

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
June 25, 2013
Approved minutes
6:30 PM

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

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

Mr. Pomorski thanked the volunteer fire fighters, on behalf of the township, who were involved in the garage fire on Westmoreland Drive. Mr. Sly, Westwood Fire Company, thanked the Board and the public for their support and donations.

APPROVAL OF MINUTES:

May 28, 2013 BOS minutes – Mr. Amentas made a motion to approve the May 28, 2013 BOS minutes as presented. Mr. Pomorski seconded. Vote: Unanimous.

CITIZENS BY REQUEST: No citizens by request

SOLICITOR REPORT: No report given

LEGAL ISSUES:

Finalization of the South Brandywine Middle School sewer route – Mr. MacCombie presented the Board with his June 6, 2013 letter and Alternative (“Alt.”) #1, 80 homes, and “Alt.” #2 59 homes, Service Area Boundary maps. Mr. MacCombie stated that Alternative #1, original alternative, has four septic system failures that need to be replaced and three septic system certification of failures, as identified by the Chester County Health Department. Mr. Porter asked Mr. MacCombie if he can identify where the failures are. Mr. MacCombie replied that the locations in red are failures and the locations in yellow are certification failures. Mr. Amentas asked Mr. MacCombie to explain the pros and cons. Mr. MacCombie replied that “Alt.” 1 has a larger service area for gravity systems in the future and with the new tariff, filed by Pennsylvania American Water, for another rate increase for their water, and under new Pennsylvania legislation, they are hopeful that the Public Utility Commission will allow for the reduction of the sewer rate. Because of the 150 foot high point on the intersection, “Alt #2 would be a gravity line that would need to be constructed at the intersection, bellied into the park area, then get to a low point on the northerly side of the park area and reach itself back. The difference here is that another line would have to be constructed down Route 82 heading in a southerly direction to service the properties on the westerly side of Route 82 and on the west side of Strasburg Road, west of Route 82. The other line would have to be constructed from the existing residents, that are opposite the Brook Crossing Development, and have that line come down into the park as well to provide their service and ultimately pump up and down to the Brook Crossing man hole”.

Mr. Porter asked Mr. MacCombie if “Alt.” 1 was selected, if the township would have the capability to branch off or continue construction, to possibly service some of the failures and certified failures in the future. Mr. MacCombie replied “you can do it in pieces or phases.” Mr. MacCombie also stated that you take the line to the service area where most needed.

Planning Commission Member John Schwab asked the Board if a cost analysis has been done between the routes. Mr. MacCombie replied that a cost analysis has not been done. Mr. MacCombie also stated that the Coatesville Area School District made a financial commitment of \$900,000.00 to \$950,000.00 of what they are willing to pay. Mr. Schwab asked Mr. Kurowski which route is cheaper. Mr. Kurowski replied that “Alt.” #2 is cheaper. Park and Recreation Chairman Michael McClintock stated that there are homes further West that are not addressed by either route. Mr. MacCombie replied that is because they can be serviced by gravity. The Board tabled further discussion until the July 23, 2013 Board meeting, when more members are present to make a motion on the sewer route.

Chris Della Penna’s June 10, 2013 Northwood’s Development inspection report – Mr. Amentas stated that he has concerns with the word “final” punch list and the timing of this request. Mr. Della Penna replied that according to the township ordinance a development has to be 75% completed before a “final” punch list can be requested. Mr. Amentas made a motion to authorize Mr. Della Penna to send an approval or denial letter to Mr. Moser. Mr. Pompo explained the wording of a motion, to the Board, in order to protect the township. Mr. Amentas withdrew his motion and made a motion to approve Mr. Della Penna’s June 10, 2013 letter, to the Board, for transmittal to Mr. Moser with the understanding that notwithstanding his request for a final punch

list, this list may be expanded upon depending on the construction process and activities up to such time as he asks for dedication, and moreover it should not be construed as a sort of acknowledgement that the township would consider accepting dedication before the final three lots are completed. Mr. Pomorski seconded. Vote: Unanimous. Mr. Della Penna stated that he spoke with Mr. Moser and he stated that the three vacant lots are being marketed, and if they do not sell he will still build homes on them.

Providence Hill stop sign resolution – Vince Lyons of Providence Hill stated that the Home Owners Association (“HOA”) will reimburse the Township the \$372.00 to install the stop signs in the Providence Hill Development, as stated on the agenda. The Board asked that Chief Porter and Tag review the locations of the signs and make sure that the installation will comply with PennDOT’s standards. Mr. Amentas made a motion to authorize the Solicitor to amend the township ordinance, dealing with traffic controls, to add stop signs at the locations that are reflected on the June 25, 2013 agenda item 6 c. Mr. Pomorski seconded. Mr. Amentas stated that this is a self contained community and Mr. Lyons is on the Board and was elected to represent the homeowners of the community, and these stop signs only affect them. Mr. Lyons replied yes to both statements. Mr. Amentas and Mr. Pomorski voted yea. Mr. Porter voted nae. Vote failed. The Board asked Mr. Lyons to attend the June 23, 2013 meeting to revisit this request.

On-Lot Sewage Management Agreement for James G. and Donna Petro – The Board would like to further review the contract and asked Mr. Petro if he could come back to the July 9, 2013 workshop.

Nikolaus & Hohenadel LLP, Attorneys at Law representing TC ASSETS, LLC (Cell Tower Fee) – Mr. Amentas stated that he is inclined to change the fee to \$300.00. Mr. Grab replied that he will bring that amount back to his client. Mr. Porter asked Mr. Pompo if he had any fee comparison from other Townships. Mr. Pompo replied that he does not have any comparisons. Mr. Pompo also stated that since he was Solicitor there has been a fee in the township ordinance. Mr. Amentas asked Mr. Grab to bring to the Board what his client pays to other municipalities. The Board would like to further discuss this issue when all Board members are in attendance, and asked Mr. Grab to attend the July 9, 2013 workshop.

Schedule 2014 budget meetings – The Board scheduled a 5:30 PM budget discussion meeting on July 23, 2013.

Frog Hollow Road speed reduction – Mr. Porter informed the Board that he received an email from a resident with her concerns regarding last month’s discussion on Frog Hollow Road. Mr. Porter also stated that he did not respond to this email. The Board agreed to discuss this matter again when it is more timely.

Fairview Design, LLC Website Development Agreement – Mrs. Miller presented the Board with a new website contract with a rate increase from \$80.00 per hour to \$90.00 per hour. Mrs. Miller also stated that the only other change to the contract is the date to send the invoice into the township for payment. Mr. Amentas asked Mrs. Moore the website budget. Mrs. Moore replied \$500.00. Mr. Amentas made a motion to approve the 2013 Fairview Design, LLC Website Development Agreement, changing the hourly rate from \$80.00 to \$90.00 per hour. Mr. Pomorski seconded. Mr. Porter asked Mrs. Moore if she compared other website companies. Mrs. Moore replied that she will when she works on the budget.

Trash Contract – Mrs. Moore presented the Board with the trash contract draft and asked the Board to consider deleting the senior discount, recycle toter rental, and cleanup of one township road per month. Mr. Amentas made a motion to advertise the bidding of the East Fallowfield Township trash contract as presented with two changes; Paragraph 19 page 12 senior discount be deleted, and on each option A through D will be changed to request that a 64 recycling toter will be provided. Mr. Pomorski seconded. Vote: Unanimous. Mrs. Moore asked the Board if they are keeping one road cleanup per month in the contract. Mr. Amentas moved for a revote on the trash contract. Mr. Porter seconded. Vote: Unanimous. Mr. Amentas made a motion to advertise the bidding of the East Fallowfield Township trash contract with a couple of alterations; Page 12 section 19 paragraph 19 will be deleted, under the listed option one road cleanup per month will be deleted, rather than making the recycling toter available for rent option A through D will indicate that the recycling toter will be provided, and delete the portion of the other option base that refers to no recyclable toters being provided. Mr. Pomorski seconded. Mr. Porter asked if the discount will be included in the trash contract. Mrs. Moore replied that the discount will be decided upon once they see what the trash fee will be.

TREASURER’S REPORT:

April 30, 2013 treasurer’s report – Mrs. Moore explained that she created account #1401.15, Supervisor-clerical/office work, designating Mr. Toth’s office time to its own account replacing account #1400.10 Supervisors salary. Mrs. Moore also stated that \$1,182.26 was also transferred between accounts. Mr. Amentas made a motion to approve the April 30, 2013 treasurer’s report. Mr. Pomorski seconded. Mr. Porter stated that PSATS confirmed that you need a Board vote to have a supervisor work in the township office, and you also need a Board vote to approve Mr. Toth’s back pay, or you can ask for reimbursement.

Mr. Porter also stated that there should be a check and balance, with the Board, regarding payroll. Mr. Amentas asked Mrs. Moore how Mr. Toth's time was recorded. Mrs. Moore replied that he swiped the time clock. Mr. Amentas withdrew his motion. The Board agreed to discuss this matter at the next workshop meeting.

May 31, 2013 Treasurer's report – Mr. Amentas made a motion to approve the May 31, 2013 treasurer's report as presented. Mr. Pomorski seconded. Mr. Porter asked Mrs. Moore if Mr. Toth is still working in the township office. Mrs. Moore replied "no." Vote: Unanimous.

May 2013 payment authorizations – Mr. Amentas made a motion to approve the May 2013 payment authorizations as presented. Mr. Porter seconded. Vote: Unanimous.

PUBLIC WORKS DEPARTMENT:

May 2013 road and vehicle report – No presentation – See report.

April and May 2013 recycling report – No presentation – See report

POLICE DEPARTMENT:

May 2013 police report – No presentation – See report

Mr. Porter asked the Board the status of the police contract. Mr. Amentas replied that he has not received a response from the letter he sent to Officer Simmons or his email asking why a response was not given to the letter. Mr. Porter asked the Board for clarification on the police attorney's letter that Mrs. Miller forwarded to them. Mr. Amentas stated that he will review this letter and get back to the Board.

PARK AND RECREATION: Chairman Michael McClintock

June 2013 report – No presentation – See report.

Mr. McClintock stated that the Park and Recreation Commission did not receive the Peco grant that they applied for last year.

HISTORICAL COMMISSION:

No presentation

PLANNING COMMISSION: Chairman Jim Durburow

Planning Commission Member Fran Digian resignation – Mr. Amentas made a motion to accept the resignation from Planning Commission Member Fran Digian. Mr. Pomorski seconded. Vote: Unanimous.

Mr. Amentas stated that the Planning Commission has a vacancy to fulfill the 2011–2014 term, if interested please send your resume to secretary@eastfallowfield.org or drop it off at the township building.

UNFINISHED BUSINESS:

No unfinished business reported

NEW BUSINESS:

Mr. Porter asked Mr. Della Penna to inspect the runoff on Mr. Hoadley's Misty Patch Road property because someone modified how the runoff runs off the pipe, by dumping stone, and it has affected the way water runs into the stream. Mr. Porter also asked Mr. Della Penna if this is a property issue. Mr. Della Penna replied "yes." Mr. Della Penna also stated that he will go out and inspect the property and notify the Conservation District.

PUBLIC PARTICIPATION:

No public participation presented

ADJOURNMENT: Mr. Amentas made a motion to adjourn the Board of Supervisors meeting at 8:40 PM. Mr. Pomorski seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller, Township Secretary