

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 22, 2015 Approved minutes
6:31 PM

Members Present

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

Township Staff Present

Lisa Valaitis, Township Secretary
Pani Martin, Township Treasurer

Township Solicitor

Vince Pompo

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

Chairman Joe Pomorski called the meeting to order at 6:31 pm. Steve Herzog seconded.

2. Discussion

A. APPROVAL OF MINUTES

- 1) July 28, 2015 Board of Supervisors meeting minutes.

MOTION: Joe Pomorski made a motion to approve the July 28, 2015 Board of Supervisors meeting minutes as presented. Charles Kilgore seconded.

VOTE: 4-0 (Mark Toth abstained)

B. POLICE DEPARTMENT

- 1) The August 2015 Police report was submitted for Board and resident review.
2) Approval to hire John Rappold for the position of part-time Police Officer.

MOTION: Joe Pomorski made a motion to hire John Rappold for the position of part-time Police Officer effective September 22, 2015 at the hourly rate of \$24.55 per the CBA. Charles Kilgore seconded.

Chief Porter commented that John Rappold is readily available to cover shifts with the East Fallowfield Police Department.

VOTE: 5-0

C. PUBLIC WORKS

- 1) The August 2015 Road Department monthly report was submitted for Board and resident review.
2) Approval of PennDot Pothole Patching Agreement Resolution No. 2015-07 –

MOTION: Joe Pomorski made a motion to adopt Resolution No. 2015-07 authorizing the Chairman of the Board of Supervisors of East Fallowfield Township to sign the PennDot Pothole Patching Agreement on its behalf. Steve Herzog seconded.

Vince Pompo stated this is the underlying agreement with PennDot giving the Township authorization to do any actual pot hole patching work on a case by case basis.

VOTE: 5-0

Pani Martin let the Board know that the tar and chipping of Mount Carmel Road is supposed to be done on Thursday. Ed Porter asked if Tag Gathercole had mentioned the tar buggy and if the palette of material was delivered. Pani Martin said she would follow up with Tag Gathercole on this.

D. FIRE COMPANIES

- 1) August Westwood Fire Company Fire Chief's Report was submitted for Board and resident review.
- 2) August Westwood Fire Company EMS Report submitted for Board and resident review.
- 3) August Modena Fire Company EMS Report submitted for Board and resident review.

E. CITIZENS BY REQUEST

- 1) No Citizens by Request.

F. SOLICITOR REPORT

- 1) Manchester Farms Update - Vince Pompo gave an update on Manchester Farms. The project got off to a slow start during the summer months. Mr. Pompo said Chris Della Penna reported to him the concrete work is being completed this week. Paving is scheduled for next week and will be complete by the end of next week or the following week. Vince Pompo reported Eric Schrock had had difficulty finding a contractor to do the paving. The basins have been cleaned out and reports have been submitted to the Chester County Conservation District for review.

There was one escrow release approved by both engineers. This release was delayed. Per the agreement, the two engineers are supposed to agree on the final list of everything that has to be done and the costs associated with those tasks. Mr. Pompo said his office was not prepared to allow any release to occur until that final list was done per the agreement. This caused a delay in the first release. Once the terms of the agreement were complied with, they authorized the release. Joe Pomorski discussed Ronald Agulnick's comments at the prior Board meeting regarding J.P. Sanchez delaying the release. Vince Pompo stated his firm didn't see it quite the same way as Ronald Agulnick and it is now resolved. Vince Pompo stated per the agreement, \$27,000+ has been issued to the Township. Work is progressing and the hope is that work will be complete before colder weather sets in.

- 2) Eastco Enterprises Conditional Use Application – Vince Pompo stated we have obtained another extension request for commencing the conditional use hearing in the application of Eastco Enterprises (former Prang's Junkyard). The most substantial reason for the request is a medical issue with the President of Eastco. The extension is valid through the November 25, 2015 Board of Supervisors meeting. There is a promise that they will inform the Township of their intentions before the October Board of Supervisors meeting.

G. LEGAL ISSUES

- 1) Approval of Resolution No. 2015-06

MOTION: Joe Pomorski made a motion to approve Resolution 2015-06 Expanding the Membership of the Western Chester County Regional Uniform Commercial Code Board of Appeals to Include Upper Uwchlan Township and East Caln Township. Steve Herzog seconded.

Ed Porter asked Vince Pompo if these municipalities just joined this organization. Vince Pompo said the major purpose for them to join is to participate in the organization. He didn't think they were in the organization in the past.

VOTE: 5-0

- 2) Approval of Execution by the Chairman of the Declaration of Covenants, Conditions, and Restrictions

MOTION: Joe Pomorski made a motion to approve Execution by the Chairman of the Declaration of the Covenants, Conditions and Restrictions. Steve Herzog seconded.

Vince Pompo explained the purpose of this motion. He said this declaration relates to a project in the East Fallowfield Park. The project has a grant from the county with an additional grant from the state. This declaration is required as part of the county grant. This document agrees to subject the open space in the Brinton Station Development to this declaration in order to satisfy the county requirements for the grant. Mr. Pompo said the open space in Brinton Station is already dedicated to open space so this is not further restricting the actual use of the parcel. Vince Pompo said even though the Board may approve this declaration, it will not be recorded against the property until it is determined that the Board will actually be moving forward with the project and accepts the county grant money.

Ed Porter asked if this would affect any of the residents' properties. Vince Pompo said the residents' properties are not impacted. There was a discussion about the Goosetown Road parcel and restrictions on it. Vince Pompo explained this is a condition of getting the grant.

Dennis Crook, Planning Commission Chairman, commented on a section on the park plans whited out and listed "for official township use". He thinks putting a Township building there was considered at some point. He asked if this open space declaration requirement would eliminate the option of building a Township building there. Vince Pompo said the Township agreed to put this declaration against this parcel back with the last development grant. He said that parcel in the park was acquired as a separate parcel. It was given to the Township. The master plan for the park doesn't include a municipal building. Vince Pompo stated you can build anything park related on that parcel.

Al Wright asked if the Township owns the property in Brinton Station. Vince Pompo said it was dedicated to the Township as open space. He also asked how much the grant is for. Pani Martin reported there is a DCNR grant for \$137,000, a county grant for \$71,000 and matching funds for the Township of \$41,000.

Carol Kulp, East Fallowfield Township resident, commented that the parcel is an area primarily of run off from the development during rainy weather.

VOTE: 5-0

3) Baron Crest – T. David Thomas Excavating, Inc. – Request for payment of invoice No. 4214

MOTION: Joe Pomorski made a motion to approve T. David Thomas Excavating, Inc.'s request for payment of invoice No. 4214. Steve Herzog seconded.

Vince Pompo gave a brief description of this release request. David Thomas presented a bill dated 2012 for work that he did. Vince Pompo said if Chris Della Penna signs off on the work being done satisfactorily, and writes a letter of recommendation to release the funds to T. David Thomas Excavating, then his recommendation to the Board is to release the funds. Charles Kilgore asked what caused the delay. Vince Pompo said he was not aware of the cause of the delay. Vince Pompo stated there is \$1,835.74 left in the escrow account. If all work is done, this money could be returned to the original developer provided that Chris Della Penna will write a letter stating this. Mark Toth commented that there may be tree and shrubbery planting that wasn't completed. Vince Pompo said if this is the case, it would be more appropriate to spend the money on landscaping.

Pani Martin will follow up by checking with Chris Della Penna to find out what work is still outstanding and if someone can finish it.

VOTE: 5-0

H. PLANNING COMMISSION

- 1) Planning Commission Report – Dennis Crook reported that the Water and Septic Workshop is coming up on September 29, 2015. There are two sessions: 1:00 pm – 3:00 pm and 6:00 pm – 8:00 pm. He reported that the afternoon session is almost filled. Response has been good. Registration is required to attend. Ed Porter asked what they are testing water for. Dennis Crook said they are testing for harmful bacteria and nitrates. Part of the results are presented that night and part of the results will be available in a few days. Testing is anonymous. Dennis Crook stated you learn a lot about how water and septic influence each other. Mr. Crook also commented that there are programs available for residents such as grants and low interest loans if well or septic repairs are needed.

I. TREASURER'S REPORT

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

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

VOTE: 5-0

- 2) August 2015 payment authorizations.

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

VOTE: 5-0

- 3) Other Township Business – Pani Martin.

- a. Budget Meeting - The next Budget meeting will be on October 13, 2015 at 5:30 pm. This meeting will be held right before the Board of Supervisors Workshop meeting.
- b. MMO Calculation - PMRS – Pani Martin presented the MMO calculations for this year for the Police Department and non-uniform employees. Steve Herzog asked if there is a major difference between this year and last year. Pani Martin said last year's (2015) figure was misestimated in the budget. She said it was budgeted for \$66,000 but \$84,000 is due. She is hoping the money from the State Supplemental Pension Insurance will offset it. This is due the end of the month. She said she isn't sure what that amount will be but it is budgeted to be \$80,000.
- c. Verizon Land Lines – Pani Martin informed the Board that we have two telephone numbers that we aren't using and can't determine where the lines go. These lines are currently bundled with the internet for this building. If we cancel these lines, Verizon would have to come and reinstall the internet and we'd lose the bundled price. They'd also have to change the static IP address. The bundle saves us \$25 on internet, however these two lines cost us roughly \$172 a month. One line is the old police line and it comes to this building. She said Chief Porter does not use that line and mostly solicitation calls come in through it. Verizon would also need to make changes to the copper wiring of the lines. Pani Martin will find out the cost associated with this. She will also verify that there is no activity on the other line. Steve Herzog asked Ms. Martin to check with Compnet on the transition involved with changing a static IP address.
- d. Park & Recreation – Pani Martin spoke about having a Board member serve as a liaison to the Park & Recreation Committee. The Committee members are on their way out and trying to shift their duties to the office. Required duties will include overseeing the road crew regarding maintenance of the trees recently planted in the park, flag duty, finding grant contracts and facilitating with the Board. She said they are trying to transition their duties to her and then to the Board. We have an agreement with the Brandywine Conservancy regarding tree maintenance. There is also a grant that the Township won that Park & Recreation is asking her to work with. She reported Park & Recreation is requesting herself, Lisa Valaitis, Joe Pomorski and other Board members to attend their meeting on either October 6th or October 20th to discuss the financials and transition. There was a discussion about giving the Public Works Department some of the work load and decision making regarding the park. Vince Pompo said this is common among municipalities. Ed Porter suggested the office forward grant related information to the

Board. Ed Porter asked if there is anyone in the county that specializing in grant writings. Vince Pompo commented that Sheila Fleming with the Brandywine Conservancy contracts out grant writing. Al Wright will also forward information regarding a grant writer to the Board.

Pani Martin also discussed what the Park & Recreation Fund is versus the General Fund Park & Recreation general ledger account. She said the Park & Recreation Committee informed her there are funds in the General Fund for Park & Recreation costs such as mulching. She asked if there is a line item under the General Fund Budget for Park & Recreation maintenance or if one should be added. The Board agreed there should be a budget line item for park maintenance in the General Fund because posting park maintenance expenses in the Park & Recreation Fund will run that balance down. Pani Martin will add a line item to the budget for park maintenance. Mark Toth suggested finding out the recurring park maintenance fees. Ed Porter suggested talking to Tag Gathercole to determine annual costs. There was a discussion about closing the fund. Ed Porter commented on needing to reevaluate the Park Master Plan. The Board instructed Pani Martin to pay for the park mulch out of the General Fund.

- e. Park Day – Pani Martin reported we hit and exceeded our goal with \$7,300 in donations. Expenses are covered for the zip line, balloon artist, DJ, and pony rides. We are working on advertising. There are road signs and banners for advertising. Extra Mile Auto Service is our presenting sponsor and they donated \$2,500. Extra Mile Auto Service is an East Fallowfield business. Ms. Martin reported we cut checks early for Zip & Bounce, the pony lady, the DJ, and petty cash. The petty cash is for change, games of chance and any last minute items we need for the day of the event. The money used will be expensed and money not used will be returned to the fund. Ed Porter requested Pani Martin keep track of payroll for Park Day to get a total cost figure. Pani Martin gave an update on food truck status. Ms. Martin asked the Board if they'd prefer cut a car or burn a car at the Park Day event. Charles Kilgore said Modena had stated they could do both. Park Day Meeting - The next Park Day meeting will be October 1st at 6:30 pm at the Park Pavilion.
- f. MS-965 Reporting Online – dotGrants – Approval of Resolution No. 2015-08 – Pani Martin said she met with the Liquid Fuels Financial Consultant last week. He went over preparations for the MS-965 which is every single check written out of Liquid Fuels for the year, making sure that each payment is broken down into the appropriate category and that all expenses are Liquid Fuel approved. They are switching over to an online system called dotGrants. The Liquid Fuels Financial Consultant would like us convert to the online system this year. Ms. Martin said it will make the process of submitting easier.

MOTION: Joe Pomorski made a motion to approve Resolution 2015-08 agreement to use the dotGrants on-line reporting system to file the required Liquid Fuels forms annually, including but not limited to the MS-965, MS-329 and MS-999 forms. Steve Herzog seconded.

VOTE: 5-0

- g. Update on Server and Server Options – Steve Herzog reported he is still waiting to hear back on his email regarding options other than upgrading to a new server. Steve Herzog discussed record retention and getting employees to delete unneeded emails based on record retention laws.
- h. Security Cameras – Ed Porter said he looked at the two systems that Mark Toth had flagged. Mr. Porter commented that we have three working cameras in the office with wiring. Ed Porter spoke about video camera system types, capabilities and possible camera placement. He said it would cost about \$800-\$900 for a security camera system. Ed Porter will do more research and email the Board.
- i. Human Resources – Pani Martin reported to the Board that a large volume of human resource tasks are coming up. She spoke about the various human resource functions that have been coming up such as administrative plans and benefits, working with seven different insurance companies and pension plans, and IRS and healthcare disclosures/ reform reporting requirements. She also spoke about a Right-To-Know request for 2013-2014 employee names, job titles, dates of hire, and gross annual wage in electronic form. This information is not readily available in one location. However, a spreadsheet could be created by gathering this information. Vince Pompo stated this Right-To-Know request has been submitted to other local municipalities as well. Ms. Martin said she doesn't have a human

resources background and requested possible training or part-time help with the human resources tasks. Ms. Martin reported she needs to verify I-9 documentation and that W-2's are up to date. She said she wanted the Board to be aware that there are a lot of human resource tasks that she has questions on. Mark Toth asked Vince Pompo if he knew of any third-party human resource outsourcing. Vince Pompo spoke about Delaware Valley Insurance Trust (DVIT) which is an organization formed of municipalities which provides health insurance services and also provides support services by contract for various human resource functions. He said the Township has used this organization in the past. You can use them for administrative services as well as insurance. There was a discussion about utilizing the two part-time employees to help with the human resource functions. Ed Porter requested that Lisa Valaitis reach out to the CCSIGA group.

- a. PIRMA / Risk Management - Pani Martin reported that PIRMA, our risk management liability company, came out and did a loss control survey to assist the Township with controlling liability loss exposures. They only had one recommendation which is to add a safety committee. We have 30 days to implement or we must respond with the status of the recommendation which has not been implemented and when actions will be taken.
- b. PSAB Professional Development Training Course – Pani Martin said PSAB is offering a Municipal Secretary/Administrative two day course for both new and experienced municipal employees interested in professional development. Pani Martin told the Board that she was interested in taking this course. The cost is \$225. The Board stated she could take the course.
- c. MS4 Implementation Numbers – Mark Toth asked Pani Martin if she got any MS4 implementation numbers for the budget. Pani Martin stated both she and Lisa Valaitis went to the MS4 Seminar. She said what she got out of it was that we will need to do a lot with stormwater management and big bills will be coming in the future. She needs to talk to Herbert MacCombie's office in regard to budgeting. Mark Toth asked Pani Martin to ask what the remaining timeline is for Act 537.
- d. Comprehensive Plan Reimbursement – Mark Toth asked about the status of the reimbursement for the Comprehensive Plan. Lisa Valaitis said she needs Joe Pomorski to sign something in order to send the reimbursement request. Lisa Valaitis stated she had to wait until the last Comprehensive Plan payment cleared through the bank to submit the reimbursement request. The cancelled check was part of the required documents for the reimbursement request.

J. PARK AND RECREATION COMMITTEE

- 1) September 18, 2015 Park and Recreation Monthly Report to Board of Supervisors was presented for Board and resident review.

K. HISTORICAL COMMISSION

- 1) No report submitted.

L. PUBLIC PARTICIPATION

- 1) Dennis Crook – Mr. Crook said he noticed in traveling this summer, that spraying was done in different areas along the roads. This has killed off everything that it touches. He asked who is doing this spraying and what type of chemicals are they using. Charles Kilgore said Tag Gathercole would know about this. We have a contract to have weeds sprayed along the side of Township roads and the guard rails. Dennis Crook said the spraying is being done in areas beyond guardrails. He asked if this is an additional project. Charles Kilgore stated Tag Gathercole would have to be consulted to find out more about this.
- 2) Al Wright – Mr. Wright reported he attended the MS4 Seminar. He said the trend is that municipalities are creating some type of dedicated funding mechanism to pay for the service of stormwater management. Stormwater management is becoming a utility like waste water management. Some other local townships have already implemented this. This would be a bill that every resident would get for stormwater

management. He recommended the Board create a budget item for this. There was a discussion about impervious coverage and stormwater management. He spoke about a workshop coming up in Villanova on October 13, 2015. At this workshop, they will talk about what Townships are doing regarding stormwater management. It is better to be proactive rather than wait for DEP to fine us. Vince Pompo spoke about East Bradford Township and other local municipalities in regard to their approach to stormwater management costs.

3. ADJOURNMENT

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 8:14 pm. Steve Herzog seconded. VOTE: 5-0

Respectfully Submitted,

Lisa Valaitis,
Township Secretary