

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
May 25, 2010
Approved minutes
6:30 PM**

CALL TO ORDER, SILENT MEDITATION, AND PLEDGE OF ALLEGIANCE

IN ATTENDANCE: Chris Amentas, Chairman; George Broadbent, Member; Gary Barach, Member; Mark Toth, Member; Vince Pompo, Solicitor; Jill Bukata, Township Manager and Treasurer; Chris Della Penna; Township Engineer, and Denise Miller, Township Secretary.

EXECUTIVE SESSION: Mr. Amentas informed the public that there was an executive session held on April 27, 2010 at 9:30 PM regarding legal issues.

APPROVAL OF MINUTES:

April 27, 2010 minutes – Mr. Amentas made a motion to approve the April 27, 2010 minutes as presented. Mr. Broadbent seconded. Vote: Unanimous.

CORRESPONDENCE:

Central Chester County Recycling Authority – Mr. Bob Struble representing the Central Chester County Recycling Authority gave the Board a brief history of the Recycling Authority. Mr. Struble stated the Recycling Authority was formed in 1986 and includes Modena, The City of Coatesville, The Borough of South Coatesville, Valley and East Fallowfield Townships. Mr. Struble stated that the Central Chester County Recycling Authority has received a \$313,250.00 grant to buy a compost turner and a tractor with a boom mower. Each of the five member municipalities will need to share in 10% of the cost. The grant is a reimbursement grant. The equipment must be purchased first and then 90% will be reimbursed under the grant.

Mr. Struble also stated that the municipalities total is \$31,000.00 and the individual municipality percentage will be based on population. Mr. Amentas asked what will happen if a municipality did not participate in this grant. Mr. Struble replied that the Authority would have to decide what to do.

CITIZENS BY REQUEST:

Buddy Rhoades of 2176 Strasburg Road stated that the previous minutes stated that Conrad Debreu's' property is being worked on. Mr. Rhoades also commented that Gary Rhoades paid his trash bill but received an invoice showing an outstanding balance. Mr. Rhoades also requested an update on the Training Facility.

Cheryle Hanson of 307 Ivy Lane – Not present.

TREASURER'S REPORT:

April 30, 2010 - Jill Bukata presented the financial report and township disbursements.

Page 1- Summary of Revenue over Expenses reflects \$246,376.02 of revenues in excess of expenses, year to date.

Page 2 – Account balances notes that the Township's General Fund has cash of \$505,946.48, the Liquid Fuels Account has \$305,564.35, Capital Projects has \$524,476.60 and the remaining escrow and other accounts have \$695,741.62 (\$345,643.25 of which is segregated for West Chester Road and developer funds) for total cash of \$2,031,729.05.

Mrs. Bukata stated that she would like some assistance from the members of the Park and Recreation Commission regarding the park funds.

Page 3 is the Balance Sheet for the General Fund.

Pages 4 to 6 are Balance Sheets for the other three funds.

Pages 7 to 16 show the actual revenues and expenses year to date versus the annual budget. With one third of the year gone, our expenses are 3.9% over budget. This is due to costs associated with the snowstorms that we experienced earlier this year. We will be able to recover a significant portion of those costs from a FEMA program.

Revenues appear to be on target. The trash fee invoices were recorded based on the accrual method of accounting, which means that the revenue recorded is what was billed and not what was received in cash. Revenue of \$834,069.50 was recorded and \$567,651.00 was received to date and this time last year \$557,000.00 had been received which included prior year payments.

The earned income tax is a significant revenue item for the township, and it is recorded on a cash basis. The budget for 2010 was \$775,000.00 and \$213,000.00 was received through April 30, 2010, which is \$25,000.00 higher than the same period last year.

The real estate transfer tax was budgeted at \$160,000.00 and is also recorded on a cash basis and \$38,000.00 was received through the first 4 months of the year.

Pages 17 to 20 show the revenue and expenses for the month of April. Most of the revenue for the year is recorded early in the year, so on a monthly basis expenses will exceed revenues.

Pages 21 to 24 – Payment authorizations for the period of April 27, 2010 through May 25, 2010.

From the General Fund	\$111,322.96
From the Liquid Fuels	\$ 4,892.66
From the Escrow Account	\$ 6,955.14
Payroll transfers	\$69,624.21
From General Fund (addendum)	\$47,611.33

Mr. Barach asked Mrs. Bukata to provide a profit and loss statement starting next month and provide a forecast for the balance of this year for revenues and expenses.

Mr. Amentas made a motion to authorize the release of payments reflected on pages 22 of the financial report. Mr. Broadbent seconded. Bob King asked if recommendations will be made once the profit and loss statement is completed. Mrs. Bukata replied “yes”. Mr. Barach inquired about the builder’s escrow fund. Mr. Bukata replied a little money has come in. Mr. Barach suggested aggressively collecting the outstanding money. Mr. Amentas called for a vote. Vote: Unanimous.

Check signing policy – Tabled until next month’s meeting.

PLANNING COMMISSION:

Mr. Amentas asked Mrs. Bukata to make sure the Planning Commission has a representative at the meetings when they have something to recommend or discuss.

Longview Road recommendation - Mr. Pompo stated that the applicant’s engineer is working with Chris Della Penna and Mr. O’Donnell, their attorney, is working with Bob McClintock to work out legal issues concerning the plan. Mr. Pompo presented a memorandum that reflects the Planning Commission’s recommendations.

Terry Muto is asking for the Board to grant the requested waivers and approve the plans conditioned on the satisfaction of Chris Della Penna.

Mr. Pompo asked if Mr. Della Penna had any outstanding issues on this project. Mr. Della Penna replied that his concerns were addressed

Mr. Amentas made a motion approving the minor subdivision plan for Longview Road lots 42, 44, and 46 with the original date of January 5, 2010 and revised on April 8, 2010 subject to the waivers and conditions set forth in the solicitors memorandum dated May 25, 2010. Mr. Broadbent seconded. Vote: Unanimous.

SOLICITOR REPORT:

AT&T application - Mr. Pompo reported that the 2nd session for the AT&T application has been continued until June 28, 2010 at 6:30 PM.

John Pia Conditional Use application – Mr. Pompo reported that the John Pia application has been continued until June 22, 2010 at 5:30 PM.

Ridgecrest Development - Mr. Pompo requested that Mr. Moser be heard before he leaves so he can be involved in the discussion regarding Ridgecrest Development. Mr. Ryan requested the township provide them with their grandfather date, the length of their sewer moratorium, and acknowledgement that their plans are valid. Mr. Pompo stated he believes there is nothing holding them back from moving forward because a condition of approval was issued years ago which was the outline of what they need to do to proceed. Mr. Ryan asked for permission to speak with Chris Della Penna. Mr. Amentas granted permission for Mr. Ryan to speak with Mr. Della Penna. Mr. Pompo stated that he is now in the position to render another opinion and does not think it's appropriate for the township to move forward with the project until it is absolutely certain that this is grandfathered under the old ordinance and there is an escrow fund set up. Mr. Ryan asked if they can discuss this matter at the next workshop. Mr. Pompo stated he will inform Mr. Ryan of how much to submit for escrow.

Mr. Pompo stated that in the beginning of 2010 Mr. Ryan asked what the Board's decision would be if they were to make their lots smaller. Mr. Pompo stated he advised them if they filed new plans they would be subject to the new ordinances which would mean a lot less houses.

LEGAL ISSUES:

Automatic Protection Device Ordinance –Tabled until the June Board of Supervisors workshop.

Real Estate Finders – The Board agreed to set the Conditional Use Hearing for Real Estate Finders, Abraham's property, on June 28, 2010 at 6:30 PM.

PARK AND RECREATION COMMISSION:

May summary -The May summary was in the back of the meeting room.

Township Park Pavilion – Dan Johns requested the pavilion sub-committee be placed on the June BOS workshop to present information on a park pavilion.

NPDES plan – Dan Johns requested approval for Chris Della Penna to assist with the minor amendment to the NPDES plan for the revised footbridge location near the pond and the revised support structures.

Memorial Bench – Dan Johns requested the reimbursement of \$2,300.00 to Dave Turner Sr. for the memorial bench he purchased in memory of his son Dave Turner, Jr. Mr. Johns also stated there is enough money for the bench in the Park and Recreation account.

Mr. Johns invited the Board to the Memorial Day Ceremony at the Township Park and asked Mr. Amentas to make a small speech.

Mr. Amentas made a motion approving Mr. Della Penna's involvement to effectuate the minor amendment to the NPDES plan for the revised footbridge near the pond and to offer an opinion on the revised support structures. Mr. Broadbent seconded. Mr. Della Penna stated that the DEP and Conservation District should be contacted because there is not supposed to be any disturbance around the pond. Mr. Johns replied that Jan Bowers has already called them. Mr. Amentas called for a vote: Vote: Unanimous.

Mr. Amentas made a motion to reimburse Dave Turner Sr. for a memorial bench in the amount of \$2,300.00 from the Dave Turner, Jr. Memorial fund. Mr. Broadbent seconded. Vote: Unanimous.

HISTORIC COMMISSION:

Mortonville Bridge letter – Paula Coyne stated that the Pennsylvania Historic Museum Commission wants to de-list the Mortonville Bridge from the Historic list and asked the Board to sign a letter of objection. The Board agreed to sign the presented letter of objection.

CORRESPONDENCE:

No correspondence presented.

POLICE DEPARTMENT:

April report – The April police report was in the back of the meeting room.

PUBLIC WORKS DEPARTMENT:

April road and vehicle report – The April road and vehicle report was in the back of the meeting room.

Barry “Tag” Gathercole invited the Board to visit the compost site.

EMERGENCY SERVICES:

April Westwood fire report – The April Westwood fire report was in the back of the meeting room.

April Pomeroy fire report – The April Pomeroy fire report was in the back of the meeting room.

March and April Modena fire report – The March and April Modena fire report was in the back of the meeting room.

UNFINISHED BUSINESS:

Baron Crest – Mr. Amentas stated he spoke with Mr. Kreckler and Mr. Dixon and will be meeting with Mr. DeAbreu to go over the work needed on their properties. Mr. Amentas also stated that the township has enough money to do the work that is called for in the remediated plan and has a limited amount of money to do other work needed.

PAWC – South Brandywine Middle School – Tabled until the next BOS workshop.

NEW BUSINESS:

Theresa Young - Mr. Amentas made a motion to hire Theresa Young as part time administration assistant at the rate of \$15.00 per hour not to exceed 25 hours per week effective May 18, 2010. Mr. Broadbent seconded. Mr. Barach inquired about Ms. Young duties. Mrs. Bukata replied she will be doing administrative work, handling the trash billing, and maintaining the township website. Mr. Barach also asked about the hiring process. Mrs. Bukata replied the ad was on placed on Monster.com and she was also looking for technical skills from the applicants. Buddy Rhoades commented about the bulletin board. Mr. Amentas called for a vote. Vote: Unanimous.

FEMA snowstorm “disaster” Resolution Mr. Amentias made a motion to pass Resolution 2010-06 designating the township manager, Jill Bukata, as the agent for purposes of interfacing with FEMA. Mr. Broadbent seconded. Vote: Unanimous.

PAWC rate increase – Mrs. Bukata explained that multiple municipalities are getting together to write a letter to the PUC opposing the increase and asked if the Board would like East Fallowfield to join in. Mr. Amentas suggested posting the public hearings on the website.

PUBLIC PARTICIPATION:

Conrad DeAbreu of 105 Cumberland Drive asked about the hosting and maintenance of the website. Mr. Broadbent stated Fairview Designs duty is to structure the website and is temporarily assisting with the updates.

Paula Coyne of 3111 Doe Run Church Road asked what happens to the final product from the compost site. Tag Gathercole replied “it is used for mulch”.

Buddy Rhoades of 2176 Strasburg Road stated that the cul-de-sac inlet in Baron Crest is covered; there is water on Youngsbury road where the road needs repaired, and other township issues.

Mr. Della Penna stated that the homeowner was informed several times about covering the inlet.

Mr. Amentas stated that the township should be able to fine the homeowner for covering it.

Nancy Simes of 1508 Robin Road asked what residents do with yard waste. Mr. Amentas replied that the information should be sent in some kind of mailing to residents. Mrs. Simes also asked if it is mandatory for residents to hook up to the sewer on Robin Road. Mrs. Bukata replied it is mandated and PAWC is drafting a letter to affected residents. There is also a \$575.00 fee to PAWC.

Jeanne Berlin of 535 Misty Patch Road asked the Board to not spray in front of her property. Mr. Amentas replied that he will look into it. Tag Gathercole replied that he will be getting three quotes for spraying the road sides.

Tag Gathercole stated that the township needs to amend their “yard waste” policy.

ADJOURNMENT: Mr. Amentas made a motion to adjourn the Board of Supervisors meeting at 9:00 PM. Mr. Broadbent seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary