

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISOR'S MEETING
August 24, 2010
Approved minutes
6:35 PM**

CALL TO ORDER, SILENT MEDITATION, AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES:

July 27, 2010 minutes: Mr. Amentas made a motion to approve the July 27, 2010 minutes as presented. Chris Makely seconded. Vote: Unanimous.

CITIZENS BY REQUEST:

Kenny Smith of Branford HOA: Not present.

Felipe Calle of 1506 Cardinal Drive (Cardinal Drive sewer project): Mr. Calle presented the Board of Supervisors with a township ordinance that he feels exempts him from hooking up to the sewer. Mr. Amentas stated that the Board of Supervisors will do research with Mr. Pompo and get back to him. Mr. Pompo stated that this should also be coordinated with PAWC.

Joel Brazy of 77 Narragansett Lane: Mr. Brazy presented the Board of Supervisors with Providence Hill development home owners concerns to be addressed before dedication. Mr. Amentas replied that some of the items presented are not necessarily what the township would consider dedication related items and he will have Mr. Della Penna review the list. Mr. Brazy asked what the community can do to make sure there is enough escrow because these items were agreed to by the developer. Mr. Pompo stated that some items have to wait until fall. Agreements will be in place; assuming the township takes dedication.

TREASURER'S REPORT:

July 31, 2010 financial report: Jill Bukata presented the financial report, payment authorizations, forecast, and projection reports.

Cash balances are as follows:

From the General Fund	\$541,128.07
From the Liquid Fuels Fund	\$317,912.34
From the Capitol Project Fund	\$510,975.49
From the Escrow and other accounts	\$715,868.00

Approximately \$292,241.00 is segregated for West Chester Road and other developer's funds.

Payment authorizations for the period of July 28, 2010 - August 23, 2010:

From the General Fund	\$186,018.50
From the Liquid Fuels Fund	\$ 1,464.05
From the Escrow Account	\$ 12,566.78
From the Park and Recreation	\$ 3,283.10
Payroll transfers	\$ 71,052.26

Mr. Amentas inquired about the liquid fuels balance. Mrs. Bukata stated that the township had received the 2009 and 2010 payments totaling \$314,000.00. Mr. Amentas asked if you can roll over liquid fuels money.

Mrs. Bukata replied that the state does not take the money back if it's not used in that year. Mr. Amentas also inquired about the Park and Recreation escrow fund. Mr. Pompo replied that it is township money but most of it is "fee in lieu of" paid by developers. Mr. Makely asked if there is a time limit on the "fee in lieu" of money. Mr. Pompo replied "3 years." Mr. Amentas made a motion to approve the treasurer's report as presented. Mr. Makely seconded. Vote: Unanimous. Mr. Amentas made a motion to approve the payment authorizations as presented. Mr. Makely seconded. Vote: Unanimous.

PARK AND RECREATION COMMISSION:

Park and Recreation report: The Park and Recreation August 2010 report was presented.

Park and Recreation reimbursements: Mr. Makely made a motion to approve the payment to Brian Carling for \$38.56 from the General Fund Park and Recreation account regarding the PECO grant. Mr. Amentas seconded. Vote: Unanimous.

Mr. Makely made a motion to approve the payment to Jeanne Berlin for \$23.70 from the Coatesville Savings account and \$5.70 from the TD Park and Recreation account. Mr. Amentas seconded. Vote: Unanimous.

Mr. Carling informed the Board of Supervisors that Jay Hunter resigned his position and requested advertisement of a vacant position in the Daily Local News. Mr. Amentas made a motion to accept the resignation of Jay Hunter from the Park and Recreation Commission and the authorization of the advertisement on the website, newsletter and the Daily Local News. Mr. Makely seconded. Vote: Unanimous.

Mr. Carling stated that the deadline to buy a Patriot Landmark brick is September 1, 2010.

PLANNING COMMISSION:

Ryan Ray Comprehensive Plan update: Not present.

HISTORICAL COMMISSION:

August 11, 2010 minutes: The August 11, 2010 Historical Commission minutes were presented

SOLICITOR REPORT:

Delaware Valley Health Insurance Trust: Mr. Amentas asked if the township can move forward since the police contract has not been negotiated yet. Mr. Pompo replied that enacting an ordinance and contracting for a new health plan is not prohibited by the agreements that are in place with the police association however, there could be a financial impact on the township. Mr. Amentas made a motion to adopt Ordinance 2010-3 approving the agreement with Delaware Valley Health Insurance Trust. Mr. Toth seconded. Vote: Unanimous.

Mr. Amentas called for a brief recess.

PAWC rate increase complaint: Mr. Amentas stated that East Fallowfield Township will join with the City of Coatesville and Parkesburg Borough in retaining the same legal counsel to file a complaint opposing the 200% increase from Pennsylvania American Water Company (PAWC). This will allow the township to be involved in the meetings and propose "a list of demands" as a settlement offer for the township. Mr. Amentas made a motion to join the City of Coatesville and the Borough of Parkesburg in their complaint against PAWC in a filing with the Public Utility Commission and approval to spend an amount not to exceed \$10,000.00 on the costs from litigation. Mr. Makely seconded. Will Carter asked what are the demands the township is looking for. Mr. Amentas replied that is currently in discussion. Brian Carling asked if the township could withhold expanding PAWC's franchise area if they raise their fees. Nancy Simes asked if the township received franchise money from PAWC. Mr. Pompo replied "no" but they do have an agreement for \$1,500.00 for every new single family home constructed and hooked up to water and sewer. John DeCarville asked if PAWC was the only water company service for the township. Mr. Amentas replied "yes." Vote: Unanimous.

LEGAL ISSUES:

Providence Hill dedication: Mr. Pompo stated that this development is not ready for dedication. Steve Gallo, representing Rouse/Chamberlain, asked the Board of Supervisors to have the date on the release letter, previously approved with the date of August 24, 2010, changed to September 29, 2010. Mr. Amentas made a motion to authorize the Chairman of the Board to sign the letter of consent with the cancellation of the letter of credit for Rouse/Chamberlain issued in the amount of \$615,000.00 to be posted as maintenance security with the date of September 29, 2010 directed to Wells Fargo Bank. Mr. Pompo stated that this letter is a contingency letter if the township accepts dedication, if they do not this letter would authorize the release of the letter of credit so then they can get a new letter with a new date when the development is dedicated. Mr. Makely seconded. Vote: Unanimous.

Manchester Farms Development (Dewey Homes) update: Mr. Pompo stated that a notice of default letter was sent to Dewey Homes regarding failure to complete the improvements in both phases in accordance with the land development agreement. During a meeting with Ken Dewey, regarding completion of both phases, Mr. Dewey stated that they started the concrete repairs that Mr. Della Penna had on his punch list, as well as landscaping work. Mr. Dewey stated he expects all work to be completed by September 28, 2010. Lot #104's plans have to be revised because the homeowner was going to put in a pool and now they are not.

Metro PCS Pennsylvania, LLC: Mr. Pompo stated this conditional use application is to install a wireless communication facility on an existing PECO transmission tower located off of Doe Run Road, the same property as PECO's substation. The Board scheduled the Metro PCS conditional use hearing for September 28, 2010 at 5:30 PM.

York Waste contract extension: Mr. Makely made a motion to extend the current contract with York Waste for a period of 30 days, if necessary, pending the receipt and review of bids for trash and recycling service. Mr. Amentas seconded. Vote: Unanimous.

POLICE DEPARTMENT:

Police report: The July 2010 police report was presented.

PUBLIC WORKS DEPARTMENT:

Recycling report: The July 2010 recycling report was presented.

Road and vehicle report: The July road and vehicle report was presented.

FIRE DEPARTMENT:

Pomeroy report: The July 2010 report was presented.

Westwood report: The July 2010 report was presented.

Modena report: The July 2010 report was presented.

EMERGENCY SERVICES:

No reports submitted.

UNFINISHED BUSINESS:

Central Chester County Recycling Authority: The Board tabled this until next meeting.

NEW BUSINESS:

Theresa Young resignation: Mr. Amentas made a motion to accept the resignation of Theresa Young, former administrative assistant, effective August 11, 2010. Mr. Makely seconded. Vote: Unanimous.

Hiring of Barbara Henry: Mr. Amentas made a motion to hire Barbara Henry effective August 2, 2010 as part time administrative assistance for 25 hours per week at \$15.00 per hour and December and January as needed not to exceed 40 hours a week. Mr. Makely seconded. After Board discussion Mr. Amentas restated

his motion to hire Barbara Henry effective August 2, 2010 as part time administrative assistance for 25 hours per week at \$15.00 per hour until December 2010 at which point she will be utilized as needed, not to exceed 35 hours per week. Mr. Makely seconded. Conrad DeAbreu asked if Barbara's application came from the previous advertisement. Mrs. Bukata replied "yes." Vote: Unanimous.

PAWC meeting: Mr. Amentas informed the public that there will be two PAWC rate increase input hearings one on Tuesday August 31, 2010 at 1:00 PM and one on 7:00 PM at the Parkesburg Borough Hall.

Bonsall Farm extension: Mr. Amentas made a motion to extend the Bonsall Farms Estates preliminary plan and application until February 28, 2011. Mr. Makely seconded. Mr. Amentas asked what the current expiration date is. Mr. Makely replied "August 31, 2010." Conrad DeAbreu asked if the Board grants an extension will they send a letter to Bonsall Farm Estates. After Board discussion and since there has been no activity on this development the Board directed Mr. Pompo to send a certified letter directing the Bonsall Farm Estates to come before the Board and present a progress report within 30 days. Mr. Amentas amended his motion to extend the deadline for the Board of Supervisors action upon the Bonsall Farm Estates preliminary plan and application until November 30, 2010. No further extension will be granted. Mr. Makely seconded. Vote: Unanimous.

PUBLIC PARTICIPATION:

Nancy Simes of 1508 Robin Road asked if the Board will take sewer exemption requests case by case. Mr. Amentas replied that they will look into each request individually. Mr. Pompo stated that Mr. Calle's request, to not hook up to the sewer, warrants a further review by the Board of Supervisors.

Conrad DeAbreu of 105 Cumberland Drive asked if a resident requests exemption from hooking into the Cardinal Drive sewer project will the Board make them have their septic tested before approval. Mr. Amentas replied that the burden is on the resident to present information to the Board of Supervisors.

Glenn Colyer of 41 Park Avenue asked where the grinder pumps pump to. Mrs. Bukata replied that if you are below grade you need to pump up. Mr. Colyer also stated that the American flag, on the stage, should be on the right side.

ADJOURNMENT: Mr. Amentas made a motion to adjourn the Board of Supervisors meeting at 8:07 PM. Mr. Makely seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary