

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 28, 2010
Unapproved minutes
6:35 PM**

CALL TO ORDER, SILENT MEDITATION, AND PLEDGE OF ALLEGIANCE

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

EXECUTIVE SESSIONS: There were three Executive Sessions held; September 1st, 8th, and 15th where financial issues, litigation with PAWC, and water and sewer services for the township were discussed.

APPROVAL OF MINUTES:

August 24, 2010 minutes – Mr. Amentas made a motion to approve the August 24, 2010 Board of Supervisors minutes. Mr. Makely seconded. Vote: Unanimous.

CITIZENS BY REQUEST:

Barb Ragni of 117 Millbury was absent.

Carla Taylor of 124 Brinton Drive - Ms. Taylor requested a stop sign be installed at the corner of Brinton Drive and Iron Horse Lane. Chief Porter stated that this intersection is on their speed study list along with Millbury Road.

Kenny Smith of Branford Village Home Owners Association - Mr. Smith requested help from the township in paying for the 11 street lights in Branford Village. Mr. Amentas asked if it is standard for the township to accept dedication of the sidewalks. Mr. Pompo replied normally the HOA takes the responsibility. Mr. Amentas asked Mrs. Bukata to check the declaration and see who is responsible. Mr. Makely asked Mrs. Bukata if the township is billing the township developments for their fire hydrants. Mrs. Bukata replied “no.” Mr. Makely would like Mrs. Bukata to address this issue.

Tiffany Sprows of 25 North Danbury Circle – Ms. Sprows requested an amendment to Day Care Ordinance #2009-08 Section C #6 regarding parking. Ms. Sprows stated that she was approved for the “special exception” but not the parking at her Zoning Hearing. Mr. Amentas stated that there may be a way to compromise and possibly designate specific areas for parking.

TREASURER’S REPORT:

August 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	\$370,604.12
From the Liquid Fuels Fund	\$311,907.71
From the Capital Project Fund	\$510,977.43
From the Escrow and other accounts	\$717,533.01

Payment authorizations for the period of August 25, 2010 through September 28, 2010:

From the General Fund	\$ 92,218.69
From the Liquid Fuels Fund	\$ 7,496.10
From the Escrow Fund	\$ 17,634.62
From Park and Recreation Fund	\$ 2,437.52
Payroll transfers	\$ 72,037.95

Additional payment authorizations:

From the General Fund	\$46,988.09
From the Escrow Fund	\$39,550.00

Mr. Makely asked if the new freightliner money coming out of the Liquid Fuels Fund. Mrs. Bukata replied that it can or it can come out of the Capital Projects Fund.

Mr. Amentas asked how the short fall will be covered. Mrs. Bukata stated that the money can come out of the Capital Projects Fund through the end of the year. Mr. Amentas asked the balance of the capital fund account and how much will be used. Mrs. Bukata replied the capital fund has a balance of \$510,000.00 and \$465,000.00 will be used. Mr. Amentas instructed Mrs. Bukata to confer with Mr. Pompo to use the \$292,000.00 in the West Chester Road escrow fund.

Mr. Amentas made a motion to approve the treasurer's report as presented. Mr. Broadbent seconded. Bob King asked if the township will go after the two developers that have not paid into the West Chester Road fund yet. Mr. Amentas stated that they haven't paid yet because they do not have a final plan yet. Mr. Della Penna suggested that the township get a traffic control study done because there may not be as much work to be done as originally thought. Vote: Unanimous.

Mr. Amentas made a motion to approve the payment authorization as presented. Mr. Makely seconded. Vote: Unanimous.

PARK AND RECREATION COMMISSION:

Park and Recreation report - The August Park and Recreation report was presented.

Footbridge project – Brian Carling asked the Board Members to authorize Chris Della Penna, or other township resources, to bid out footbridge construction if a lead carpenter cannot be found. Mr. Amentas made a motion to approve engaging Mr. Della Penna to bid out the footbridge construction if the Park and Recreation Commission are unable to lock down a carpenter to support their volunteer effort. Mr. Makely seconded. Vote: Unanimous.

Mr. Makely instructed Mr. Carling to meet with Mrs. Bukata regarding the spending of their "Fee in Lieu" of money.

Mr. Carling requested the Board of Supervisors attend the October 10, 2010 Park Day.

PLANNING COMMISSION:

Planning Commission report – The August 2010 Planning Commission report was presented.

Update on Comprehensive Plan – Ryan Ray, Planning Commission Chairman, stated he will give a complete update at the October meeting after speaking with Mr. Ott.

HISTORICAL COMMISSION:

September 2010 minutes – The September 2010 Historical Commission minutes were presented.

SOLICITOR REPORT:

Mr. Pompo informed the Board that the Metro PCS was continued until October 6, 2010 at 6:30 PM in the township building.

Termination of the existing tax agreement – Mr. Amentas made a motion to authorize the termination of the existing tax agreement with Central Tax Bureau of Pennsylvania. Mr. Makely seconded. Vote: Unanimous.

LEGAL ISSUES:

Providence Hill Escrow agreement - Mr. Della Penna reviewed his September 14, 2010 letter with the Board of Supervisors. Mr. Amentas asked if Rouse/Chamberlain paid funds to the Providence Hill Home Owners Association (HOA). Mr. Gallo replied "yes". Mr. Amentas asked if the \$6,000.00 escrow for the maintenance agreement is adequate. Mrs. Bukata replied that if the balance goes below \$500.00 the township can ask for more escrow. Mr. Amentas also asked if the fees exceed \$6,000.00 would Rouse/Chamberlain have a problem paying them. Mr. Gallo replied that they have a requirement to replenish that account. Mr. Amentas also asked about fees incurred during the maintenance period. Mr. Gallo replied "the escrow agreement covers them." Mr. Amentas replied that he doesn't see that in the maintenance agreement. Mr. Gallo agreed that it is not there. Mr. Amentas would like something added to the whereas clause. Mr. Pompo stated he will add "and administer the maintenance period." Mr. Amentas made a motion to enter into the escrow agreement with Rouse/Chamberlin, Ltd. to establish an escrow for consultant, legal, and other costs associated with the dedication of the roadbeds in the Providence Hill subdivision as well as administration of the maintenance agreement. Mr. Makely seconded. Vote: Unanimous.

Providence Hill Maintenance Agreement – Mr. Amentas stated that in the Maintenance Agreement it has "sidewalk and handicap ramps." Mr. Amentas stated for the record it should read "sidewalks and handicap ramps." Mr. Amentas made a motion to enter into the Maintenance Agreement with Rouse/Chamberlin, Ltd. to establish an 18-month maintenance period for the improvements within the Providence Hill development. Mr. Broadbent seconded. Vote: Unanimous.

Providence Hill deed of dedication – Mr. Makely made a motion to adopt Resolution 2010-11 to accept deeds of dedication for roadbeds or portions thereof located in the Providence Hill development known as Providence Hill Road, Watch Hill Road, Misty Patch Road, Narragansett Lane, Cottage Lane, Bellevue Drive, Shoreham Drive, Portsmouth Lane, and part of the bed of West Chester Road. Mr. Broadbent seconded. Vote: Unanimous.

Providence Hill financial security – Mr. Makely made a motion to approve the release of the financial security in the amount as approved by the Township Engineer's letter dated September 24, 2010 for completion of improvements in the Providence Hill development. Mr. Broadbent seconded. Mr. Della Penna stated that he issued 3 escrow release letters. Mr. Makely amended his motion to approve the release of the financial security in the amount approved by the township engineer's letters dated September 24, 2010 for Providence Hill Phase A for \$312,061.94, Providence Hill Phase B for \$89,543.10, and Providence Hill Phase C for \$168,560.55 for the completion of improvements of the Providence Hill development. Mr. Broadbent seconded. Vote: Unanimous.

Trash bid – Mrs. Bukata stated the trash bids were opened at 12:00 PM today. York/Allied Waste's bid was received late and not accepted. Mrs. Bukata also stated she does not have a recommendation for the bids received. Mr. Makely asked the board to reject all bids received and re-bid the contract with fewer options. Mr. Makely made a motion to reject all trash bids opened September 28, 2010 and restructure and re-advertise the trash bid by the November 2010 meeting. Mr. Amentas seconded. Vote: Unanimous.

Trash ordinance amendment – Mr. Pompo stated that Mr. Makely requested exempting multi-use structures with apartments from paying the township trash fee and Mrs. Bukata requested amending the service charge provisions to make it easier to calculate for delinquent accounts. Mrs. Bukata also stated that the Department of Environmental Protection is holding \$5,385.00 in grant money until this ordinance is passed. Mr. Amentas asked "who is the current recycling Coordinator." Mrs. Bukata replied "Tag." Mr. Amentas asked for clarification on what Section 2 B will state. Mr. Pompo replied "a service charge for the cost of billing shall be established by Resolution of the Supervisors. Mr. Amentas made a motion to advertise an Ordinance to provide for non-residential recycling and other changes. Solicitor's draft September 24, 2010 with the change to Section 2 B shall read that a service charge for the cost of billing shall be established by Resolution of the Board of Supervisors. Mr. Makely seconded. Vote: Unanimous.

Recycling Coordinator – Mr. Amentas made a motion to approve Resolution 2010-10 authorizing the position of recycling coordinator. Mr. Makely seconded. Vote: Unanimous.

Employee benefits Resolution – Mrs. Bukata presented the Board of Supervisors with an amendment to Ordinance 2006-04 in removal of two election days, Good Friday and the day after Thanksgiving as holidays for the non-uniformed fulltime township employees. Mr. Amentas would like to keep the day after Thanksgiving as a holiday. After further discussion the Board of Supervisors decided to keep the day after Thanksgiving as a holiday. Mr. Amentas made a motion to approve Resolution 2010-09 revising Resolution 2006-04 setting forth benefits of full time non-uniformed employees which effectively reduces the number of paid holidays from 14 to 11 eliminating both election days and Good Friday as holidays. Mr. Broadbent seconded. Vote: Unanimous.

POLICE DEPARTMENT:

August 2010 police report – The August 2010 police report was presented.

Mr. Makely asked Chief Porter to have the pictures available from the accident by the proposed entrance of the Training Center ready for the next meeting. Mr. Amentas asked if PennDot was doing anything about this area. Chief Porter replied that if the sign is knocked down they submit a form to PennDot and they come out and fix it. Mr. Broadbent suggested sending a letter asking them to review the road alignment and attaching the incident reports.

PUBLIC WORKS DEPARTMENT:

Mr. Amentas stated that the Board is now requiring a daily log from the road department.

August 2010 road and vehicle reports –The August 2010 road and vehicle reports were presented.

August 2010 recycling report – The August 2010 recycling report was presented.

FIRE DEPARTMENT:

Westwood August 2010 report – The Westwood August 2010 was presented.

EMERGENCY SERVICES:

No report presented.

UNFINISHED BUSINESS:

Central Chester County Recycling Authority grant participation – Mrs. Bukata stated that the compost site has a \$31,000.00 grant available to buy equipment and the township's portion is \$8,600.00. All other municipalities involved in the compost site already committed to participate and pay their portion. Mr. Amentas asked what the township contribution was based on. Mrs. Bukata replied it is based on population. Mr. Makely made a motion to join the rest of the municipalities in purchasing the needed equipment and to participate with the composting site and the amount not to exceed \$8,600.00 to fulfill the township's obligation as a member of the recycling consortium and make the township eligible for grants. Mr. Amentas seconded. Vote: Unanimous.

CORRESPONDENCE:

Grass clipping information from the Department of Environmental Protection is on the back table for resident review.

The Township employees are sponsoring a "litter collection" day on September 29, 2010 at 11:00 AM and welcome volunteers from the public to clean Mortonville Road.

Boy Scout Troop #48 will do a road cleanup in November of 2010.

NEW BUSINESS:

Coatesville Area School District – Mr. Doug Parkins, Kurowski & Wilson, requested clarity from the Board of Supervisors on what direction the Coatesville School District should take because the Planning Commission did not recommend conditional preliminary plan approval utilizing public water and sewer. Mr. Makely stated that Mr. MacCombie, township sewer consultant, was given direction to assist the School District and work with PAWC to come up with a plan within 10 days. Mr. Makely also recommended Mr. Parkins get in touch with Mrs. Bukata. Mr. Amentas stated that the Board of Supervisors do not know what the mindset is of the Planning Commission and does not want to commit to anything until they make their recommendation.

Coatesville Area School District – Mr. Parkins asked for an extension because they did not get conditional preliminary approval yet. Mr. Amentas made a motion to extend the time frame to act on the Coatesville Area School South Brandywine Middle School preliminary land development plan to November 23, 2010. Mr. Broadbent seconded. Vote: Unanimous.

PUBLIC PARTICIPATION:

Nancy Simes of 1508 Robin Road asked Chief Porter the status of the recent automobile break-ins. Chief Porter replied that no one has been caught yet. Mrs. Simes also asked the date when the yard work on the Cardinal Drive sewer project would start. Mrs. Bukata replied that she will provide her with a date. Mrs. Simes also asked about Mr. Calle’s request to be exempt from sewer hookup. Mr. Makely replied that the township sewer hookup is mandatory as a condition of the contract with PAWC. The township does not have any enforcement if you do not hookup. Mr. Makely also stated that when a property is being sold you must be hooked up by then. Mr. Amentas stated that there should be a penalty in the ordinance that if you do not hookup to the sewer you get penalized.

Mr. Amentas made a motion to authorize himself to sign a letter to Wachovia authorizing the escrow funds for the Providence Hill Development.

ADJOURNMENT: Mr. Amentas made a motion to adjourn the Board of Supervisors meeting at 8:45 PM. Mr. Makely seconded. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary