

RESOLUTION NO. 09-15

A RESOLUTION OF THE TOWNSHIP OF AMITY,
BERKS COUNTY, PENNSYLVANIA,

BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Amity Township Board of Supervisors as follows:

The Board of Supervisors of Amity Township hereby amends the Amity Township Economic Development Advisory Council Bylaws by increasing the number of current voting members necessary for a quorum from three (3) members to four (4) members.

The Board of Supervisors of Amity Township hereby amends the Amity Township Economic Development Advisory Council Bylaws as attached as Exhibit "A."

DULY ADOPTED AND APPROVED this 15 day of April, 2009.

BOARD OF SUPERVISORS,
TOWNSHIP OF AMITY

Kim McGrath
Kim McGrath, Chair

Robert B. Yanos
Robert Yanos, Vice Chair

Scott Stepp
Scott Stepp

Paul R. Weller
Paul Weller

Richard L. Gokey

Attest:

JoAnne Sowers-Smith
JoAnne Sowers-Smith, Secretary

EXHIBIT "A"

AMITY TOWNSHIP ECONOMIC DEVELOPMENT ADVISORY COUNCIL BYLAWS

Article I. Name and Location

The name of this organization shall be the Amity Township Economic Development Advisory Council ("EDAC"), and its principal place of business shall be at 2004 Weavertown Road, Douglassville, PA 19518.

Article II. Authorization

The authorization for the establishment of this EDAC is set forth by the Amity Township Ordinance No. 224 enacted on May 2, 2006.

Article III. Purpose

The EDAC duly organized under these bylaws shall have the power to study economic and business development issues at the request of the Board of Supervisors of Amity Township ("Board") and to make recommendations to the Board on those issues. The EDAC will work with the Board in an advisory capacity in an effort to help them analyze economic and business development issues and issue recommendations on courses of action necessary to protect the health, safety and welfare of Amity Township residents, and promote the responsible development of business and commercial opportunities for the residents of Amity Township ("Township").

Article IV. Membership

1. The EDAC shall be composed of either five (5) or seven (7) voting members, at the discretion of the Board of Supervisors, as follows:

(a) If the EDAC is a seven (7) member council, then at least five members shall be residents of Amity Township, with at least three of these resident members physically residing in Amity Township, and the other two of whom shall own property in Amity Township, but need not physically reside in the Township. Of the remaining two (2) members, one (1) member shall be a resident of Union Township, and one (1) member shall be a resident of the Borough of Birdsboro.

(b) If the EDAC shall consist of five (5) members, at least three (3) members shall physically reside in Amity Township, and the remaining two (2) members shall own property in Amity Township, but need not be residents of Amity Township.

(c) Any number of Ex-Officio (non-voting) members are permitted without residency or property ownership requirements.

2. EDAC members shall be appointed in accordance with the following procedures:

(a) All voting members shall be appointed by the Board.

(b) Members' terms of office shall expire on the first Monday in January following the last year of their term of office.

(c) Duly appointed EDAC members shall serve a term of three years, except that initial appointments shall be so staggered that the terms of approximately one third of the members shall expire EDAC year.

(d) Whenever possible, one EDAC member shall also be a member of the Township planning commission.

(e) Ex-Officio members shall be appointed by a majority vote of the voting members.

3. All members are to comply with the Pennsylvania Ethics Law, Act 170 of 1978, as amended, and the conflicts of interest policies of the Township.

4. EDAC members shall receive no compensation for their services, but may be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties, with the approval of the Board.

5. The members of the EDAC shall designate the chairman, vice chairman and secretary.

6. Any vacancy on the EDAC, except Chair, shall be filled at the earliest convenience of the Board. A vacancy of the Chair shall be filled automatically by the Vice-Chair at the time of the vacancy.

7. EDAC members having three or more unexcused absences in a calendar year may be replaced by the Board. Notification of potential dismissal from the EDAC shall be mailed by the Chair to the affected board member following a second absence within a calendar year.

Article V. Meetings and Voting

1. Monthly meetings. Regular meetings of the EDAC shall be held at the Amity Township Building at 2004 Weavertown Road, at such times as will be determined by the membership of the EDAC. Notice of meetings of the EDAC shall be posted at the Township Building and advertised in a newspaper of general circulation at least seven days prior to EDAC meeting.

2. Special Meetings. Special meetings may be requested by the Chair, or by a majority of the EDAC members. Such special meetings shall be held at the Amity Township Building at such date and hour as may be designated by the person or

persons authorized herein to call such a meeting. Notice of special meetings of the EDAC shall be posted at the Amity Township Building and advertised in a newspaper of general circulation at least twenty-four hours prior to EDAC meeting.

3. Written or phone notice of such a special meeting shall be given by the Chair to the EDAC members at least twenty-four hours prior to the special meeting.

4. Quorum. In the event a quorum is not present at any meeting, the members may reschedule the meeting for a later date with the required notice. A quorum shall consist of four of the current voting members. The act of the majority of the members present at a meeting at which a quorum is present shall be the act of the EDAC.

5. Voting. EDAC voting member is entitled to one vote, with the voting governed by parliamentary procedure according to Robert's Rules of Order.

6. Notes: notes from meetings will be kept and copies of the meeting's notes will be sent to the Board and EDAC member of the EDAC.

7. Any Code of Conduct of the Township approved by the Board shall apply to the EDAC and all of its meetings.

8. All meetings or portions of meetings shall be open to the public and subject to the Sunshine Act. The EDAC may meet in closed session for any of the limited exceptions provided in section 707 of the Sunshine Act, as amended.

9. The EDAC shall keep records of its meetings and activities and shall make an annual report to the Board which shall be made publicly available. Minutes of EDAC meeting shall be forwarded to the Board.

Article VI. Officers and Compensation

1. Officers. The EDAC shall elect from among their members a Chair and a Vice-Chair at the first meeting of EDAC calendar year. Officers shall serve for one year or until their successors are elected.

2. Chair. The Chair shall preside at all meetings of the Council and shall have the duties and powers normally invested in the Office of Chair. He/she shall enforce the bylaws and regulations of the EDAC. He/she shall be the official spokesperson for the EDAC.

3. Vice-Chair. The Vice-Chair shall carry out the Chair's duties in case of absence, incapacity, or resignation.

4. Secretary. The Secretary will be responsible for keeping the official minutes of the EDAC and preparing all correspondence on behalf of the EDAC.

5. Compensation. No board member shall receive any salary or payment for his/her services. Financial support of the EDAC shall be provided by the Township with the approval of the Board.

Article VII. Duties of Economic Development Advisory Council

1. The EDAC shall be advisory to, and shall coordinate its activities with, the Board, the Township planning commission, and other local governmental boards and agencies. Specifically, the EDAC shall:

(a) Identify economic development issues, problems, challenges, and opportunities affecting the Township, the areas surrounding the Township, and the Township's residents.

(b) Recommend plans and programs to the appropriate agencies for promotion of responsible business development, and improvement of the business climate within the Township and the areas surrounding the Township.

(c) Make recommendations as to the optimal uses of land for purposes of business development within the Township.

(d) Promote a community business development program.

(e) Keep an index of all areas, publicly or privately owned, which are suitable for business development.

(f) Advise the appropriate local governmental agencies in the acquisition of real property within the Township.

(g) To undertake such tasks as requested by the Board, and/or to propose business development/economic opportunity issues that the Council considers to be significant to be undertaken within the community.

2. The EDAC may, from time to time, appropriate funds for expenses to be incurred by the Council.

Article VIII. Order of Business for Meetings

1. Call to order
2. Citizens comments on Agenda
3. Chair's comments
4. Board comments
5. Approval of minutes
6. Amendments to agenda
7. Discussion items
8. Updates
9. Action log update
10. Summary of communication issues and planning

11. Agenda for next meeting
12. Citizens comments
13. Adjourn

Article IX. Amendments

The EDAC shall have the power to recommend amendments to the bylaws, subject to the approval of the Board. Recommendations for amendments to the bylaws may be voted on at any regular or special meeting of the EDAC and requires three votes of the council. No amendment shall be recommended unless a copy of such proposed amendment has been included in or enclosed with the notice of such meeting.

The EDAC shall not have the power to recommend any amendment to the bylaws which would alter the status of the Economic Development Council.

Article X. Hearings

1. In addition to those required by law, the EDAC may hold public hearings when the EDAC and the Board decide that such hearings would be in the public interest.

2. Notice of the time and place of such hearings shall be published in at least one newspaper of general circulation in the territorial jurisdiction of the hearing, not earlier than two weeks prior to the hearing and not less than one week prior to the hearing.

3. The matter before the EDAC shall be presented in summary by some person designated by the Chair, and parties in interest shall have privilege of the floor.

4. No record or statement shall be recorded or sworn to by the EDAC as evidence for any Court of Law without notice to the parties mentioned in the record or statement.

5. A record shall be kept of those speaking before the EDAC at such hearings.