EAST FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS MEETING April 26, 2011 Approved minutes 6:30 PM

CALL TO ORDER, SILENT MEDITATION, AND PLEDGE OF ALLEGIANCE

IN ATTENDANCE: Chris Amentas, Chairman; Chris Makely, Vice Chairman; Gary Barach, Member; Mark Toth, Member; Denise Miller, Township Secretary; Jill Bukata, Township Manager and Treasurer; Vince Pompo, Solicitor. Member George Broadbent was absent.

EXECUTIVE SESSION: There was a 6:00 PM executive meeting before tonight's meeting.

APPROVAL OF MINUTES:

<u>March 22, 2011 minutes</u> – Mr. Amentas made a motion to approve the March 22, 2011 minutes as presented. Mr. Barach seconded. <u>Buddy Rhoades</u> stated that on page 6 in the last paragraph the word "installation" should be "engineer study." Mr. Amentas replied that the minutes are supposed to reflect what is said not necessarily what is fact. Mrs. Bukata stated that this change will be corrected. Vote: Unanimous.

CITIZENS BY REQUEST:

<u>Buddy Rhoades</u> – Mr. Rhoades commented on the \$100.00 increase in the trash fee from 2005 to 2010, his dissatisfaction with the type of trash collection service, and the trash truck being broken down on Doe Run Church Road. Mr. Rhoades also asked if a farm with two houses on the property is charged for one or two toters.

Manchester Farms, Phase I payment request #27 – Mr. Della Penna stated that the reason the releases are being requested is because the contractor has completed certain aspects of the work. Mr. Della Penna also stated that he reviewed the payment requests and they are acceptable. Mr. Amentas asked if the work was completed recently. Mr. Della Penna replied "in the last six months." Mr. Della Penna also stated that Dewey Homes ("Dewey") previously requested two payment requests that were not approved because all the work was not completed. They also asked for their contingency release and were denied so they pared their requests down to the current payment requests. Mr. Amentas asked what relationship does this work have, that they are performing now and continuing to perform, to the dedication process. In other words is it work on the improvement that would be expected to be completed before dedication. Mr. Della Penna replied "yes." Mr. Amentas asked where Dewey gets the audacity to ask for dedication. Mr. Pompo replied that they have a right to ask for the final release and for the last payment release. They did go through the correct procedures asking the township for a final release and the township did what the Municipal Planning Code (MPC) requires and directed the township engineer to complete a review and reported back to the Board of Supervisors. Mr. Amentas stated that he is concerned that there is a developer in the township that is trying to "cut and run." Mr. Chris Schrock, Dewey Homes, stated that the project is in two phases and everything that was requested in the first request is for phase I. Mr. Schrock also stated that in doing some of the dedication work, one cul-de-sac in phase II was completed. Mr. Schrock stated that he doesn't know where Mr. Amentas is getting his information; like Mr. Pompo said, they followed the instructions in the MPC. Amentas replied "that he is getting his information from what is in front of him which very basically states that Mr. Della Penna recommends a release of certain amount and not the full amount which would keep quite a bit in the escrow account for phase I and phase II. Theoretically if you were in a position where you could argue that the development had been completed to the point where dedication would be reasonable then the Board would have no justification or argument for retaining approximately \$550,000.00 in escrow funds and suggests that the developer is nowhere close to being completed. Mr. Della Penna clarified that he is only satisfied with the escrow releases not the punch list items. Mr. Makely asked what constitutes the \$17,718.33 for "township inspections." Mr. Della Penna replied that when the escrow is set up he takes a percentage of the total amount and puts that in escrow for "inspections" throughout the project. Mr. Makely asked if \$2,000.00 enough for "inspections." Mr. Della Penna replied that the \$2,000.00 is for phase I and should be enough. Mr. Makely also asked if the inspections go over \$2,000.00 will the contingency money be used. Mr. Pompo replied that the documents are drafted in a way that line items are not hard and fast. Mr. Della Penna asked Mr. Pompo if there is an option when it goes to dedication that any outstanding fees have to be paid. Mr. Pompo replied that is a condition in the ordinance and the agreement. Mr. Amentas asked Mr. Della Penna if the items submitted from the Home Owners Association are being addressed by Dewey Homes. Mr. Della Penna stated that he referenced those items on his "punch list" and Dewey is doing some of the items but whether Dewey feels obligated to

do all of them, he is not sure. Mr. Amentas asked Mr. Schrock if he could address the items on the list now. Mr. Schrock replied "not point by point." Mr. Schrock also stated that there is a difference in "public improvement" and "private improvement" and a lot of those items are "on-lot improvements" and to the extent that they were public improvements Mr. Della Penna noted them. Mr. Amentas stated that his position, and possibly the Board, to the extent of "on-lot private improvements" are depicted on the approved plans and believes that there is a requirement on the part of Dewey to construct those improvements in accordance to the plan whether they are on private or public property. Mr. Della Penna stated that this may become a legal interpretation. Mr. Della Penna gave an example that a few homeowners are complaining that their sidewalks and front landing is chipping, which could be due to faulty concrete and installation or tons of salt being put down in the winter time. Mr. Amentas stated that anything that the homeowner does to affect a builders work that was done in compliance with the plan should be the homeowners responsibility to address but the "private" versus the "public" plan distinction is a difficult one from a practical standpoint because there is a lot of improvements that are shown on the plans and a lot of details that are fundamental to a set of plans that are on private land. Mr. Makely asked if Mr. Della Penna feels that \$139,000.00 is enough for the remainder of phase I. Mr. Della Penna replied "yes." Mr. Makely made a motion based on the information from Mr. Della Penna and information provided to release Manchester Farms phase I payment request #27 in the amount of \$66,454.33 with a remaining balance of \$139,187.55. Mr. Barach seconded. Mr. Amentas abstained. Vote passed.

Mr. Amentas asked Mr. Della Penna what element of the project is he talking about regarding to the \$139,000.00. Mr. Della Penna replied "the punch list items." Mr. Amentas asked "to bring the development in line with the plans that are approved, involve details on both common areas and private property. Mr. Della Penna replied "to get it to a point where the Board will accept it for dedication."

Manchester Farms Phase II payment request #24 – Mr. Makely asked Mr. Della Penna if \$337,014.83 is enough for the remainder of phase II. Mr. Della Penna replied "in my opinion, yes." Mr. Makely made a motion based on the information received from Mr. Della Penna and the documentation provided to release Manchester Farms phase II #24 in the amount of \$31,099.42 with a remaining balance of \$337,014.83. Mr. Barach seconded. Mr. Barach asked if the office staff did the "escrow release procedure." Mrs. Bukata replied "yes." Mr. Amentas abstained. Vote passed.

TREASURER'S REPORT

Jill Bukata presented the financial report, payment authorizations, and cash projection.

Cash balances are as follows

General Fund	\$365,916.92
Liquid Fuels Fund	\$176,031.63
Capital Project Fund	\$511,008.42
Escrow Fund including West Chester Road	\$397,247.82
Park and Recreation Fund	\$251,621.76

Payment authorizations for the period of March 31, 2011 through March 22, 2011

From the General Fund	\$215,930.58
From the Liquid Fuels Fund	\$ 6,637.06
From the Escrow Account	\$ 11,865.17
From the Park and Recreation Accounts	\$ 7,761.91
Payroll Transfers	\$ 76,910.85

Mr. Barach asked Mrs. Bukata to explain how the expenditures on page 4 reconcile with the total expenses of the General Fund of \$217,000.00. Mrs. Bukata replied that she will have to get back to him. Mr. Barach stated that the treasurer's report cannot be approved until this is resolved. Mr. Barach asked Mrs. Bukata what has been done to accelerate collecting the outstanding balance of \$50,000.00 for the trash. Mrs. Bukata replied that she will investigate other firms. Currently the current collection agency is sending letters and making phone calls. Mr. Barach asked Mrs. Bukata to bring her research information to the next meeting. Mr. Makely asked Mrs. Bukata if the township is over or under budget. Mrs. Bukata replied that the township is close to budget on the good side. Mr. Barach asked Mrs. Bukata what is the budget shortfall. Mrs. Bukata replied "\$135,000.00." Mr. Amentas asked Mrs. Bukata what accounts for the month of March being so expensive. Mrs. Bukata replied that there were three payroll periods and two trash invoices were paid in March. Mr. Amentas also asked to what extent is the townships transition to the new tax collector. Mrs. Bukata replied

that all municipalities have been reporting slower than normal collection. Mrs. Bukata also stated that she will be meeting with the new tax collector tomorrow.

<u>Cash Projection</u> – Mrs. Bukata stated that in October 2011, the township will run out of cash in the General Fund. Mrs. Bukata also stated that she moved \$40,000.00 from the Capital Project Fund into the General Fund and will do the same in November 2011. With additional receipts projected for December the township will end the year with approximately \$15,000.00 in the General Fund. Starting now with the Capital Funds, General Funds, and Liquid Fuels Fund combined is \$1,053,000.00 and ending the year with the combined amount of \$563,000.00. Mr. Barach asked how that is possible if the deviation is only \$130,000.00 in the shortfall. Mrs. Bukata replied "because the township had cash at the beginning of the year." Mr. Amentas made a motion to approve the March 31, 2011 Treasurer's report as presented. Mr. Makely seconded. Mr. Barach stated that until the Treasurer's report is reconciled it should not be approved. Mr. Amentas, Mr. Makely, Mr. Toth, and Mr. Barach voted nae. Vote failed. Mr. Barach asked Mrs. Bukata to do the April forecast on the best guess of what really is going to happen.

Payment authorizations – Mr. Amentas made a motion to approve the payment authorizations as presented. Mr. Makely seconded. Mr. Barach asked about the \$29,480.00. Mrs. Bukata replied that \$29,480.00 is for the "turn back allowance" that had to be taken from the General Fund and deposited into the Liquid Fuels Fund account. Mr. Barach also asked about the \$10,000.00 check and the \$6,100.00 debit. Mrs. Bukata replied that the \$10,000.00 is for the PAWC litigation and the \$6,100.00 debit was money in the escrow account by itself that is for a park trail and was moved to the Park and Recreation Fund. Mr. Barach also asked if Mrs. Bukata knows the source of the money. Mrs. Bukata replied "she knows the name of the person that made the deposit." Mr. Barach asked if Mrs. Bukata is satisfied that the money is specifically for the Park and Recreation Fund. Mrs. Bukata replied that she has seen information on several different documents. Mr. Makely inquired about the Collex Collision invoice. Mrs. Bukata replied that is for the Ford Expedition and the money will be reimbursed by the insurance company. Vote: Unanimous.

<u>Fee for 2010 audit</u> – McGladrey & Pullen, LLP \$23,000.00, Barbacane, Thornton & Company, LLP \$18,000.00–\$19,000.00, and Mingis, Gutowski & Company, LLP \$14,200.00 including \$2,000.00 for consulting services. Mr. Makely asked if all the firms were researched. Mrs. Bukata replied that they all come highly recommended from other townships. Mrs. Bukata recommended using Barbacane, Thorton & Company, LLP. Mr. Barach asked Mrs. Bukata to ask McGladrey & Pullen, LLP to justify the amount of time spent on the 2009 audit for the last two years. Mrs. Bukata replied "she will." Mr. Barach stated that if their time doesn't constitute their higher fee that they are getting, there are ethical considerations against their firm. Mr. Makely asked if any of the audit firms gave a time line to complete the 2010 audit. Mrs. Bukata replied that both firms said they would complete the audit by next year. Mr. Barach asked if either audit firm gave their bid on the 2010 and 2011 audits. Mrs. Bukata replied "no." Mr. Makely asked when a decision will be made. Mr. Barach replied that they should wait until they get quotes for the 2010 and 2011 audits together. Mr. Amentas asked if the firms have any significant difference of service with regard to the actual scope of service that they will provide. Mrs. Bukata replied that the only difference is that Minigis, Gutowski & Company, LLP will have a partner of the firm come to the township to do the audit.

PARK AND RECREATION:

March 2011 report – The February 2011 Park and Recreation report was presented.

<u>Chris Della Penna services</u> – Mr. Amentas asked Mr. Carling if Mr. Della Penna's invoices will be paid out of the Park and Recreation Fund. Mr. Carling replied "yes." Mr. Amentas made a motion to approve Mr. Della Penna's services at locations in the park where there are erosion issues. Mr. Barach seconded. Mr. Barach asked if Mr. Della Penna inspected the site in planning for potential erosion issues. Mr. Carling replied that there are historic issues on the site, one is associated with the rain garden and the other is associated with the old trail that comes down to the lower gravel parking lot. There is also an additional issue not too far from where the foot bridge is going. Mr. Barach also asked if Mr. Carling has an approximate amount of time for Mr. Della Penna's services. Mr. Carling replied "one hour." Vote: Unanimous. Mr. Toth asked Mr. Carling if there are corrections to be made can the Public Works Department rectify them. Mr. Carling replied "yes." Mr. Della Penna replied that Tag has already showed him a shallow rain garden with a little berm where he wants to put pipe and stone. Vote: Unanimous.

<u>"Hats off to our Heroes."</u> – Mr. Carling asked that one of the Board of Supervisors emcee the Memorial Day Event on May 30, 2011 at 11:30 AM. Mr. Carling would also like to have police presence for the event and a police escort when they take the supplies up to the VA Hospital. <u>Buddy Rhoades</u> suggested asking Coatesville Police Department for an escort.

HISTORICAL COMMISSION: No report submitted.

SOLICITOR'S REPORT:

<u>West Chester Road project</u> – Mr. Pompo informed the Board that Mrs. Bukata is trying to set up a meeting for the developers and engineers that are involved in the West Chester Road project. Mr. Pompo also stated that a revised estimate of cost was received by the township.

<u>Coatesville Area School project</u> – Kurowski and Wilson, LLC requested a meeting specifically on the sewer service issues involving the township and Pennsylvania American Water Company regarding the Coatesville Area School project at South Brandywine Middle School. Mr. Pompo suggested that the Board of Supervisors attend this meeting. Mr. Pompo also stated that if at either meeting more than three Supervisors want to attend then the meeting must be advertised.

<u>Dam permit</u> – The transfer of the dam permit for the dam that is in the township park was received from the Department of Environmental Protection (DEP). The draft updated emergency action plan requested by the DEP has been sent but still needs current updates. Mr. Pompo asked Mrs. Bukata to make sure this is completed. Mrs. Bukata asked for the draft action plan. Mr. Pompo replied "He will email her one."

LEGAL ISSUES:

<u>Vermeil temporary tower</u> – Mr. Pompo stated that Chris Schubert, representing the cell tower company, informed him that because of the nature of the location of the site where the old tower is and where the new tower is going to be constructed that they cannot maintain the old tower in place while they are building the new tower. They have to demolish the old tower in order to construct the new tower so in order to have a continuation of cell coverage during the construction period they are proposing the temporary erection of a "Cell on Wheels." Mr. Pompo stated that he spoke with Rob McLarnon, township building inspector, and he indicated that he could issue a demolition permit for the old tower and he would require an electrical permit for the installation. Mr. McLarnon felt that since this is an unusual application that the Board of Supervisors should indicate that it is approving a temporary use of business of a facility on a property. Mr. Amentas asked how long the temporary facility will be up. Mr. Pompo replied that Mr. Schubert told him thirty days. Mr. Schubert stated that because of the recent "natural disasters" the "Cell on Wheels" is in high demand so the applicant is proposing to put a telephone pole nine feet into the ground. Once the facility is erected the pole will be removed and the hole will be filled in. Mr. Makely asked if the surrounding neighbors were asked their opinion of the facility. Mr. Schubert replied "no." The Board tabled this issue until the May 10, 2011 workshop.

Sewer Connection Ordinance – Mr. Amentas tabled the sewer ordinance advertisement because there is still conflict in the language.

Comcast Franchise Agreement - Mr. Pompo stated that under Board direction he went to Comcast and asked for a five year agreement as opposed to a ten year agreement and they were not agreeable. Comcast also asked why the township granted Verizon a fifteen year franchise in 2007 and Comcast is being treated differently. Comcast also said they would sign the ten year agreement if the Board agreed to it and they also found an agreement that was entered into by their predecessor, Chester County Broadcast Company, on May 5, 1971. Their position is that Comcast is successor so they are the company under this agreement and that this is in fact perpetual. Rather than agree to a five year agreement Comcast is going to take the position that they have a perpetual agreement. Mr. Pompo stated that he has the May 5, 1971 agreement but cannot read it all because of the poor condition it is in. However, it appears that it provides a franchise payment of 5% of gross revenue although revenue is not defined. Mr. Barach stated that if they want to define "revenues" in current time under current law which limits the township tremendously and if they are going to pull out another agreement where "gross revenue" isn't defined and follow that. Mr. Pompo replied that they may have an argument that types of services that the township would like to be included in "gross revenues" under federal law is not permitted. Mr. Barach stated that when the township first negotiated the agreement in perpetuity the Board's understanding of negotiating that agreement in perpetuity was "gross revenues" would be "all revenues" that the company would generate the use of this now. Mr. Barach asked Mr. Pompo what are the township options in precluding Comcast in using the township. Mr. Pompo replied if the 1971 agreement is valid it grants them the authority and the township would have to find a breach in the agreement or find that it does not apply. Mr. Barach asked Mr. Pompo if he could effectively argue that it's all revenue in the 1971 agreement. Mr. Pompo replied that the whereas clause mentions that the franchises run cable to operate television transmission and distribution facilities. This clause seems to indicate that it's about traditional cable services and it goes on to say "for the purpose of transmission and distribution of audio, visual impulses, and television editing" and "in accordance with laws and regulations of the United States." Mr. Amentas asked if anyone knows when this cable act was enacted. Mr. Pompo replied he believes it was enacted after the contract and then it was amended substantially in the late 1990's or 2000's. Mr. Barach stated that if the township has a suit against Comcast and wins they would get retroactive revenues. Mr. Pompo stated that West Brandywine has a perpetual agreement. Mr. Amentas stated that if a lawyer wanted to take this case on a contingency basis the township should look at it. Mr. Amentas stated that Comcast will probably say that looking at applying

basic principles of contract law is that at the time the township signed this agreement it was the intent of each party that the only services that are covered are cable services and not designed, intended or anticipated to include all these additional services that may or may not be developed in the future. Mr. Pompo stated that he is trying to get the decision maker at Comcast to come before the Board. The Board tabled further discussion until the May 24, 2011 Board of Supervisors meeting.

Mr. Makely asked Mr. Pompo for an update on sprinklers. Mr. Pompo replied that the Governor signed legislation to take effect in January of 2011 that will repeal the building code section that states you need a sprinkler for all new single family homes and it took effect in January 2011.

Mr. Pompo stated that he has a legal issue that needs to be discussed in an executive session before the May 24, 2011 meeting.

POLICE DEPARTMENT:

March 2011 police report – The March 2011 police report was presented.

PLANNINC COMMISSION:

Mr. Makely asked Mrs. Bukata to find out if the township has to do a completely new comprehensive plan ("comp plan") or can it just be updated. Mr. Pompo replied that the law states that every ten years you have to do a review which consists of essentially sending your plan to contiguous municipalities and to the Chester County Planning Commission or the Planning Commission to review the plan and conclude whether it remains consistent with their plan. If the Chester County Planning Commission replies that your plan is inconsistent then you have to do an update to make it consistent. Mr. Pompo stated that the Department of Conservation and Natural Resources requires that you're current in the park and open space plan. Mr. Makely asked if you changed zoning in a particular area would that go into the plan. Mr. Pompo replied yes, because your zoning has to be consistent to your comp plan. The act also states that you can your change your comp plan at the time the zoning is changed. The county also is reinstituting their grant funding for comp plans. The Board directed Mrs. Bukata to write Ryan Ray a letter asking him to attend the May 24, 2011 meeting.

Mr. Makely asked Mr. Pompo if there is any legal recourse for PAWC to get public water into certain areas. Mr. Pompo replied that the only basis that he is aware of as a township is that if the problem is other than quantity or the users of the water would have to go to the Public Utility Commission.

PUBLIC WORKS DEPARTMENT:

<u>March 2011 road and vehicle report</u> – March 2011 road and vehicle report presented. Mr. Makely asked Mrs. Bukata the average hours that the road department spends on road side chipping. Mrs. Bukata replied that approximately one day a month is spent on road side chipping and the first fifteen minutes is free.

March 2011 recycling report – The March 2011 recycling report was presented.

Mr. Makely left the meeting at 9:00 PM.

EMERGENCY SERVICES:

<u>Fire contract</u> – Mr. Tony Sirna, Assistant Fire Marshal stated that at the last meeting the three fire companies asked for their funding to be doubled. Mr. Amentas stated that he does not see a downside of having a fire contract. Mr. Sirna replied "you had one up until 2001." Mr. Barach asked if the fire companies are obliged to respond to a fire. Mr. Sirna replied that there are a couple municipalities where fire companies said "due to the amount of funding that you are providing we can no longer provide service." Fire companies are a 501 (c) "independent club." Mr. Barach also asked if the state money provided to the fire companies obligate them to respond to a fire. Mr. Sirna replied "they would have to give that up." Mr. Sirna stated that Modena Fire Company is looking to move to a new location. Mr. Barach suggested sharing the township's contractual obligation with other municipalities and entering into a regional contract. Mr. Sirna replied that Atglen, Parkesburg, and Pomeroy Boroughs are regionalizing. Mr. Barach asked Mrs. Bukata to contact other fire companies and find out if they consolidated their efforts with other municipalities.

Resolution 2011-05 – Mr. Tony Sirna presented the Pennsylvania Emergency Management Services Code Resolution 2011-05.

Mr. Sirna stated that this will have to be updated at the 2012 re-organization meeting. Mr. Amentas made a motion approving Resolution 2011-05 to approve, adopt, and replace into immediate effect the Emergency Operation Plan of East Fallowfield Township which was most recently updated in 2007. After Board discussion Mr. Amentas withdrew his previous motion. Mr. Amentas made a motion to change the paragraph after "NOW, THEREFORE" to read, "We, the undersigned elected officials of East Fallowfield Township do hereby approve and affirm the Emergency Operations plan of East Fallowfield Township as most recently amended in

2007." Plan shall be reviewed every two years to make sure this plan conforms to the requirements of the Chester County Emergency Operations Guideline. Mr. Barach seconded. Vote: Unanimous.

NEW BUSINESS:

<u>Newsletter advertisement</u> – Mr. Toth asked that this be tabled until the May 10, 2011 workshop meeting in order to further research advertisement fees.

<u>Coatesville Area School District – South Brandywine Middle School extension</u> – Mr. Amentas made a motion to approve the Coatesville Area School District – South Brandywine Middle School Preliminary Land Development Plan time extension from April 26, 2011 until July 25, 2011 to allow additional time for review and approval. Mr. Barach seconded. Vote: Unanimous.

<u>Resolution 2011-06 the destruction of township records</u> – Mrs. Bukata reads the destruction list. Mr. Amentas stated that considering that the township goes back more than ten years to find something is there an argument for keeping records in storage instead of destroying them. Mrs. Bukata replied no, but everything is stored in the township not at an offsite storage facility. Mr. Barach suggested that the request should be stratified more. Mrs. Bukata replied that she will move this to the May 10, 2011 workshop. Mr. Amentas said "just because you can doesn't mean you have to."

Mr. Toth asked if Mrs. Bukata received the traffic study from Kurowski and Wilson, LLC for the South Brandywine Middle School. Mrs. Bukata replied "no."

PUBLIC PARTICIPATION:

<u>Siti Crook of 2540 Strasburg Road</u> – Mrs. Crook said that as long as the new AT&T tower does not get installed their cell phone reception could get worse or they may have no reception at all and if she has to cancel her contract there is a fee involved.

<u>Buddy Rhoades of 2176 Strasburg Road</u> – Mr. Rhoades asked what Mr. Pompo's legal fee were for Comcast and if the \$19,000.00 spent was for legal fees for the Training Facility. Mr. Rhoades also asked what fund did the \$10,900.00 for the Vermeil tower come from. Mrs. Bukata replied that Mr. Vermeil paid \$3,577.06 and has a zero balance.

<u>Nancy Simes of 1508 Robin Road</u> – Mrs. Simes asked the status of Robin Road. Mrs. Bukata replied that she is still working on it. Mrs. Simes said the new road on Robin Road is coming apart. Mr. Amentas asked why is it coming apart. Mrs. Bukata replied that she is talking with Mr. MacCombie about this situation. Mr. Amentas would like a written report from Mr. MacCombie.

Ed Porter of 795 South Caln Road – Mr. Porter asked Mr. Barach if he knows why the 2009 audit is not completed yet. Mr. Barach replied that Mr. Broadbent has not completed the 2008 commentary, but will have it completed tomorrow. Other issues are that there has to be an explanation of the change from one year to another and a draft audit report was issued and had to be revised by the auditor so the final numbers for him to discuss were not given to him in the time frame that the Board thought it would be. Mr. Barach stated that it has been given to him now. Mr. Barach stated that he is addressing the 2009 audit and again those numbers were not submitted from the auditors when they thought they would be. Mr. Barach stated that audit is on schedule now. Mr. Broadbent stated that the audit will be presented at the next public meeting.

ADJOURNMENT: Mr. Barach made a motion to adjourn the Board of Supervisors meeting at 10:00 PM. Mr. Amentas seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller, Township Secretary