

Tredyffrin Township
Minutes – December 21, 2009

The second regular meeting of the Board of Supervisors of Tredyffrin Township for the month of December was held on the above date at the Township Building. Board members present included Warren Kampf, Chairman; Robert Lamina, Vice Chairman; John DiBuonaventuro, Mark DiFelicianantonio, Judy DiFilippo, Paul Olson, and John Shimrak. Also in attendance were Mimi Gleason, Township Manager; Thomas Scott, Assistant Township Manager; David Brill, Finance Director; Stephen Norcini, Director of Public Works; Stephen Burgo, Township Engineer; Superintendent Andrew Chambers; Thomas Hogan, Solicitor; Lt. Anthony Giaimo, and Jolene Buffman, Recording Secretary.

Call to Order

Mr. Kampf called the meeting to order at 7:30 p.m.

Minutes

Motion was made by Mr. Olson, seconded by Mr. Lamina, and passed unanimously to approve the minutes of the regular meeting held December 7, 2009, as amended.

Announcements

The Board of Supervisors will hold a public hearing on Monday, January 4, 2010 at 7:30 p.m. for the “Patriots Path Plan”.

Approve 2010 Final Budget

Mr. Kampf announced that the community has come together to restore and fully fund the operating and capital expenses sought by local fire companies, Berwyn, Paoli and Radnor, this year. Mr. Kampf said he, Mr. Olson and Mr. Lamina solicited donations from numerous restaurants and businesses in the area, and were thrilled by their generosity. This is an example of public and private sectors partnering in the truest sense of the word. He said there are commitments of \$23,200, nearly \$2,000 more than had been discussed, and there may be more contributions that could take the total higher. He presented a check for \$23,200 to John Beatty, Paoli Fire Company, Rip Tilden, Berwyn Fire Company, and David Roderick, Radnor Fire Company.

He suggested moving forward with plans for a joint Tredyffrin and Easttown Fire Board which could work toward more long-term stable funding and develop synergies between the fire companies and townships.

Mr. Kampf made a motion to eliminate the budget line item for fireworks in 2010, and to utilize those budget funds for expenditures in the following areas: \$5,000 for Police Budget – Vehicle Repair and Maintenance; \$5,000 for Police - Supplies; \$2,500 for Streets Budget – Vehicles Repair; \$2,500 for Streets – Supplies; and \$5,000 for Streets – Traffic Safety. Mr. Lamina seconded the motion.

Rip Tilden, President of Berwyn Fire Company, said the donation is a marvelous gift and was thrilled by the generosity of the community. He hoped that they can work in harmony to provide superior fire and ambulance service to the Township. Mr. Roderick, President of Radnor Fire Company, echoed Mr. Tilden's sentiments, and said the Township needs to address the long-term fire company issues.

C.T. Alexander, Chairman of the Tredyffrin Township Republican Committee, said they were donating \$5,000, and another \$5,000 will be matched by other individuals and business.

Ted Patterson, Democratic Chairperson, said he appreciated the "rescue effort" of the Township, but would like to see better effort going forward so we don't have to do these last minute rescues. He said the Township needs to keep in mind the long term capital needs of the fire companies, and to arrive at a better way to assure volunteer efforts continue.

Laurie Elliott presented an e-petition with 523 signatures calling for the reinstatement of the fire company funding from 2009 and eliminating the fireworks. She said we need to come up with a permanent solution for long range funding of the fire companies.

Mr. DiBuonaventuro said while he appreciates all the businesses that contributed, the one item that needs to be discussed is about process. When it comes to public safety, it is the responsibility of those who have sworn an oath. Funding of the fire companies is the responsibility of the government, and as we move into 2010, when it comes to November and December, we don't want to have to face the same process that we faced this year.

At the end of discussion, the motion passed unanimously.

Mr. DiBuonaventuro said with respect to the Sewer Budget, he wanted residents to be aware that approximately \$597,000 is in the Street Lights and Traffic Signal account, and wondered if it should be moved into the General Fund. Mr. Hogan said there is no legal problem having these funds in the Street Light account. In 2002, the Board of Supervisors amended the Tredyffrin Township Code to include street lights and traffic signals in the Sewer Utility Fund, which was done at a series of public hearings. Ms. Gleason said if we moved this money back into the General Fund, we would have a \$600,000 deficit. Mr. Kampf said we have capital improvements we are obligated to make to our sewer system which need to be funded. Mrs. DiFilippo said the BAWG recommended moving these expenditures into the General Fund.

Ms. Gleason said the Board had been given a list of capital projects that were to be carried over to 2010 but it did not include the Patriots Path Plan in the amount of \$2,354. This amount will be shifted from 2009 into 2010.

Bill Bellew commented on the increased sewer fee and no tax increase. He said BAWG volunteers provided professional results and suggested having increases every year. The Board has gone against a tax increase for years but is now asking for a 25% increase in one year for the sewer utility fee. He said if we need to raise taxes, we should.

At the end of discussion, motion was made by Mr. Lamina to adopt as the Final Budget, the Preliminary Budget as amended. Mr. Olson seconded the motion.

Mrs. DiFilippo said she agreed with Mr. Bellew's comments. She applauded Mr. Olson's and Mr. Lamina's efforts in fundraising for the fire companies, but it does not negate the Board in the future to fund the fire companies.

Marie Thibault said she knows the cuts made this year were hard, but what happens next year? We need to have a long-term plan and the citizens should be involved with it.

Mr. Kampf congratulated Ms. Gleason and her staff on the great job they did under very difficult circumstances. Mr. Kampf called for a vote, and the motion passed by a vote of 6-1, with Mr. DiFelicianantonio voting no.

Motion was made by Mrs. DiFilippo, seconded by Mr. Lamina and passed unanimously to adopt the resolution for the 2010 Fee Schedule.

Mr. DiFelicianantonio left the meeting.

Financial Report

Mr. Brill presented the Financial Report for November 2009:

Financial Performance Year-to-Date versus Budget

	<u>YTD vs. Budget – Fav (Unf)</u>			<u>Concerns</u>	<u>Yr. Forecast</u>
	<u>Revenue</u>	<u>Expenses</u>	<u>Total</u>		
General Fund	(630,376)	930,074	299,698	Transfer tax below Budget YTD (\$306K)	Favorable to budget by \$0.5M
Sewer Utility Fund	7,879	294,986	302,865	None	Fav. to budget By \$0.4M
Valley Creek Trunk Sewer Fund	(29,007)	127,236	98,229	None	Fav. to budget By \$0.2M
Township Wide Expenses		1,878,513		None	Fav. to budget By \$1.5M

Cash & Investment Position - Reserves and cash flow remain healthy.

	<u>Balance \$M</u>	
	<u>Current</u>	<u>Prior</u>
Unrestricted	10.5	13.1
Restricted	43.3	43.9

Debt Position – Current with debt payments and covenants.

Police Report

Supt. Chambers congratulated the Public Works Department on the outstanding job they did during the recent snow storm.

Supt. Chambers said the seven-year old boy that was struck by a vehicle on Old Eagle School Road in October is doing well.

Supt. Chambers said Detective John Bailey recently had an article published in the “*National Academy*” magazine.

Fire Company Reports

John Beatty presented Paoli’s report. There were 16 fire calls and 38 EMS calls for the month. There were 9 false alarms in the Township. He thanked the individuals who contributed to the fire companies, and hopes to work together again.

Eamon Brazunas presented Berwyn’s report. There were 35 fire calls for the month. He said there were 12 calls during the recent snow storm, and asked residents to dig out fire hydrants located near their properties. He gave special recognition to Craig Peterson, who is stepping down as Fire Chief, for 25 years with the Berwyn Fire Company.

Public Works

Mr. Norcini said he was very proud of his Public Works employees for the work they did during the recent snow storm. Ms. Gleason thanked Mr. Norcini and Dean Wilkins, Public Works Foreman, for the many hours they spent over the weekend keeping the roads open for residents. She said she was enormously proud of the entire department.

Engineering

Mr. Burgo reported that the Sidewalks Project construction is expected to begin in 2010. A pre-construction meeting was held with PennDot, and we will receive further updates in January.

Mr. Burgo construction has started on the Maude-Lisa-Vincent Road Drainage Improvement Project.

Libraries

Mr. Sherwood said overall year-to-date circulation continues to be higher with an additional 92,000 items circulated or 33% higher than last year. Usage remains high of references services, public computers and wireless access.

Supervisor Liaison Reports

Mr. DiBuonaventuro reported that the Park Board discussed the Crabby Creek bridge option, and decided to make inquiries to the Boy Scouts. Sean Moir said there may be some Eagle Scout candidates from Troup 181, but it will be important that there is some adult supervision for the construction. Mr. DiBuonaventuro said next year we may put this project together.

Mr. DiBuonaventuro reminded residents that the Traffic Squad has gone from 4 officers to 2, and this means that citizens don’t get as quick a response at meetings as they would like for issues like speeding.

Mr. Olson asked Mr. Sherwood if all the changes to the Library are complete, and Mr. Sherwood said the Library is back in transit. The Library is once again doing some restructuring internally. The Head Librarian from Paoli will be moving to the Strafford Library.

Motion was made by Mrs. DiFilippo to reappoint Libby Brinton to a four-year term on the Planning Commission, term to expire November 28, 2013, and to reappoint Dan McLaughlin to a three-year term on the Zoning Hearing Board, term to expire January 1, 2013. Mr. Kampf seconded the motion and it passed unanimously.

Motion was made by Mrs. DiFilippo to reappoint Polly Hagan and Glenna Keene to five-year terms on the Historical Architectural Review Board, terms to expire January 2, 2015. Mr. Olson seconded the motion and it passed unanimously.

Miscellaneous - Grant contract with Delaware Valley Regional Planning Commission for pedestrian and bike path in Paoli

Mr. Scott said the Delaware Valley Regional Planning Commission announced the creation of the Efficient Growth for Growing Suburbs program in early 2009. Tredyffrin Township filed an application for the Paoli pedestrian/bicycle study, and the DVRPC selection committee chose the Tredyffrin project as one of eight awards. The amount of the award is \$32,000, and Tredyffrin will add its share of \$8,000. The DVRPC contract must be executed for the funding.

Motion was made by Mrs. DiFilippo, seconded by Mr. Lamina, and passed unanimously to approve the grant contract with the Delaware Valley Regional Planning Commission for the pedestrian and bike path in Paoli.

Miscellaneous - Retiring Supervisors' ceremony

Mr. Kampf presented Certificates of Appreciation to Mr. Shimrak and Mrs. DiFilippo for their service on the Board of Supervisors. Mr. Kampf said Mr. Shimrak was an enormous help to the Board when he filled Mr. DeHaven's unexpired term in June. Mr. Shimrak said he will give his full support to the new board coming in, and thanked the Board for letting him serve.

Mr. Kampf said Mrs. DiFilippo has been on the Board for 20 years, including six years as Chairman and four years on the Planning Commission. He read Mrs. DiFilippo's many accomplishments and said there was no one more dedicated. Mr. Shimrak said Tredyffrin was truly blessed, and thanked her for the years she served. Supt. Chambers presented her with a flag flown over the Township Building and a Certification of Appreciation from the Police Department. Mr. Olson said Mrs. DiFilippo is very, very gifted, and goes above and beyond. Mr. Lamina said Mrs. DiFilippo taught him how to be a supervisor and thanked her for her service. Mr. DiBuonaventuro said it was an honor to serve with her.

Libby Brinton said Mrs. DiFilippo is the embodiment of a true public servant. Sandi Gorman said she is the most dedicated person she has ever known.

Mrs. DiFilippo thanked everyone for her gifts. She said she has served with 18 different individuals in her 20 years on the Board. She said that it was her pleasure to serve.

Subdivisions - Final Subdivision Plan – Lot Line Change for Westover Company – Devon Square Shopping Center; Plan to consolidate lots and add a 19,000 sf addition (4,577 sf in Tredyffrin, the rest in Radnor) to the Acme building at 700 West Lancaster Avenue in a C2 Commercial District

Mr. Scott said this is for the construction of an addition to the Acme Supermarket at the Devon Square Shopping Center. The applicant proposes to relocate the parcel line so the addition does not encroach on the required setback. Mike Kissinger of Pennoni Associates was in attendance representing the applicant.

Mr. DiBuonaventuro said he could not support the vote because the owner, Westover Company, had nine pending building code violations and starting work without a permit to the Main Line Berwyn Apartments associated with a fire that may have been caused by a roofing company hired by Westover. He asked to table this until a final report is received from the fire marshal and inspectors. Mr. Scott said the applicant would need to grant an extension of the subdivision review period for the Board to delay a vote. He also noted that the applicant still needs to get a building permit for the Acme addition. Mr. Kissinger thought the fire was an unrelated issue and hoped to move forward with the subdivision portion.

Motion was made by Mr. Olson and seconded by Mr. Lamina to approve the Final Subdivision Plan – Lot Line Change for Westover Company – Devon Square Shopping Center – to consolidate lots and add a 19,000 sf addition to the Acme building at 700 West Lancaster Avenue in a C2 Commercial District.

Dave McManus of the Westover Company said the application was done by the subcontractor, and the violations are his. Mr. McManus assured the Board of his full cooperation as they investigate what happened.

Motion passed by a vote of 5-1 with Mr. DiBuonaventuro voting no.

Escrows

Motion was made by Mrs. DiFilippo, seconded by Mr. Olson, and passed to release \$25,656.45 from TD Bank to the Islamic Society of Greater Valley Forge, covering site improvements at 958 North Valley Forge Road; balance remaining \$74,288.43.

New Matters – Board

Mrs. DiFilippo gave an update on the sub-committee meeting regarding the BAWG's recommendation on the St. Davids issue. The offer of \$50,000 from St. Davids to go into the General Fund cannot be accepted. Mr. Hogan cited legal reasons. The subcommittee considered the idea of permitting applicants to set aside funds in a separate sidewalk fund, in lieu of

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construction in certain circumstances, which is permissible. The Planning Commission reviewed the idea and agreed they would discuss the further possibility of sidewalk funding from future applicants where sidewalks may be required, but voted 9-0 against applying that retroactively.

New Matters – Citizens

None

Meeting was adjourned at 10:05 p.m.

Public Hearing - Amend the Pension Ordinance to change the employer contribution

At the end of discussion, motion was made by Mr. Olson, seconded by Mr. Lamina, and passed unanimously to amend the Pension Ordinance to change the employer contribution.

Complete notes of testimony were taken by Elaine Parrish, Court Reporter, and are on file at the Township Building.

Public Hearing - Increase the Sewer Utility Rate for the year 2010 to \$250/EDU

At the end of discussion, motion was made by Mr. Olson, seconded by Mr. Lamina, and passed by a vote of 4-2 to increase the Sewer Utility Rate for the year 2020 to \$250/EDU, with Mr. DiBuonaventuro and Mr. Kampf voting no.

Complete notes of testimony were taken by Elaine Parrish, Court Reporter, and are on file at the Township Building.

Respectfully submitted,

Jolene E. Buffman
Recording Secretary