

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS  
RE-ORGANIZATION MEETING  
January 3, 2011 unapproved minutes  
6:30 PM

In Attendance: Chris Amentas, Chairman; Chris Makely, Vice Chairman; George Broadbent, Member; Gary Barach, Member; Denise Miller, Township Secretary; Jill Bukata, Township Manager/Treasurer; Lauren Dentone, Township Solicitor; and Chris Della Penna, Township Engineer. Member Mark Toth absent.

Mr. Amentas turned the Re-Organizational Meeting over to Lauren Dentone, township solicitor.

Ms. Dentone asked for a motion to appoint a township chairman and vice chairman. Mr. Makely made a motion to appoint Mr. Amentas as the 2011 chairman. Mr. Broadbent seconded. Vote: Unanimous.

Mr. Amentas made a motion to appoint Mr. Makely as the 2011 vice chairman. Mr. Barach seconded. Vote: Unanimous.

Appointment of Solicitor

Mr. Amentas made a motion to appoint Lamb McErlane PC at the rate of \$195.00 per hour and paralegal at \$120.00 per hour for 2011 services. Mr. Makely asked why third party employees are appointed at the re-organization meeting if all employees are “at will employees.” Mr. Makely also asked if contracts could be submitted instead. Ms. Detone replied that it could be done by contract but the second class township code states to do appointments at the re-organization meeting. Mr. Amentas re-stated his motion to approve Lamb McErlane as the township solicitor at a rate of \$195.00 per hour and paralegal rate of \$120.00 per hour. Mr. Makely seconded. Mr. Broadbent abstained. Mr. Barach questioned the paralegal rate of \$120.00 and asked Mrs. Bukata to get the amount spent on paralegal fees for 2010. Mr. Amentas stated that Mr. Pompo should be asked to clarify what the paralegal duties are. Ms. Detone stated that Lamb McErlane has one “certified paralegal” that does municipal work such as research and drafting. Vote: Unanimous.

Appointment of Township Employees

Manager/Treasurer	Jill Bukata
Township Secretary	Denise Miller
Part time Administrative Assistant and Billing Clerk	Barbara Henry
Part Time Bookkeeper	Rosemary Moore
Public Works Superintendent	Barry Gathercole
Assist. Public Works Superintendent	Tim Gathercole
Other Public Works Assistant	Greg Leonard
Other Public Works Assistant	Justin Gathercole
Other Public Works Assistant	John Weaver
Occasional Public Works Assistant	Kyle Murphy
Assistant Fire Marshal, Emergency Management	

Coordinator, and Snow plower Fire Marshal, Assistant Emergency Management	Anthony Sirna
Coordinator, and Snow plower	James Reagan
Snow Plower	Lou Wilson
Snow Plower	Joe Mammerlla
Snow Plower	Jim Sisk
Snow Plower	Joseph Prekup
Snow Plower	Alexander Zdankowski
Chief of Police	Christopher Porter
Full Time Police Officer	Ed Masterstefone
Full Time Police Officer	Samantha Harper
Full Time Police Officer	Brian Simmons
Full Time Police Officer	Kevin Simmons
Full Time Police Officer	Gina Ciminera
Full Time Police Officer	Richard McAllister
Part Time Police Officer	Richard Imhoff
Part Time Police Officer	Kristin Menna
Part Time Police Officer	Alan Haldeman
Part Time Police Officer	Justin Fonock
Part Time Police Administrative Assistant	Nancy Baker
Building Inspection Company	Keystone Municipal Services, Inc.
Building Inspector, Zoning & Code Official	Rob McLarnon
Earned Income Tax Collector	Keystone Collections Group

Mr. Amentas made a motion to appoint the township employees as presented in the agenda for the re-organizational meeting of January 3, 2011. Mr. Broadbent seconded. Mr. Barach stated that he doesn't recall the board doing this before. Mrs. Bukata replied "it is the same as last year." Mr. Barach has concerns with supervisors performing the work of township employees. Mr. Makely stated that according to the "second class township code" the road master could be a supervisor. Mr. Makely also asked to have his name removed from the list of "snow plowers." Mr. Amentas stated that the "snow plowers" should be subject to the same screening process as the road department. Mr. Makely asked if there is training for snow plowers and are they required to have a "CDL license." Mrs. Bukata replied that background checks are done before they can work and they only need a "CDL license" to drive the big trucks. Mrs. Bukata also stated that Tag takes the "snow plower" out for training. Buddy Rhoades commented on plowing and stated that the elected auditors set the rate for supervisors to work as "township employees." Conrad DeAbreu stated having supervisors work as employees could affect the insurance rate. Mr. Amentas questioned why the "snow plowers" are treated as employees and not independent contractors. Mr. Barach replied that the IRS considers someone an employee if they are being supervised by a township employee but if they are acting independently, without any supervisor, they are an "independent contractor." Mr. Barach asked if the rest of the board in agreement with seven full time officers and four part time police officers based on previous discussions. Mr. Amentas replied "that is the right number." Mrs. Bukata stated that Anthony Sirna should have emergency coordinator and Jim Reagan should have assistance emergency coordinator added to their name. Mr. Amentas modified his motion to appoint the township employees as presented on the January 3, 2011 re-organization

meeting with the exception of Mr. Makely and Mr. Toth removed as snow plowers and the addition of emergency coordinator for Anthony Sirna and assistance emergency coordinator for Jim Reagan. Mr. Barach seconded. Vote: Unanimous.

#### Meeting dates and times

Mr. Amentas made a motion to designate the Board of Supervisors meeting at 6:30 PM on the 4th Tuesday of the month, the Board of Supervisors workshop 6:30 PM on the second Tuesday of the month, Park and Recreation at 6:30 PM on the 1<sup>st</sup> Tuesday, Planning Commission at 7:30 PM on the 1<sup>st</sup> Monday of the month, Historical Commission at 7:00 PM on the second Wednesday of the month, Friends of the Park at 7:00 PM on the fourth Thursday of the month. Mr. Broadbent seconded. Mr. Makely would like to change the November 22, 2011 Board of Supervisor's meeting to November 15, 2011 and the December 27, 2011 meeting to December 20, 2011. Mr. Amentas amended his motion to add the change of the November 22, 2011 meeting to November 15, 2011 and the December 27, 2011 meeting to December 20, 2011. Mr. Makely seconded. Vote: Unanimous.

#### 2011 State Supervisor's Association Convention Delegates

Mr. Amentas made a motion to appoint Mr. Makely as the 2011 PSATS convention delegate. Mr. Broadbent seconded. Vote: Unanimous.

#### Vacancy Board – Applicant Bob King

Mr. Barach asked how Bob King applied for this position. Mrs. Bukata replied that the vacancy board vacancy was advertised and Mr. King was the only applicant. Mr. Amentas asked how the vacancy was advertised. Mrs. Miller replied "the paper." Mr. Barach asked what the vacancy board position duties are. Ms. Detone replied that if there is a vacancy on the board and the board cannot decide to fill the position within thirty days the four supervisors will become part of the vacancy board and then the five will make a determination. Mr. Amentas asked how long a board member has to be absent to be considered unable to fulfill their position. Ms. Denton replied "she is not sure." Mr. Makely stated "the only way to remove a board member is through conviction or stepping down from the position." Buddy Rhoades stated that the vacancy chairman is the tie breaker. Mr. Rhoades also stated that when a supervisor moves out of the township, passes away, or is out for a period of time then the court will say something within thirty days and then the go back to either the democrats or the republicans to make a nomination. Mr. Broadbent made a motion to appoint Bob King as the 2011 vacancy board member. Mr. Makely seconded. Vote: Unanimous.

#### Buckley, Brion, McGuire, Morris and Sommer LLP

Mr. Amentas made a motion to appoint Buckley, Brion, McGuire, Morris and Sommer, LLP as the township solicitor for 2011 at the rate of \$180.00 for attorneys and \$70.00 for paralegals. Mr. Broadbent seconded. Mr. Barach asked if anyone could attest to this firm. Mr. Broadbent replied that they have been the zoning solicitor for a few years. Vote: Unanimous.

#### Jamie MacCombie Jr., P.E.

Mr. Amentas made a motion to appoint Mr. MacCombie as the township sewer consultant at the rate of \$130.00 per hour for Senior Professional Engineer (Principal). Mr. Broadbent seconded. Mr. Amentas asked if these are the same rates as last year. Mrs. Bukata replied "there are no changes." Mr. Barach stated there should be retainer letters for all third party consultants. Mrs. Bukata replied that she can get them. Mr. Makely stated that the fee schedules are in the folders. Vote: Unanimous.

### Supervisor Liaison Appointments

Mr. Amentas made a motion to appoint the board liaisons as presented in the January 3, 2011 re-organizational agenda. Mr. Makely seconded. Mr. Makely suggested putting the township office liaison with the financial administration liaison. Mr. Amentas amended his motion to appoint the board liaisons as presented in the January 3, 2011 re-organization agenda with Mr. Barach as township office liaison. Mr. Makely seconded. Glenn Colyer stated that he doesn't think one Supervisor should be in charge of the road department and the police department. Mr. Makely stated that the supervisors are not in charge of anything they are messengers. Mr. Barach asked Mr. Colyer his concern. Mr. Colyer replied that he thinks it is too much for a supervisor to handle both the road department and the police department. Mr. Broadbent stated that the manager is in charge of the day to day operation. Mr. Barach stated that the department heads report to their liaison and the liaison reports to the whole Board. Conrad DeAbreu commented about the supervisor liaisons. Buddy Rhoades commented about the supervisor liaisons and the police chief not notifying the supervisors of situations. Mr. Makely stated that he would like two supervisors as liaisons for emergency services. Mr. Barach stated that the Chief, Tag, and Mrs. Bukata all have the supervisor's phone numbers to call if needed. Mr. Amentas amended his motion to approve the January 3, 2011 re-organizational agenda with certain changes. The Emergency Services and Fire Marshal liaisons, Mark Toth and Chris Makely; Police liaisons, Chris Makely and Mark Toth; Public Works liaisons, Chris Amentas and George Broadbent, and Township Office liaison, Gary Barach. Mr. Makely seconded. Vote: Unanimous.

Planning Commission – Chris Amentas  
Zoning Hearing Board – Chris Amentas  
Library – Mark Toth  
Historical Commission – Mark Toth  
Emergency Services – Mark Toth and Chris Makely  
Police – Mark Toth and Chris Makely  
Financial Administration – Gary Barach  
Trash and Recycling – Gary Barach  
Township Office – Gary Barach  
Website – George Broadbent  
Newsletter – George Broadbent  
Park and Recreation – George Broadbent  
Public Works – George Broadbent and Chris Amentas

### Della Penna Engineering, Inc.

Mr. Amentas asked why there is a resolution for Della Penna Engineering and not the other services. Mrs. Miller replied "it has always been approved by resolution." Mr. Makely stated that the board should approve this and then have Mrs. Bukata do research and if there is no merit behind it then it will be destroyed. Mr. Amentas stated that he would like Mr. Della Penna's services better defined. Mr. Broadbent made a motion to approve Della Penna Engineering, Inc. as township engineer at the rate of \$100.00 per hour and \$65.00 per hour for construction observation. Mr. Makely seconded. Conrad DeAbreu stated that he believes the \$65.00 came from when Mr. Della Penna had an employee. Glenn Colyer asked if Mr. Della Penna is paid out of the escrow fund. Mrs. Bukata replied "it depends on the work being performed." Mr. Barach asked if the "number system" is being used for escrow accounts. Mrs. Bukata replied "yes." Vote: Unanimous.

## Recognition of Boards and Commissions

### Zoning Hearing Board – Applicant Dennis O’Neill

Peter Davis – 2009 to 2011

Chris Rechenberg – 2009 to 2011

Dennis O’Neill – 2011 to 2013

Mr. Amentas made a motion to appoint Mr. Dennis O’Neill as a member of the Zoning Hearing Board for the 2011-2013 term. Mr. Broadbent seconded. Mr. Makely stated that the Zoning Hearing Board members do not attend the board of supervisors meetings or have any experience. Mr. Makely also stated that he would like resumes for those who apply to volunteer positions. Mr. Broadbent replied that the Zoning Hearing Board members abide by the Zoning Book. Mr. Amentas stated that the township appealed the Zoning Hearing Board’s decision on the hair salon from his development and won in the Court of Common Pleas. Buddy Rhoades commented about the bulletin board being used for advertisement. Vote: Unanimous.

### Planning Commission

Mr. Amentas made a motion to accept the Planning Commission appointment of Ryan Ray and Jim Durborow as Planning Commission members for the 2011 to 2014 term. Mr. Makely seconded. Buddy Rhoades stated that at a planning commission meeting Ryan Ray told the public they could not speak. Conrad DeAbreu stated that at previous meetings the chairman used foul language to the public. Mr. Amentas replied that he will take care of this at the next meeting. Mr. Barach abstained. Vote: Passed. Mr. Amentas recognized the Planning Commission members as presented.

Ryan Ray Member – 2011 to 2014

Jim Durborow Member – 2011 to 2014

Garth Monaghan Member– 2008 to 2011

John Schwab Member – 2010 to 2013

Jim Weeks Member – 2008 to 2011

Vince Lyons Member – 2010 to 2013

Fran Digan Member – 2011 to 2014

### Park & Recreation Commission

Mr. Amentas recognized the Park and Recreation Commission members as presented.

Brian Carling Chairman – 2007 to 2011

Jeanne Berlin Secretary 2007 to 2011

Peter Massaro Member –2010-2014

Dan Johns Member – 2009 to 2013

Jan Bowers Member – 2010 to 2014

Barbara Lowe Member – 2010 to 2014

Vacant position – 2010 to 2014

#### Friends of the Park

Mr. Amentas recognized the Friends of the Park members as presented.

Jennifer Carling – Director

Sue Massaro – Secretary

Lauren Gill – Public Relations

Barb Ragni – Treasurer

Cheryle Hanson and Suzanne Sisk non-officer members

#### Historical Commission

Mr. Amentas recognized the Historical Commission members as presented.

Garth Monaghan Chairman – end of 2013

Sue Monaghan Secretary – end of 2011

Arthur DeLeo – end of 2011

Paula Coyne – end of 2011

Lee Schlingman – end of 2013

Joe McCormick – end of 2013

Fred Bissinger – end of 2013

#### Agricultural Security

The Board agreed to change the chairman from Chris Amentas to Gary Barach. Mr. Amentas recognized the Agricultural Security as presented.

Gary Barach – Chairman

Paula Coyne – Resident

Garth Monaghan – Farmer

Jaqueline Colyer – Farmer

William Elkins – Farmer

#### Animal Control

Mr. Amentas recognized the SPCA as presented.

#### Regional Appeals Board

Mr. Amentas recognized the Western Chester County Regional UCC Board of Appeals and the Township UCC representative as a vacant position.

#### Elected Auditors

Mr. Amentas recognized the elected auditors as presented.

Sharon Scott – 2010-2015

Earl Doan – 2008-2011

Jim Sisk – 2009-2013

#### Designated Banks

Mr. Amentas recognized the designated banks as presented.

TD Bank

Sovereign Bank

Coatesville Savings Bank

First Niagara Bank

Mr. Barach inquired about First Niagara Bank. Mrs. Bukata replied that First Niagara Bank is where the

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freightliner was financed. Mr. Barach also asked about the tax committee. Mrs. Bukata replied that the actual appointment of Keystone Collections Group is effective 2011 for Chester County. Mr. Barach also asked about the 2010 audit. Mr. Makely stated that you can temporarily name a 2010 auditor firm because

they are “at will” and then go about the bidding process. Mr. Barach made a motion that the Chester County Tax Collection Committee be recognized as the Committee of Chester County and serve as the representative of the Committee. Mr. Makely seconded. Vote: Unanimous.

Mr. Barach made a motion for McGladrey & Pullen, LLP, the Township’s existing Certified Public Accounting Firm be considered the Township’s Certified Public Accounting Firm for the 2010 audit at a fee consistent with the 2009 fee of \$22,000.00. Mr. Makely seconded. Mr. Broadbent stated that last year the audit firm was approved by resolution. Mr. Amentas asked the type of action needed to appoint a new audit firm. Mr. Broadbent replied last year a resolution was done to appoint the audit firm with no cost but forthcoming. Mr. Barach withdrew his motion. Mr. Broadbent motioned to appoint McGladrey & Pullen, LLP as the township auditor for 2011 with a proposal for a fee schedule to be forthcoming subject to acceptable fees. Mr. Barach seconded. Vote: Unanimous.

#### Public Comment

Buddy Rhoades of 2176 Strasburg Road stated that he would like to put his name in for the Agricultural Security Committee as a resident. Mr. Makely asked Mrs. Bukata to get information on the Agricultural Security Area (ASA) and check the terms. Mr. Barach also asked to have that information forwarded to him.

Glenn Colyer of 41 Park Avenue asked if the township going into 2011 with a deficit of a couple hundred thousand dollars. Mr. Barach asked Mrs. Bukata if she has the final year end numbers. Mrs. Bukata replied “no.” Mr. Colyer also stated that the township should start preparing for a deficit in advance and not wait until November. Mr. Barach replied “the planning started last January.” Mr. Colyer also asked why the township needs five road workers. Mr. Barach replied that Mrs. Bukata will be monitoring all departments.

#### Adjournment

Mr. Amentas made a motion to adjourn at 9:00 PM. Mr. Mr. Makely seconded. Vote: Unanimous.

Respectfully submitted,

Denise Miller,  
Township Secretary