

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
December 18, 2012  
Approved minutes  
6:30 PM

Call to order, silent meditation, and pledge of allegiance.

Mr. Makely announced that the Board of Supervisors ("BOS") had an executive session on December 13, 2012 at 6:00 PM regarding the police contract.

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

APPROVAL OF MINUTES:

November 13, 2012 budget minutes – Mr. Makely made a motion to approve the November 13, 2012 budget minutes as presented. Mr. Amentas seconded. Wes Maughan asked if the budget attached to the minutes means that the budget is being approved. Mr. Makely replied that they are only approving the minutes. Mr. Pomorski was not present at this time. Vote: Unanimous.

November 13, 2012 workshop minutes – Mr. Makely made a motion to approve the November 13, 2012 workshop minutes as presented. Mr. Amentas seconded. Mr. Pomorski was not present at this time. Vote: Unanimous.

Mr. Pomorski arrived at 6:35 PM.

November 27, 2012 budget minutes – Mr. Amentas made a motion to approve the November 27, 2012 budget minutes as presented. Mr. Toth seconded. Mr. Amentas, Mr. Toth, and Mr. Pomorski voted yea. Mr. Makely abstained because he was not in attendance of the meeting. Vote passed.

November 27, 2012 "BOS" minutes – Mr. Amentas made a motion to approve the "BOS" November 27, 2012 BOS minutes as presented. Mr. Toth seconded. Mr. Amentas, Mr. Toth, and Mr. Pomorski voted yea. Mr. Makely abstained because he was not in attendance of the meeting. Vote passed.

CITIZENS BY REQUEST:

Kevin Richardson of 315 Providence Hill Road – Mr. Richardson was not present.

Karen Cassidy of 311 Providence Hill Road – Ms. Cassidy was not present.

SOLICITOR REPORT: No report given.

LEGAL ISSUES:

Township Manager – No Board discussion.

Assignment of the 2010 Municipal Waste Agreement – Don Isabella, representing Republic Services, read the "BOS" his December 18, 2012 email and asked the "BOS" to change to their Brandywine Division for trash and recycling pickup being on Fridays. Mr. Isabella also stated that they are willing to discuss other ways that they may partner with East Fallowfield Township in an environmental or recycling type of project. Mr. Makely asked Mrs. Moore if the township pays to have the township trash picked up, and if the township pays to have their dumpster emptied. Mrs. Moore replied that the township does not pay for trash pickup and Allied Waste bills the township to empty their dumpster. Mr. Makely asked Mr. Isabella if they would consider emptying the roll off dumpster at no charge to the township. Mr. Amentas asked Mr. Isabella what kind of environmental project he is referring to in his email. Mr. Isabella replied that maybe they could do an electronic pick up day. Mr. Makely made a motion to approve the Assignment of the 2010 Municipal Waste Agreement, Solicitor draft 12/5/12. Mr. Amentas seconded. Bob King asked the "BOS" if Mr. Isabella agreed to empty the dumpster free of charge. Mr. Makely replied "yes." Kelly Marvel asked if an electronic pickup day was approved. Mr. Isabella replied "no." Ms. Marvel also asked if

the trash and recycling pickup day will change. Mr. Makely replied "yes." John Davis asked if the township changes to the new contract, will it be an added expense to the township. Mr. Makely replied "no." Jan Bowers stated that she supports an electronic pickup day. Mr. Amentas asked Mr. Isabella if he would commit to an "electronic" pickup day tonight. Mr. Isabella replied that he will have to see what the cost would be. Mr. Makely withdrew his motion. Mr. Amentas made a motion to approve the Assignment of the 2010 Municipal Waste Agreement Solicitor draft 12/5/12 provided that the assignee under this agreement, which is Allied Waste services of Brandywine, agrees to empty the township dumpster roll-off on call, and the agreement will reflect that the pickup date under the assignment will be pushed forward by one week except that the Friday date of January 5, 2013 will be pushed forward six days. Mr. Makely seconded. Vote: Unanimous.

K&W/South Brandywine Middle School – Mr. Makely stated that in the previous term with Gary Barach the "BOS" agreed to the "Green Line" and the Park and Recreation Commission ("P&RC") was to be notified of this, but never were. They are now under the impression that the "BOS" will hear their recommendations. Mr. Makely asked Mr. Pompo if the "Green Line" was the route that was approved by the "BOS." Mr. Pompo replied that the "BOS" made a motion to approve that conceptual engineer plan, and based upon that plan the "BOS" released a letter to the Pennsylvania Public Utility Commission ("PUC") indicating the township support of the change in franchise area with Pennsylvania American Water. ("PAWC") Mr. Makely asked Mr. Kurowski if his and Mr. Pompo's remarks answer his question as to which route they should proceed with. Mr. Kurowski replied that what drove the discussion on which route to proceed with was their need to get onto the park lands to do infiltration testing as part of the design. Mr. Pomorski asked Mr. Makely what meeting was this "Green Line" passed. Mr. Makely replied "I don't recall." Mr. Pomorski stated "in the interest of the "P&RC" this process should be reopened for discussion. Mr. Amentas stated that he is not sure that this was independently passed as something specific. Mr. Pompo stated that there was a series of discussions by the "BOS" and eventually a letter was generated by Jamie MacCombie as to what his understanding of the commitments by the School District were, and ultimately there was a motion made by the "BOS" in November or December 2011 to approve that program subject to the School Board, by official action, agreeing that they would undertake those project points. Then, once the township received the School Board approval, the letter would be released to the "PUC" relative to the franchise area. Mr. Pompo also stated that in mid January the township received approval documentation from the School Board. Brian Carling stated that it was offensive and a major oversight that the "P&RC" was not involved in this procedure. Jim Durborow, Planning Commission ("PC"), asked the "BOS" why K&W was asked to come before the "PC" for their approval if they have no input now. Mr. Makely replied that K&W was not asked to get their approval they were supposed to inform them of the route. Mr. Kurowski stated that their discussion with the "P&RC" was driven by their additional request to get on site at the park to do infiltration testing and expanded their discussion, and it was brought back to the "BOS" meeting and they were directed to go present the plan to the "PC" and the "PC" made a recommendation. Mr. Makely directed Mrs. Miller to put further discussion on the next workshop agenda and have all relative motions available. Mr. Amentas stated that he understands that the School District would be more than amendable to implement a plan that would be considerably cheaper than the plan that the "BOS" has asked them to do. Mr. Amentas also stated that the "BOS" spent a lot of time and effort to devise something that they thought was a better deal for the township, and apologized to Brian Carling that the P&RC" was missed in the planning process. Jan Bowers, "P&RC" asked the "BOS" if the "PC", Supervisors, "P&RC", Mr. MacCombie, Vince Pompo, and Mr. Kurowski could have a meeting for further discussion. The "BOS" agreed to have this meeting on January 15, 2013.

#### PARK AND RECREATION:

December 2012 report – Vice Chairman Brian Carling informed the "BOS" that the "P&RC" was recently awarded \$137,000.00 from the Pennsylvania Department of Conservation and Natural Resources.

Chairman Michael McClintock presented the November 2012 Park and Recreation report.

Chester County grant application – Mr. Makely made a motion to approve the services of E.B. Walsh to develop the Chester County grant application for \$1,815.00, to be paid out of the Park and Recreation fee in lieu of money. Mr. Amentas seconded. Vote: Unanimous.

#### TREASURER'S REPORT:

November 30, 2012 treasurer's report – Mr. Makely made a motion to approve the November 30, 2012 Treasurer's report as presented. Mr. Toth seconded. Vote: Unanimous.

November 2012 payment authorizations – Mr. Makely made a motion to approve the November 2012 payment authorizations as presented. Mr. Toth seconded. Vote: Unanimous.

**HISTORICAL COMMISSION:**

Meeting date and time change – Mr. Makely informed the public that the Historical Commission changed their meeting night from the second Wednesday of the month at 7:00 PM to the first Monday of the month at 6:30 PM.

Budget – Mr. Makely stated that the Historical Commission would like their 2013 budget increased from zero to \$750.00 which will be addressed at the budget meeting.

**POLICE DEPARTMENT:**

November 2012 police report – No presentation – See report.

2012 Dodge Durango – No discussion.

**PLANNING COMMISSION:**

No presentation

**PUBLIC WORKS DEPARTMENT:**

November 2012 road and vehicle report – No presentation – See report.

November 2012 recycling report – No presentation – See report

Township outside sign permit fee – Mr. Makely stated that the outside sign \$50.00 permit fee will be paid by the township and then reimbursed to the township.

Office space – No discussion

**UNFINISHED BUSINESS:**

Advertise two regular Board meetings instead of one workshop and one regular Board meeting – The Board agreed to keep one regular meeting and one workshop per month.

Fee schedule changes – Mr. Toth asked the Board if they would like Mrs. Miller to proceed with Building Inspector Rob McLarnon's fee change recommendations for adoption at the reorganizational meeting. The Board agreed for Mrs. Miller to make the changes and present them at the reorganizational meeting.

**NEW BUSINESS:**

No new business

**PUBLIC PARTICIPATION:**

Bob King of 235 Misty Patch Road asked the Board if they would send an invitation to former supervisor Gary Barach to attend the sewer route meeting. Mr. Makely directed Mrs. Miller to invite past supervisors Gary Barach and George Broadbent to the South Brandywine School sewer line meeting. Bob King also asked the Board if they are trying to change the voting location for the township. Mr. Toth replied that he will call the Democratic representative and asked one of the Board members to call the Republican representative.

Township Fire Company – Mr. Toth stated that Pomeroy Fire Company ("Pomeroy") has joined the Keystone Valley Fire Department and has requested \$18,000.00, a \$10,200.00 increase, for 2013 fire coverage. Mr. Makely asked Mr. Toth if he thinks Westwood Fire Company ("Westwood") would take over "Pomeroy's" coverage. Mr. Toth replied that he spoke with "Westwood" and they will do it for the same price. Mr. Pompo stated that a resolution is passed at the January reorganizational meeting designating the township fire companies. Mr. Makely directed Mrs. Miller to add the fire resolution to the January reorganizational meeting.

**ADJOURNMENT:** Mr. Makely made a motion to adjourn the Board of Supervisors meeting at 7:50 PM Mr. Pomorski seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller, Township Secretary