welcome packets.

Marty noted that the Community Development Commission has been discussing the need for the Township to have a database of all businesses in the Township. Marty said this is something that everyone could share – the staff, the ABCs and the Friends of East Goshen.

Chuck said the by-laws were well-written and they keep the appropriate boundary between the Township and the 501(c)3. He cautioned that if the Township becomes any more involved with the 501(c)3 than is outlined in the by-laws, it risks coming under the scrutiny of the IRS. Regarding the nature of the relationship between the 501(c)3 and the Township, the Supervisors may concur on all appointments to the Friends' Board of Directors but there should be no further involvement with the affairs of the 501(c)3. Chuck suggested just one change - that Article One (Purpose) of the by-laws indicate that the Friends of East Goshen is a 501(c)3.

Senya asked Bob Esty if the Friends are ready to handle the day-to-day duties involved with administering the 501(c)3 and Bob candidly said no. Senya told him that the Township staff cannot assist the Friends in any administrative work as it would cross the line, not to mention that the staff does not have the capacity to take on the additional work.

Chuck, who has experience completing 501(c)3 applications, said he would review Friends' application before it is submitted.

Public Comment: Joe Buonnano, Herron Lane – Said his understanding is that the funds raised by the 501(c)3 are to be used by the Township for discretionary spending. Senya thanked him for his comments.

The Board agreed to table further discussion on the by-laws until the Friends have submitted their 501(c)3 application.

Community Day and Fireworks

The Board agreed to table this matter until the April 17 meeting. Frank Vattilano will be asked to consult with West Goshen on the possibility of having a joint event with East Goshen this year.

Public Comment: Leo Sinclair, Lochwood Lane – Volunteered to help raise money for the event. Senya advised him to contact the Friends of East Goshen.

Sewer Rates

The Board reviewed the revised sewer rates as outlined in Brian McCool's March 30 memo. Carmen moved to amend the Township Fee Schedule to reflect the new fixed rate of \$26.15/quarter and new variable rate of \$7.97 per 1,000 gallons. Chuck seconded the motion.

Public Comment: Joe Buonnano, Herron Lane – Said the rates are calculated in error. He would like them calculated on a cost accounting basis or an actuarial basis. Marty explained how the Township calculated the rates and why the Township believes they are as fair as possible.

There was no further public comment. The Board voted unanimously to approve the motion.

Rick will have the new rates posted to the website.

Generator

The Board reviewed a March 29 request from Mark Miller asking for approval to trade several pieces of old Township equipment in exchange for a refurbished 100kw generator that has a full enclosure, fuel tank, and new paint. The trade would be conducted with a generator dealer located outside of Blue Bell. The equipment the dealer will take in trade includes two generators removed from the pump stations, a small grasshopper, an old pull-behind mower and an old landscape trailer. No money will exchange hands. Rick pointed out that Mark was unable to sell the old equipment, so the Township basically has nothing to lose. Thom moved to approve the suggested trade. Chuck seconded the motion. There was no public comment. The Board voted 4:1 in favor of the trade. (Carmen was opposed.)

Any Other Matter

Landscaping – Thom said that Mr. DelVeccio, who is doing some landscaping in front of the Township Building and also at the park, would like the Township to have a dedication ceremony for his landscaping on or near Earth Day. Thom suggested the event take place on April 18.

Pension Committee – Marty said Victor Cozzone wants authorization to release funds once the Pension Committee has completed their review. Rick will include this transaction with the invoices for approval at the next meeting.

Community Development Commission – Marty gave a verbal report on the April 2 CDC meeting.

Easter Flowers - Carmen reminded everyone that the Goshen Fire Company will be selling Easter flowers on April 6, 7, and 8.

Review of Minutes

The Board reviewed and corrected the draft minutes of March 20. Senya said the minutes would stand approved as corrected.

Public Comment: Leo Sinclair, Lochwood Lane – Asked that his comments on Page 3 under “Island Maintenance for Great Oak Circle” be revised. After some discussion, the Board consented to the request.

Treasurer’s Report & Expenditure Register Report

See attached Treasurer’s Report for March 29, 2012.

The Board reviewed the Treasurer’s Report and the current invoices. Thom moved to accept the Treasurer’s Report of March 29 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Chuck seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Action List

Cell Tower – The Township is awaiting additional information from Liberty Towers before the building permit can be issued.

Newsletter – The first all-electronic issue was posted to web on March 20. Paper subscriptions were mailed the same day.

Hershey Mill Dam – Neil DeRiemer has reported that he is working on a fundraising brochure for the Friends of the Dam, and the Friends of the Dam are scheduled to meet this month. On March 29, Adam Brower of Edward B. Walsh & Associates reported that he anticipates the design work will be completed by April for Township review.

Post-Retirement Medical Benefits – The Pension Committee is reviewing the Investment Policy Statement.

Sign Ordinance – The Planning Commission is still reviewing this.

TAG Action List – The Board reviewed and edited the updated list.

Correspondence & Reports of Interest

Senya acknowledged receipt of the following:

- Recreation program update from Frank Vattilano dated March 29.
- Municipal Land Use Letter from Edward B. Walsh & Associates for Mars Drinks at 1301 Wilson Drive, dated March 14.
- Notification of Adam Knox’s resignation from the Conservancy Board, dated March 22.
- Update from the Chester County Tax Collection Committee, dated March 2012.
- Denial of grant request from American Rivers-NOAA Rivergrants Program to breach the Hershey Mill Dam, dated March 23.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda. Carmen noted that Farmers' Market may not be open April 12 as listed and advised everyone to check the Farmers' Market blog for confirmation.

Public Comment Period

Joe Buonnano, Herron Lane – Asked why the Township was turned down for grant money to breach the Hershey Mill Dam. Rick said per the email from American Rivers, they received too many applications.

Adjournment

There being no further business, the regular meeting was adjourned at 10:27pm.

Executive Session

The Board met in Executive Session until 11:15pm to discuss a legal matter.

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

March 29, 2012

TREASURER'S REPORT
2012 RECEIPTS AND BILLS

GENERAL FUND

Real Estate Tax	\$711,561.85	Accounts Payable	\$41,563.87
Earned Income Tax	\$84,371.35	<u>Electronic Pmts:</u>	
Local Service Tax	\$10,700.00	Health Insurance	\$30,568.76
Transfer Tax	\$0.00	Credit Card	\$0.00
General Fund Interest Earned	\$6.00	Postage	\$0.00
Total Other Revenue	\$29,051.45	Debt Service	\$0.00
Total Receipts:	<u>\$835,690.65</u>	Payroll	\$0.00
		Total Expenditures:	<u>\$72,132.63</u>

(See Memo)

STATE FUND

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

Interest Earned	<u>\$0.00</u>	Expenditures:	<u>\$25,916.38</u>
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TRANSPORTATION FUND

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

Receipts	\$41,882.41	Accounts Payable	\$13,452.20
Interest Earned	\$0.00	Debt Service	\$0.00
Total Sewer:	<u>\$41,882.41</u>	Total Expenditures:	<u>\$13,452.20</u>

REFUSE

Receipts	\$9,158.24	Expenditures	<u>\$11,607.05</u>
Interest Earned	\$0.00		
Total Refuse:	<u>\$9,158.24</u>		

SEWER CAPITAL RESERVE

Interest Earned	<u>\$0.00</u>	Expenditures	<u>\$0.00</u>
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