

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 22, 2009
Unapproved
7:00 PM**

CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

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

There has been an Executive Session on September 15th regarding personal matters and September 19th at 6:30 regarding legal issues and personal matters.

APPROVAL OF MINUTES:

Mr. Broadbent moves to accept the meeting minutes from August 27, 2009. Mr. Monaghan 2nd with a comment. Mr. Barach states that he sent changes to the minutes, specific to his comments and they were not all reflected in the minutes and asks the Board not to approve the minutes until all changes are reflected in the minutes. Mr. Monaghan states the person who spoke in support of Officer Porter should be changed to Bob Moskel instead of Bob Hennessey. The Board agrees to table approval until next month. Mr. Barach withdraws his motion to approve the minutes.

CITIZENS BY REQUEST:

Sharon Scott of 325 Hephizbah Hill Road comments on the 8/12 incident with Clarence “Buddy” Rhoades parking his truck on her property and calling 911 and the 8/10 incident with Buddy Rhoades, Chad and Kurt Rhoades who beat Mrs. Scott’s grandson in the basement and pushed her mother out of the way. Chief Lou Wilson of South C-vill and Office Kristen Menna of East Fallowfield responded to Mrs. Scott call. Mrs. Scott would like to press harassment charges filed through this police station. Mr. Broadbent states he is sorry for what she went through and will check into this situation. Mrs. Scott states she never received a response to the letter she hand delivered to Mr. Monaghan, Mr. Makely and Mr. Howell and asks that the Secretary make a copy of it and give it to Mr. Amentas and Mr. Barach.

Damon Scott of 325 Hephizbah Hill Road states that he has nothing to say, his wife said it all.

CORRESPONDENCE:

The flyer for G.O. Carlson Airport open House on 9/26/09 from 12-4 is on the back table and the website.

PLANNING COMMISSION:

No PC meeting this month.

SOLICITOR REPORT:

Motion to change the TCC voting delegates: Mr. Barach states that he attended the recent TCC meeting on behalf of Chris Amentas, who was unavailable to attend, and who had been named the EFT voting delegate. Mr. Barach recalls that at the last meeting, the delegates consisted of Chris Amentas, as a voting delegate, Rosemary Moore, as the second delegated, and Bob King as the third delegate. Mr. Barach volunteers to continue as the EFT voting delegate, if that is the BOS desire. Mr. Amentas agrees to be the second delegate, with Rosemary Moore being the third.

Mr. Barach advises Mr. King that this change will eliminate him as a delegate and asks if this is his preference. Mr. King states this is so. Mr. Broadbent moves to accept the resignation from Bob King as the voting delegate for the TCC. Mr. Monaghan 2nd. Vote: Unanimous. Mr. Barach makes a motion that he will serve as the voting delegate, Chris Amentas 2nd and Rosemary Moore 3rd. Mr. Broadbent 2nd. Vote: Unanimous.

Motion to adopt advertised Ordinance 2009-06 for the Non-Uniform Pension Plan:

Mr. Broadbent moves to enact Ordinance 2009-06 to change the benefits for the Municipal Retirement System. Mr. Barach 2nd. Mr. Monaghan asks is it the intent of this Ordinance to take the money and to apply it to premiums and if there was any consideration given to distributing the money to the existing employees. Mr. Broadbent replies yes. Mr. Barach states that to elect out of this default a Resolution would have to be enacted by the Board. The default policy is that if there are excess monies it will be used for premiums and if the Board decides to take the money and reallocate it that can be done with passing a Resolution.

Sharon Scott asks is this an additional pension plan. Mr. Monaghan replies no it's not. Mrs. Scott asks what the percentage is that the Township contributes and can the employee decide how much they contribute. Mr. Barach replies the Township contributes a defined percentage and there is another plan in affect where non-uniform employees can contribute to a secondary plan.

Conrad Debreu asks how much can employees contribute. Mr. Barach replies that he will research the plan provisions and report back at the next meeting. Vote: Unanimous.

Motion to adopt Resolution 2009-10 for the Benefit Pension reallocation: Mr. Broadbent moves to pass Resolution 2009-10 for the reallocation of assets based upon Ordinance 2009-06. Mr. Amentas 2nd. Mr. Barach questions the need of passing this Resolution since it is merely a template Resolution that would be acted on in the future. Mr. Pompo asks from the prospective that you would need to fill in the blanks. Mr. Barach replies yes. Mr. Pompo replies yes that the blanks would be filled in before the Resolution is signed. Mr. Broadbent clarifies that the default policy is to use the excess funds for the Township burden but if they decided to elect out of that then the Resolution would be completed and then it would be enacted. Mr. Pompo replies that if you want to maintain a default status, his advice is to not approve the motion. Mr. Barach states that the Ordinance that was just passed stipulates that the Township will be using excess unvested monies for their pension liability unless the Resolution is adopted. Mr. Pompo asks if the Board doesn't want to change from the default it could be used to meet the township Municipal obligation then you should not enact the Ordinance. Mr. Amentas asks what is the agreement dated September blank, 2009. Mr. Pompo replies that is the agreement that the Ordinance authorizes for the Pennsylvania Municipal Retirement System and the blank will carry the date of the Ordinance and the Secretary will provide that to the Chairman or the whole Board and then it will go to the Retirement System.

Mr. Broadbent asks the Board if it is their opinion that the money should not be distributed to existing employees.

Bob King asks if the Resolution is passed will the \$13,000 go to employees. Mr. Broadbent replies yes. Mr. Broadbent replies that with the previous Ordinance they set a default as to what is done with the excess money and it also brings the Township up to date with the State's Pension documents. Mr. King asks why would you give the money to the employees in this economic time. Mr. Barach replies that this is the first time the Township is going to pass the wording of this Resolution to be used in the future as a blank template for an action. The second part of passing this would in fact be to go out of the default Ordinance that was just passed and give the money on a percentage basis to the employees. Sharon Scott objects to passing this Resolution.

Mr. Pompo states that if this Resolution is passed tonight it would only apply to the forfeitures that exist to today so if there was forfeiture in the future the default in the Ordinance would prevail unless another Resolution was passed. Mr. Broadbent withdraws his motion.

Mr. Monaghan states that for several years the non-uniform employees asked if they could increase the amount of money that they contributed and they were told no but an employee learned that this was not true therefore they underfunded their own pension plan there he would like to distribute this money to the employees. Approx. \$800.00 per employee and asks that this Resolution be tabled. Mr. Barach states that the Board just passed an Ordinance that stipulates that credits are to be currently applied to the Township's liability. Mr. Amentas states for that reason there is no reason to table this Resolution unless sometime in the future the Board decided to change it.

Motion to advertise Ordinance 2009-08 for the Operation of ATV's: Mr. Pompo states at the request of the Board he prepared a 3rd version of the Ordinance that is a pair down from the last draft that addressed solely the regulation of ATV's and dirt bikes within the Township as opposed to the broader definition that included the term recreation facilities which in turn was very broad so the intent of this draft is to limit the registration and regulation requirements solely to ATV's and dirt bikes. Mr. Barach states due to getting this Ordinance on 9/18 he will need more time to review the changes. The Board agrees to table this Ordinance until next month.

Motion to advertise Ordinance 2009-05 for the Trash Ordinance: The Board agrees to table this Ordinance until next month in order to review all the changes. Mr. Amentas asks about the substance changes. Mr. Pompo replies that there were a couple substance changes that Supervisor Makely asked for that he did not feel comfortable making. Mr. Amentas asks if there were changes made to include an appeal process. Mr. Pompo replies there is an appeal process provision to give opportunity for residents to formally challenge a notice of what the trash bill is. Mr. Barach notes that the finance charges on unpaid balances contained in the Ordinance are defined as 10 percent per year. Mr. Barach states that in a prior meeting in 2009, the Board passed a provision defining finance charges that accrued on balances due in excess of 30 days at the rate of 1.5% per month or 18% per year. Mr. Barach suggests that the finance charges in the trash ordinance must be revised to be consistent. Mr. Pompo replies you absolutely want to be consistent. The Board agrees to table this Ordinance until next month.

Motion to adopt Ordinance 2009-09 for Street Opening: Mr. Pompo states that since Ordinance 2009-05 hasn't been adopted yet, he suggests using 2009-05 to keep the numbers in order. Mr. Broadbent moves to adopt Ordinance 2009-05 for the regulations of street openings and installations and driveways in East Fallowfield. Mr. Monaghan 2nd. Mr. Monaghan states that there are no references to sewer lines and it looks like the Township does not have a lot of control over replacing damaged roadways and overlays, so the Township is not protected when West Chester Road is repaired and also on Cardinal, Valmont and Robin roads. Mr. Pompo replies that the Township already issued a permit to PAWC for the Cardinal, Valmont and Robin road job. Mr. Monaghan states that PAWC will put the road back to some condition when complete but will not overlay it and make repairs to the trenches but not to the tract marks from their equipment. What assurance does the Township have that this won't happen again? Mr. Pompo replies that the Township has no assurances. Mr. Pompo states that sewer is not expressed in Section 2 although the draft Ordinance does include other piping. Mr. Monaghan says that if that can be coinsured as sewer lines then that is fine. Mr. Amentas states this Ordinance covers any driveways that are constructed upon any portion of the road or within road right-a-way located in the Township and asks if all driveways partially occupy a right-a-way. Mr. Pompo replies that the ones the Township would want to regulate are the ones that would enter upon a Township road. Mr. Amentas asks if he wanted to replace his driveway and under this Ordinance would he have

to provide something in the full amount of the work. Mr. Broadbent states that if you are redoing an existing driveway this would not apply because the road is already cut open and if you're adding an additional one this would apply. Mr. Amentas states the Ordinance covers activities that really don't involve serious disturbance. Mr. Pompo states Section 2 is the basic requirement right out of the Second Class Township Code which is your authority and does not advise the Township to give up their authority to comment about any type of encroachment with a driveway or footpath into a public right-a-way and agrees that the requirements not be applied such as security. Mr. Amentas states the security deposit language should be addressed and make it more reasonable for certain circumstances. Mr. Pompo replies you could address by not requiring for certain driveways but retain some authority on a case by case basis depending on the nature of the actual application.

Mr. Pompo will change to exempt a resident for a single family from the security deposit. Mr. Amentas asks who will determine the amount of security. Mr. Pompo replies that you usually get an estimate from the person who is doing the project and depending on the nature of the project it would be reviewed by the Engineer. If there would be an agreement then that would be the security. Mr. Amentas asks if you could use similar language that's in development projects. Mr. Pompo replies that you could reference the provisions or come up with improvement costs through the Municipal Planning code which are also essentially restating the Zoning Ordinance. You could reference that procedure as way to arrive at the cost value. Mr. Pompo states if there are changes tonight the Ordinance would have to be enacted within 60 days of the last publication or it would have to be republished. The first publication was on September 15th so that would fall within the next meeting. You would have to re-advertise if there is a substantial change. Adding sewer pipe or creating a category of exemption for residential driveways or taking out regulation would not be substantial. Mr. Amentas states that if you are coming up with a procedure for determining the amount of security then we don't need to exempt driveways. Conrad DeAbreu asks if it's covered in the Ordinance that if there are existing utilities and they come back to build a new home and mess the road up. Mr. Pompo replies no it is not. Mr. Amentas states that Section 2 needs the language made clearer. The Board agrees to review at the workshop. Mr. Pompo asks the Board if they are revisiting Section 2 which is the basic permit requirement and then revisiting Section 19 which is the security deposit. Mr. Barach replies that it has to be defined between project classes. Mr. Broadbent states to do a revision and asks Mr. Pompo to let them know if it has to be re-advertised. Mr. Broadbent withdraws his motion for enacting Ordinance 2009-05.

Mr. Broadbent states the Solicitor's report is over the allotted 30 minutes would they like to continue. The Board agrees to continue.

Motion to authorize the change of 703.4 Maximum Height: Mr. Pompo states this will have to be advertised and go before the C.C.P.C and Twp. P.C. that will take at least 30 days before the Board could consider. This has also been approved by the Township Engineer. Mr. Broadbent moves to advertise the change to the Zoning Ordinance in Section 703.4 A from two and one-half (2/1/2) stories or thirty (30) feet to two and three (3) stories or thirty five (35) feet subject to review by the Planning Commissions. Mr. Monaghan 2nd. Mr. Barach asks if the 35 feet refers to the distance from ground grade to the mid-point of the roof joists. Mr. Pompo replies that he doesn't have the Ordinance with him but the definition of height is in the Ordinance. Mr. Barach states he wants to make sure that when the Township is advertising definitions that they are clear so that resident understand what they are reading.

Vote: Unanimous.

Motion to advertise Ordinance 2009-11 for the Intergovernmental Cooperative Agreement for Multi-Municipal Planning: Mr. Broadbent would like to table this Ordinance until next month.

The Board is in agreement.

Mr. Amentas asks Mr. Pompo what kind of benefits the Township would get from this Agreement. Mr. Pompo replies that one benefit would be that the Township would essentially have a seat at the table as other Municipalities are discussing issues that could impact the Municipality, rather than not having any seat at the table and any agreement relative to Multi-Municipal Planning must be clear that there is absolutely no obligation to the Township to approve or agree to any plan or Ordinance change. Mr. Amentas states he personally does not see too many scenarios where any activity from Sadsbury, Valley, Modena or S-Cille would impact the Township in a way that the Township would be able or not be able to affect that impact even in the absence of this type of committee. Mr. Amentas also states he does not see the Township being able to doing anything as part of this group that we wouldn't be able to do otherwise.

Mr. Monaghan asks about the need for a traffic signal regarding the South Coatesville project on Youngsburg and Strasburg and who will pay for it. Mr. Pompo replies that in the normal course if it's outside your jurisdiction there is nothing you can do and if it was the type of project that was going to be part of some Regional Planning Group, you may essentially have a seat at the table to raise that Regional impact and to press the Township agenda that if a development like that is going to take place then these impacts on your Municipality must be taken into account.

Mr. Amentas states he is uncertain that something along what Garth references will ever come up in this type of context. Mr. Monaghan replies that he thinks this is in the spirit of this group.

Mr. Amentas states his impression is no, that it addresses issues that fundamentally affect everyone.

The Board agrees to table until the next workshop.

LEGAL ISSUES:

Acting Chief, Ed Masterstefone's salary: Mr. Broadbent states the Township will amend the Acting Chief agreement so everyone is clear on the terms. Mr. Broadbent moves to increase the pay of Ed Masterstefone the Acting Chief, effective August 8, 2009 to \$38.00 per hour subject to the terms of the acting chief position which is to memorialize an agreement between the Township and the Acting Chief. Mr. Monaghan 2nd. Mr. Amentas asks to clarify that the Township already has an agreement it will just be updated. Mr. Broadbent replies yes. Sharon Scott asks if the Chief made \$38.00. Mr. Broadbent replies correct. Mrs. Scott asks if Mr. Masterstefone has any experience. Mr. Broadbent replies he has experience from throughout the years and would replace Chief Mango when he was not here. Mr. Broadbent replies that the Township is still working out all the information. Glenn Colyer asks if Officer Masterstefone will make the \$38.00 per hour when Officer Porter takes over. Mr. Broadbent replies that they are still working on things. Mr. Amentas states one of the factors that impacted Corporal Masterstefone's pay is that Chief Mango resigned rather abruptly, forcing the Township into a decision where they needed to act quickly. Corporal Masterstefone was appointed Acting Chief at that time and then they were in a position to determine how to fairly treat him. Mr. Colyer asks if Chris Porter will be paid \$38.00 per hour. Mr. Amentas replies no.

Mr. Monaghan states that at the end of Ed serving as Acting Chief it will revert back to the contract rate. Mr. Barach states that the terms of Ed's appointment to acting Chief, that include duration of appointment, hourly rate, and manner that the hourly rate is applied to actual hours worked, he takes exception to the lack of definition established by the BOS and the lack of process. Mr. Barach states his concern with the motion is that it continues to be limited and does not define the mechanics of calculating Ed's pay sufficiently and any limitations in overtime hours worked as a full-time Chief. Mr. Barach states that the Board should not pass a motion without it being defined properly to protect both Ed and the Township. Mr. Broadbent states there was a meeting over the weekend and the motion considers all those changes that allow the Solicitor to work out the document that all parties can agree too. Mr. Barach states that a motion should not be considered until all the terms as defined by the Solicitor are included. Mr. Barach

suggests that if the Board is going to act on the current motion, at a minimum, wording should be added that make the motion subject to the Solicitor defining specifics that include the mechanics of applying the hourly rate, the length of the appointment, and the basis of any amount to be paid in excess of \$38 for 40 hours per week. Mr. Amentas states that the problem is that they are proceeding in a very atypical manner, specifically were working out the details of somebody's employment after they have been hired. So there is no liberty, at this time, of really taking their time. Mr. Pompo states he is interpreting the motion as being that the Board is establishing the rate because the motion is very specific at \$38.00 per hour so that is and would be approved by this motion. Mr. Barach asks for definition of limits for the hours that the rate will be applied to. Mr. Broadbent replies that it is a salary position as discussed which is what Chief Mango was. Mr. Barach asks if the motion is \$38.00 an hour applied to a limit of 40 hours per work without overtime. Mr. Broadbent replies that is correct. Mr. Barach asks if the Solicitor is going to address the basis of accrued holiday, personal time, and rated applied to each. Mr. Pompo replies that these are the type of issues that need to be memorialized. Mr. Barach asks when does the Board anticipate the details being worked out and committed to writing. Mr. Pompo replies that he is taking this motion to be at all deliberate speed. Mr. Barach asks if this will be done by Monday. Mr. Pompo replies yes.

Bob King asks if Ed Masterstefone working 8 or 12 hour shifts. Mr. Broadbent replies whatever is necessary. Mr. King states that Ed should get a raise but not to \$38.00/hr. Mr. Amentas states that this is a unique situation where the Board didn't have a large number of people to draw from, we had someone who resigned abruptly and the Township had 1 person who was best equipped to step into those shoes immediately. Ed started working immediately and after he starting doing the work they couldn't say this is what you are getting. The Board had to set a fair and reasonable number under the circumstance. Mr. King asks if Ed took the job without knowing what he would make. Mr. Amentas replies yes. Mr. Broadbent states that his original motion when Chief Mango retired went to Ed as the Acting Chief was not complete and did not include the new salary. There was an assumption that the Chief's salary went along with it. Since then it has been talked about that's why this motion has been made at this time. Conrad DeAbreu asks will Chris Porter get the same rate. Mr. Broadbent replies that is still being worked out. Mr. Barach asks if the motion can reflect those additions of what the Council just said.

Mr. Broadbent amends his motion to include "based on a 40 hour week". Mr. Monaghan 2nd.

Gary Barach abstains. Vote: passes.

FINANCIAL REPORT: Mr. Barach on behalf of the Board of Supervisors

Mr. Barach moves to approve \$75,199.51 for payroll and payroll taxes electronic transfers made for Township Payroll, \$702.84 from the builder's escrow fund, \$6,281.80 from Liquid Fuels Fund, and \$91,054.96 from the General Fund for the period September 1, 2009 – September 21, 2009. Mr. Broadbent 2nd. Vote: Unanimous.

Mr. Barach states that he went to the Tax collection meeting, along with Bob King and Rosemary Moore, where they discussed how each Municipality will have a certain weighted average vote. The vote is determined by the tax revenue collected and population. East Fallowfield has .64% of the group vote. The next meeting will be November and the delegates will vote on an Executive Committee. The TCC will then determine who they want to retain as the tax collector for the County. All Townships will have to share the same percentage of the expense for this organization. This will not become effective until 2012. Mr. Barach cautions the future EFT budget for the year 2012 and must consider that tax revenues will be reduced by as much as 20 percent in 2012 due to problems that most likely will occur in transitioning into the new TCC tax collection process.

Mr. Broadbent replies to a previous question asking what account was the \$15,000 Park & Rec. mower paid out of it. It was paid from the P&R General Fund of \$15,000. The Documentation is available in the Township Office.

POLICE DEPARTMENT:

The September police is in the back room and on the website.

Mr. Monaghan moves that the Township hire Gina Ciminara as FT Officer replacing Acting Chief Masterstefone on the schedule so the coverage can be continued, Gina also has been recommended by all her fellow Officers. Mr. Broadbent 2nd. Mr. Barach asks what is Gina's compensation. Mr. Broadbent replies that it will be class C. Mr. Barach states class C should be included in the motion. Mr. Monaghan accepts that amendment. Mr. Broadbent 2nd, the amendment. Glenn Colyer asks what is the total of FT police. Mr. Broadbent replies 7 FT police. Vote: Unanimous.

Mr. Monaghan asks Mr. Pompo about the documentation on the personal matter that was reviewed. Mr. Pompo replies that he will have a copy.

PARK AND RECREATION:

The September P&R summary is in the back room and on the website.

The two park wetland basins were planted on Saturday by 30 volunteers, including Cub Scouts pack #219.

Mr. Broadbent moves to authorize the creation of a new bank account for the Patriotic Landmark Funds to be titled East Fallowfield Patriotic Landmark. Mr. Monaghan 2nd. Vote: Unanimous.

Mr. Broadbent moves to request permission from the Board to sign the Thank You letter to Senator Dinnaman. Mr. Monaghan 2nd. Vote: Unanimous.

The Board approves 2 road crew members for 4 hours to be paid from the P&R fund. Mr. Barach asks if this will be overtime. Mr. Broadbent replies yes it will be overtime. Mr. Barach states that the last discussion was about equipment. Mr. Broadbent replies that there was not enough time to get everything together.

Mr. Broadbent moves to pay invoice #0229807 from Spotts/Stevens/McCoy in the amount of \$647.63 to be paid from the fee in lieu of account. Mr. Monaghan 2nd. Mr. Barach asks why motions are being made for \$647 when expenditures are approved anyway. Joe Dietrich replies that a motion was already approved for the invoice in the bid. Mr. Broadbent replies that the invoice is not listed in the list of invoices to be paid. Vote: Unanimous.

Motion to approve a Temporary restroom facility:

<u>Vendor</u>	<u>Monthly Fee</u>	<u>Handicapped unit fee</u>	<u>Damage waiver</u>
Ace Disposal	\$73.00	\$128.00	\$7.00 per unit per mth
McGovern	\$80.00	\$150.00	\$5.00 per unit per wk
Potty Queen	\$110.00	\$195.00	not provided

After Board discussion, The Board approves \$250.00 per month for 2 new port-a-potties with one being handicapped and monies to be paid out of fee-in-lieu of funds, facilities to be located by the Kiosk.

Mr. Broadbent moves to authorize the Park and Rec. department to spend up to \$250.00 for a port-a-john facility. Mr. Monaghan 2nd. Vote: Unanimous.

Mr. Broadbent asks Mr. Dietrich is Chris Della Penna provided everything needed for the patriotic landmark. Mr. Dietrich replies that they do have a plan. Mr. Broadbent asks if Arlene will be at park day. Denise Miller replies yes she will.

PUBLIC WORKS DEPARTMENT:

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

Motion to approve a fuel vendor:

- 1) Diamond/Delchester/Major; Diesel: \$2.101 per gallon pre-tax, \$2.726 per gallon with tax delivered. 89 Gasoline; \$2.1239 per gallon pre-tax, \$2.5859 per gallon with tax delivered.
- 2) Reilly & Sons Inc.; Diesel \$1.808 with .150 differential \$1.958 – Gasoline \$2.049 with .100 differential \$2.149.
- 3) Zekes Oil Co.; Diesel \$2.09.9 with rack price of .10 per gallon, 87 octane at \$230.0 per gallon with a rack price of .10 per gallon.

Mr. Broadbent moves to accept the Public Works Foreman recommendation of using Reilly & Sons Inc. as the Township fuel vendor as indicated in the fuel package. Mr. Monaghan 2nd.

Bob King asks if the bids are sealed or opened. Mr. Monaghan replies open bids. Mr. King asks what is the difference between the two. Mr. Monaghan replies that usually the sealed bids are large. Mr. Barach asks when the contract ends. Mr. Monaghan replies when the Township doesn't want anymore. Mr. Barach states the motion should have a "price not to exceed" provision and that the Township can terminate the agreement. Mr. Monaghan states that if the price drops it's going to be less, if it goes up it will be more than that. Mr. Barach states that they should provide their specific reference used to establish the whole rack price. Mr. Monaghan states he believes it's announced on Wednesday but is not sure where it comes from. Mr. Barach wants to know if Reilly is holding the price constant or the percentage of deviation constant. Mr. Broadbent replies they are holding the Reilly differential listed as constant. Mr. Broadbent suggests because there are no set terms that this can be cancelled at anytime. Conrad DeAbreu asks if the Township qualified for highway diesel fuel for the equipment. Mr. Monaghan replies yes they are. Mr. Broadbent calls for a vote to use Reilly & Sons for diesel and gasoline on an as needed basis. Vote: Unanimous.

Lift: Mr. Broadbent states that the proceeds from the sale of the Ford tractor that was paid from Liquid Fuels and was not returned to that account it was put into the General Fund.

Mr. Monaghan recommends the authorization of the purchase of a lift for the Township garage that will allow the road crew to do the maintenance and things on the vehicles that get sent out for maintenance at a much higher rate. The lift has a 1.5 million dollar liability and will be installed but will need a license electrician to make the connection between the motor, the switch and the power source. The cost is \$4,300 without the electrician. Mr. Barach asks what Tag estimates the cost would be going to outside parties to do the type of repairs that would be done on an annual basis. Mr. Monaghan replies that it's not so much repairs as it is maintenance like oil changes and police car tire changes. Mr. Barach asks what the savings would be on police cars and trucks.

Mr. Monaghan replies \$45,000 in one year. Mr. Barach asks what the life of the lift is. Mr. Monaghan replies 20-25 years. Mr. Monaghan moves to authorize the purchase of a lift as previously described in the amount of \$44,000.00 and installed by the firm that was discussed and insurance of 1.5 million in liability. Mr. Broadbent 2nd. Conrad DeAbreu comments on hiring someone to cut grass because of the lift taking more employee time. Vote: Unanimous.

Roller: Mr. Monaghan encourages the Board to authorize the purchase of a new roller and states he asked Tag to look at rental prices and anticipate the amount of work for next year and the rental is \$145.00 a day. The roller that the Township has now will get \$4,500 on a trade. Conrad DeAbreu asks if the roller will be rented to other Townships. Mr. Monaghan replies it will be made available. Mr. Broadbent states the Township will have more and more roads that need to be repaired.

Mr. Monaghan motions to authorize the purchase of the roller as previously described in the meetings and not to exceed \$30,000.00. Mr. Broadbent asks if this will be paid out of Liquid Fuels. Mr. Monaghan replies yes. Mr. Amentas asks if bids were received. Mr. Monaghan replies that this is under the State Contract. Mr. Barach 2nd. Bob King asks if Tag checked with other Municipalities on renting their rollers. Mr. Monaghan replies that it's not worth doing that.

Mr. King states he asks Tag to push stone back between 17th Ave. & Misty Patch and he said that it's not that bad enough. Mr. Monaghan replies that this is a different issue and Tag has told you his opinion. Mr. Barach asks if the transport unit or trailer is included. Mr. Monaghan replies that its part of the cost. Vote: Unanimous.

HISTORIC COMMISSION:

No report

EMERGENCY SERVICES:

The August EMS report is in the back of the room and on the website.

UNFINISHED BUSINESS:

On the recommendation on the Road Foreman's, the Board agrees to leave the Arrow Sign at Doe Run Church Road heading toward Strasburg road sign up.

Per the Township Engineer's, Chris Della Penna, review letter the culvert at 162 Doe Run road is not in the PennDot right-a-way or the Township's. Mr. Monaghan states the he spoke with Buddy Rhoades and he said that this was a PennDot job. Mr. Monaghan called PennDot and they said it was not their job. Mr. Monaghan also called Senator Dinnamans' office to ask for any assistance. Mr. Broadbent states a Representative from Representative Tom Houghton's office has offered to give their assistance. Mr. Broadbent recommends sending Chris Della Penna's review letter to Representative Tom Houghton's office to pursue with PennDot. Mr. Della Penna's is currently researching to find the missing plans. Mr. Amentas asks what the purpose of the pipe is. Mr. Monaghan replies it is for Stormwater run-off.

Mr. Monaghan states that the Historic Commission is waiting for recommendations regarding S.B-wine Middle School's potential reconstruction so that they can review it before they act upon it.

After Board discussion the Board agrees to charge \$100.00 for the W. Chester Road, excluding the intersection, bid package. Mr. Amentas motions to authorize putting the West Chester Road bid package, prepared by Chris Della Penna, out to bid for October 2009. All bidders are required to pay \$100 for a copy of the bid package to be due 30 days from advertisement. Mr. Barach would like to put the linear feet in the advertisement. Mr. Amentas amends his final motion as a motion to advertise the West Chester Road bid package with the proviso that the advertising for bids will add the linear feet of road way to be prepared as well as the price of the bid package of \$100.00.

Mr. Monaghan 2nd. Vote: Unanimous.

NEW BUSINESS:

Mr. Monaghan states he received an email to have the Supervisors join Westwood Fire Company discuss their needs. Mr. Monaghan states he spoke with Tony Sirna and he said that Westwood would like to reevaluate the amount that they are getting and to reduce Pomeroy. Last year the 3 Companies decided what each would get. Mr. Monaghan would like to tell Westwood that the Township Supervisors are not authorized to hold a special meeting outside of the Township or on an issue that would impact more than one service group. Mr. Broadbent states that the Board should discuss at a workshop that Tony Sirna and Jim Reagan should manage the boxes.

Mr. Monaghan comments about the option of the Township starting their own fire company.

Mr. Monaghan will call Tony and discuss this with him. Mr. Amentas states that if the Township doesn't need Pomeroy and if Modena and Westwood could handle the Township without any difficulty or adverse consequences, wouldn't it be easier for the Township to have 2 instead of worry about the 3 way distribution every year. Mr. Broadbent states that having 3 companies is good for the Township.

PUBLIC PARTICIPATION: 30 minute total time

Bob King comments on the Cardinal Drive overlay & it should be in the next Ordinance.

Mr. Monaghan replies that there should be an Ordinance now.

Bob King comments about the water coming from left hand side of Providence Hill.

Mr. Monaghan replies that a nice thing to do would be put inlets down near the pipe and have it dump in the creek and is concerned about the recommendation to pave it.

Conrad DeAbreu states that the Zoning Hearing Board could not make a decision on the Dalusio Zoning issue because they do not have jurisdiction on someone else's property. Mr. DeAbreu wants to know if he has to wait until the 30 day appeal process is over before he requests that the Board make a decision on the fence issue. Mr. Barach asks if Mr. DeAbreu officially asking the Board to make a decision as a group. The Board agrees to take Mr. DeAbreu's request to make a decision as a Board. Mr. Amentas states that Rob McLarnon already determined that the fence is sitting on top of a pipe liner. Mr. DeAbreu replies that it's the drainage pipe under the road that goes into the basin. Mr. Amentas asks what is the problem with the fence is. Mr. DeAbreu replies that it's in eyesight view of other people driveways, people walk along the fence. Mr. Amentas states he is going to look at the fence before the meeting on Saturday. Mr. DeAbreu states he can show the Board a survey that shows that the fence is 8 ft. outside of Mr. Dalusio's property.

Mr. Amentas states he would like to see what the fence impact is because to ask someone to take down a fence is an expensive proposition. Mr. DeAbreu states money is not an issue in a lawsuit because of a problem that makes a hard ship on you. Mr. Amentas states the Township has the right to take that into consideration. Mr. Barach asks why would someone use the right-a-way.

Bob King asks who the Supervisor Liaison is for the Zoning Hearing Board (ZHB).

Mr. Monaghan replies that there are no Supervisor's at the ZHB.

ADJOURNMENT:

Mr. Barach motions to adjourn at 11:00 pm. Mr. Broadbent 2nd. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary

