

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
June 23, 2015 Approved minutes
6:29 PM

Members Present

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

Township Staff Present

Lisa Valaitis, Township Secretary
Pani Martin, Township Treasurer

Township Solicitor

J.P. Sanchez

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

Chairman Joe Pomorski called the meeting to order at 6:29 pm. Steve Herzog seconded.

2. Discussion

A. EXECUTIVE SESSIONS: The public was informed that there were Executive Sessions held on May 28th, June 9th, and June 11th regarding personnel issues.

B. APPROVAL OF MINUTES

1) April 28, 2015 Board of Supervisors meeting minutes.

MOTION: Joe Pomorski made a motion to approve the April 28, 2015 Board of Supervisors meeting minutes as presented. Steve Herzog seconded.

VOTE: 3-0

2) May 26, 2015 Board of Supervisors meeting minutes.

MOTION: Joe Pomorski made a motion to approve the May 26, 2015 Board of Supervisors meeting minutes as presented. Steve Herzog seconded.

VOTE: 3-0

C. PUBLIC WORKS

1) The May 2015 Road Department monthly report was submitted for Board and resident review.

2) Fairview Road – Pani Martin, asked for Tag Gathercole, if it would be possible to contract out a paver and an operator at a day rate to repair Fairview Road. Tag Gathercole plans on digging out first but laying out all that blacktop by hand is too much. Tag Gathercole wants to patch up Fairview Road. The Board approved Tag Gathercole getting a cost quote.

D. FIRE COMPANIES

1) May Westwood Fire Company Fire Chief's Report was submitted for Board and resident review.

2) May Westwood Fire Company EMS Report submitted for Board and resident review.

3) May Modena Fire Company Fire Chief's Report submitted for Board and resident review.

E. CITIZENS BY REQUEST

1) Siti Crook – Township business.

- a) Peddler's License – Siti Crook asked about the criminal background review portion of the Peddler's Ordinance. She asked how the Township verifies the criminal background of an applicant. She said the ordinance doesn't specify how long the criminal background review is valid. How often does the criminal check need to be rerun? She suggested the Township needs to tighten the language of the ordinance. Ms. Crook said that the Township also needs to do a pedophiles background check. J.P. Sanchez stated that this falls under Megan's Law and can be checked online. Ms. Crook suggested creating a resolution stating that Megan's Law will be reviewed and specify what particular criminal investigation reports are acceptable for the Township to check criminal backgrounds. J.P. Sanchez stated any crime that falls under Megan's Law will also show up on a criminal background review form. Pani Martin stated a peddler applicant will submit a criminal background review with their application. A copy of the license application along with the criminal background review is sent to the Police Department. Siti Crook stated the ordinance does not disclose this. Ed Porter asked if Chief Porter sends an approval back to the office. There was a discussion about having the Police Department run their own criminal background reviews on applicants. Pani Martin said that the ordinance is attached to the Peddler's Permit Application. There was a discussion about having the procedure changed to have the Police Department run a criminal background check. Pani Martin asked if the Township would need written permission from the applicant to have the police run a background check. J.P. Sanchez said this needs to be checked with Chief Porter but his understanding is that the police can run a background check on anyone as part of an investigation.
 - b) Exact Time – Siti Crook talked about Exact Time which is a time tracking program for job tracking and mobile crews through a mobile GPS system. This would make people more aware of where workers are at any given time. Steve Herzog stated that this would have to be agreed upon within the CBA. The Public Works Department is still in union contract negotiations.
 - c) Liquid Fuels – Siti Crook asked when is the last time the Township did its own internal audit of all the streets we are responsible for and make sure the state is paying the Township the correct amount. The Township is paid by the mile for Liquid Fuels. She asked if Gary Barrick had done an audit of the roads. Doe Run Road (Route 82) and Strasburg Road are state roads. The Board thinks this is worthwhile to do it. Ms. Crook suggested getting a report/audit from Liquid Fuels and checking it. Steve Herzog said we would need to find out from the state what the procedure is. Someone from the state may need to come out and measure the mileage of each road. This would probably be at Township expense. He suggested checking with PSATS on what the procedure is. This could potential find more money for the Township.
 - d) Comprehensive Plan – Siti Crook said the Comprehensive Plan is online and you can see it and it's audible.
- 2) Jim Cochran – trash bill – uninhabitable dwelling.

Mr. Cochran said he owns two properties and pays trash on both properties. One of those properties has no one living on it and no trash is collected. In fact, he does not have trash or recycling totes. The property is the farm across the street from the Township building. His two properties are 2265 and 2275 Strasburg Road. Mr. Cochran requested relief from paying the trash bill on his uninhabitable property. There was a discussion about the trash payment policy in the Township which has been that everyone paid trash whether using the service or not because the trash is calculated based on all properties. In the recent past, a few exceptions have been made. There is an abandoned historic old house on his property. J.P. Sanchez suggested the Board check the Muni Billing Agreement if they want to grant relief. There was a discussion about how other townships are having residents be responsible for their own trash pick-up. There was also a discussion about commercial properties not being aware they are required to recycle in East Fallowfield. They discussed co-mingling of recyclables as well as taking the caps off plastic bottles before putting the bottles in the recycling bins. The Board said they need to come up with a policy on unoccupied homes and waiving trash fees. Dennis Crook suggested a procedure of pulling CO's (Certificate of Occupancy) on uninhabitable housing. Waiving trash fees could be based on CO's. Ed Porter said there are properties that have barns being used and are generating trash but no one is living in the home. Deceased residents and trash bills were also discussed. Another scenario discussed was the resident who requested trash charges be temporarily waived due to a house fire. The Board had granted this request.

F. PARK AND RECREATION COMMITTEE

1) Meadow Greenway Trail and Bridge Construction –

Michael McClintock said the Park and Recreation Committee needs a motion to move forward with the bridge and trail project. They need to start advertising as well as be able to use the Township Engineer (E.B. Walsh), Township office staff and possibly the Township Solicitor on this project.

MOTION: Joe Pomorski made a motion to approve Township staff, Township Engineer, and Township solicitor (as needed) to work with EB Walsh (trail design consulting engineer) to complete the bid package and, upon receipt of regulatory permits, to proceed with advertising for public bid construction.

QUESTIONS AND COMMENTS: Ed Porter asked what amount of funding they expect to receive for this. Michael McClintock said they have already received grant money. He explained the project is replacing the old rickety bridge that goes over the creek. It is not ADA accessible. There will also be a paved trail all the way through the meadow to the opposite side of the park. Ed Porter asked about the trail being bike friendly. Michael McClintock said the trail should be bike friendly. Ed Porter commented that the Comprehensive Plan references a possible bike trail on Strasburg Road and asked if there are any plans to link this park trail to other bike trails. Michael McClintock said there are no plans to do that right now. The trail will be to ride or walk within the park. The width of the trail is 5 feet. The bridge is not designed to be used for tractors.

VOTE: 3-0

Ed Porter said he looked at the tree plantings around the pond and the trees are really blocking the pond. He said there is only one side that looks accessible. Michael McClintock asked the Board to come to the next Park and Recreation Workshop to discuss further.

G. SOLICITOR REPORT

1) Manchester Farms Agreement.

J.P. Sanchez reported that they are finalizing the Manchester Farms Agreement that was approved at the last meeting. Vince Pompo reviewed and approved the changes that were made to the agreement. Ron Agulnick said his client signed the agreement. Erick Schrock will mow the empty lot.

2) Credit card.

J.P. Sanchez said he spoke to Vince Pompo about the Board using a personal credit card for purchases and getting reimbursed by the Township. Vince Pompo did not recommend this without having a township credit card policy established because of the Open Records Law.

H. LEGAL ISSUES

1) Adoption of Open Space Design Option Zoning Amendment.

Due to the severe storm, the public hearing for the Open Space Design Option Zoning Amendment was cancelled. The hearing will be rescheduled for Tuesday, July 28, 2015. Adoption of the proposed amendment will be voted on at the July 28, 2015 Board of Supervisors meeting.

2) Advertise Public Hearing on the East Fallowfield Comprehensive Plan update for July 28, 2015 Board meeting.

J.P. Sanchez said this needs to be done tonight to have the hearing in time to get reimbursed for the Comprehensive Plan. The Board needs to decide to advertise by July 14, 2015 to get reimbursed. The Board discussed when and where to have the Comprehensive Plan hearing. Holding the hearing at the South Brandywine Middle School was discussed. The Board decided to hold the hearing on a different night

than the public hearing for the Open Space Design Option Zoning Amendment. Filing for an extension was also discussed. The Board decided to hold the public hearing for the Comprehensive Plan on Monday, July 27, 2015.

MOTION: Joe Pomorski made a motion to advertise a public hearing for the East Fallowfield Comprehensive Plan Update to be held on Monday, July 27, 2015.

VOTE: 3-0

I. PLANNING COMMISSION

1) Planning Commission Report.

Dennis Crook reported the Planning Commission held a regular meeting and a workshop in June. He said he talked to Vince Pompo today about several questions. On the Comprehensive Plan, they got some written comments back after the public meeting. The Commission went through the comments at the Planning Commission Workshop. They did revise the Comprehensive Plan very minimally. They changed some wording on the brownfield issue down by Modena. This was to avoid taking over liability or responsibility for the cleanup. Another comment was the Beagle Club and wanting to do conservation on that property. Dennis Crook said they also looked at the issue with the Bawa Muhaiyaddeen Fellowship and coming back to the Planning Commission and Township for approvals for their agreement. We will have to go back and get the ordinances that were in place at the time they submitted their application. This had to do with institutional use and length of cul-de-sac. For everything else they will go by how the court ruled. Vince Pompo will be giving this information to Planning Commission. Dennis Crook said Ray Ott was going to submit a bill for the Comprehensive Plan to have it submitted in time for the Township to get reimbursed. Pani Martin reported she did not have the bill from Ray Ott. They got notification for the Penn State Extension Water and On-Lot Septic Workshop and they gave us some dates. The date they are considering is September 29, 2015 from 1-3 pm and 6-8 pm. Dennis Crook checked with the Chester County Training Center for location. Dennis Crook discussed possibly doing another small postcard mailing. He suggested Park Day (October 10, 2015) and Park and Recreation Committee's need for volunteers could be included on the postcard too. He reported Pocopson Township is interested in participating in the workshop. Ed Porter asked if everything seemed in order with the County for reimbursement on the Comprehensive Plan. Dennis Crook replied yes. He also asked about resident comments in regard to the build-out number of 700 on the Build-Out Analysis. Dennis Crook stated they kept the build-out number at 700 because they felt it would be acceptable to the Delaware Valley Planning Commission. There was a discussion about concerns regarding the Build-Out Analysis as well as how the Comprehensive Plan could potentially support developers. Dennis Crook said the way the zoning is currently, the Township could add 1,700 units. The recommendation in the Comprehensive Plan is 700 new units. 40% of the open land is in conservation or trust and is protected from development under the Comprehensive Plan. Dennis Crook said the Planning Commission would like to have this be an annual process with the Planning Commission reviewing the Plan goals every year.

J. TREASURER'S REPORT

1) The May 31, 2015 Treasurer's report was submitted for Board and resident review.

MOTION: Joe Pomorski made a motion to approve the May 31, 2015 Treasurer's report as presented. Steve Herzog seconded.

Steve Herzog asked about Cable Tower Registration. We were expecting \$200 and we are up to \$3,600. Pani Martin said there was \$2,300 from SBA and \$100 for the Vermeil Tower. Ed Porter asked about Park and Recreation Escrow account and where it is in the Treasurer Report. Pani Martin said it's not reflected in the Treasurer's Report. There was a discussion about problems with the Park and Recreation Escrow account dating back many years.

VOTE: 3-0

- 2) May 2015 payment authorizations.

MOTION: Joe Pomorski made a motion to approve the May 2015 payment authorizations as presented. Steve Herzog seconded.

VOTE: 3-0

- 3) Verizon.

Pani Martin said she has been looking into the Township's Verizon accounts. We have two accounts: one is long distance and one is regular and long distance. She suspects we are paying long distance twice. She found a \$20 a month charge for paper bills. With the Board's approval, she'd like to pursue this further. The bills could be received electronically and save for record retention policies.

- 4) Verizon Wireless.

Pani Martin has been looking at AT&T and Verizon. When the Police and Road Crew tested both, they determined there isn't much difference. The Police Department would like to stay with Verizon. Verizon has pulled together a quote. Currently, in the police contract, every officer should have a phone. Chief Porter got the Police Association to approve having one cell phone per car instead of per officer. They want air cards in the cars so they can use their laptops. They will have regular, basic, flip phones rather than data phones. Chief Porter and Detective Harper will keep data phones. This will save approximately \$50 per month. Pani Martin said the air cards are unlimited data. The Board asked Ms. Martin to verify this. The Road Crew will have push-to-talk which is \$3 per month. This will allow the Road Crew to better communicate with each other and the office staff. The office will need a phone. Lisa Valaitis said we may still have the prior secretary's flip phone although it has been turned off.

- 5) Goosetown Road property for sale.

Pani Martin reported that a real estate agent contacted the office about a property for sale on Goosetown Road which is adjacent to a property the Township office already owns. They are wondering if the Township is interested in purchasing it at a reasonable rate. J.P. Sanchez provided maps to the Board. The property for sale is 2 acres and the property owned by the Township is 33.7 acres. Ed Porter asked about deed restrictions on the property owned by the Township as well as how the Township came to own it. J.P. Sanchez will look into this. J.P. Sanchez said the property for sale would provide road accessibility if the Township wants to use the property in reference to the Comprehensive Plan. There was a discussion about selling the 33.7 acre property to raise funds to repair Mortonville Road. A prospective buyer/developer might be interested in purchasing both properties together. The Board asked Pani Martin to find out the asking price of the property for sale.

- 6) Maria's resignation – request for replacement hire.

Pani Martin said that Maria Marasigan-Leon has put in her resignation. She requested the office hire a replacement that could start before Maria leaves for training purposes. There was a discussion about posting the job opening on Monster, the website and Chester County Secretaries in Government (CCSIGA). The Board instructed Pani Martin to try to advertise the job through the free means first. Pani Martin will take the job description and update it with changes.

- 7) Laptop/fourth computer.

Pani Martin requested purchasing a fourth computer or laptop. She asked the Board to consider buying either a fourth desktop computer or a laptop. A laptop would have multiple potential uses: at meetings for Pani Martin to pull up account details to answer questions, for presentations at meetings, for Lisa Valaitis to use for minutes, for the new hire to use to train with Maria, and for Rob McLarnon to use. Rob McLarnon does not have a computer. Having a computer would allow Rob McLarnon to have his own email address. The Board instructed Pani Martin to get quotes for both a desktop system and a laptop.

8) Liquid Fuels – additional revenue came in.

Pani Martin reported that additional Liquid Fuels revenue of \$17,000 came in. This was for the bad winter.

9) Video surveillance.

Pani Martin suggested alternative means for purchasing a video surveillance system since Vince Pompo had recommended not having a Board member use a credit card to purchase it. She said we could purchase through Staples or W.B. Mason because we have credit with those vendors. Using a check to purchase from Costco might work as well. Pani Martin will check with Staples and Ed Porter will get information on security systems with Costco. Pani Martin asked J.P. Sanchez if she purchased it with her personal credit card, would it fall under the same Open Records Law. J.P. Sanchez said it would. There was a discussion about debit cards and how other townships deal with this.

10) Adobe PDF.

The Board said they approved this at the last meeting.

11) Century 21 – 2013 double payment.

Pani Martin reported Century 21 emailed the Township proving they paid 2013 trash twice. We have proof that the Township cashed two checks from them. The Board authorized refunding Century 21 for the one payment.

12) Email Migration.

Pani Martin said she received an email about Cloud strategy today. Steve Herzog asked to have that forwarded to him.

K. POLICE DEPARTMENT

- 1) The May 2015 Police report was submitted for Board and resident review.

L. PARK AND RECREATION COMMITTEE

- 1) The June 18, 2015 Park and Recreation Monthly Report to Board of Supervisors was presented for Board and resident review.
- 2) Resolution for BOS Approval #2015-04 – Township Resolution Endorsing the Brandywine Creek Greenway and its 2014 Strategic Action Plan.

MOTION: Joe Pomorski made a motion to approve Resolution #2015-04 endorsing the Brandywine Creek Greenway and its 2014 Strategic Action Plan. Steve Herzog seconded.

The Board requested time to look at the Strategic Action Plan and asked this be put back on the agenda next month.

M. HISTORICAL COMMISSION

- 1) No report submitted.

N. NEW BUSINESS

1) Office security.

Steve Herzog commented that the Board needs to consider getting steel doors for the office file room as well as a combination key pad for security. Ed Porter commented that more fire proof file cabinets are needed as well. Steve Herzog suggested Tag Gathercole could look into the cost or it could be contracted out.

O. PUBLIC PARTICIPATION

1) Joe Pomorski thanked the office staff for the Township Employee Pot Luck Picnic.

3. ADJOURNMENT

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 8:19 pm. Steve Herzog seconded. VOTE: 3-0

Respectfully Submitted,

Lisa Valaitis,
Township Secretary