

EAST FALLOWFIELD TOWNSHIP

BOARD OF SUPERVISORS MEETING

December 16, 2014 Approved minutes
6:32 PM

Members Present

Joe Pomorski, Chairman
Steve Herzog, Vice Chairman
Mark Toth, Member
Ed Porter, Member

Township Staff Present

Lisa Valaitis, Township Secretary
Rosemary Moore, Township Treasurer

Township Solicitor

Mark Thompson

1. CALL TO ORDER, SILENT MEDITATION AND PLEDGE OF ALLEGIANCE.

Chairman Joe Pomorski called the meeting to order at 6:32 pm. Steve Herzog seconded.

2. Discussion

A. APPROVAL OF MINUTES

- 1) October, 28, 2014 Board of Supervisors meeting minutes

MOTION: Joe Pomorski made a motion to approve the October 28, 2014 Board of Supervisors minutes as presented. Steve Herzog seconded.

VOTE PASSED: 4-0

B. EMERGENCY MANAGEMENT

- 1) Municipal EMC Professional Certification – Tony Sirna shared his recent accomplishments. He completed all certifications for professional EMC which is the highest level you can attain in Pennsylvania. He presented his award to the Board to view. Joe Pomorski congratulated Tony Sirna.
- 2) Replacement for Emergency Management/Fire Marshal vehicle – As discussed at the last budget meeting, Tony Sirna brought to the Boards' attention that their current vehicle needs to be replaced. Major components of the current vehicle can no longer be replaced. Tony Sirna suggested a Ford Explorer State Co-Star purchase. It would cost \$26,000 which is \$6,000 below retail with the Co-Stars discount. There was a discussion about purchasing a new vehicle and if the money is in the budget. They also discussed taking money from capital projects to purchase a vehicle. Alternatively, a surplus in the general fund could be used for the vehicle purchase. Rosemary Moore reported the balance in capital projects as of November 30, 2014 is \$340,000. She also reported that there will be a surplus in the general fund at the end of the year.

C. PARK & RECREATION

- 1) Michael McClintock was not present – no presentation.

D. PUBLIC WORKS

- 1) The November 2014 Road Department monthly report was submitted for Board and resident review.
- 2) Mortonville Road review of proposals and recommendation – Chris Della Penna's recommendations were not submitted. The Board will discuss this topic at next month's meeting.

E. CITIZENS BY REQUEST

1) Chris Makely –

- a. July 22, 2014 Board of Supervisors meeting - Chris Makely asked if the July 22, 2014 Board of Supervisors meeting should be considered a public meeting because there were only two Supervisors present and therefore no quorum. Steve Herzog stated that this meeting functioned as a workshop. There were no decisions made. Chris Makely did not feel this meeting should be considered a public meeting because it wasn't advertised as a workshop.
- b. Eastco – Chris Makely discussed his concern about fill being dumped on the Eastco property (formerly Prang's Junkyard). He said they dumped over 30 truckloads of fill this past Sunday. He questioned if the Board of Supervisors authorized inspection of what they are dumping or how much they are dumping. He asked if anyone knows what they are doing with the fill or where it is coming from. Mr. Makely also commented on authorization of a fence recently put up. He stated he feels that Eastco should file a conditional use application before being permitted to take any further action.

F. SOLICITOR REPORT – Mark Thompson, Solicitor with Lamb McErlane, presented updates for Vince Pompo, Township Solicitor.

- 1) Manchester Farms HOA Agreement – There has been no update on the Manchester Farms HOA Agreement.
- 2) Police Final Collective Bargaining Agreement (CBA) - There is nothing new to report on the status of the Police Department final Collective Bargaining Agreement.

G. 2015 BUDGET ADOPTION

MOTION: Joe Pomorski made a motion to adopt the 2015 11/25/14 budget as presented. Steve Herzog seconded.

VOTE PASSED: 3-1 (Ed Porter voted nae)

H. LEGAL ISSUES

1) Appointment of Siana Bellwoar Law Firm as special labor counsel to handle Teamsters labor negotiations -

MOTION: Joe Pomorski made a motion to appoint Siana Bellwoar Law Firm as special labor counsel to handle the Teamsters labor negotiations with the Public Works Department. Steve Herzog seconded.

QUESTIONS AND COMMENTS: Ed Porter asked the Board what points they would like to use the law firm to negotiate. Mr. Porter also made a comment about using Lamb McErlane if the Board is not objecting to anything the Public Works Department is requesting to save money. Mark Thompson commented that Lamb McErlane does handle employment negotiations. He also said it can be advantageous to have separate advice on specialized issues. There was a discussion about the advantages of using Lamb McErlane, the Township's legal firm, versus Siana Bellwoar, an outside firm with experience in employment negotiations.

VOTE PASSED: 4-0

- 2) Set date for conditional use hearing for County Voice Radio Project application – Mark Thompson reported that the Chester County Voice Radio Project submitted a conditional use application with the Township on December 3, 2014. The Chester County Voice Radio Project is part of Chester County's 911 upgrade. The Township has 60 days from the application date to schedule a hearing. There was a discussion about possible dates for the hearing. The Board decided to hold the hearing on Tuesday, January 27, 2015 at 6:00 PM.

- 3) Northwoods final escrow release – Mark Thompson explained that the Northwoods final escrow release request is for public improvements and is related to inspections. The escrow release amount requested is \$6,000. Northwoods was dedicated in September, 2013 and the 18 month maintenance period ends soon. Chris Della Penna, Township Engineer, submitted a letter recommending the escrow release. Mark Thompson recommended Chris Della Penna inspect the improvements in January. T.R. Moser, with Moser Construction Management representing the developer, West Chester Road, LLP, said that Northwoods is one hundred percent complete. He reported that Chris Della Penna looked at the development and had no issues with the punch list. He also said the maintenance bond is there if needed.

MOTION: Joe Pomorski made a motion to release the final escrow payment for Northwoods in the amount of \$6,000 from the established security. Steve Herzog seconded.

VOTE PASSED: 4-0

I. PLANNING COMMISSION

- 1) Dennis Crook presented a synopsis of last month's Planning Commission meetings.
- a. Dennis Crook reported that Joe Pomorski and Charles Kilgore attended a Planning Commission meeting as previously requested.
 - b. Letter to Ray Ott (Comprehensive Plan) – Dennis Crook reported that a letter was sent to Ray Ott regarding direction of the Comprehensive Plan. He said the letter stated the following: "Please be advised the Planning Commission prefers to keep with the present/existing Land Use Zoning Map for all future discussions and directions. Any questions, call me. Sincerely, Dennis Crook." Dennis Crook stated that Ray Ott's response was to cancel last night's Comprehensive Plan meeting. This gave the Planning Commission time to discuss the Comprehensive Plan. The Planning Commission will be using the present zoning for the Comprehensive Plan. A possible issue with compliance with the Delaware Valley Planning Commission was discussed. There is potential that the Township could lose the grant for the Comprehensive Plan if out of compliance. The main goals are to keep current zoning and the grant funding.
 - c. Section 1300 Open Space Design – Mr. Crook said they went back and reviewed this with explanations from the Township Zoning Official. The ordinance was repealed and put back in place. The Township can still potentially have 3,500 square foot lots. Originally, only residential housing was specified. The reinstated ordinance also covers Mobile Home, Office-Industrial, Mixed Use and Village Commercial for purposes of clustering. There are inconsistencies within the current ordinance. The Planning Commission's advice is to take that section out of the ordinance until we can go through and revamp the inconsistencies. This directly impacts the Comprehensive Plan. There was a discussion about removing this section and compliance with the Chester County Planning commission and Landscapes.
 - d. Mr. Crook requested a meeting with the Township Engineer and the Board of Supervisors to discuss Section 1300 Open Space Design further. Dates were discussed and this meeting will take place either on January 12, 2015 or January 19, 2015.
 - e. Chester County Voice Radio Project – The Planning Commission has questions about airport height requirements.
 - f. Procedural Flow Chart – The Planning Commission will be refocusing on this once the Comprehensive Plan is further along.

J. TREASURER'S REPORT

- 1) November 30, 2014 Treasurer's report – Rosemary Moore presented the Board with the November 30, 2014 Treasurer's report.

Rosemary Moore stated that there currently is a surplus of \$140,000. With one more payroll and a few more bills before year end, the year should close with a surplus in excess of \$90,000. Ed Porter asked about new formatting of the Treasurer's Report. Ed Porter also asked about the Liquid Fuels Fund. Rosemary Moore said she is keeping an eye on it. It's not at the threshold to require advertising. Tag Gathercole has three quotes as required for the audit.

MOTION: Joe Pomorski made a motion to approve the November 30, 2014 Treasurer's report as presented. Steve Herzog seconded.

VOTE PASSED: 4-0

- 2) November 2014 payment authorizations

MOTION: Joe Pomorski made a motion to approve the November 2014 payment authorizations as presented. Steve Herzog seconded.

VOTE PASSED: 4-0

K. POLICE REPORT

- 1) November 2014 Police report was submitted for Board and resident review. Ed Porter asked about use of police equipment.

L. HISTORICAL COMMISSION

- 1) The November 5, 2014 Historical Commission meeting minutes was submitted for Board and resident review.
- 2) Enhanced website presence memorandum was submitted for Board review – The Board of Supervisors support the Historical Commission's request for increased website presence as stated in the submitted letter.

M. PUBLIC PARTICIPATION – none

N. NEW BUSINESS

- 1) PSATS 93rd Annual Conference – April 19-22, 2015 – The Board discussed possible attendance. They will check their schedules. Attendance will be discussed further at the Re-Org meeting on January 5, 2015.

3. ADJOURNMENT

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 7:27 pm. Steve Herzog seconded. VOTE: 4-0

Respectfully Submitted,

Lisa Valaitis,
Township Secretary