

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
November 24, 2015 Approved minutes  
6:32 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**

J.P. Sanchez

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

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

2. EXECUTIVE SESSIONS

Joe Pomorski stated the Board of Supervisors held executive Sessions on November 10<sup>th</sup> and November 17<sup>th</sup> regarding personnel issues.

3. DISCUSSION

A. APPROVAL OF MINUTES

- 1) October 27, 2015 Board of Supervisors Budget meeting minutes.

MOTION: Joe Pomorski made a motion to approve the October 27, 2015 Board of Supervisors Budget meeting minutes as presented. Charles Kilgore seconded.

VOTE: 5-0

- 2) November 10, 2015 Board of Supervisors Budget meeting minutes.

MOTION: Joe Pomorski made a motion to approve the November 10, 2015 Board of Supervisors Budget meeting minutes as presented. Steve Herzog seconded.

VOTE: 5-0

B. PUBLIC WORKS DEPARTMENT

- 1) October Road Department monthly report submitted for Board and resident review.

C. FIRE DEPARTMENT

- 1) October Westwood Fire Company Fire Chief's report submitted for Board and resident review.

- 2) September Modena Fire Company EMS report submitted for Board and resident review.

- 3) October Modena Fire Company EMS report submitted for Board and resident review.

- 4) Fire/EMS Audited Financials and request for additional funds – Chief John Sly. Chief Sly presented a monthly update on the number of calls the Westwood Fire Company received.

- D. CITIZENS BY REQUEST – Chairman Joe Pomorski stated that due to the volume of speakers at this meeting, we will be adhering to a three minute limit per person.
- 1) Sirpa Cossaboon – Water Fluoridation – Sirpa Cossaboon gave a brief presentation on water fluoridation. In her presentation she stated that currently 0.7 parts per million of fluoride is added to East Fallowfield’s public drinking water. She stated that fluoride in the water is toxic. She requested removal of fluoride from the public water supply. Ms. Cossaboon will return to the BOS Workshop on December 8, 2015 to give her full presentation.
  - 2) Ronald P. Scott – Budget / Tax – Ronald P. Scott stated he is a former Board of Supervisors member and he served from 1983 – 1990. Mr. Scott asked the Board to enact a real estate tax. Mr. Scott stated there are a lot of residents that don’t pay earned income tax and therefore aren’t contributing anything financially to the Township. A real estate tax will bring in tax income for every parcel of land in the Township. He also spoke about when the Township had a tax. Mr. Scott stated the roads and public safety are the most important things in the Township.
  - 3) Ed Toner – Police Department / Maintenance & Road Crew – Ed Toner spoke on behalf of a real estate tax. He stated there is a desperate need for a tax in East Fallowfield Township. He stated we need our police! Mr. Toner said the police do an outstanding job! He spoke about his personal experience of having a house fire last year and how the police were the first to arrive on the scene. He also stated a tax is needed because roads in the Township need attention. He requested no layoffs in the Police Department.
  - 4) Siti Crook – 100 + Registered Sex Offenders (Megan’s Law) Between East Fallowfield Township (9 registrations) and Surrounding Municipalities – Siti Crook addressed a comment made by Mark Toth at a previous Budget Meeting regarding a real estate tax causing a decrease in property values. She stated she found through research that this is false. She stated property values will actually drop if public services are cut. Ms. Crook stated she did research on Megan’s Law and there are 100 registered sex offenders in the immediate area. There are nine in East Fallowfield Township. She said decreasing police protection in the Township puts the children at risk. She stated wage earners are currently the primary source of income in the Township. There are residents with income other than wages that is not taxable and they aren’t contributing to the Township. Additionally, earned income will decrease due to steel mill layoffs.
  - 5) Jackie Leahy – Police Department – Jackie Leahy thanked all the first responders, supporting officers, Joe Pomorski, and Steve Herzog for continuing to support the officers. Mrs. Leahy spoke against police cuts and stated her husband is a police officer. She said being a police officer is not just a job. It is a way of life! She spoke about what it is like to be an officer and the stress of the thought of losing their job. Mrs. Leahy also spoke in detail about various types of emergency calls that police officers have taken and shield the public from. She said the current Police Department is already spread thin and criminals know where police presence is reduced.
  - 6) David J. Leahy III – Police Department – David J. Leahy III said he has been a police officer for 18 years. Officer Leahy said East Fallowfield Police are the most professional police department he has ever seen. He stated it is the government’s job to protect the people that they lead. Mr. Leahy said East Fallowfield needs a tax to keep its police department and road crew thriving. He asked that the Board of Supervisors implement a tax and not cut the police or road crew for everyone in the Township.
  - 7) Nina Petro – Police and Budget – Nina Petro stated there are currently 8,000 residents in the Township. Ms. Petro also stated crimes have increased in homicide, drugs and domestic violence. She asked what the top three or four budget expenditures are in the Township. Joe Pomorski said the police is the largest at \$1.34 million. The second largest expense is trash at \$541,000 and the third is the road crew at \$506,000. She commented the Township spent \$100,000 on the Comprehensive Plan and \$19,000 on police arbitration. If we got rid of our police force and rely on state police, the response time can be up to an hour. She stated there is a definitive need to keep our police force. She asked the Board of Supervisors to look at everything in more depth before making a decision.
  - 8) Barbara Henry – Support of Police Department – Barbara Henry voiced her support of the fully staffed Police Department. She also praised the road crew who deliver outstanding services, especially when we need it the most. She said it would be unconscionable for elected officials to jeopardize the safety of the residents that place trust in them. East Fallowfield residents should be able to rest easy knowing they are safe. She also spoke about her personal experience with violence in her life.
  - 9) Lee Schlingmann – Support of Police Department – Lee Schlingmann spoke on behalf of the Police Department. She told a personal story regarding a recent event in which her three horses got loose and were

quickly moving north. Ms. Schlingmann praised Police Officer Kevin Simmons for his tact and expertise in calming the horses and herding them back home without injury to the horses or people. She said we have a strong and responsive group of professional police that go above and beyond.

#### E. SOLICITOR REPORT

- 1) Manchester Farms Update – J.P. Sanchez presented an update on the progress in Manchester Farms. He reported we are still waiting for DEP approval on the basins. Mr. Sanchez stated the legal descriptions have been completed and we are waiting on the deeds of dedication from Ronald Agulnick. He said the main delay has been DEP. Ed Porter asked what the dedication deadline is for Liquid Fuels funding. Mr. Sanchez stated his understanding is that they can apply if the work is completed.
- 2) Eastco – Withdrew conditional use application – J.P. Sanchez informed the Board of Supervisors that we received correspondence on November 18, 2015 from Eastco Enterprises/William F. Pounds. Eastco Enterprises has withdrawn their conditional use application for the property located at 380 Doe Run Road.

#### F. LEGAL ISSUES

- 1) 2015 Audit Advertisement

MOTION: Joe Pomorski made a motion to advertise the public notice for the 2015 audit as follows: Notice is hereby given that the Board of Supervisors of East Fallowfield Township intends, by resolution, to appoint a firm of Certified and Competent Public Accountants, Mingis, Gutowski and Company, LLP to replace the elected auditors for fiscal year 2015. Steve Herzog seconded.

VOTE: 5-0

#### G. 2016 GENERAL BUDGET

- 1) Authorize Advertisement of 2016 General Budget.

Joe Pomorski spoke briefly about the Township's financial situation and said it isn't the greatest. He said we have two options: to increase millage and continue to provide the same level of service, or make cuts. Joe Pomorski stated his opinion is that they should increase millage. Mr. Pomorski stated he feels very safe living in this Township because we have a top notch police department. He said he will not support cutting the police or making cuts to any personnel. No one wants to pay taxes but it is the lesser of two evils to provide the top notch service that the police department, road crew, and office provide.

Steve Herzog stated he has the same opinion as Joe Pomorski. Given the Township's current financial situation, the prudent thing to do is to bring back the real estate tax. It is not a great thing to have to bring back and he realizes that no one wants an additional bill. He said to continue to support the police, road crew and fire companies, he believes raising the millage is the right thing to do. This will allow us to overcome the large current deficit and plan for the future however, we will still need to keep expenses in check.

MOTION #1: Joe Pomorski made a motion to advertise Budget B – with 2 mills the 2016 General Budget will be available for public inspection on November 30, 2015. Steve Herzog seconded.

#### COMMENTS AND QUESTIONS:

Pani Martin explained that there are two budget versions. Budget A is with cuts and Budget B is with no cuts and a 2 mill tax. She said she worked on Budget A with one of the Supervisors.

Budget A (with cuts) – Pani Martin stated the original proposed budget with a deficit of \$450,000 was the foundation for Budget A. In order to balance that budget, the following was done: EIT was increased by

\$1.45 to \$1.6 million. Pani Martin stated, as Treasurer, she is concerned about putting \$1.6 million for EIT in the budget. She said it should be \$1.5 or \$1.55 million. Ms. Martin stated the following administrative cuts were done to balance Budget A: legal - \$15,000, legal for Act 537 - \$4,000, legal for union negotiations for road crew - \$7,000, document scanning - \$30,000, newsletter, library donation, server, website, engineering, and all MS4 permitting. There were notable cuts to the police and EMS including: all overtime for police - \$25,000, part-time police from \$70,000 - \$15,000, workers compensation and unemployment due to part-time police cuts, clothing & uniform - \$3,500, no new police vehicle - \$12,000, cutting EMS fuel - \$17,000 and no repairs to existing EMS vehicle - \$2,500.

Budget B (with 2 mills) – Pani Martin explained that the original proposed budget with a deficit of \$450,000 was used as the foundation for Budget B as well. The 2 mills would bring in income of \$766,000. This would cover the \$450,000 deficit and leave additional funds for the following increases/additions: administrative office supplies, MS4 permitting, operating supplies for police and road crew, transfer to capital projects, reserve for General Fund, salt and shed repairs, fire subsidy – increase \$29,000 to \$100,000, SPCA services, Park & Recreation – vegetation guide, and \$70,000 in additional road repairs above Liquid Fuels. Additionally, all cuts in Budget A were added back in this budget including: legal – \$15,000, legal for Act 537 - \$4,000, legal for union negotiations for road crew - \$7,000, document scanning - \$30,000, newsletter, library donation, server, website, engineering, and all MS4 permitting, no cuts to part-time police, clothing & uniform - \$3,500, new police vehicle - \$12,000, EMS fuel - \$17,000 and repairs to existing EMS vehicle - \$2,500.

District Attorney Tom Hogan – District Attorney, Tom Hogan spoke about one of the worst murders in Chester County that occurred in East Fallowfield Township and the importance the East Fallowfield Police Department played in that investigation and conviction. He stated East Fallowfield needs the police because burglaries, assault, and drugs are on the rise and Coatesville is next door. The government's job, and therefore, the Board of Supervisors job, is to keep residents safe and the roads clear. The Township police and road crew are needed to accomplish these goals. District Attorney Hogan said when surveyed, people want to pay for these services. Citizens do want these services and are willing to pay for them. D.A. Hogan said he will work with the Board to save some expenses going forward in regard to the Police budget. Ed Porter asked D.A. Hogan how he would help them in this area. D.A. Hogan said the police contract has mandatory overtime which is not a good idea. He promised he will work with the Board to come up with savings for the Township while preserving the Police Department. He asked the Board to accept the motion.

Chief John Sly asked everyone to turn around and see all the law enforcement present and give them a round of applause. He said he is the President of Westwood Fire Company which is a volunteer position. He said the police are the ones that support us on emergency calls. If we had to wait for the state police to arrive on a scene, we could be waiting for hours. He said we currently get \$27,000 from East Fallowfield Township to provide protection which is 3% of Westwood's budget of \$780,000. He thanked the Board for providing gasoline for their ambulance last year. He stated that without this increase in millage, we will lose our ambulance fuel. We rely on you to provide that contribution to allow Westwood to continue to operate.

Jim Burns said he would like to thank the public servants for what they are doing. He commented that it has not been mentioned yet that East Fallowfield Township has very little businesses to pull revenue from. Mr. Burns stated he fully supports Joe Pomorski and Steve Herzog with the 2 mill tax and he is willing to pay for the police officers. We need cops, fire departments, and volunteers that are supported by the cops. No one wants to wait an hour for the state police when calling 911. He asked the Board not to put off approving the 2 mills.

Ronald P. Scott said when he was on the Board, the Township received enough money from the State to do all the plowing and cindering for the whole township. In that contract, we made enough money that they bought salt and cinder for the whole Township. He doesn't understand why the next Board got rid of this contract. He spoke about drug deals being done in East Fallowfield behind closed doors. Mr. Scott commented that cutting vehicle maintenance in the road department is in the budget. He asked the Board what they are going to cut there. He said that two of the Board members made a public comment that they are in favor of passing a millage tax. Mr. Scott commented that the other three Board members have not said anything.

Nina Petro asked the Board if they really need a township manager. Ms. Petro stated the Township Treasurer could monitor and oversee all the expenditures rather than incurring more costs. Ms. Petro also asked if the Township retains the trash fees.

Sue Pomorski told a personal story regarding locking her God daughter in the car and her experience with the East Fallowfield Police. It took Officer Simmons seven minutes to get to us. It took him another five minutes to get the car unlocked. She said she doesn't know what she would have done without the East Fallowfield Police. Ms. Pomorski stated she does not want to see the police force cut. She said she is retired and willing to pay for the East Fallowfield Police Department.

Shannon Dewbrew spoke about her experience with having to rely on the state police. She said the state police took an hour and a half to get to her house when she called 911. She also spoke about an experience with carbon dioxide and she said the East Fallowfield Police took three minutes to get to her house. She asked the Board to please not get rid of the police force. She said she can't imagine living in East Fallowfield without the police.

Stephanie Saxton spoke about her personal experience as a victim of domestic violence. Ms. Saxton said the East Fallowfield Township police officers have kept her and her children safe. She said she could never thank the police enough for all they have done for her and her children. Ms. Saxton stated the sheer thought that it would cross the Board's minds to cut the police is despicable! They sacrifice their lives every day for us!

Stephanie Kijat spoke about her son with Asperger's. She stated she has brought her son to the East Fallowfield Police for them to talk to him about unbuckling his seat belt in the car. She stated the cops here are incredible! She can't imagine East Fallowfield without the police officers. Ms. Kijat said we need to keep the police and she is willing to pay for them!

Andy Jeremias stated he is former military personnel. He stated having a strong police force for protection is very important. He said this is particularly important with current terrorist threats. We need to keep the police and ensure the community is safe.

Will Carter stated he is in favor of keeping the police at the current staffing level or increasing it if needed.

Susan Yeoman said she really appreciates our volunteers, fire department, EMS and police. She spoke about growing up in West Bradford Township which only has state police. She spoke about a personal experience with calling the police at 18 years old and the state police told her it would take an hour to get to her. Ms. Yeoman said we need to keep this in mind!

Ed Toner said he agrees with Mr. Scott and would like to hear what the three quiet Board members have to say on this issue.

Ed Porter responded to Mr. Toner by stating there is motion on the floor and what we normally do is that the Board lets residents speak first and then the Supervisors discuss. Ed Porter said there are no increases for Supervisors in the budget and he gave back his pay last year to give back to the Township. Mr. Porter commented that at a workshop, where we have discussions, the Treasurer had given the Board three different budgets that they discussed. He stated no one on the Board is talking about dissolving the police department. He said he is concerned about some of the figures and that the Parkesburg Regional Police, which services twice as many residents, and has a police budget of \$200,000 less than East Fallowfield Township. Ed Porter talked about the police arbitration. He said we got clobbered in police arbitration which hurts a municipality's budget. Mr. Porter also stated we are out of sync with other municipalities' budgets. He has been alarming the Board on this because we have been jumping 10-13% a year. The tax will be used up in no time. The police got a 13.5% increase in the police department in negotiations over the years in the contract. Costs have to be addressed. He stated he is not in favor of dissolving the Police Department. He is in favor of maintaining the same police service we have now or better however, he said needs to be mindful of the budget.

Several residents yelled “raise the tax”. Ed Porter said there are about 65 people at the meeting that are in favor of the tax but there are 8,000 residents in the Township.

Diane Leschina spoke about the terrible fire in Manchester Farms during the summer. She said our police were the first on to arrive on the scene. You are inviting crime into our neighborhood but cutting police! Police protect us. You don’t jeopardize our safety!

Stephanie Saxton talked about the heroine epidemic across our country and how it’s moving from Coatesville to East Fallowfield. If we cut police, property values will drop and it will all go downhill. The budget won’t mean anything at that point.

Ed Porter stated there is no full time officer cuts in either budget. The only proposed reduction is to the part-time police.

Discussion on Commercial / Business in East Fallowfield:

Stephanie Saxton asked about looking at alternative means of bringing in revenue such as inviting businesses to our Township. She said she is willing to pay taxes to support the police even living pay check to pay check. Ed Porter responded by saying the problem with commercial is that we are not set up for commercial. East Fallowfield is set up as a residential rural township. We have a very small commercial area. There was a discussion between the Board and Stephanie Saxton regarding the police training center. Ms. Saxton said there are professionals in the community that could help with generating more revenue.

Ed Porter stated we have eight full time officers which is more than other municipalities such as Sadsbury Township. He stated that the only police cuts in one of the proposed budgets is to part-timers. There would still be more police on staff than in Sadsbury Township. Most of the municipalities around us are covered by state police. Ed Porter discussed exploring options with the eight full time police officers and the state troopers and their resources. Mr. Porter discussed the resources state troopers have.

Jim Burns asked what happens if the state troopers aren’t local at the time of a call and can’t come to our Township in a timely manner. The state troopers cover a large area. There was a discussion about state police.

Stephanie Saxton talked about the East Fallowfield Police’s quick response time, and their familiarity with the Township as well as the residents. There was a discussion about the part-time officers being transient. Stephanie Saxton suggested making the part-time police full time. Ed Porter said it’s not that he doesn’t want more full-timers but there is only so much money. Ed Porter talked about the Township losing in police negotiations/arbitration.

Dawn Crawford stated she has been coming to Township meetings since she became an East Fallowfield resident 11 years ago. Ms. Crawford discussed that her property value is about the same now as when she bought her house. She said it is sad to see that our financial future is in the Board’s hands because only two members are looking to the future. We have a small town feel and our police know us by name. No Township tax means no money for the Township!

Ryan Murtagh stated he moved to East Fallowfield Township from West Bradford Township. The reason he moved to East Fallowfield is because West Bradford is covered by state police and East Fallowfield has its own police. He wanted the East Fallowfield Police. Mr. Murtagh told a personal story about a man who charged at his wife. He said if this had occurred in West Bradford, he would have had to handle this himself. Officers Gina Malerick and Kevin Simmons responded and handled the situation with the utmost class. Mr. Murtagh said he works for Parkesburg Police and it isn’t regional and it’s not a good comparison for East Fallowfield. He also discussed Parkesburg having to cover overnight calls from other townships that don’t have their own police. He said he would gladly pay a tax to keep the police force intact.

Ed Porter said to Mr. Murtagh that his website (Parkesburg Borough Police) lists other municipalities such as Highland and Kennett that it covers. Mr. Porter asked if those stats are not correct. Mr. Murtagh said the stats are correct but they are not a regional department. They contract services.

District Attorney Tom Hogan said that Willistown Township is an accurate comparison to East Fallowfield. He said they have about 10,000 residents and 17 full-time officers. It is considered the safest place in Chester

County. D.A. Hogan stated Butch Dutter, President of the Chester County FOP, would be willing to work with the Board on ideas on how to save money and work with the Police Department.

Butch Dutter, President of the Chester County FOP (Fraternal Order of Police) spoke to the Board about members of the CCFOP that are very well versed in contract negotiations and will assist the Board in contract negotiations. Nine times out of ten these matters won't go to arbitration. Mr. Dutter said the East Fallowfield Township Police had been way behind in salaries and benefits compared to other departments. Now that they have been caught up, hopefully contract negotiations will not go as bad. The County and State FOP's are more than willing to provide assistance to the Board.

Dennis Crook, Planning Commission Chairman said that they addressed the deficit problem in the Comprehensive Plan. Mr. Crook stated he wished to correct a previous statement regarding the Comprehensive Plan costing \$100,000. He stated that the Board did not pay \$100,000 for the Comprehensive Plan. He said the Board did a great job getting a grant and the total cost for the Comprehensive Plan was around \$30,000. Mr. Crook said he applauds the Board for that. He feels the Board has been cutting back where they can. Mr. Crook said they discussed options for generating revenue as part of the Comprehensive Plan. Not having millage is taking away revenue. The only way to reach revenue for commercial/industrial is to tax the property value through millage.

Kevin Simmons, East Fallowfield Police Officer, President of the Police Association and Homeowner Association President for Providence Hill, spoke about this same issue happening five years ago. He thanked the residents, all the FOP brothers and sisters, D.A. Hogan for being there. He said it is an important time in the Township's history. In this time, we have societal changes and more crime everywhere. He said he moved here along with four other police officers because they knew the East Fallowfield Board was vested in the Township. What will East Fallowfield look like with police cuts? He said it is like advertising to the criminals to come to our Township. Officer Simmons spoke about types of crimes. We have two schools in our Township and the Coatesville Area School District is talking about cutting their security. He said we are also the first responders for emergency calls. He respectfully requested the Board implement the tax.

Steve Herzog made a comment that a township manager is very much needed and should be included in Budget B. He said a township manager would run the day to day operations and oversee the departments. The Board should be overseeing Township business at a higher level. Realistically, it would cost \$100,000 in salary and benefits to hire a qualified township manager. This can be covered with 2 mills. Mr. Herzog stated we can raise the earned income tax of \$1.45 million by \$50,000 - \$100,000. It would be a safe estimate and still keep earned income underestimated.

Ed Porter said he likes the method of averaging yearly amounts to get a budgeted earned income number. He said he likes the number that Pani Martin originally had budgeted. He commented that earned income increased in 2011 and 2012 but declined in 2013 by almost \$150,000. He said a jump to \$1.6 million is quite a bit. Ed Porter stated he would be comfortable with \$1.55 million budgeted for earned income. Ed Porter also commented that he doesn't mind township manager being in the budget but said it should be discussed further regarding what specifically a manager would be responsible for because the road crew and police are both unionized departments.

The following changes were made to Budget B before Joe Pomorski made an amended motion: earned income was changed to \$1.55 million. The township manager was added to the budget for \$100,000. The earned income increase offset the addition of township manager. Steve Herzog stated there will still be a reserve in the General Fund of \$100,000 and a transfer of \$75,000 to Capital Funds which is considered a rainy day fund.

AMMENDED MOTION #1: Joe Pomorski made a motion to advertise the 2016 General Budget with the stated adjustments on Budget Version B which will be available for public inspection on November 30, 2015. Steve Herzog seconded.

Discussion: Ed Porter asked how much revenue was added to earned income. Steve Herzog stated \$100,000 was added to earned income which was offset by adding the township manager. Ed Porter also asked what

amount the millage would add. Pani Martin said 2 mills would bring in \$766,000. Steve Herzog stated the \$766,000 would cover the deficit, go towards improvements and put money in reserve.

VOTE: 2-3 (Joe Pomorski and Steve Herzog voted yea. Charles Kilgore, Mark Toth and Ed Porter voted nae.)

Several residents angrily voiced their dissatisfaction regarding the votes. Stephanie Saxton asked why they added a township manager to the budget when there are two departments unionized and can't be managed. She stated the Board should do their job! Several residents also questioned why Mark Toth and Charles Kilgore have remained silent on their opinions.

Charles Kilgore spoke about his thoughts on the budget. He stated there was a lot of work put into Budget A and the savings that are in that budget are viable. To eliminate the part-time police at this time will draw back a lot of money to the budget. He said that there are several things that will work. If we pass the 2 mill tax, in about two years it will all be gone. Mr. Kilgore also stated the East Fallowfield Police Department is great! This is just monetary!

Various residents yelled out their disapproval!

Ronald P. Scott stated that retired residents do not pay earned income tax. He said he gets road service, police service and he's not paying anything to the Township. He also said he is retired and can afford paying \$490 in local tax. Mr. Scott asked Mr. Toth why he isn't saying anything. He also said he can't understand why Mr. Porter can't vote for this budget!

J.P. Sanchez briefly discussed with the Board what action to take next.

Ed Porter said what we are hearing from most folks here is that it is the Police they want. He said obviously from the Facebook page, we understand why that is happening. Mr. Porter asked if most of the residents at the meeting are okay with our Police Department leaving our Township to help other municipalities even though they are paying for it. Ed Porter also stated that it sounds like the complaints will be gone if the part-time police are not cut and the Police Department is untouched. There was a discussion about needing the tax revenue to fix the roads. Ed Porter spoke about his efforts to lower costs for the budget including: putting medical out to bid, looking at the secretary position, police negotiations, and he gave back his compensation last year.

Ronald P. Scott asked the Board if the Supervisors still ride around the Township once or twice a year with the Road Foreman to assess the current road conditions. The Board said they do this. He commented on Mt. Carmel Road being a disaster. He said he keeps hearing from the Board that Mt. Carmel Road won't be repaved until the Scott Farm Development is built. Mr. Scott also stated it is deplorable to only be giving the fire companies \$71,000! Mr. Scott said you can't run a township without a real estate tax! He said he knows this from being on the Board.

Mark Toth stated that Budget A is what he proposes. Mr. Toth made one amendment to Budget A by adding \$30,000 back to the part-time officers' salaries which brings it to \$45,000 which is what we currently spent in 2015. Effectively the Police Department remains the same. There is no reduction in force. Toth commented that he doesn't consider taxing to be a fiscal plan. He said he is trying to make a sustainable budget for as long as he can before taxing. He said he can accomplish this with Budget A. Mr. Toth stated that he went line by line through the budget.

Michael Grabill talked about the Township having a large amount of retired residents that aren't paying earned income.

Chief John Sly expressed a few concerns regarding the fire companies and not passing Budget B with 2 mills. Chief Sly said they received an increase from East Fallowfield last year of \$3,000 which is a drop in the bucket. Chief Sly spoke about Valley Township raising their tax rate in 2012 to purchase a new \$574,000 truck for Westwood that currently protects East Fallowfield residents. Valley also paid for the fuel and insurance for that vehicle. There is the potential that he may be told by his own Board that Westwood won't get the vehicle. We want everyone to be paying their fair share. He asked the Board what he should report to his Township. Chief Sly said he will have Caln Township contact the Board.



Nina Petro asked how funds were generated in the past without a tax. Mark Toth stated the Township receives 0.5% of the earned income taxes. The school district gets the other 0.5%. Joe Pomorski stated that real estate transfer fees also generated a lot of revenue during the time when there was a lot of development in the Township but this eventually dried up. Ms. Petro asked the Board if they could table this decision until they could go line by line through the budget to look for necessary cuts. J.P. Sanchez responded to her question by explaining the Board has to pass a balanced budget by December 31<sup>st</sup> and the budget has to be advertised for 20 days.

Michael Grabill stated you can't keep cutting every year. You need to go in the other direction. Costs are increasing and won't go down. The cost of that fire truck will not go down. The Board needs to increase revenue for the Township.

Claire Gustafson asked why this wasn't a question on the ballot. Ed Porter said only certain things that can go on a ballot and this is not one of them. Ms. Gustafson said not everyone may know what is going on.

Jim Burns asked why the Budget Meeting was cancelled and the budget is being discussed during this meeting. Ed Porter said they combined the meetings.

MOTION #2: Mark Toth made a motion to advertise the 2016 General Budget Version A, to be available for public inspection on November 30, 2015, with the addition of \$30,000 to line item 1410.30 part-time officers salary and wages of \$30,000 with a capital fund transfer to balance the deficit. Charles Kilgore seconded.

#### COMMENTS AND QUESTIONS:

Discussion on earned income and deficit: Siti Crook asked what earned income is in this budget. Mark Toth stated earned income is \$1.6 million. Ms. Crook said you already stated earned income to be projected at \$1.55 million. Mark Toth replied by saying he disagreed with that figure. Ms. Crook said you can't knowingly pass a budget according to Section 3200 in the Second Class Township Code that has inaccurate information in it. You are taking the position of openly violating Second Class Township Code. Mark Toth replied by saying we are currently at \$1.464 for the fiscal year 2015 and he believes it will exceed \$1.55 million (budgeted at \$1.55 million for 2015). Judging by the last three years, he doesn't see why \$1.6 million won't be the final total. Joe Pomorski stated he agrees with Mark Toth on the \$1.6 million. However, he said he can't vote for this budget without a millage increase. Siti Crook asked if \$85,000 will be taken out of Capital Projects in this budget. Mark Toth replied that that is correct. Mark Toth said there are three variables that could create savings in 2016: moving the Police Department to the Township building which would be \$20,000 savings, two union labor negotiations taking place, and the affordable care and Cadillac Tax.

Ronald P. Scott said he and the Board of Supervisors at the time put that meeting hall in. If you move the Police Department to the Township building, where will Township meetings be held? Joe Pomorski said he does not favor that, however, if it did happen we would probably have meetings either at South Brandywine Middle School or East Fallowfield Elementary School. Mr. Scott said you will never fit the Police Department in that meeting room. Mr. Scott said that Mark Toth will be off the Board in 2016 and that it will be up to the newly elected Supervisor (Carol Kulp) to reopen the budget. Mr. Scott voiced his disapproval of taking \$85,000 out of Capital Projects when there is only \$300,000 in that fund.

Chief Sly asked Mark Toth if Budget A cut the ambulance fuel. Mark Toth replied that the ambulance fuel is being cut from \$17,000 to zero.

Chief Joe Deckman, Fire Chief of Westwood Fire Company, said he has lived in East Fallowfield since 1984. Chief Deckman said he has been a volunteer fire services since 1988. He said he is ashamed of the three Board members. He said the Board is making a bad decision. He also said no one else is stepping up to do this volunteer work. This means when he steps down, someone will have to be paid to do this job.

VOTE: 1-4 (Mark Toth voted yea. Joe Pomorski, Steve Herzog, Charles Kilgore and Ed Porter voted nae.)

MOTION #3: Joe Pomorski made a motion to advertise the 2016 General Budget with the stated adjustments on Budget Version B which will be available for public inspection on November 30, 2015. Steve Herzog seconded.

COMMENTS AND QUESTIONS:

District Attorney Tom Hogan stated this is a motion to advertise a preliminary budget. The Board will have 20 days to discuss it. He said he will have time to get together with the Board and discuss budget savings.

Ed Porter asked what the surplus would be on 1 mill. Steve Herzog stated the revenue on 1.5 mill would be roughly \$572,000 and a 1 mill would give roughly \$378,000. Mr. Herzog stated that this would now allow the Township to address any of the issues that such as road repairs, township manager, work needed on the Township building and police building, and other things that are included in the budget.

Richard Gorgo asked the Board what the sustainability is for both budgets. Mr. Gorgo asked if it is legal to combine positives of different communities together to create a larger group. Mr. Gorgo asked the Board if they have asked for help from the community. There are a lot of wealthy people in the area. He also asked why people aren't building in the Township and how do you address that.

Steve Herzog stated that neither budget is very good in terms of sustainability. The budgets don't look past next year. There is no financial outlook. Bringing in a manager would free up the treasurer to do this analysis. We need to do a 1 year, 5 five year and 10 year financial plan with cash flow options. There still may be areas of cuts. Mr. Herzog commented that Ed Porter has helped cut down expenses and put services out to bid. Medical insurance, liability insurance, and workers compensation increases are part of the budget issue this year.

Ronald P. Scott commented that the Township either doesn't do road work or put's a band aid on it. He said the five of you have known about this problem but didn't do anything about it and lived off the earned income tax. It didn't work out. Two Board members have stepped up to the plate and three have let him down. He said a tax will be needed in the future and it will need to be more than 2 mills.

Discussion on Cutting Costs and Police Services:

Ed Porter commented on some of the various ways he has tried to make cuts and find savings for the Township. He talked about how he has been alerting the Board to budget problems for years. He said there is a serious financial problem that is not being addressed internally. Stephanie Saxton asked Ed Porter where his proposed budget is. Ed Porter responded by saying he would outsource the police. He said that another police department said they can provide the same or better service for less cost. Mr. Porter said as long as you have the same protection or better for a lower price, how is that doing residents wrong. Curt Martinez, Police Chief of West Caln Township, asked what police department Ed Porter was looking at. Ed Porter said he could not disclose that at this time. Ed Porter said this is not on the table and the Board support isn't there. Ronald P. Scott spoke about Highland Township outsourcing police services. He said they get a few hours a month from Parkesburg Police and the rest of the time the state police cover them. He said unless you can guarantee you are getting 24 hour 7 days a week police coverage, outsourcing is not a good idea. Ed Porter said he would only consider this option if the level of service would be the same or better. Richard Gorgo stated that when it comes down to it, we want the police officers we have because they know us. Ed Porter said the problem is that the Police contract is out of step with comparable municipalities. He said the Township loses on every issue in police contract negotiations. Ed Porter also stated that he would never lower the level of police service.

Chief Sly told Ed Porter that he thinks he analyzes things well and he respects that. He addressed Mr. Porter's comments about costs going up for everything. He expressed again to the Board how difficult it is for Westwood to make ends meet.

Ed Porter stated this Board has given the fire companies more than any previous Board. Mr. Porter said the Budget with the cut to ambulance fuel did not pass.

VOTE: 3-2 (Joe Pomorski, Steve Herzog and Charles Kilgore voted yea. Mark Toth and Ed Porter voted nae.)

## H. PLANNING COMMISSION

### 1) Planning Commission Report – Dennis Crook.

Dennis Crook said the Planning Commission is working on implementations of recommendations in the Comprehensive Plan. They have been looking at more ways to manage the Township. Mr. Crook said Ray Ott is willing to speak to the Board about ways of increasing revenue. There are only two ways to bring in revenue: earned income and millage. He spoke about using the Mixed Use Zoning District to bring in more commercial income. Mr. Crook stated millage would more evenly distribute resident contributions. Under the current system, some residents aren't paying anything for Township services. Mr. Crook asked the Board if they would like to schedule a meeting to talk to Ray Ott. The Board suggested the December 8<sup>th</sup> Workshop.

Ed Porter asked Dennis Crook if he got the data compiled from the water workshop. Mr. Crook said that out of 52 water samples, 30 failed. Mr. Porter asked Mr. Crook to forward the report to the Board.

## I. TREASURER'S REPORT

### 1) October 31, 2015 Treasurer's Report.

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

VOTE: 5-0

### 2) October 2015 payment authorizations.

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

VOTE: 5-0

### 3) Other Township Business – Pani Martin.

a. Police – Sick Time Sell Back – Pani Martin said the police sick time sell back of 60 hours each will be processed in the December 12<sup>th</sup> payroll. There are four or five officers selling back sick time. Ed Porter asked Pani Martin if she has the current sick time, comp. time, and vacation time for the police. Pani Martin said Baker tracks this information for the Police Department. Ms. Martin asked the Board if she can proceed since this is part of their contract. The Board approved Ms. Martin to proceed.

b. 7 Newlinville Road - Portnoff – Pani Martin said she has been working with Portnoff regarding a trash bill for 7 Newlinville Road. The 2012 bill is being disputed by the resident. The resident submitted proof that they paid the bill in December 2011. The resident claims the payment was for 2012 trash fees. She said the resident payment history shows they pay every year in December for the next year. Ms. Martin stated she can't locate the relevant deposit slip. She has the cancelled check to prove payment but can't determine if they payment is for 2011 or 2012. Portnoff is asking if they should continue with collections. Pani Martin stated the legal fees will come back to the Township. The Board instructed Pani Martin to drop this.

c. Date for Board of Supervisor meeting for December 2016 – Pani Martin asked the Board to select between the third and fourth Tuesday for the December, 2016 Board of Supervisors meeting. The Board selected Tuesday, December 20, 2016.

d. Salt Purchase / Liquid Fuels Budget – Pani Martin reported we will be getting a bill for almost \$17,000 for salt. This is for 250 tons of salt for the upcoming year. Ms. Martin said this is not in the Liquid Fuels

budget. Our Liquid Fuels representative confirms we can spend over the budget as long as we have money in the bank account.

J. POLICE DEPARTMENT

- 1) October Police report submitted for Board and resident review.

K. PARK AND RECREATION

- 1) PECO Green Regions Grant Program – Pani Martin said the Township was awarded a grant of \$8,500 from PECO Green Regions Grants Program for a Habitat Vegetation Management Guide. She said it would be better to decide how to proceed after the Township has finalized the 2016 budget. She said there is money in the budget for this under the General Fund in the budget the Board motioned to advertise. Ed Porter commented that they should analyze sustainability and possibly moving towards a completed park with desired amenities. Ms. Martin stated she has not cashed the check. The Board decided to table this discussion until the next meeting.
- 2) Park Greenway Trail & Bridge Project Bids – Pani Martin said the bids were due on November 20<sup>th</sup>. The project funding is from a PADCNR Grant, a Chester County Grant and Township matching funds from the park improvement fund. Chris Della Penna served as project manager and Dan Daley from E.B. Walsh is the project engineer. All the bids were received and were well above the estimated cost and grant match budget for the project. Park & Recreation is working with Chris Della Penna and E.B. Walsh to review and evaluate the bid costs and determine if significant cost savings can be made and if the project can proceed. No action is required of the Board at this time. Park and Recreation is requesting the Board Liaison attend the December 1<sup>st</sup> Park and Recreation meeting to discuss. The low bidder came in around \$432,000 and they were expecting around \$260,000. Joe Pomorski and Ed Porter volunteered to attend the Park & Recreation meeting. The Board discussed presenting the Park & Recreation Committee with a gift.
- 3) Resignations of Park Recreation Committee – Pani Martin said the Park & Recreation Committee respectfully submitted their resignations effective December 31, 2015. Brian Carling will continue as a volunteer to run the Pond Watch. Jan Bowers and Brian Carling will volunteer to handle the PECO Grant Program in 2016 if it proceeds. Jan Bowers and Brian Carling will also be available to answer questions if needed for the Trail and Bridge Project.
- 4) Grant / Project Manager – Pani Martin said if these grants do proceed, there is a lot of work managing the grants. She said it is outside the scope of her job. Ms. Martin said we need someone to run these grants. Joe Pomorski said he agrees but doesn't know who could run it. Ed Porter commented that there is a township manager in the budget.

L. HISTORICAL COMMISSION

- 1) October 7, 2015 Historical Commission meeting minutes was submitted for Board and resident review.
- 2) November 18, 2015 Historical Commission letter regarding Speakman's Covered Bridge No. 1.

M. NEW BUSINESS

- 1) Discussion to obtain bids for electrical work to upgrade Township building and 2 street lights to LED.

Mark Toth asked the Board if they'd like to proceed with this. He said the two street lights need to be on from dusk to dawn. We should upgrade this to LED and we'd save 80% on electricity. Mr. Toth said if we move the Police Department to the Township building, then the lights would need to be on 24 hours. The Board agreed on moving forward with this.

## N. PUBLIC PARTICIPATON

- 1) Nina Petro – Nina Petro requested more microphones if the Board holds any more meetings at the school. She suggested having one for each Supervisor and the solicitor. She said it is difficult to hear the Board speaking. She also suggested a working microphone for the residents.
- 2) Jim Burns – Jim Burns asked the Board if they are open to a proposal involving filming public meetings and putting them on YouTube. Mr. Burns said this would allow more residents to actively participate in Township business. Joe Pomorski stated that the Board had tried that in the past with Comcast. Mr. Pomorski said he is open to this. Jim Burns said he will send the Board a proposal that would cost less than \$500. Joe Pomorski discussed lack of public participation at public meetings. Jim Burns commented on the advertisement being an issue. He said people don't know what the abbreviations on the sign in front of the Township building mean. Joe Pomorski said we have a Township Facebook page. There was a discussion about an electronic newsletter.
- 3) Nina Petro – Nina Petro commented that the abbreviations on the sign in front of the Township building are cryptic.
- 4) Ed Toner – Ed Toner suggested the Chairman could call on each Supervisor for their vote. He said this would help the residents hear and understand what is going on. Pani Martin stated this would help the Township Treasurer and Township Secretary as well. Joe Pomorski stated the Board could do this.
- 5) Kelly Hewson – Kelly Hewson asked what the status is for Mortonville Road. Steve Herzog stated the cost estimate is upwards at a \$1.5 million to fix. Ms. Hewson asked about grants. Mr. Herzog said grant writing is one reason we need a township manager. The grant we looked at has a matching requirement of \$460,000 which the Township doesn't have the funds for. Ed Porter spoke about a discussion he had with Representative Harry Lewis regarding work being done in Newlinville and possible funding to help East Fallowfield Township. Ed Porter discussed the problems with Mortonville Road and the work needed to fix it.

## 3. ADJOURNMENT

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 10:01 pm. Steve Herzog seconded. VOTE: 5-0

Respectfully Submitted,

Lisa Valaitis,  
Township Secretary