

East Fallowfield Township  
July 10, 2012 approved workshop minutes  
6:45 PM

IN ATTENDANCE: Chris Makely, Chairman; Chris Amentas, Vice Chairman; Mark Toth, Member; Ed Porter, Member; Joe Pomorski, Member; Denise Miller, Township Secretary; Rosemary Moore, Township Treasurer. Township Engineer Chris Della Penna present at the Board's request.

Baron Crest – Mr. Makely asked Mr. Della Penna to give the Board an update on the Baron Crest Development. Mr. Della Penna stated that the grading at the bottom of the basin has to be completed. The concern about the covered inlet has now been resolved. Mr. Makely asked about the tree and shrubbery work. Mr. Della Penna replied that those items will not be done unless there is money left over. Mr. Toth asked if the development is finished. Mr. Della Penna replied that once Contractor Dave Thomas has completed his work, another as-built plan will be done.

Mr. Della Penna asked the Board about the issue with Conrad DeAbreu's water runoff problem. Mr. Porter asked Mr. Della Penna if it is a retention or detention basin. Mr. Della Penna replied "both." Mr. Porter asked if the water is dumping onto the neighboring properties. Mr. Della Penna replied "yes, but it's within the time parameters, and once the low area fills up, a pipe drains to the berm and shoots water across his property." Mr. DeAbreu's complaint is that he is getting more water than he normally would. Mr. Porter asked if the County filed plans call for a detention versus a retention basin. Mr. Della Penna replied they are township plans designed at a detention facility. Mr. Della Penna stated the approved name is "storm water detention and wetland treatment basin 1." Mr. Makely asked if wetland treatment basin means retention. Mr. Della Penna replied "in this case it does." The contractor is back because there has been a slight deviation to the plan. Mr. Makely asked if the basin is built correctly now. Mr. Della Penna replied that he cannot answer that until he reviews the as built plans. Mr. Amentas asked Mr. Della Penna what impact all the changes have on the properties. Mr. Della Penna replied that originally the volume was half of what it was supposed to be, and now it is much, much larger. Mr. Della Penna stated that there was previous discussion that if there was money left over then the township would put a pipe to the stream on Mr. DeAbreu's property. Mr. Makely stated that if the township corrects one water problem for a resident, then the township could be liable for all resident water problems from developments. Mr. Della Penna informed the Board that Mr. DeAbreu mentioned that he was dealing with an attorney about this issue. Mr. Porter asked Mr. Della Penna if he thinks that after another year, would the retention/detention settlement area damage Mr. DeAbreu's property. Mr. Della Penna replied that he was at Mr. DeAbreu's property before, during, and after the development was put in, and stated that he always had a lot of water on his property. Those two lots, next to him, were sold as two "non buildable" lots. Mr. Makely asked why they are not buildable. Mr. Della Penna replied "because the ground was too wet and you couldn't get percolation." After walking the property, there were holes all over the place and Mr. DeAbreu told him that the sink holes are from the farm putting drains in. Mr. Della Penna stated that he cannot document that there is more water than before. Mr. Porter asked Mr. Della Penna if he can analyze if there is more damage than on the approved plan, as far as design, when the as built plans are done, to see if there is any damage being done. Mr. Della Penna replied "when the project was originally designed, it was designed to meet township criteria which show that the run off was decreasing through his property. Now that it's going per the approved plan it should be functioning correctly. Mr. Amentas asked if there is any money left. Mr. Della Penna replied approximately \$5,000.00 but there is still work to be completed. To put the pipe through Mr. DeAbreu's property will cost \$4,735.00. Mr. Amentas stated that he would need evidence to show that the problem has been exacerbated to a point where all of a sudden his property has diminished in value, or has some other material adverse impact on his property before the Board considers spending money on his property. Mr. Della Penna stated that he will report back to the Board once the as built plans are completed. Mr. Porter asked Mr. Della Penna if he has ever spoken to Mr. DeAbreu about the pipe. Mr. Della Penna replied that Mr. DeAbreu has been asking for a pipe for years. Mr. Makely stated that Mr. Callahan presented a \$5,000.00 check to do the pipe job and then Mr. DeAbreu starting adding items to the job, so Mr. Callahan withdrew his offer. The Board directed Mr. Della Penna to proceed with the as built plans and take a survey of the trees. Mr. Amentas made the comment that if the lot was not buildable because of saturation and water conditions prior to

Baron Crest being developed, then what exactly is the problem. Mr. Porter replied that Mr. DeAbreu says that when he mows the grass, he gets stuck and he never has before.

Re-name Mortonville Bridge to the Paula Coyne Bridge – Mr. Pomorski presented Paul Coyne’s family request to put a dedication plaque, paid by them, somewhere in the area of the Mortonville Bridge. Mr. Amentas stated that since this is a State bridge it would have to be approved by PennDOT. The Board directed Mrs. Miller to put this subject on the August 14, 2012 workshop for an update from Mr. Pomorski.

Peddler Permit revisions – The Board directed Mrs. Miller to send the Caln Township’s peddling/soliciting license to Chief Porter for review, specifically the license requirements, with the police as the approval of the permit.

Draft ordinance weeds and noxious growth revision – Mrs. Miller presented the Board with a draft ordinance for the enforcement of noxious weeds, Section 10-204, changing the language in order to recoup Building Inspector Rob McLarnon’s fees, and any other fees incurred. The Board directed Mrs. Miller to add to the July 24, 2012 BOS agenda for advertisement.

Cell tower lease – Mr. Toth informed the Board that the township office received another request today, to purchase the ground under the cell tower adjacent to the township office. Mr. Amentas stated that it probably isn’t a good idea to sell the township assets. Mr. Makely directed Mrs. Moore to keep track of all the cell tower offers.

Mr. Amentas informed the audience that the township office is now accepting resumes for the next Agricultural Security Area Committee meeting for a “farmer” for the term of 2012-2016 and a resident for 2012-2012.

Mr. made a motion to adjourn the meeting at 7:25 PM. Mr. seconded. Vote: Unanimous.

Respectfully submitted,

Denise Miller  
Township Secretary