

**Tredyffrin Township  
Minutes – January 25, 2010**

The second regular meeting of the Board of Supervisors of Tredyffrin Township for the month of January was held on the above date at the Township Building. Board members present included Robert Lamina, Chairman; Paul Olson, Vice Chairman; John DiBuonaventuro, Philip Donahue, Warren Kampf, Michelle Kichline and Evelyn Richter. 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; Robert McClintock, Solicitor; Lt. Anthony Giaimo, and Jolene Buffman, Recording Secretary.

**Call to Order**

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

**Minutes**

Motion was made by Mr. Olson, seconded by Mr. Kampf, and passed unanimously to approve the minutes of the Organizational Meeting held January 4, 2010.

Motion was made by Mr. Kampf, seconded by Mr. Olson, and passed unanimously to approve the minutes of the regular meeting held January 4, 2010.

**Announcements**

Residents interested in receiving the Township's monthly e-newsletter can submit their email addresses to [enewsletter@tredyffrin.org](mailto:enewsletter@tredyffrin.org).

The Board of Supervisors will hold a continued public hearing on Monday, February 22, 2010 at 7:30 p.m. for the "Patriots Path Plan".

**Financial Report**

Mr. Brill presented the draft Financial Report for December 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	(8,236,232)	6,156,025	(2,080,207)	None	Fav. to budget by \$0.4MM
Sewer Utility Fund	(1,222,394)	2,536,772	1,314,378	None	Fav. to budget by \$0.4MM
Valley Creek Trunk Sewer Fund	(32,090)	500,956	468,866	None	Fav. to budget by \$0.3MM
Township Wide Expenses		10,424,624		None	Fav. to budget by \$1.7MM

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

	<u>Balance \$M</u>	
	<u>Current</u>	<u>Prior</u>
Unrestricted	9.2	10.5
Restricted	42.8	43.3

Debt Position – Current with debt payments and covenants.

Mrs. Richter asked if we had a number for the rate of collection. Mr. Brill said approximately 98%. He said he would provide the exact number at the next meeting.

### **Police Report**

Chief Chambers discussed a bank robbery which occurred at TD Bank in Tredyffrin on January 22, 2010, and showed a picture of the suspect. Anyone with information should contact Detective Todd Bereda at the Tredyffrin Police Department.

Chief Chambers said there have been two incidents where strangers have tried to lure juveniles into their cars. One occurred in the Tredyffrin on December 1<sup>st</sup>, and another occurred in Easttown on January 6<sup>th</sup>. There are no leads in these cases.

### **Public Works**

Mr. Norcini said Public Works crews have been salting and plowing during the various storms. They continue to install and repair signs, as well as temporary patching for potholes, and when weather allows, repairing inlets. Sewer crews have been televising the sewer main and starting their I & I in the Matsunk Basin. Maintenance continues on Township vehicles, as well as repairs of trucks and plows after storms.

### **Fire Company Reports**

Eamon Brazunas presented Berwyn's report. There were 46 fire calls for the month. He said Berwyn assisted in the roof fire on December 15<sup>th</sup> at the Main Line Berwyn Apartments, and there were no injuries to firefighters or civilians.

Paoli Fire Company did not present their report.

### **Engineering**

Mr. Burgo said construction has started on the Maude-Lisa-Vincent Road Drainage Improvement Project. Work on Vincent Road is approximately 75% complete. Mr. Burgo said there will be another Design Roundtable Meeting on January 28<sup>th</sup> for the Turnpike Milepost 320-326 Widening Project. Signs have been posted on Route 252 reducing the speed from 55 to 45. This speed reduction was approved in the summer of 2009.

**Libraries**

Gretchen Chamberlain said overall circulation was higher with an additional 93,000 items circulated or 30% higher than last year. Volunteer hours were up 347% over 2008, with nearly 3,000 volunteer hours in 2009. Both libraries continue to provide story time and other programs for children.

**Supervisor Liaison Reports**

Mrs. Richter said the Sidewalk, Trails and Paths Committee are preparing a celebration for the first sidewalks completed around the school. She said three members' terms are expiring in May, and there will be two openings on the STAP committee.

Mr. Donahue said currently there are two openings on the EAC. Mr. Lamina said there is also one opening on the Library Foundation, and two on the Municipal Authority. Any interested citizens seeking to volunteer should send their resume to Ms. Gleason at the Township.

**Escrows**

Motion was made by Mr. Olson, seconded by Mr. Donahue, and passed unanimously to release \$11,820.00 from Eagle National Bank to Lanni-Builders Inc., covering site improvements at 781 North Wayne Avenue; balance remaining \$65,643.31.

**New Matters – Board**

Mr. Olson made a motion to release \$25,000 from a Financial Security from Bryn Mawr Trust, Letter of Credit No. 688, covering sidewalk improvements to the St. Davids Golf Club, balance remaining \$0. Mr. Lamina seconded the motion.

Mr. Olson said the reasons for his motion were that this is a sidewalk that starts nowhere and goes nowhere. He was told not one of the neighbors wants sidewalks in front of their homes; residents don't want to lose trees and shrubs to macadam and cement; they don't want to shovel snow and maintain the sidewalks and get sued if someone falls; vehicle traffic on Upper Gulph Road is very heavy and fast; sidewalks belong in areas around schools, hospitals, nursing homes, etc., and we are in a recession and why take precious capital and waste it.

Robert Whalen, 265 Upper Gulph Road, and Chairman of the Planning Commission said he was opposed to the motion. He said people do use the road, including his family, and his neighbors at 239, 265, 253, 295, 223 and 282 Upper Gulph are in favor of a 4' wide walking trail on the north side of Upper Gulph. He said it may take many years, but with proper vision, people may be able to walk to schools and parks in the area. He said other heavily traveled roads such as Chesterbrook Boulevard have 4' sidewalks. He said the Planning Commission had voted three times on this issue and the Board is coming back tonight and overruling them. Six properties with plan approval may be affected by this decision, as well as future developers. He asked the Board to give the Planning Commission an opportunity to come back with similar ordinances regarding sidewalks from other townships in an attempt to find an alternative course.

Pattye Benson asked the Board if St. Davids had formally requested the money. Mr. DiBuonaventuro said there was no formal written request. Mrs. Benson said if you do something like this, you are setting precedent for other escrow accounts. She also said this sends a message to other volunteer groups that the Board can overturn any decisions they make.

John Petersen said he agreed with Mr. Whalen and Mrs. Benson and said this looks as if it is a political favor and gives the appearance of an impropriety. Dariel Jamieson, 200 Lafayette Lane, said if we don't respect the Planning Commission and standing agreements made and agreed to, what is the point of entering into an agreement with Tredyffrin Township.

Residents in favor of the motion included Evan Frey, 15 Highfield Lane, Wayne, who said Tredyffrin should have talked about sidewalks years ago, not now after homes are in place, and suggested coming to some arrangement with the golf club to get money to take care of other needs in the area. Ann Dennen, 116 Upper Gulph Road, said there was no logic to building a sidewalk in front of the maintenance shed at the golf club. Irene Olijnyk, Copper Beach Lane, was against sidewalks for safety reasons.

Alan Yockey, 64 Jolind Road said this subject was not on tonight's agenda and said it was a mistake for the Board to make a decision tonight. Jayne Yockey said this should have been advertised and encouraged the Board to do this in a more public manner. Mark Werther said this is a very passionate issue for the Panhandle Civic Association and it should be tabled for more study. He said people don't understand the problems sidewalks will create.

Mrs. Kichline said the issue tonight is not sidewalks in the Panhandle but whether we are going to release escrow funds to St. Davids. She said changing ordinance requirements should be something raised at another meeting. The major issue is whether or not we, as Supervisors, can raise this issue when St. Davids has not followed standard municipal practice in asking for release of escrow funds. She asked if the Supervisors can modify a Land Development Agreement that has been authorized by the Planning Commission. The precedent we would be setting tonight is another issue that could involve eleven potential escrow funds. Mrs. Kichline made a motion to table the motion Mr. Olson made and look into this further and have discussion with the Township Solicitor.

Mr. DiBuonaventuro said as a matter of procedure, when an escrow release request is made, the Township Engineer has 45 days to inspect the construction or improvements to make certain they are done. He said he joins Mrs. Kichline and urged other Board members to postpone this to another day after there is proper legal review. He asked the Township Manager if this sets a precedent to other developers who have an approved plan by the Planning Commission. The Township Manager answered yes. He said the biggest problem is this was pretty much done in the dark with respect to the public, and not placed on the agenda, and was essentially put together over the course of the last week or two. This is a matter of procedure and protocol.

Mr. Lamina said this escrow release is about sidewalks. The motion will send the escrow back to St. Davids so they won't have to build sidewalks. He said he doesn't think sidewalks were meant for that community.

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Ms. Gleason said the remaining balance is not \$0. This is the first release and there will be a remaining balance.

A vote was taken and the motion was passed by a vote of 4-3 with Mr. Donahue, Mr. DiBuonaventuro and Mrs. Kichline voting no.

**New Matters – Citizens**

None

Meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Jolene E. Buffman  
Recording Secretary