

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
March 27, 2012
Approved minutes
6:34 PM

CALL TO ORDER, SILENT MEDITATION, AND PLEDGE OF ALLEGIANCE

IN ATTENDANCE: Chris Amentas, Acting Chairman; Mark Toth, Member; Ed Porter, Member; Joe Pomorski, Member; Denise Miller, Township Secretary; Rosemary Moore, Township Treasurer; Vince Pompo, Township Solicitor. Member Chris Makely was absent.

EXECUTIVE SESSION: Mr. Amentas announced that there was an executive session at 5:30 PM before tonight's meeting regarding personnel issues.

POLICE DEPARTMENT: Chief Porter individually presented his police officers with citations for their work on the "Multi Jurisdictional Burglary Task Force." Chief Porter also thanked Valley Township police department for all their help and assistance. Chief Porter presented Officer James Chieffo of Valley Township police department with a "word of recognition" for his dedication and work on the "Multi Jurisdictional Burglary Task Force." Officer James Chieffo on behalf of Chief Joseph Friel of Valley Township presented Chief Porter letters of appreciation for jointly working on the "Multi Jurisdictional Burglary Task Force."

Chief Porter announced the promotion of Corporal Edward Masterstefone to Sergeant.

February 2012 police report – No presentation – see report.

Mr. Amentas thanked the township police force for all their dedication and hard work.

Mr. Amentas called for a five minute recess.

APPROVAL OF MINUTES:

February 15, 2012 workshop minutes – Mr. Amentas made a motion to approve the February 15, 2012 workshop minutes as presented. Mr. Pomorski seconded. Vote: Unanimous.

February 15, 2012 budget adoption minutes – Mr. Amentas made a motion to approve the February 15, 2012 budget adoption minutes as presented. Mr. Pomorski seconded. Vote: Unanimous.

February 28, 2012 BOS minutes – Mr. Amentas made a motion to approve the February 28, 2012 BOS minutes as presented. Mr. Toth seconded. Siti Crook stated that she hasn't seen Mr. Amentas's "conflict of interest" memorandum yet and she would like his vote stricken from the minutes where he voted to have Lamb McErlane review documents regarding Longview/Fieldstone. Mr. Amentas replied that he will be happy to consider this and address it at another time. Buddy Rhoades commented on the March 13, 2012 minutes. Mr. Porter stated that the March 13, 2012 minutes are not in front of the Board at this time. Mr. Amentas asked Mr. Pompo "what form of standard should Mrs. Miller use in typing of the minutes." Mr. Pompo replied that the legal requirements are the official action of the Board of Supervisors such as motions, who makes the motions, who seconded the motion, and the official vote of the Board. Under the Sunshine Act it is required that the minutes record the names of the people who come before the Board giving public comment and the subject of their public comment. It is the discretion of the Board if they would like to put further information in the minutes. Mr. Amentas stated that this should be further discussed at a workshop. Mr. Toth stated that on page five Buddy Rhoades was talking about Doe Run Church Road not Doe Run Road. Mr. Amentas amended his motion to approve the February 28, 2012 minutes as presented with two changes. Page three dedicated to Siti Crook's comment amended to reflect that she was referring to "all Solicitors" and not just the "Zoning Hearing Board Solicitor" and page five reflect that Buddy Rhoades was referring to Doe Run Church Road as opposed to Doe Run Road. Bob King commented on page four regarding the police Dodger. Mr. Porter would like to see that Chief Porter is always referred to as "Chief". Mr. Amentas amended his motion to change the previous stated changes as well as all references regarding Chief Porter are reflected as "Chief" as opposed to supervisor Ed Porter. Vote: Unanimous.

SOLICITOR REPORT:

Mr. Pompo informed the Board and the public that there is ongoing litigation involving the Zoning Appeal concerning the Bawa Fellowship ("Bawa") application. Mr. Pompo also stated that he received a letter dated March 20, 2012 on March 22, 2012 from attorney John Good, putting forth a proposal to settle the ongoing litigation. Mr. Amentas asked Mr. Pompo if this is the original concept that was introduced by the supervisors as a possible mechanism by which to resolve the zoning issue. Mr. Pompo replied yes, before the zoning hearing board ("ZHB") it was basically the township's evidence that the zoning in the ordinance could be complied with, with this type of plan. Mr. Pompo also stated that this concept was discussed with the applicant for a number of years, even before the zoning hearing proceeding. Mr. Amentas stated that any developer has to comply with the zoning ordinance. There is no exception to the rule that any Board of Supervisor can entertain except by asking for relief through the "ZHB" by variance. Neither of those things happened in this case so for that reason the plan as presented should not have been approved. Mr. Porter asked Mr. Pompo the cost for not settling this matter. Mr. Pompo replied that once the appeal is "officially docketed" there will be a "briefing schedule" issued that will set forth the time frame under which "Bawa" must file their brief and once filed the township would have thirty days to file a responsive brief. The most substantial amount of legal fees would be preparing and filing the brief. Mr. Porter stated "at what point do we start to realize that this might be a hardship for that property to comply." Mr. Amentas replied "it may be a hardship but it is the Zoning Hearing Board's position to determine whether or not it actually is." Mr. Pompo responded by stating that legally the Board can enter into a court approved settlement that could resolve a zoning matter in a way that varies someone from the zoning ordinance itself. Those types of court approved settlements have been challenged; there have been decisions of the commonwealth court which essentially uphold the validity of the board of supervisors settling a zoning dispute in that fashion. Mr. Pompo responded to Mr. Amentas' comment regarding "amending the zoning ordinance" by stating that the prior Board repealed that ordinance many many years ago, the application was filed before that repeal took effect and that is why we are still acting under that old ordinance. So the option of amending of appealed old ordinances is a difficult one to deal with. Mr. Good's letter indicated that there is one relief that is being requested. Generally speaking, Mr. Good is making representation that the sketch plan conforms to all the other zoning requirements including the area and lot requirement which were the primary subject of the appeal before the "ZHB" and the court; so from the perspective I can say that "we won." That was the major point of the township in going forward with that appeal. With that said I am not certain that if it went to the "ZHB" and asked for a variance on the issue that they are raising to be settled, whether they could prove a hardship. From that perspective to send them back to the "ZHB" for something that they might not be legally entitled to could create the wrong avenue as well. If all of these circumstances put together, the plan, what has been achieved so far, and the difficulty in gaining relief for these last issues might be grounds for the Board to consider settling and resolving in this forum, meaning a forum in a court approved settlement." Mr. Pompo also stated that these things can be discussed in an executive session, particularly the strategies; the specific issues on the plan should be public. Mr. Amentas stated that he wants to be very careful that the Board does not set the wrong precedence here. Mr. Porter stated that the Board has to weigh out the pros and cons of litigation. Mr. Pompo asked the Board how they would like to proceed in this matter. The Board would like Mr. Good to attend the next workshop meeting.

LEGAL ISSUES:

Resolution 2012-07 – Mr. Tony Sirna, Assistant Fire Marshal, presented the Board with the Chester County Multi-Jurisdictional Hazard Mitigation Plan which allows townships to get funding from FEMA for weather events that happen. The Board will confirm if the township has already passed this resolution.

Dave Thomas subdivision escrow release #5 – Mr. Amentas made a motion to approve the Thomas Subdivision payment request #5 in the amount of \$13,120.00 leaving a balance of \$45,027.51 as per Mr. Della Penna's March 21, 2012 recommendation letter. Mr. Pomorski seconded. Vote: Unanimous.

Longview Fieldstone L.P. ("Longview") Subdivision and Land Development agreement – Mr. Pompo read parts of the draft agreement for "Longview." Mr. Porter asked Mr. Pompo what the worst scenario would be for the nine homes in the Fieldstone Development. Mr. Pompo replied that one of the reasons why the Board is talking about this is an understanding that with respect to the stormwater issue that was raised last year, there was a commitment made by Rouse Chamberlin ("Rouse") that they would take the private money from this transaction and immediately fund the correction of that situation. Because of the fact that this property is in "receivership" if the township took the bond in order to do these things it could be problematic. Mr. Pompo asked Ms. Xue if the eleven front loaded garages is a requirement in order for them to move forward. Ms. Xue replied "it's not an absolute requirement." Mr. Amentas stated that he thought this agreement was to include a couple of things in addition to what is currently included. Ms. Xue replied that if the Board approved the agreement for the bond and garage issues, then they would allow their deposit that "Rouse" is holding to be used to fix the outstanding stormwater item fairly immediately. Mr. Amentas asked "why this agreement doesn't say what the Board is agreeing to do, pursuant to this agreement, to forbear on the enforcement of the bond." Mr. Amentas further stated that "my impression was that they are giving that up for the basin to be fixed and also that the forbearment period was going to be limited." Ms. Xue replied "it is, and it can be documented more clearly."

Mr. Penders stated that the actual execution of this document is going to occur concurrent with Longview's closing, so if the Board wanted to make an action on this contingent upon the "receiver" moving ahead with that work (and "Longview" would work that language in so that "Longview" is comfortable that they are getting what they need in terms of moving out of due diligence) then he is comfortable moving ahead and make a commitment to the Board that the work gets done. Mr. Pompo stated that he has not seen the agreement of sale and the Board needs to know under "terms and conditions" when that agreement will go hard, what time frame, and under what terms and conditions "Rouse" will undertake those projects. Mr. Amentas asked Mr. Penders what he wants approved tonight. Mr. Penders replied that he would like the Board to approve the chairman to execute that agreement at the time "Longview" is taking title to the real estate subject to whatever other conditions the Board and Solicitor request in terms of providing bond documentation. Mr. Penders stated that they have been doing extensions from meeting to meeting under their agreement of sale and they have a short time going out into the future, so assuming that "Longview" is committed and willing to come out of due diligence in the next couple of days, he can live up to his commitment to do the work. Mr. Pompo asked if the Board approved that motion tonight would the stormwater project then be completed within thirty days. Mr. Penders replied "yes, weather permitting". Mr. Pompo asked Mr. Penders "if by approving this motion would be the only condition, if you will, to allowing for your agreement to go forward and that money to be released to "Rouse" so that you can do the portion of it for this project." Mr. Penders replied "correct." Mr. Porter stated that he would like the residents of Fieldstone Village to have the opportunity to review the conditions and give their opinions to the Board. Mr. Pompo recommended getting all nine lot owners to "sign off" saying that they agree with the garage change or for the Board to invite the nine lot owners to a meeting and get their opinion. Mr. Steve Gallo, Rouse Chamberlin, stated that representatives met with a few lot owners to talk about what the Longview/Rouse Chamberlin bond matter is. Eric Dyer of 10 Derry Lane stated that he has individual concerns and would like to contact the lot owners and have a meeting. Steven Horrock of 10 Pelham Place has concerns with the development not being completed. The Board scheduled a "special meeting" for April 9, 2012 at 6:30 PM to discuss the Longview Fieldstone L.P. First Amendment to Escrow Agreement, Longview garage issues, water problem, and concerns of the residents.

Rouse Chamberlin Maintenance Agreement – Mr. Pompo stated that the "escrow agreement" provides for the township permitting the developer, an additional nine days from the date of the agreement, to facilitate the remaining repairs that are necessary to the improvements of which have been listed in Exhibit C to the agreement and these items have been signed off by Chris Della Penna. The Developer is agreeing to extend the terms of the letter of credit to July 5, 2012 and the township is agreeing that the letter of credit may be reduced by \$566,800.00 from \$615,000.00 to \$48,200.00 with the new expiration date. There is a letter from Mr. Della Penna that indicates his concurrence that relative to the items that remain to be completed; the maintenance items plus an additional \$2,300.00 for inspection cost are satisfactory to him relative to going forward with the extended maintenance agreement. Mr. Amentas stated that Exhibit C only addresses missing landscaping. Mr. Pompo replied "Exhibit C" is to the original agreement. Mr. Amentas asked Mr. Gallo if he is aware of resident "swale" complaints in the townhome section. Mr. Gallo replied that he is aware. Mr. Amentas also asked Mr. Gallo if they agreed to do everything that is in Mr. Della Penna's February 27, 2012 letter. Mr. Gallo replied "yes." Mr. Amentas made a motion to approve the First Amendment to Maintenance Agreement between Rouse Chamberlin and East Fallowfield Township dated March 27, 2012. Buddy Rhoades commented on the motion. Mr. Porter asked Mr. Pompo if "Fieldstone" is involved in the West Chester and South Caln Road project. Mr. Pompo replied "yes." Mr. Gallo stated that their contribution was made "up front" Mr. Porter asked Mr. Pompo if there is enough money to complete the West Chester and South Caln Road project. Mr. Pompo replied that they really do not because there has been a discussion about reducing the obligation because of omitting the traffic light. Mr. Amentas stated that he asked Traffic Planning and Design to break down the road project into phases; but it is unclear who will do the work and for what price. Mr. Amentas asked Mr. Pompo for an update on the last item that was completed. Mr. Pompo replied that he believes it was talking with the two affected property owners. Mr. Amentas stated that the Board could get a quote for all the repairs pursuant to the original plan that was received and make the effort to the extent that if there is a short fall, recover that difference from the developers who apparently agreed to increase the amount if required. Buddy Rhoades commented on the intersection at West Chester Road and South Caln Road. Vote: Unanimous.

Dewey Homes – Mr. Amentas stated that he told Dewey Homes ("Dewey") last year that they were not getting dedication until the swale and grading was fixed on several homes. "Dewey" is again asking the township for dedication for Manchester Farms phase I. Megan Kile and Denis Branca of 119 Cyprus Lane asked the Board to release escrow funds in order for them to fix their problems with the swale and their grading. Mr. Amentas asked Mr. Pompo if there is any mechanism, without the expenditure of a high amount of legal fees, to seize a portion of the escrow for purposes of addressing specific problems. Mr. Pompo replied that the township can seize less than the total based upon a reasonable basis and recommended if it was not needed that the township demand less than the total. Mr. Pompo also stated that "Dewey's" position is that this is a public issue and they have made offers to the homeowners which they did not accept. Mr. Pompo stated that the more the Board argues that it is a common facility, then the more (under the original land development agreement) you can claim that it falls within the four corners of the agreement between the developer and the township; therefore they have a responsibility to repair it under that agreement. Mr. Amentas asked Mr. Pompo what qualifies as a common area. Mr. Pompo replied that in the agreement 'quasi-public' is used meaning improvements that are intended to serve more than one lot and the swale is intended to serve more than one lot.

Mr. Amentas asked if it would give the township a basis in asking "Dewey" to fix the swale if Mr. Della Penna stated that the quasi-public improvement is not a functioning property. Mr. Pompo replied "yes." Mr. Amentas asked Ms. Kile to send him any letters that she has from Mr. Della Penna. Mr. Pompo stated that the last "default letter" raised this issue and there was a creditable amount of work completed, which gave the impression that they were heading towards the dedication of their roads and this issue would be resolved. Since then "Dewey" has not come back to the Board. Mr. Pompo recommended identifying additional deficiencies, along with this problem, and starting the "default letter" proceedings again. Megan Kile asked the Board if the township can only protect the interest of residents from a monetary standpoint just based on "common areas" in a development; there is no protection for the homeowners and residents in the township other than that, in regards to developers. Mr. Porter stated that the "product" was sold to them so they have other recourse. Ms. Kile replied "Dewey could bankrupt us." Mr. Pompo recommended waiting for Mr. Della Penna's report and take action based upon his report. Mr. Amentas replied that a letter will be prepared after the receipt of Mr. Della Penna's letter and a motion made at the next public meeting to send the "default letter" out.

Appointment of the Township Zoning Hearing Board Solicitor – Buckley, Brion, McGuire, Morris & Sommer LLP " Buckley Brion" \$150.00 per hour (reduced \$35.00), Butera, Beausang, Cohen, and Brennan at \$150.00 per hour, Parke, Barnes, Spangler, Osete, and Wood at \$160.00 per hour, and Law Offices of John S. Carnes, Jr. at \$135.00 per hour. Mr. Amentas secluded himself because he is campaigning for State Senate. (Conflict of Interest Memorandum attached). Mr. Pomorski stated that he is inclined to vote for our existing solicitor "Buckley Nagle" because they reduced their fee from \$185.00 to \$150.00. Mr. Porter stated that he has concerns with the current solicitor because a judge voted against his decision several times. Mr. Porter asked Mr. Pompo his opinion on the submitted resumes. Mr. Pompo replied that he has no comment. Mr. Toth made a motion to appoint Buera, Beauseng, Cohen and Brennan as East Fallowfield Township Zoning Hearing Board Solicitor at a rate of \$150.00 per hour. Mr. Porter seconded. Bob King recommended John S. Carnes, Jr. Buddy Rhoades recommended John S. Carnes, Jr. Mr. Porter read part of Mr. Carne's resume. Dennis Crook commented on his Zoning Hearing Board case. Mr. Porter asked Mr. Pomorski if he is interested in John Carnes Jr. Mr. Pomorski replied "no." Buddy Rhoades told Mr. Pomorski that he should abstain from this vote because he is on the Elected Board of the Young Republicans which "Buckley Nagel" is still part of. Mr. Rhoades then asked Mr. Pomorski if he is part of the Young Republicans. Mr. Pomorski replied that he is not on the Board but he is the treasurer of Area 15 of the Republican Party and this does not affect his vote in any way. Mr. Toth called for a vote. One nay and two yeas. Vote failed. Mr. Toth made a motion to appoint the Law offices of John Carnes Jr. as the East Fallowfield Township Zoning Hearing Board Solicitor at \$135.00 per hour. Mr. Porter seconded. Mr. Porter stated "the Supervisors were elected to represent the residents and the best interests of the residents and if they want to avoid problems, it's time for a change." Mr. Toth called for a vote. One nay and two yeas. Vote failed. The Board directed Mrs. Miller to put this on the next agenda.

ATV ordinance – Mr. Amentas stated that the ATV ordinance has to be tabled because he has not been able to view the "riding of the ATV's." Mr. Porter stated that this is not an "individual" ordinance and it could reflect that the Board is basing it on specific residents. Mr. Amentas stated that he is not tailoring this ordinance to any specific resident, he wants to understand generally what it sounds like if you are utilizing these types of vehicles in this matter and this type of area. Mr. Porter stated that the township does not have the equipment to measure the sound of the ATV's and he feels that there will not be any enforcement to this ordinance. Mr. Amentas replied that "you mentioned several times about the police enforcement of this ordinance and if the township has something on the books then he expects it to be enforced and if it is not going to be enforced then the Board has to have conversation with the Chief of Police." Mr. Porter stated that he would like to hear from the police department on enforcement before he votes for or against the ordinance. The Board directed Mrs. Miller to put this on the workshop agenda.

On-Lot sewage disposal facilities – Mr. Pompo presented the Board with an On-Lot Sewage Management Program ordinance that requires owners of properties with on-lot sewer systems to pump their properties at certain intervals by a licensed Chester County haler who will electronically transmit the receipt to the County, and the County will make the information available to the township so the township can track that residents are complying with the pumping requirement. Mr. Pompo stated that this ordinance provides a mechanism to make sure residents are cleaning out their septic tank so they are avoiding malfunctions, and if there are area wide malfunctions that they are addressed and corrected. At some point the Department of Environmental Protection ("DEP") may force the township to extend the sewer line to correct the problem. Mr. Porter stated that this is harmful to the residents as far as their rights and them not doing anything wrong. Mr. Amentas asked Mr. Pompo if the township is required to enact this ordinance. Mr. Pompo replied that there is no statute or regulation that requires this but if the "DEP" feels that it is necessary they will require it through an Act 537 plan. Mr. Amentas directed Mrs. Miller to put this on the next workshop agenda.

Hiring of temporary administration assistant – Mr. Amentas made a motion to hire Accountemps to supply a temporary administrative assistant at the rate of \$21.25 to \$23.00 per hour on an as needed basis starting on March 28, 2012. Mr. Porter asked why the previous firm was not chosen. Mrs. Moore replied that Mr. Pompo had some issues with the agreement. Mr. Amentas withdrew his motion and restated the motion to hire Robert Half Incorporated to provide the township office with a temporary administrative assistant at the rate of \$21.25 to \$23.00 per hour on an as needed basis starting on March 28, 2012.

Mr. Toth seconded. Buddy Rhoades commented on past employees and the motion. Conrad DeAbreu commented on the motion. Ed Porter asked Mrs. Moore how many hours will the temporary person work and the total cost. Mrs. Moore replied that Barb Henry worked five days a week from 12:00 PM to 4:00 PM. There are also some trash errors that need to be resolved and to provide office help, if Denise or Rosemary are absent. Glenn Colyer commented on the wage. Bob King commented about job advertisement and an office volunteer list. Dennis Crook spoke about temporary help. Vote: Unanimous.

Fire consolidation – Mr. Toth made a motion to terminate East Fallowfield Township from the “fire consolidation” involving Pomeroy Fire Company. Mr. Porter seconded. Tony Sirna, Emergency Coordinator, stated that “termination” at this stage the township would not pay any more legal fees but could rejoin at a later date. Vote: Unanimous

Online payment to vendors for recurring invoices – Mrs. Moore would like to pay certain recurring invoices on an “online payment system” because the township is incurring late fees. Mr. Amentas made a motion to approve monthly electronic payments to the following vendors; York Waste Disposal, PECO, Standard Insurance Company, Delaware Valley Health Insurance Trust, Mutual of Omaha, Amerihealth Casualty Services, Toshiba, William P. McGovern Inc. and the amount of those monthly disbursements will be approved pursuant to the payment authorizations approved at the regular meetings. Mr. Toth seconded. Vote: Unanimous. Mr. Toth would like to add the cell phone and the FIOS bill to the list of vendors.

CITIZENS by REQUEST:

Buddy Rhoades – Mr. Rhoades spoke about the 2012 trash bill language and recommended that the township get out of the trash business. Mr. Rhoades also commented on the resident on South Caln Road that got “washed out.”

Lee Sorenson and Alexia Vaughan – Not present.

Dennis Kozlowski – Mr. Kozlowski thanked the Board for their help in addressing Fieldstone Development run off issues.

Siti Crook – Ms. Crook asked the Board to put a motion on the next agenda for the Township Solicitor and asked Mr. Amentas to fill out the “conflict of interest” forms for the times that he secluded himself. Ms. Crook also asked if the changes for garages in the Fieldstone Development will need a variance. Mr. Amentas replied “no, because it is not subject to zoning.” Ms. Crook then asked if the garage side setbacks will have to go to the Zoning Hearing Board. Mr. Amentas replied “presumably yes.” Ms. Crook also commented on the comp plan.

Eli Brown – Mr. Brown would like to have a wedding at the township pavilion in the park and encouraged the Board to complete the “permitting” process.

TREASURER'S REPORT:

February 29, 2012 treasurer's report – Mr. Amentas made a motion to approve the February 29, 2012 Treasurer's report as presented. Mr. Toth seconded. Bob King commented on the consolidated treasurer's report and the status of the collection of the delinquent trash invoices. Mrs. Moore replied that detailed financials are available upon request. Buddy Rhoades recommended a microphone for the table where Mrs. Moore and Mrs. Miller sit. Vote: Unanimous.

February payment authorization – Mr. Amentas secluded himself because one of the payment authorizations is for Lamb McErlane. (Conflict of Interest Memorandum attached). Mr. Toth motioned to approve the February 2012 payment authorizations as presented. Mr. Pomorski seconded. Glenn Colyer asked about the \$3,000 ERT invoice. Mrs. Moore replied that it stands for Western Chester County Emergency Response Team. Mr. Amentas abstained. Vote: Unanimous.

Paychex HR Solutions – Completion of the employee handbook – The Board moved this item to the April 17, 2012 BOS meeting.

PARK AND RECREATION:

March 2012 summary report – The March 2012 Park and Recreation report was presented.

Resolution 2012-06 – Mr. Toth made a motion to approve Resolution 2012–06 for the Pennsylvania Department of Conservation & Natural Resources C2P2 grant. Mr. Pomorski seconded. Vote: Unanimous.

Township leash law – Mr. Carling asked the Board for guidance regarding dog owners not leashing their dogs while in the Township Park.

Park and Recreation newsletter – Mr. Carling asked the Board for approval to send a Park and Recreation newsletter to the township residents.

Mr. Carling asked the Board if Park and Recreation can get the township access code to access the township wireless router so they can use it at their meetings.

HISTORICAL COMMISSION:

No reports submitted.

PLANNING COMMISSION:

No reports submitted.

PUBLIC WORKS DEPARTMENT:

February 2012 road and vehicle report – No presentation – see report.

February recycling report – No presentation – See report

Harrington & Sons Inc. – The Board directed Mrs. Miller to place this motion on the April 17, 2012 BOS agenda.

Fuel bids – Mr. Porter would like to research other gas companies for the best fuel price. Mr. Porter would also like a fuel report from Mr. Gathercole, Public Works Director.

EMERGENCY SERVICES:

February 2012 Modena report – No presentation – See report.

UNFINISHED BUSINESS:

No unfinished business presented.

NEW BUSINESS:

Barbara Henry's resignation – Mr. Amentas made a motion to accept the resignation of Barbara Henry effective March 11, 2012. Mr. Toth seconded. Vote: Unanimous.

Electronics collection event – Mr. Amentas informed the audience that there will be a free electronics collection event on April 27, 2012 at the East Brandywine Township Building parking lot from 9:00 AM to 2:00 PM.

PUBLIC PARTICIPATION:

Nancy Simes of 1508 Robin Road stated that she has concerns with cats being hit by cars on Robin Road. Mrs. Simes also stated that she called the township police and the SPCA. Mr. Amentas stated that the police department can only prosecute crimes and suggested trapping as many cats as she can and take them to the SPCA.

Buddy Rhoades of 2176 Strasburg Road stated that he would like the speed limit lowered on Misty Patch Road and South Caln Road. Mr. Rhoades also stated that there is a five inch ditch on Misty Patch Road.

Ed Porter asked the Board to put the township solicitor and township zoning hearing board solicitor motion on the next agenda.

Dennis Crook of 2840 Strasburg Road stated that the 20/20 study that was done left out two major townships. Mr. Crook also stated that he went in the new houses built in 2005-2006 and they were not insulated to code.

ADJOURNMENT: Mr. Amentas made a motion to adjourn the Board of Supervisors meeting at 11:15 PM. Mr. Toth seconded. : Vote: Unanimous.

Respectfully Submitted,



Denise Miller
Township Secretary

EAST FALLOWFIELD TOWNSHIP

MEMORANDUM FOR DISCLOSING A CONFLICT OF INTEREST IN ACCORD WITH SECTION 1103(j) OF THE PUBLIC OFFICIAL AND EMPLOYEE ETHICS ACT, 65 PA.C.S. § 1103 (j) (FILE WITH PERSON RESPONSIBLE FOR RECORDING THE MINUTES OF THE MEETING)

Pursuant to Section 1103(j) of the Public Official and Employee Ethics Act

("Ethics Act"), 65 Pa.C.S. § 1103 (j), this written memorandum will serve to disclose

that I, Christopher Amentas, in my capacity as a Supervisor of

EAST FALLOWFIELD TOWNSHIP am abstaining from agenda item _____ (number,

_____ for the regular/special meeting of _____ (letter or other identifier of agenda item)

3/27/12 pertaining to Appointment of, due to a conflict

of interest under the Ethics Act. The nature of my interest is as follows: Zoning Hearing Board

Zoning Hearing Board Solicitor is a contributor to Republican Committee of Chester County, which is supporting my campaign for State Senator

(provide a description of the nature of the interest, for example, "my son I applying for the job," or "my employer is bidding on this project")

Date: 4/9/12

Ch. Amentas
(signature)

EAST FALLOWFIELD TOWNSHIP

MEMORANDUM FOR DISCLOSING A CONFLICT OF INTEREST IN ACCORD WITH SECTION 1103(j) OF THE PUBLIC OFFICIAL AND EMPLOYEE ETHICS ACT, 65 PA.C.S. § 1103 (j) (FILE WITH PERSON RESPONSIBLE FOR RECORDING THE MINUTES OF THE MEETING)

Pursuant to Section 1103(j) of the Public Official and Employee Ethics Act

("Ethics Act"), 65 Pa.C.S. § 1103 (j), this written memorandum will serve to disclose

that I, Christopher J. Avent, in my capacity as a Supervisor of
(name) (public position held)

EAST FALLOWFIELD TOWNSHIP am abstaining from agenda item 8b.
(number)

_____ for the regular meeting of
letter or other identifier of agenda item)

3/27/12 pertaining to February 2012 payment, due to a conflict
(date) (description of agenda item) authorizations

of interest under the Ethics Act. The nature of my interest is as follows:

I am running for State Senate and receiving
support from the Republican Committee of Chester-
County. Lamb McErlane, which employs our solicitor,
is a contributor to RCCC.

(provide a description of the nature of the interest, for example, "my son I applying for the job," or "my employer is bidding on this project")

Date: 4/9/12

Chris Avent
(signature)