

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
May 23, 2007
APPROVED MINUTES**

THE MEETING WAS CALLED TO ORDER AT 6:05 BY CHAIRMAN GARTH MONAGHAN followed by Silent Meditation and Pledge of Allegiance.

IN ATTENDANCE: Garth Monaghan, Chairman; Denny Howell, Vice Chairman; George Broadbent, Member; Mark K. Espie, Treasurer; Vince Pompo, Solicitor; Denise Miller, Secretary.

APPROVAL OF MINUTES:

George Broadbent moves to accept the minutes from April 25, 2007. Denny Howell 2nd.
Vote: Unanimous.

CORRESPONDENCE:

Bill Handy, Court Reporter, provided a quote of \$600-\$700 to transcribe the minutes from the BOS meetings. Mr. Howell voiced a concern over recording verbatim minutes, and recommended investigating other persons to record minutes.

Mr. Monaghan calls for any objections, no objections.

TREASURER'S REPORT: Mark Espie stated for the period ending March 31, 2007 we had available cash in the General fund of \$586,530.41, with additional assets in our escrow account of \$861,786.91 and State Liquid Fuels Fund \$111,065.26 and Capital Projects \$778,002.27 bringing total liquid assets to \$2,337,384.85. At this time the treasurer is requesting payment authorization from the general fund of \$177,294.97 the escrow account \$6,634.23 and the Liquid Fuels Fund of \$214.30. This brings total payments to \$184, 143.50.

For the period ended March 31st there was an operating surplus in the general fund of \$179,724.23 and the park and recreation funds were \$458,268.00.

Mr. Monaghan called for any questions for Mr. Espie. Mr. Broadbent asked about the Insurance and Bonding of \$45,000.00 budgeted of \$500.00. Mr. Espie stated that the lines are off. Mr. Broadbent moved to approve the March Treasurer's Report. Denny Howell 2nd. Vote: Unanimous.

For the period ending April 30, 2007 we had liquid assets in the General fund of \$389,218.11 with additional assets in our escrow account of \$857,659.05 and State Liquid Fuels Fund \$110,899.78 and Capital Projects \$774,553.65 bring total liquid assets to \$2,132,330.59. At this time the Treasurer is requesting payment authorization from the General Fund in the amount of, \$38,657.87, the escrow account of \$9,040.50 and the Liquid Fuel fund of \$6.42, bringing total payment authorizations to \$47,704.79. There

operating deficiency in the general fund of \$13,266.81 for the period ending April 30, 2007 and the Park & Rec. had available funds of \$425,792.00.

Mr. Broadbent asks how the P&R expense work. Mr. Espie explained that the “fee in lieu of” account will reimburse that account and it will show in the Month of May of about \$30,000.00. Mr. Monaghan motioned to authorize our Treasurer to pay the engineering escrow fees as presented. George Broadbent 2nd. Vote: Unanimous. Mr. Broadbent moved to accept the Treasurer Report for April 2007. Denny Howell 2nd. Vote: Unanimous.

Mr. Howell then went on record that a recent publication of a flyer distributed contained inaccurate information about Township actions and himself. Ed Porter comments the only thing he was involved in was he spoke to Mr. Howell about the IMPC.

SOLICITOR’S REPORT:

Mr. Pompo is in receipt of a 2nd letter from the attorney representing Brook Crossing HOA asking for some feedback from previous letter. The HOA would like the Board to reconsider whether the HOA should maintain and own the 2 storm water basins or should the Township. Their argument for the back basin is much of the water that flows into this basin comes off property that will be eventually become part of the open space park property. The front basin takes most of the water from the development.

The HOA would like to retain the ownership of the gazebo area or at least the right to control and maintain as well as the sign and the landscaping. If it would be very costly to redo the plans, Mr. Pompo thinks they could do an agreement between the HOA and the Township. Mr. Broadbent was concerned that if the gazebo becomes part of the Park, it would not be able to be used after dark. Mr. Pompo recommended that the gazebo area could be handled with redrawing the lines. Mr. Pompo will communicate back to the HOA the board’s discussion that along the entrance way have that subject to an agreement where they will maintain it, but the Township will own it and then carve out the gazebo area and they will also keep the basins.

Mr. Pompo would like to defer the Stone Creek parcels that are subject to restricted space until someone is present who is affected. Denise Miller will contact the affected homeowners with a letter.

PAWC May 7, 2007 letter: Mr. Pompo spoke with Jamie MacCombie about the letter regarding PAWC’s analysis of what area could be served by gravity and grinder pumps and that they want feedback from the Township. Mr. Pompo would like to defer this since he did not receive the letter until today by email.

POLICE DEPARTMENT:

The citation and monthly report is available in the Township office during business hours.

Motion to adopt Ordinance 2007-04 Intergovernmental Cooperation Agreement: Mr. Pompo states this was properly advertised for consideration. The Police Cooperation Agreement that the Ordinance would authorize in relate to has been revised to reflect the discussion at the last meeting including the monthly payment, which was agreed to by the Borough for \$1,650.00 per month, run for 8 months and terminated upon 30 days notice by either party as been previously discussed.

George Broadbent moves to adopt Ordinance 2007-04, the Police Cooperation Agreement with Modena. Denny Howell 2nd. A discussion was held regarding the changes to the original agreement and the manner in which the Ordinance to adopt the Agreement was advertised. Chris Makely and Ed Porter feel if voted on this will be a violation of the 2nd class code book under Section 1601. After assurances by the Solicitor, the Chairman called for a vote. Vote: Unanimous.

Motion to approve the Police Cooperation Agreement for \$1,650.00 per month commencing June 1, 2007 and expiring Jan. 31, 2008 with a 30 day out clause:

George Broadbent moves to adopt the Police Cooperation Agreement between East Fallowfield and Modena. Denny Howell 2nd. Discussion: Bob King commends the Police Chief on the incident report and would like to see the same for Modena.

Vote: Unanimous.

Motion to approve a 3 yr. lease of a Lanier LD425c color imaging system at \$213.82 a month plus maintenance at .012 a page for black & white and .10 for full color copies:

This includes auto maintenance and paying only for paper. This is also a PA COSTARS so no bidding was required. George Broadbent moves to accept the lease agreement for the Lanier color imaging system for the police. Denny Howell 2nd. Milby Thornington asked the Chief if he shopped around. Mr. Mango stated this is substantially under what you would get if you used a private user. Mr. Broadbent has also compared this information to what he uses in his office and it is significantly cheaper.

Mr. Monaghan calls for a vote: Vote: Unanimous.

Motion to approve an increase in fees charged for copies of PA CRASH reports from \$10.00 per report to \$15.00 report: Mr. Mango states this is authorized in accordance

with the PA Vehicle Code Section 3751B2 this will also offset some of the Copier cost.

Mr. Mango asks Mr. Pompo is this has to be done my motion or Resolution? Mr. Pompo

will get back to him. Denny Howell motions to approve increase in report fees.

George Broadbent 2nd. Discussion? Does a Township Resident pay. Chief Mango; No.

Vote: Unanimous.

Gail Chapman asked the Board if anything could be done about Jake Brakes at the Slag Plant. Mr. Pompo was directed to research a potential Ordinance. John Sly of the Fire Company asked that the Fire Companies be given an exemption because all 3 fire companies truck have Jake Brakes also his response time to the accident at Rt. 82 and Strasburg was 6 minutes and he parked by the police so who were already there.

PARK & RECREATION COMMISSION: Peter Massaro

Motion to approve the payment of \$75.00 to Municipal Supply for work performed on the park rules that were cancelled: Garth Monaghan moves to have Municipal Supply reimbursed for \$75.00. Denny Howell 2nd. Vote: Unanimous.

Motion to approve the payment of Inv. 0007205 for \$698.20 for April 07 services performed by Simone Collins, Township Landscape Architect. This payment is approved by the P&R Commission: Garth Monaghan moves to authorize the payment of this Inv. to the designer of the park. George Broadbent 2nd. Vote: Unanimous.

Mr. Massaro explains they are waiting for a revised proposal to prepare the new set of drawings incorporating the waiver that was discussed, also the start for the construction of the park is in jeopardy because the County Grant will expire at the end of 2007. A meeting with Kim Burgess, County Rep., to see about extending the Grant.

The P & R Commission is formally requesting that the 5-acre of land within the park boundaries that was not purchased with grant money be designated as park land and be made available for incorporation into the park design. These 5 acres have parking facilities and a driveway. Garth Monaghan motioned to vote to allow the land in question be utilized in the design and execution of the park amenities so the park can proceed. George Broadbent 2nd. Vote: Mr. Monaghan and Mr. Broadbent vote Aye and Mr. Howell votes Nay. Mr. Howell states he voted Nay to the 5-acres becoming park land because he is not sure if the Township could use it for a polling place but since there is no present existing legislation that says you can't have a polling place, you can forget his vote of Nay.

Park Day will be this Saturday starting at 9am – 3pm, games, flea market etc.

Mr. Broadbent questions when the construction start date for the park is. Mr. Massaro states they do not have an authorization yet to redesign the storm water management facilities, everything else is predicated on that. Mr. Massaro does not think anything will start in 2007. Chris Makely asks what is a close estimate based on not having plans and what percentage it will cost? Mr. Massaro states the Master Site Plan was prepared in 2004 and he does not know what the dollar amount will be now. Bob King asks will the 5-acre help or hurt the overall plan? Mr. Massaro states it will not affect the storm-water, they could put a tot-lot on it.

Buddy Rhoades comments on the Park event checks going to a resident address. Jen Carling assures Mr. Rhoades it was a mistake and won't happen again.

PLANNING COMMISSION:

No report available, when it becomes available it will be on the website.

EMERGENCY DEPARTMENT:

April 2007 report is available in the Township Office during regular business hours.

John Sly invites all residents to the Westwood parade and also has raffle tickets to sell.

ROADS DEPARTMENT:

April 2007 road report and vehicle record is available in the Township Office.

HISTORIC COMMISSION:

Paula Coyne announces the Town Tour and Village Walk on July 12th. Volunteers and stories needed.

Mrs. Coyne proposes a proposal to engage Jane Dorchester as the Historic Commission Consultant to help with archival interests, documents and completing inventory? Janes' retainer is 16 hrs. a month at \$400.00 per month. Denny Howell motioned to approve said contract. George Broadbent 2nd. Mr. Broadbent states page 2 is unclear whether Jane will be taking the documents out, preserving and imagining them and making them available. Mrs. Coyne states she will and also there will be a paper copy and a digital copy.

Sharon Scott: Has anyone on the Board reviewed the contract for the Windshield Survey? Mr. Monaghan states Yes. Mrs. Scott also objects that Paula Coyne is the only name on the contract and asks what is the Historic Commission budget and balance? Mr. Espie; \$10,000.00. Mr. Broadbent states \$9,940.00.

Buddy Rhoades comments on a past petition to save Mortionville & Speakman bridge and addresses a safety issue on Creek Road..

BUILDING OFFICIAL/ZONING/CODE ENFORCEMENT:

Mr Pompo presents to the Board a Professional Service Agreement between Keystone Municipal Services and the Township regarding code enforcement services. Don McDermott has been hired by Keystone Inc., who would like to be appointed as the Inspector/Code Enforcer. The agreement terms are the same as Mr. McDermott's current terms. Denny Howell motioned to approve the Agreement with Keystone Municipal Services. George Broadbent 2nd. Chris Makely questioned Mr. McDermott's credentials and feels Mr. McDermott has not been forthright with the Township. Ms. Miller comments before April 7th or 9th you did not need credentials. Siti Crook spoke about her Zoning Hearing being denied after being recommended by Mr. McDermott and Mr. Crook states Don is a decent inspector. A discussion ensued regarding alternative inspectors or firms and the term of the contract. The Solicitor recommended that the BOS approve the Agreement retroactive to May 1, 2007. Mr. Monaghan calls for a vote to enter into the 60 day period where the services can be evaluated and the priced agreed to. Vote: Unanimous. Mr. Broadbent stated that the Township will look into other companies during the next 60 days.

NEW BUSINESS:

Motion to approve payment request #3 for Timberlane (Deck Property) for \$2,000.00 leaving a balance of \$40,177.41. Recommended by Chris Della Penna's April 25, 2007 letter: Garth Monaghan motions to release escrow release for Timerlane. George Broadbent 2nd. Discussion? Vote: Unanimous.

Motion to approve payment request #12 Phase 2 for Hunters Ridge for \$2,925.00 leaving a balance of \$693,619.99. Recommended by Chris Della Penna's May 11, 2007 letter: Denny Howell motions to approve payment request #12. George Broadbent 2nd.
Discussion? Vote: Unanimous.

Jeff Bodo with D.L. Howell and Assoc. for the Pelham Place requesting a temporary pump and haul permit for their pump station: Denny Howell, Vice Chairman, excludes himself because his son is the engineer. There are 3 homes livable at this time and they would like to bring an independent hauler to remove the material from the pump station.

Mr. Pompo informs the Board if they are going to approve because of DEP, you need to adopt a Resolution and an agreement.
George Broadbent states if they want to do the agreement and take the expense he will entertain the idea.

Mr. Monaghan states if there is only sales trailer they should get port-a-potties. This request was not brought to motion.

CITIZEN PARTICIPATION:

Chris Makely questioned the BOS on the operations of the Friends of the Park. The Treasurer assured him that funds are segregated and controlled by the Secretary and Treasurer.

George Broadbent has asked all depts. to get a mission statement that will be posted on the website.

Residents of Wellington Hunt: Drainage Issues. Mr. Broadbent spoke with Township Engineer who is working with W. Bradfords' engineer and will advise on said new plans. Mr. Broadbent states once Chris has reviewed the plans, he will set up a meeting with Chris, HOA and himself.

Chris Makely: Email sent to Debra Rush and Garth regarding Bernie Beegle's status, whose company is doing the environmental consulting for the proposed Chester County Training Center. Mr. Monaghan stated Mr. Beegle called him and assured him that he has made a public statement that he will abstain from any votes on the issue. Mr. Makely asked if it is Bernie's company. Mr. Monaghan stated it's not his company, he works for them.

ADJOURNMENT:

Garth Monaghan motions to adjourn at 10:10 pm. George Broadbent 2nd. Vote: Unanimous.

Respectfully Submitted,

Denise Miller

Secretary