

Draft of 03.06.13

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, February 6, 2013
7:00PM

Officials Present:

Deborah F. Love, Chair
Keith C. Klaver, Supervisor
Judy Lizza, Manager
Hugh A. Donaghue, Solicitor
Joe Viscuso, Engineer
Matt DiFilippo, Secretary

Call to Order

Chair Love called the meeting to order at 7PM. Chair Love then reviewed how public comment and any additions to the agenda would be handled at BOS Workshops and public Meetings, which was discussed at the Workshop, February 4, 2013, as follows:

Agendas will be posted to the website prior to meetings as early as 1 business day in advance of the meeting, whether Workshop or Regular Meeting, and that agendas will be available at the meeting;

Public comment will be entertained on any of the items on the agenda prior to the first item on the agenda;

If during the meeting there are any motions made requiring a vote from the Board of Supervisors, the public will be able to comment before the vote is taken;

If the Board makes any additions to the agenda, that were not on the printed version of the agenda, then public comment will be entertained before the item is discussed or upon its introduction.

Public Comment

Bruce Prabel, Heyburn, asked if anything can be discussed in the beginning of the Regular Meeting. Chair Love confirmed stating that this is different from the Workshop, though, and at the Workshop, comments can only be made on what's on the printed Agenda. Chair Love reviewed what she just said.

Bruce Prabel, Heyburn, commented on missed past BPT and LST collections by Berkheimer, and whether or not something was going to be done to go back and try and collect those taxes

that were never collected. He then commented on Keystone Collects website and how it doesn't reflect them as the tax collector for BPT and LST tax for Chadds Ford Township. Bruce also brought up the clerical errors in Resolution 2013 – 10 and 2013 – 11. Chair Love responded that counsel would review those discrepancies and manage them accordingly.

Marc Altman, Spring Lane, asked about the presentation of the budget and comparison of the annual budget versus the 1 month expenditures and why there are significant underages, and whether or not it was possible to show the budget-to-date as well as the expenses-to-date.

Supervisor Klaver responded that the problem with the presentation is that the Township's revenues are not linear, for example, revenues peak in March from tax collection, and certain expenses are similar. Supervisor Klaver suggested that each month revenues and expenses be discussed because taking any other approach would be arbitrary.

Manager Lizza added that she has inherited an accounting system with nomenclatures and that the plan is to move toward using the DCED chart of accounts, which she thinks is a little more user friendly and will help clarify budget line items better for residents.

Valerie Hoxter, Painters Crossing, asked if the Board was going to inform the public of its executive session taken during the February 4, 2013 Workshop; and, whether or not the Board had the minutes she requested that indicated discussion concerning previous Manager Barakat's salary. Secretary DiFilippo provided those minutes to Valerie Hoxter. Also discussed at this time was introducing topics onto the agenda and the 10-day rule. Chair Love said that this was going to be worked on for next month because the Board wants things a little more organized and streamlined when it comes to adding items to the agenda.

State Police Report

A state police report was submitted. Supervisor Klaver reported a string of break-ins on Webb Road. Nick Fuller, Webb Road, reported two cars broken into, a garage broken into, and a car stolen. A State Troopers presence would be requested at the next meeting.

Approval of Minutes

Upon motion and second (Klaver/ Love) the BOS approved the Organization and Regular Meeting minutes of January 7, 2013.

Supervisors' Report

Chair Love reported an Executive Session on February 4, 2013 in the middle of the Workshop and those in attendance being herself, Supervisor Klaver, Manager Lizza and Solicitor Donaghue and the session concerning the Township Manager search, BCO search, Zoning officer search, and existing contracts for interim Manager, BCO and Zoning Officer.

Supervisor Klaver thanked Bruce for his update earlier in the meeting regarding LST and BPT collections as well as Bruce's presentations and comments at previous meetings. Supervisor

Klaver reported that penalties on late LST and BPT collections we reported to the Township by Berkheimer. In 2012, the total charges were less than \$600 on revenue of more than \$110,000. Clearly excessive fees were not being charged by the Township. Supervisor Klaver also reported that the Township has met with Keystone and have ongoing dialogue with them to monitor reports for any unjust and excessive penalties. Supervisor Klaver also mentioned that he believes the Township has the ability to override penalties charged by Keystone which are laid out in the contract per Solicitor Labrum, if the Township chooses to do so. Supervisor Klaver asked Manager Lizza to report on the relationship with Keystone including the deadline dates.

Manager's Report

Manager Lizza reported that the 1st report has been received by the Township concerning BPT and LST collections, that BPT forms were approved last week and they have been mailed to Township businesses. She also mentioned that the data collection of businesses in the Township is still underway, and that the deadline dates for businesses to pay BPT and LST has been extended to April 30.

Regarding Property assessments, Manager Lizza reported that 149 permits in the Township were questioned and that 131 permits reflected no change in current assessment. A breakdown shows that 61 questioned permits were decks which are not assessed by the County, 1 permit was a solar permit and 31 permits were commercial fit-outs. 32 properties have been reassessed, 5 properties were investigated and 1 was indentified as an incorrect folio and that 12 are still under current assment. 5 properties require more information from the BOA. Manager Lizza met with the BOA and the BOA explained what constitutes for assessment. Manager Lizza also stated that the Township has good dialogue with the BOA and the procedure of sending permits and CO's to the BOA on the monthly basis will continue.

Manager Lizza also reported that Richard Jensen is no longer working for the Township and that Barb Kearney has replaced him in the interim from Building Inpsections Underwriters. Office hours have been adjusted to 10AM – 12PM Tuesdays and Thursdays as well as by appointment.

The salt contract and what has been budgeted was reported, the following announcements were made: Saturday, April 27 is Community Day, and that the development Brandywine East has filed an extension.

Finally, the Township is looking to appoint a Fire Marshal and applications will be accepted up until Monday, February 25.

Treasurer's Report

Secretary DiFilippo gave the Treasurer's Report.

GENERAL FUND

RECEIPTS:

Miscellaneous Collections and TWP. Reimbursements	\$58,339.32
Brandywine Conservancy Installment (Station Way)	<u>\$11,000.00</u>
TOTAL RECEIPTS	\$69,339.32

DISBURSEMENTS:

Bills, Wages and ACH Payments	<u>\$82,052.82</u>
TOTAL DISBURSEMENTS	\$82,052.82

Upon motion and second (Klaver/ Love) the BOS approved disbursements in the amount of \$82,052.82.

CAPITAL IMPROVEMENT FUND

DISBURSEMENTS:

Remaining Balance for Computer Server	\$120.00
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Upon motion and second (Klaver/ Love) the BOS approved the Capital Improvement Fund disbursement in the amount of \$120.00.

OPEN SPACE FUND

BALANCE:	\$1,103,380.38
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ESCROW FUND

Upon motion and second (Klaver/ Love) the BOS approved the release of an \$802.00 grading escrow in the full amount to the homeowner of 158 Harvey Road

Upon motion and second (Klaver/ Love) the BOS approved the release of a \$800.00 grading escrow in the full amount to the builder of Stonebrook II on Atwater Road

Upon motion and second (Klaver/ Love) the BOS approved the release of a \$950.00 onlot sewage disposal system at 104 Dansfield to the Township for unpaid Engineering Bills

Upon motion and second (Klaver/ Love) the BOS approved the release of an \$800.00 grading escrow with \$136.25 returned to the Township for unpaid Engineering Bills and the remainder of \$663.75 to the builder of 104 DAnsfield

Upon motion and second (Klaver/ Love) the BOS approved the release of a \$4,000.00 escrow for T-Mobile Cell Site development on Creek Road in the full amount to Petrikin, Wellman, Damico, Brown and Petrosa.

Supervisor Klaver discussed the Township's summarized profit and loss statement for January 2013 and how it was summarized from the Quickbooks system. He also summarized the results for the month.

Paul Koch, Baltimore Pike, commented on reporting as meeting his request.

BCO Report

A report was filed by BCO Barb Kierney.

Engineer's Report

The Engineer's Report was given by Joe Viscuso.

Upon motion and second (Klaver/ Love) the BOS approved the maintenance bond escrow release for Brandywine Coachworks.

Solicitor Donaghue reported that the Toll Brothers' Estates at Chadds Ford project was 99.9% complete and that all that needed to be done was file the deeds, and deal with the HOA regarding the pump station and retention ponds. He assured everything would be completed in the next 30 days.

Old Business

There was no old business.

New Business

Solicitor Donaghue reported on the Comcast Contract. He reported that the consortium of Municipalities was not in place yet, and that Chadds Ford Township should move ahead on their own with Comcast regarding their contract with Comcast. The benefits of the consortium would be a free audit of the Comcast Franchise fees and obtaining more grant money. Supervisor Klaver commented that it seems there is no downside to waiting, and suggested deferral of a decision for a month.

Samantha Reiner, Webb Road, commented on the Comcast Contract and the consortium of Municipalities being formed.

No matter what, Comcast will continue to provide its services to the community.

Committee Reports

Debbie Reardon, Open Space gave a committee report on the C2P2 Grant for the Harvey Run

Trail through DCNR (Department of Conservation and Natural Resources). A match will be required from the Township. This grant will be addressed and prepared for the next meeting.

Adjournment

Upon motion and second (Love/ Klaver) the meeting was adjourned at 7:59PM.

After adjournment, Chair Love responded to Gail Force, Southpoint, concerning the time of the Workshop.

Respectfully submitted,

Matt DiFilippo, Secretary