

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING**

March 24, 2009

Approved

6:40 PM

CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

IN ATTENDANCE: George Broadbent, Chairman; Chris Makely, Vice Chairman; Garth Monaghan, Member; Chris Amentas; Member, Gary Barach; Member, Vince Pompo, Solicitor; Denise Miller, Township Secretary.

APPROVAL OF MINUTES: Mr. Makely states page 5 should be changed to Triple Fresh and The Big Apple. Mr. Broadbent moves to accept the February 24, 2009 minutes with the page 5 corrections. Mr. Makely 2nd. With no comments. Vote: Unanimous.

Mr. Broadbent reads a citation for Cheryle Hanson for her work on the Park and Recreation Commission. Cheryle thanks the community and the Board.

Mr. Makely informs the public that the 2009 Re-Org. minutes will be changed to reflect Anthony Sirna as Assistant Fire Marshal and Emergency Coordinator and James Reagan as Fire Marshal and Assistant Emergency Coordinator.

CITIZENS BY REQUEST:

Ronald Taggart of 103 Taggart Drive would like to have a dumpster for his residents at his apartments on Strasburg Road. Mr. Makely asks the Board if they will be supportive if he sets something up for this situation and asks Mr. Amentas to review the Ordinance with him. Mr. Amentas agrees. An update will be given at the April meeting.

Mary Bilinski of 1655 Goostown Road would like to have a trash dumpster and share it with her neighbors. Mr. Makely states the Board is only looking at Business Entities and apartments. Mr. Broadbent states he will look at the Ordinance to see what can be done. Mr. Barach states for the time being residents should not take it upon their selves to get a dumpster. Ms. Bilinski asks if York tells the Township ahead of time if the fees are going up. Mr. Broadbent explains the Township is usually notified after the trash invoices go out but this time the Township went to them to get the increased fee.

Mr. Monaghan states the Township is working on possibly getting recycling bins that can be lifted by the recycling truck.

Bill Dixon of 716 Baron Crest Way is asking about the incomplete drainage issues on his property and has found out the Triple Fresh is putting a septic system, adjacent to their property, that will process approximately 10,000 gallons a day. Mr. Broadbent replies that the Township has seized the remaining money from Mr. Callahan on December 30th. The Township is in the process of making a list of things that still need to be done. Mr. Amentas states the Township has as-builts that the Township Engineer says are incomplete and need to be completed by the surveyor.

The Surveyor has basically made their completion of the survey and the Township needs to understand the full scope of the work that needs to be done and basically made it contingent upon the Township's payment of money that Mr. Callahan owes the surveyor.

The money owed is approximately \$6,000.00 and would have to come out of the seized money. Mr. Amentas is working with the Surveyor to work out a deal to get the survey completed and then the Township will be in position to get the work done and understand if the Township has enough money to complete everything that needs to be done and if not, the work will be prioritized in a matter that the necessary work is done first and then what is left over will be used for the unnecessary work.

Mr. Amentas also states that some of the contractors that did work for Mr. Callanhan are under the impression that the Township is obligated to pay them, but that is not true. Mrs. Dixon states they have a \$7,000.00 estimate for the work they need completed.

Dave Kreckler is not present. Mr. Makely informs the Board that Mr. Kreckler called him and told him basically what Mr. Amentas just explained.

Chief Frank Dowlin of Modena Fire Company is looking for their 3rd & 4th quarter payments from the Township. Mr. Makely replies that at the February meeting the Board agreed to hold the checks until the two Fire Companies handed in their details of their accounting. Mr. Monaghan states that approximately 2 weeks ago the Township received the requested information by way of a disk. After Board discussion the board agrees to further discuss the held checks.

CORRESPONDENCE:

Mr. Barach moves to authorize the 3rd and 4th payments to the various fire companies pending no more than two weeks to assure that the 3rd & 4th quarter have not been paid. Modena at \$12,000 per quarter, Pomeroy at \$6,000 per quarter, and Westwood at \$8,000.00 per quarter, monies to be taken from the General Fund. Mr. Makely 2nd.

John Sly from Westwood Fire Company asks the Board if they are waiting for anything from them. Mr. Monaghan replies no.

Mr. Makely states that he, Mr. Monaghan and Mr. Broadbent is in agreement and would like to look at an increase for 2010.

Buddy Rhoades states that the Fire Companies should get an increase and split the \$10,000 that is in the Historic Budget. Mr. Barach replies that just because there is money in someone's budget it doesn't mean they will spend it all.

Mr. Makely comments that the last report from the Maulo bookkeeper showed the Township with a surplus for 2008 but it has not been verified.

Bob King suggests having the fire departments send invoices to the Township for their quarterly payments. Mike McWilliams of Westwood Fire Dept. asks if the fire departments can be involved in the fire department distribution of monies. Mr. Monaghan replies that Mr. Sirna will be setting up the meeting. Mr. Broadbent calls for a vote.

Vote: Unanimous.

Salt Contract - Mr. Broadbent moves to accept the Salt Contract Participation Agreement with COSTARS Program for 450 tons of salt at \$59.99 per ton. Mr. Monaghan 2nd.

With no comments. Vote: Unanimous

SOLICITOR REPORT: Mr. Pompo

Ordinance 2009-02 – Amending the existing Contractors Registration Ordinance and making clear that the registration is annually and conform the Ordinance to the Home Improvement Consumer Act that becomes effective on July 1, 2009. Mr. Broadbent moves to adopt Ordinance 2009-02 amending the Township Contractor Registration Ordinance 2008-03. Mr. Monaghan 2nd. Mr. Amentas asks if the HICPA only applies to Home Improvement Contracts. Mr. Pompo replies yes it does. Mr. Broadbent asks Mr. Pompo to define the State Law that the Township is trying to conform to. Mr. Pompo explains that any contractor doing home improvements, as defined in the State statute, has to get a Contractors' License from the State, then the Township cannot require a License from them and for any Contractor that does non- home improvements has to register with the Township. With no other comments. Vote: Unanimous.

Ordinance 2009-01 – Mr. Broadbent moves to adopt Ordinance 2009-01, the installation of the Stone Creek development stop signs. Mr. Monaghan 2nd. With no comments. Vote: Unanimous.

Ordinance 2009-03 – Mr. Broadbent moves to adopt Ordinance 2009-03, to prohibit on-street parking in The Stone Creek Development. Mr. Monaghan 2nd. With no comments. Vote: Unanimous.

Codification update – Mr. Pompo and Mr. Amentas recently met with Keystate Publishers to review the preliminary draft of the Township's new code of Ordinances. Mr. Roth, Keystate, needs some more Ordinances and then Keystate will prepare a final draft reviewed by Mr. Pompo's office and the Board. This will also be available on the website.

TREASURER'S REPORT:

Mr. Barach speaks on behalf of the Treasurers function. Mr. Barach states that the Township has received data from Comcast, Verizon, earned income revenue and also the Township insurances have been renegotiated to a better price. Mr. Barach plans to have the 1st quarter treasures report for the next meeting. There will also be an ad placed on Monster.com for a qualified bookkeeper and the Township is also pursuing auditors.

Mr. Barach excuses himself from the BOS meeting.

Weavers Mulch and 108 Cumberland is moved up from unfinished business.

Weaver Mulch - Mr. Pompo explains that the Township directed Suzanna, no longer with Keystone, to review and investigate the operating of the business expanding onto later required property. Suzanna spoke with the owner and submitted a confidential memorandum dated 9/23/08 to the Board. Mr. Pompo asks the Board if they want to go forward as set forth in the memorandum. Mr. Broadbent asks Mr. Pompo to speak with Rob, the Building Inspector/Code official.

108 Cumberland – Mr. Makely explains he spoke with Rob regarding the violation letter previously issued and on Friday sent out a follow up letter. Mr. Pompo's office will not be involved in this matter.

The Board excuses Mr. Pompo from the Board of Supervisor's meeting.

Buddy Rhoades asks about Weaver's Mulch missing files. Mr. Broadbent directs him to speak under Public Participation.

PARK AND RECREATION: Peter Massaro

The March 2009 P&RC summary is in the back of the room and on the website.

Resolution 2009-05 DCNR Grant – Mr. Broadbent moves to pass Resolution 2009-05 authorizing the Chairperson (himself) to sign for the P&R DCNR grant application. Mr. Monaghan 2nd. Mr. Amentas asks if Spotts, Stevens and McCoy (SSM) putting the terms for the grant together. Mr. Massaro replies no, The Dept. of Conservation and Natural Resources is. With no other questions. Vote: Unanimous.

The Water Resources Education Network (WREN) grant for \$5,000.00 – The Township will be obligated to pay \$1500.00. Mr. Makely motions to authorize the P&R Chairperson to apply for the WREN grant with a Township obligation to come out of the fee in lieu of monies not to exceed \$2,000.00. Mr. Broadbent 2nd. Mr. Amentas asks if there is a possibility the Township will not have to pay anything. Mr. Massaro replies yes. With no other questions. Vote: Unanimous.

HISTORIC COMMISSION:

The February 11, 2009 minutes are in the back of the room and on the website.

POLICE DEPARTMENT:

The February 2009 monthly report is in the back of the room and on the website.

Chief Mango is keeping track on the diesel that is used because the Township is obligated to use the contracted amount and will update the Board weekly.

The police are working on the robbery task force and to being a visible business deterrent and working with the arson task force. The arson on Misty Patch Road appears not related to the recent arsons.

Chief Mango states he was notified that they are eligible for a \$10,000 grant, from the Government Economic Stimulus plan, that can be used for technology and some equipment. Chief Mango would like to get a records management system. Mr. Broadbent has investigated the product and is in favor of applying for the grant. The District Attorney's office is filing the grant application on behalf of all the Municipalities in the County that are eligible. Chief Mango states Mr. Barach had concerns on using the money for whatever is needed but there are stipulations on what the money can be used for.

Mr. Makely asks the Chief if he has all the information for the COPS grant. Chief Mango states he needs the 2007 ending fund balance. Denise Miller replies that she gave the information to Nancy Baker. Chief Mango explains that the Federal Government is

offering grants that would provide 100% salary for a FT Officer for 3 years plus all the benefits but the Township will have to maintain the position for one full budget year thereafter. Chief Mango asks the Board if they are comfortable with 1 FT Officer. Mr. Makely asks if the Township would have to accommodate the salary in 2014. Chief Mango replies yes, it would be about \$300,000.00 and you can't use this position if someone retires. Mr. Makely motions to continue on with the COPS grant that would provide 100% salary for 3 years plus benefits and assume everything thereafter with the contingency that the Township can opt out at any point. Mr. Monaghan asks what is the officer's salary based on. Chief Mango replies it is based on the current salaries and factor in health benefits. Mr. Broadbent 2nd. Buddy Rhoades suggests that the whole Board look at the grant before a motion is made. The Board replies that it was sent to the whole Board to look at.

Conrad DeAbreu asks what is the time span for this grant. Chief Mango replies that this is part of President Obama's stimulus package and it is required that the application has to be submitted by April 18th. Ed Porter asks if the officer could be a detective. Chief Mango replies that they could promote an officer to detective and put the new officer into schedule. With no other comments. Vote: Unanimous.

With no other questions for the Chief, the Board excuses him from the BOS meeting.

EMERGENCY SERVICES:

The Modena February 2009 fire report is in the back room and on the website.

The February 2009 EMS report is in the back room and is on the website.

PUBLIC WORKS DEPARTMENT:

The February 2009 road and vehicle reports are in the back room and on the website.

The February 2009 recycling report is in the back room and on the website.

The public works department is working on getting more weed control bids.

UNFINISHED BUSINESS:

5% surcharge – Mr. Makely states he will get with Chris Della Penna to go over the 5% surcharge.

Chief Admin. Officer – Table until next meeting so Mr. Barach can be involved.

PMRS update – Table until next meeting so Mr. Barach can be involved.

NEW BUSINESS:

Mr. Broadbent moves to pass Resolution 2009-04 to destroy the 1992-2000 Liquid Fuels records in accordance with the State Records Retention guidelines. Mr. Makely 2nd. With no questions. Vote: Unanimous.

Mr. Broadbent moves to authorize the time extension for Leona Creekmur to May 29, 2009. Mr. Makely 2nd. With no comments. Vote: Unanimous.

Mr. Makely motions to return check #3313 issued by A.D. Anderson to East Fallowfield Township, that was never cashed, and return it based upon the approval letter from

Chris Della Penna. Mr. Broadbent 2nd. With no questions. Vote: Unanimous.

PUBLIC PARTICIPATION: 30 minute total time

Bob King asks about the tires on Misty Patch Road. Mr. Monaghan replies that Chris Della Penna can put the tires on his punch list for the development.

Mr. King also asks about the Manchester Farms bond and the West Chester Road project. Mr. Amentas replies they have to find out how much is in the escrow fund and then determine if a deal can be worked out with Dewey with what monies are in escrow.

Buddy Rhoades asks if the \$15,000.00 for the Park mower was reimburse to the General Fund from the P&R fund. Mr. Broadbent replies that this will be checked.

Mr. Rhoades also asks why are the police paying for a swat van and why 3 police cars are unmarked and the missing records that are on the website and other township issues.

Mr. Makely replies he spoke with the Chief and he said the car is used extensively for undercover police work and the Board is not going to take any action to mandate that the Chief mark it and the Township pays \$236 a year for the van.

Ed Porter comments that there is a lot of debris at Martin Farm.

Conrad DeAbreu asks if the Township contacted Dan Gray of the Conservation District to solve the problem of Baron Crest. Mr. Amentas replies that they will have to be involved in the process and the first step is to find out what needs to be done and get the as-built survey complete. Mr. DeAbreu says there is a letter from Chris Della Penna that he says he has constructed and modified the basin design. Mr. Amentas replies that until the Board understands what needs to be done, it cannot be determined how much it will cost and how exactly the money should be allocated.

Dennis Crook asks if the Township still running under the 2006 ICC. Mr. Monaghan and Mr. Makely reply yes they are. Mr. Crook recommends going to the 2009 IECC code attachment to the 2009 ICC.

Mr. Makely states that he will not be signing any Township checks until he knows what the balances are.

ADJOURNMENT:

Mr. Broadbent motions to adjourn at 9:05 pm. Mr. Makely 2nd. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary