

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING**

January 4, 2010

6:30 PM

Approved

CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

IN ATTENDANCE: Mr. Amentas, chairman; Chris Makely, vice chairman; George Broadbent, member; Mark Toth, member; Bob McClintock, solicitor, Denise Miller, township secretary. Jill Bukata, township manager & treasurer, Gary Barach absent.

APPROVAL OF MINUTES:

The December minutes will be available at the February Board meeting.

CORRESPONDENCE:

There was an executive meeting at 9:10 PM on December 22, 2009.

Reply to Resident question: On 10/28/08 two road crew workers were called in by Officer Brian Simmons for a downed tree on Mt. Carmel Road.

CITIZENS BY REQUEST:

Sharon Scott commented on her right to know requests, and stated "I think the couple that were here, the residents who live right next to, what I call the residential property, right next to Triple Fresh. Because the couple said; Triple Fresh now bought the property and they were told it was now zoned commercial and that's why they're putting in a big commercial, I'm calling it a commercial type sewage system, which is possibly going to be a problem for them."

Mr. Amentas replied he will speak with Denise on the matter.

Mr. Oleszek not present.

PLANNING COMMISSION:

No report.

Treasurer Report:

2010 budget: Mr. Amentas motioned to re-open the 2010 budget. Mr. Broadbent seconded with the request to have the solicitor explain the timing to re-open the budget. Mr. McClintock explained that the township has to February 15th to approve any amended budget. Once the proposed amended budget is ready, the township has to provide 10 days notice before any approval action can be taken. The township is limited to make no more that 10% in the aggregate and no more 25% in a major item. The board would have to create a new amended budget and restart the 10 days if they go beyond the 10% and 25%. Buddy Rhoades commented on the budget. Vote: Unanimous.

SOLICITOR REPORT:

No report.

LEGAL ISSUES:

Fire Hydrant agreement for the installation of hydrants on S. 17th Avenue & Robin Road, 1508 Robin Road, 1404 Robin Road, and 1300 Robin Road: Mr. Amentas motioned to execute the Fire Hydrant Agreement with PAWC. Mr. Broadbent seconded. Mr. Broadbent stated that at the last meeting the 5th paragraph was discussed and Mr. Pompo has replied that it came from their Tariff, approved by the PEC, and is non-negotiable. Mr. McClintock stated that although you cannot amend this, there is an argument that the indemnification would not be enforceable if it's through a negligence act by the water company because there is a public policy. Mr. Amentas stated that the indemnification clause also specifically states that the Township is only obliged to indemnify them in the event that there are injuries to person or property that are the result of the intentional acts. No public comment. Vote: Unanimous.

Revised fee Resolution # 2010-03: Mr. Amentas stated the figures had been verified by the Solicitor and to the best of the Board's knowledge accurate. Mr. Amentas motioned to approve Resolution 2010-03. Mr. Broadbent seconded. Sharon Scott asked what are the fees for. Mr. Amentas replied that fees are for what the township charges. Vote: Unanimous.

FINANCIAL REPORT:

No report.

POLICE DEPARTMENT:

Officer Christopher Porter's training: Mr. Makely stated that The LEEDS program is the only training that is not completed. Officer Porter explained that the LEEDS program is a five day course given by the FBI. Mr. Makely motioned to remove Corporal Masterstefone from the acting chief position and insert Officer Porter in to the position until the LEEDS program is completed and then make him an official Chief along with Mr. Pompo completing a contract. Chris Porter's yearly rate will be \$75,000.00. Mr. Amentas asked if the motion was make Chris Porter full time chief or acting chief.

Mr. Makely amended his motion to remove Corporal Masterstefone as acting chief and insert Officer Porter as full time chief at the rate of \$75,000.00 per year effective immediately and contingent upon the LEEDS program being completed and the guide lines being laid out by the FBI and a contract being agreed by both parties. Mr. Broadbent seconded. Mr. Amentas concurred with elevating Officer Porter effective immediately but from a practical point of view but is not sure whether it's feasible or wise without having a contract in place that spells out more than the compensation. Mr. Amentas also stated that it was previously discussed to keep Corporal Masterstefone as acting chief until January 31st so the contract can be worked out.

After Board discussion Mr. Makely withdrew his motion.

Mr. Amentas motioned to appoint Officer Porter to the chief's position effective immediately at a rate of \$75,000.00 per year with the understanding that a formal written agreement between Chief Porter and the township will be entered into by February 1, 2010. If no such agreement entered into by that time the promotion shall be invalidated. After board discussion Mr. Amentas withdrew his motion.

Mr. Amentas motioned to elevate Officer Porter to the chief position effective immediately and remove Acting Chief Mastersetfone and restore him to the Corporal position effective immediately. It is understood with this promotion that Chief Porter will undergo LEEDS training on or before January 2011 and it's also understood that Chief Porter and the township will enter

in a written agreement by February 1, 2010. With no written agreement executive by February 1, 2010 the promotion shall be invalidated and Officer Porter shall return to Officer status.

Mr. Makely seconded. Sharon Scott stated this is out of order and table the motion until Mr. Barach is at the meeting. Glenn Colyer asked if you can promote to chief without the program being completed. Mr. Board thanked Corporal Masterstefone for his work as acting chief.

Vote: Unanimous.

Police vehicle list: Mr. Makely stated he would like to table this issue until he speaks with Chief Porter and then report back to the board.

HISTORIC COMMISSION:

No report.

PARK AND RECREATION:

The park and recreation report was in the back of the room.

EMERGENCY SERVICES:

No report.

PUBLIC WORKS DEPARTMENT:

Tag Gathercole reported that they have 1 truck down from the storm and would like to discuss a salt spreader with Mr. Makely.

UNFINISHED BUSINESS:

Mr. Broadbent stated that the new website was launched.

NEW BUSINESS:

No new business.

PUBLIC PARTICIPATION: 30 minute total time

Conrad DeAbreu of 1065 Cumberland Drive asked about West Chester Road.

Mr. Gathercole replied they will start digging later this week.

Buddy Rhoades of 2215 Strasburg Road commented on the water coming from the row houses on Hephzibah Hill Road and the Mortonville Bridge progress. Mr. Gathercole replied that the water is coming from the sump pump.

Sharon Scott of 325 Hephzibah Hill Road commented on the budget being at the meeting and the website having all the fund balances.

Randy J. Scott of 125 Wilmont Circle introduced himself as the new Westwood fire chief and dropped his certifications to the township office.

ADJOURNMENT:

Mr. Amentas motioned to adjourn. Mr. Makely seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary