

**EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
November 25, 2008 6:30 pm
Approved**

CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

IN ATTENDANCE: George Broadbent, Chairman; Chris Makely, Vice Chairman; Garth Monaghan, Member; Mark Thompson, Solicitor; Denise Miller, Township Secretary.

Agricultural Security Hearing: Deborah Rush, Planning Commission, states the Agricultural Application regarding 3135 and 3155 Strasburg Rd. came before the PC twice and they did not have enough information to make a decision. The members are concerned that this will be spot zoning. Ms. Rush also informs the Board that the Comp. Plan has to be revised next year.

Mr. Thompson informs the Board that this is an advertised public hearing for the Board to determine if this property is a permitted use.
Mr. Monaghan states the C.C. Planning Commission finds that the proposed application addition of the parcel is consistent with Act 43.

Mr. Makely asks who is J.N. Nath. Mr. Monaghan replies they are the co-owners of H&H Furniture and Appliance.

Mr. Monaghan moves to accept the proposed application in the Agricultural Reserve.
Mr. Broadbent 2nd. No comments. Vote: Unanimous. Mr. Thompson informs the Board they have 10 days to give the applicant a written decision.

APPROVAL OF MINUTES:

Mr. Broadbent moves to approve the October 28, 2009 minutes. Mr. Makely 2nd. Comments? Sharon Scott states some of her comments were not complete. Mr. Broadbent replies that any changes to the minutes should be submitted in writing. Buddy Rhoades comments that the minutes should be on the website 2 weeks before the meeting. Vote: Unanimous.

PLANNING COMMISSION (PC): Deborah Rush

Abrahams Subdivision - The PC has concerns with the Twp. having to pay for the lighting, fixtures, maintenance or anything else for the Abrahams development because there will be no HOA for this development. The PC also does not want sidewalks in the development.

Mr. Broadbent moves to approve a waiver for Section 615C to not provide sidewalks along any portion of the proposed street for the Abrahams Development. Mr. Monaghan 2nd. No comments. Vote: Unanimous.

Mr. Broadbent moves to approve a waiver for Section 627 to not provide any street lighting along the Abrahams Development. Mr. Monaghan 2nd. No comments. Vote: Unanimous.

Mr. Broadbent moves to grant preliminary approval for the Abrahams Subdivision. Mr. Monaghan 2nd. No Comments. Vote: Unanimous.

South Brandywine Middle School – Ms. Rush states the PC is ok with the larger scale (100 ft.). Mr. Broadbent moves to approve a waiver to change scale from 50 ft. to a larger scale (100 ft). Mr. Makely 2nd. No comments. Vote: Unanimous.

The PC has concerns with sidewalks and suggests making a diagonal crosswalk from the building to the corner and maintained by the School. The PC also recommends a 2 or 4 way painted crosswalk at the intersection of 82 and Strasburg Road. The PC also recommends to Grant Preliminary approval pending a satisfactory review letter from Chris Della Penna, Twp. Engineer, with any further issues to be addressed during final plans.

Mr. Makely asks if there is a regular sidewalk in front of the school on the plans. Ms. Rush replies no and the developer is really adamant against it. Bryan Bingaman produces a map and shows the diagonal sidewalk connecting the drop off area. Conrad DeAbreu asks will the speed limit be changed at the crosswalk. Ms. Rush replies that it will.

Mr. Broadbent motions to extend the South Brandywine Land Development plans until February 9, 2009. Mr. Makely 2nd. No comments. Vote: Unanimous.

The Board supports the sidewalks and the painted crosswalk.

Mr. Broadbent moves to grant Preliminary Approval of the South Brandywine School plans pending a clean review letter from Chris Della Penna. Mr. Makely 2nd. No comments. Vote: Unanimous.

New Member – The Planning Commission recommends the Board approve resident Vince Lyons to the Planning Commission. Mr. Broadbent moves to accept Mr. Vince Lyons as the 7th member of the Planning Commission. Mr. Monaghan 2nd. Mr. Makely asks if he finishes out Paul Daniels term. Ms. Rush replies yes. Vote: Unanimous.

CITIZENS BY REQUEST:

Clarence Rhoades Sr. requested to be under Citizens by request but was not in attendance. Buddy Rhoades opposes the Police employees taking home their police cars, and also why a couple of police cars are unmarked.

CORRESPONDENCE:

Mr. Broadbent moves to accept Paul Currie's resignation as of November 10, 2008. Mr. Monaghan 2nd. Sharon Scott asks if this was the Treasurer and how many days did he work. Mr. Broadbent replies that he was the Manager/Treasurer and he worked 5 days. Bob King asks what was the reason given. Mr. Makely replies Mr. Currie said the job wasn't for him. Buddy Rhoades asks the Board to wait for the 2 new Supervisors before hiring a Manager/Treasurer. Mr. Broadbent calls for a vote: Unanimous.

Mr. Broadbent announces that if residents need to get in touch with a member of the road crew, you must go to the Twp. office window and the office staff will get in touch with them. Buddy Rhoades comments when he came to the window he was told that the compost site was not opened but it was.

Mr. Makely explains that during the hiring of Maulo & Co. to do the Twp. transition work the Twp. was quoted \$145/hr. for Larry Maulo but the paperwork rec'd after the fact says \$175.00/hr.

Mr. Makely motions to amend Larry Maulo's rate from the approved \$145/hr. to \$175/hr. retroactive to September 15, 2008. Mr. Broadbent 2nd. Sharon Scott asks if Mr. Maulo is a CPA and what is his contract for and other questions concerning the contract. Mr. Broadbent states Mr. Maulo is a CPA and Mr. Makely replies that the contract is for Mr. Maulo to do the audit after the treasurer resigned and Gina Rodkey is doing the bookkeeping at \$53.00/hr. Mr. Broadbent calls for a vote: Unanimous.

Certified Master Composter classes for 2009 flyers were on the back cabinets in the meeting room.

SOLICITOR REPORT: Mark Thompson

Mr. Thompson informs the Board he has no specifics to report this evening. Mr. Makely would like Mr. Thompson to stay incase there are any questions concerning the 2009 budget. Buddy Rhoades asks if the Township has any outstanding lawsuits and has any money come in from the money stolen from the Township. Mr. Makely replies that restitution is being made to Parkesburg and in the police fines check. Sharon Scott asks about the budget. Mr. Broadbent replies that the budget will be reopened in January. Mr. Makely explains that as of November 20th the Township has a surplus of \$110,924.13 and since 2 new Supervisors are coming in January the 2008 budget was used based on the income and current expenses with the increase with the police, police car and the staff increases. Mr. Makely motions to adopt the 2009 draft budget. Mr. Broadbent 2nd. Comments? Bob King asks about line item 410.130. Mr. Broadbent replies salaries are based upon the standard increase that is in the police contract which is 7% and takes effect in January. Bob King states the police contract says the salary increase doesn't start until July. Mr. Broadbent states the date of July was a typo and legally there was nothing the Twp. could do. Bob King asks why the Police Chief was negotiating the police contract. Mr. Broadbent replies that he doesn't believe the Chief was negotiating the contract. Buddy Rhoades asks when the contract is up. Mr. Broadbent replies that it is up in 2009 and they will start working on the new contract approximately in May to July. Sharon Scott does not agree on how the contract was negotiated. Mr. Broadbent calls for a vote. Vote: Unanimous. Mr. Thompson explains a motion has to be made in January to reopen the budget and until February 15th to make amendments and a 10 day advertisement period depending on how much certain increases/decreases have been made (10% of the aggregate or 25% individual line item) there will also be a publically advertised meeting to present the changes. Mr. Thompson informs the Board that he will get the notices out for the Agricultural Security.

TREASURER'S REPORT:

Mr. Makely gives a brief Treasurer's report for October 31, 2008 and requests the Board to authorize payments from the General Fund of \$105,532.75, escrow \$28,926.78 and State Liquid Fuel Fund of 78,480.10 totaling \$213,939.63. Mr. Broadbent moves to accept the Treasurer's report and authorize payments as indicated in the report. Mr. Monaghan 2nd. Comments? Bob King asks if the Twp. is still paying the high price for fuel. Mr. Broadbent replies yes and that the contract cannot be broken but it is up at the end of the year. Buddy Rhoades asks the total of the Creek Road project. Mr. Broadbent replies \$79,480.00. Mr. Makely states an Engineer from Traffic Planning and Design is going out to evaluate the entire Creek Road project. Mr. Broadbent calls for a vote. Vote: Unanimous.

HISTORIC COMMISSION: Paula Coyne

Paula Coyne explains that The Historic Commissions came to an agreement with the representatives of E.B. Walsh about their concerns regarding the cemetery and the Wilson Property and if it they weren't in the plans already they would include it so that the Historic structures, the cemetery and the Wilson property, would be buffered and protected. The Historic

Commission also believes the street lights are not in keeping with the historical nature of Strasburg Road which they have worked so hard to protect.

The Historic Commission is in agreement with Pete Mazzaro of HNTB regarding the Mortonville Bridge and how they are going to proceed, they have met all of their requests. The contract for the work to be performed will be put out to bid in December 2008.

Jane Dorchester and Dee Durham of S.AV.E have volunteered to work on grants for the dam.

Paula states that someone has purchased Marty's Pub.

POLICE: Chief Mango

The October Police report was on the back cabinet and the website.

PARK AND RECREATION: P&RC - Peter Massaro

Peter Massaro gives a brief summary of the P&RC and their report was available on the back cabinet and is on the website. The P&RC asks for direction on scheduling a bomb shelter tour for a S. B-wine School teacher. The Board refers Mr. Massaro to have her call Denise Miller and set up a time with Tag, Public Works Foreman, for a tour.

Cheryle Hanson has resigned from the P&RC. Peter Massaro will get an ad together for Denise Miller to place in the Daily Local and also place something on the website regarding an open seat on the P&RC.

EMERGENCY SERVICES:

The October 2008 Modena and Pomeroy call reports were on the back meeting room cabinet and are on the website.

ROADS DEPARTMENT:

The October 2008 road and vehicle report was on the back meeting room table and is on the website.

Bob King acknowledges the Road department on a nice job on repairing a hole on the side of Misty Patch Road. Buddy Rhoades comments on the Fairview Road mowing by the Road department and asks if the Twp. is being reimbursed for the work done on S. Caln Rd. Mr. Broadbent replies no, it was fixed for safety. Buddy Rhoades also comments on the escrow amounts for developments. Chris Amentas asks how many developments are in the W.Chester/S. Caln Rd. project. Mr. Broadbent replies 6 developments are involved.

UNFINISHED BUSINESS:

Mr. Makely states the Twp. received a report today on 11/25/08 from Chris Della Penna, Twp. Engineer, regarding the outstanding items on Baron Crest. Mr. Makely gives Conrad DeAbreu a copy of this letter. Conrad DeAbreu states Mr. Della Penna does not mention the design of the proposed pipe across his property and asks if the Twp. will take Baron Crest's roads. Mr. Monaghan replies that Township does not have to take the roads. Mr. Makely states that the Engineer that started doing the as-built has the plans ready but won't release them because of money. Mr. Monaghan states that the Twp. has decided to go after Mr. Callahan's escrow monies.

Sharon Scott states that Scott Wybranski does not live in E. Fallowfield Twp. and she would like to take Mr. Wybranski's place on the Agricultural Security Committee. Mr. Monaghan replies that he was told by Mr. Wybranski that he does live in E. Fallowfield Twp. Mr. Broadbent states the Twp. will follow up on this issue.

Grant Thomas comments that he wants the Public Training Facility to come to the Twp. with any changes so things just don't happen without the Twp. and residents knowing about them.

NEW BUSINESS:

Mr. Broadbent moves to adopt the 2009 Chester County SPCA Animal protective Services Agreement for \$5,000.00 and \$20.00 per unclaimed stray animal. Mr. Makely 2nd. Mr. Monaghan opposes this agreement. Mr. Makely asks what happens if the Board doesn't accept this agreement. Mr. Broadbent tables his motion until next month and Mr. Monaghan calls the SPCA.

Mr. Broadbent moves to approve the Fairview Design website contract from January 1, 2009 until December 31, 2009 for \$300.00 for 6 hrs. per month and \$60.00 for overage time. Mr. Monaghan 2nd. Milby Thorington asks if 6 hrs. are used per month. Mr. Broadbent replies that if the 6 hrs. is not used it will be carried over till the next month. Vote: Unanimous.

PUBLIC PARTICIPATION:

Bob King asks how long does the Training Facility have to study the CU conditions, can they still negotiate. Mr. Makely replies 90 days and Mr. Monaghan states all the conditions now have to be met.

Sharon Scott asks if Vince Pompo reviewed the police contract. Mr. Monaghan replies no, Neil Morris was the solicitor that reviewed it. Sharon asks if Mr. Broadbent is 3 years in arrears for his trash bill. Mr. Broadbent replies he will not comment on his personal finances. Mrs. Scott asks the Board to have Vince take action and remove Supervisor Broadbent as a Supervisor.

Ed Porter asks the Board to not disregard that the residents of the Township voted to have 5 Supervisors and the changes they want in the Township. Mr. Makely replies that the Board has reached out to the 2 new Supervisors regarding the Township.

Buddy Rhoades asks how long was the Manager/Treasurer here. Mr. Makely replies 3 days and Lisa Myers never came in to train him. Mr. Rhoades also asks where the police bikes are and would like the new speed control machine used. Mr. Makely replies the bikes are in the garage.

ADJOURNMENT:

Mr. Broadbent moves to adjourn at 8:58 pm. Mr. Monaghan 2nd. Vote: Unanimous.

Respectfully Submitted,

Denise Miller,
Township Secretary