

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

Members Present

Joe Pomorski, Chairman
Steve Herzog, Vice Chairman
Charles Kilgore, 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 6:31 pm. Steve Herzog seconded.

2. Discussion

A. APPROVAL OF MINUTES

1) September 8, 2015 Board of Supervisors Workshop meeting minutes.

MOTION: Joe Pomorski made a motion to approve the September 8, 2015 Board of Supervisors Workshop meeting minutes as presented. Steve Herzog seconded.

Ed Porter requested the addition of a conversation between himself and Chief Sly regarding the alleged theft of \$300,000 from the Westwood Fire Company.

VOTE: 4-0 (passed with amendment)

2) September 22, 2015 Board of Supervisors meeting minutes.

MOTION: Joe Pomorski made a motion to approve the September 22, 2015 Board of Supervisors meeting minutes as presented. Steve Herzog seconded.

VOTE: 4-0

3) December 8, 2015 Board of Supervisors Workshop meeting minutes.

MOTION: Joe Pomorski made a motion to approve the December 8, 2015 Board of Supervisors Workshop meeting minutes as presented. Steve Herzog seconded.

VOTE: 4-0

B. PARK & RECREATION

1) Cancelling Community Park Greenway Trail and Bridge Replacement Project.

Joe Pomorski reported he attended the last Park & Recreation Committee meeting on December 3, 2015, at which they made a motion to discontinue the Community Park Greenway Trail and Bridge Replacement Project.

MOTION: Joe Pomorski made a motion to reject all bids received for the Community Park Greenway Trail and Bridge Replacement. Charles Kilgore seconded.

Michael McClintock said the lowest bid placed the project at least 70% above estimated costs for the project. Park & Recreation motioned to reject all bidders, notify bidders, notify DCNR to cancel the grants, return advanced grant fund, and obtain any final electronic and hard copy documents.

Ed Porter asked if there was any plans to downgrade the project. Michael McClintock stated there are no plans to downgrade.

VOTE: 4-0

MOTION: Joe Pomorski made a motion to send letters to the PA-DCNR and County of Chester Department of Open Space Preservation to cancel the grants, including an explanation of the unexpected circumstances that led to this decision. Steve Herzog seconded.

VOTE: 4-0

MOTION: Joe Pomorski made a motion to return the advanced grant funding to PA-DCNR. Steve Herzog seconded.

VOTE: 4-0

MOTION: Joe Pomorski made a motion that before final payment to E.B. Walsh that we obtain a final electronic and hardcopy documents of the final project design, bid and specs packages and grant applications prepared by E.B. Walsh for this project for possible future use. Charles Kilgore seconded.

VOTE: 4-0

2) PECO Green Regions Grant.

Michael McClintock said Park & Recreation is looking to put this on hold until the budget is finalized. Brian Carling and Jan Bowers will continue on as volunteers to help shepherd the project when it gets going.

3) December 3, 2015 - final meeting of the current Park and Recreation Committee.

On behalf of the Township and Board of Supervisors, Joe Pomorski thanked Brian Carling, Dan Johns, Michael McClintock, Jan Bowers (not present) and Jeannie Berlin (not present) for their years of service. Joe Pomorski called each of them up and presented them with plaques and Park Day t-shirts. Jeannie Berlin arrived as the plaques were given out.

Ed Porter asked Michael McClintock if there were any other outstanding projects in the works. Michael McClintock said no. The PECO grant is the only outstanding item. They felt resigning now was a good time. He said part of the decision to cancel the Park Greenway Bridge and Trail Replacement Project was to be financially responsible and to leave funds for future projects. They will be leaving a balance of \$237,000 in the Park and Recreation Fund.

C. CITIZENS BY REQUEST

- 1) Ronald P. Scott – Budget / Tax – Ronald P. Scott asked where Mark Toth is and why he is not present. Why is the full Board not present? He asked Ed Porter to vote to approve a 2 mill real estate tax. There is only \$306,366.94 in the Capital Projects Fund. This shows the Township has been operating on a shoe string for the last few years. He said we need to bring the rainy day fund up. We should have \$1.5 million in reserves. We need to continue to grow this Township. What have we put off for the last six years?
- 2) Siti Crook – Police Department Fund Raiser – Siti Crook asked if it would be possible to do a Super Bowl Fundraiser for the Police Department. She asked if she needs a 503c and what the parameters would be. J.P. Sanchez said he would have to look into it. She said there isn't enough time unless J.P. Sanchez can get an answer by the end of December.

- 3) Thomas Nash – Tax for Police Department – Mr. Nash was not present.

D. 2016 BUDGET ADOPTION

- 1) Adoption of 2016 11/24/15 Budget.

MOTION: Joe Pomorski made a motion to adopt the 2016 11/24/15 budget as presented. Steve Herzog seconded.

QUESTIONS AND COMMENTS:

- a. Sharon Rhoades Scott stated she is an Elected Auditor of the Township. She listed her past experience and said she speaks from experience. She said she objects to this budget. She gave each Board of Supervisor copies of audits that are done and not signed off on. She asked the Board not to pass the budget.
- b. Dan Johns said he is retired and as much as he doesn't want additional expenses, he has watched the Township squeak by for the last six years. We need to look forward and do what is right. He encouraged the Board to pass the budget. He also commented on not wanting state police coverage in the Township.
- c. Chief Joe Deckman spoke both as a fire chief and as an East Fallowfield Township resident. He commended the Board and hopes they do everything to pass this proposed budget. He commented on Chief Sly strengthening the relationship with the Board. He also spoke about the Township's close proximity to Coatesville.
- d. Barbara Lowe spoke about how important it was her family that the East Fallowfield Township Police were able to be the first responders for a personal emergency two years ago. They were there until the EMT's arrived on the scene. She said this would not have happened with regional or state police. She urged the Board to pass this budget.
- e. Ed Porter addressed Mr. Scott's questions regarding his vote. Mr. Porter spoke about honesty regarding his no tax campaign. He said since he got on the Board, he has watched a lot of wasteful spending. He said if we don't address Township spending now, we will be back at this point next year. Mr. Porter said Mortonville Road is the main project that did not get done. It is a unique situation and will take a lot of money to fix.
- f. Dick Vermiel said he appreciates the job the community has done. He appreciates East Fallowfield Township and its leadership. We are one of the few areas in the country that is talking about decreasing security in a time when the country is in need of additional security. By cutting certain things, we are not allowing the Township to grow in the area of security and fire departments. He said he is very much in favor of increasing our taxes.
- g. Buddy Rhoades talked about the Township being lucky to be a historical township and have three covered bridges. Mr. Rhoades also commented on the resolution to go from a Board of three to five Supervisors. The residents were asked and they wanted five Supervisors. He asked to put the fire tax on a ballot ask the people. He commented that he is retired and he gets no increases in his social security.
- h. Andy Jeremias talked about the threat of terrorism in America. He said the boys in blue are the only ones to help us. He talked about how the country has changed. He said he is very concerned about reducing our police force. He asked the Board if they did a risk assessment for reducing the police department. Joe Pomorski said the Board did not and he is not in favor of any reduction of police. Mr. Jeremias asked the Board to pass this budget.
- i. Ed Toner spoke in favor of the tax. We have a great police department and we don't need anything to happen to this police department! We have a great road crew! They work well with what they have to

work with. He said he noticed tonight that one of their trucks had over 100,000 miles on it which is unspeakable. We need this tax! He said he and his wife put their retirement money into moving here because of the police department. He spoke about the roads needing work in Brook Crossing because they have not been repaired in ten years.

- j. Mr. Leahy said he is a police officer. He said Ed Porter is reiterating what D.A. Tom Hogan spoke about at the last meeting. He said we are kicking the can. The budget for 2016 will affect all the Township residents. You are here for us. Locally, we have a drug addiction problem and associated crimes such as theft. Mr. Leahy stated he knows when he goes to work that his wife and kids are going to be protected by the East Fallowfield Police. Are we really going to diminish our police force because of money?
- k. Ed Porter said he is aware of things that are not being handled properly such as time card abuse. He spoke about comparing our spending to other municipalities. If we don't control this budget or the next, residents will end up being taxed severely. Mr. Porter said no one is against safety. He also spoke about the state trooper four hour window that the Township used to have. State troopers have resources we don't have. He also said there are other departments besides the police department that are spending money.
- l. Joe Pomorski addressed Ed Porter about state police coverage. He said residents are more concerned about response time than state trooper radar and speed limit enforcement. Mr. Pomorski said the majority of the residents are in favor of this budget and tax. We are elected by the people, and we should vote for what they want. It is our responsibility as elected officials to do what the people want.
- m. Ed Porter said the response time is always being addressed and it is difficult to analyze. He also said he wouldn't say the overall Township is in favor a tax. He commented on emails he received from residents that were against the tax. In the recent election there was one candidate who campaigned against a tax and one candidate campaigned for a tax. The candidate that campaigned against a tax won.
- n. Joe Pomorski responded by saying it's the right thing to do. He said he only received three emails against a tax. Police and fire companies do a tremendous job. He said he can't fathom laying anyone off. This has been put off and put off. He urged everyone on the Board to vote in favor of the budget and tax.
- o. Joel Brazy said he appreciates the Board's effort and diligence. He stated he agrees with Ed Porter in trying to monitor spending and finding ways to reduce costs. Mr. Brazy said the Township should be finding efficiencies and ways to increase revenue so we continue to grow and keep everyone safe, employed, and with good roads and parks.
- p. Nelson Walter asked how can anyone come up and speak against the tax because it's intimidating. The representation in the room is not a true representation of the Township. He told the Board they have responsibility to the citizens to pass a good budget and be accountable to that budget.
- q. Ken Hanson said it is not about the police being here to intimidate us. They are a great bunch of people protecting us! This area has changed over the years and is becoming more of a city. We are next to the only city in Chester County. It's a dangerous place now. Our police drive around the area and watch our backs. We voted you guys in to make decisions for us. We want the protection! We moved here because it's a safe place to live. We will become part of Coatesville without our police force.
- r. Robert Detweiler said he is not a resident of the Township. He spoke about police ensuring protection for the children in schools. The response time for the state police will not be quick enough to protect the children if there is an emergency in one of the schools. He said he has been a police officer for 20 years and he knows bad people research and find soft targets. We've failed if we don't have police to protect the children. You must pass the budget for the sake of the children.
- s. Susan Yeoman said people are never in favor of a tax but we have come up against a wall. We can't put this off. She said she also agrees with Ed Porter that there are plenty of areas in that budget where

things can be looked at and fixed. The current Supervisors and the new Supervisor are charged with making changes starting January 1, 2016.

- t. Steve Lobach commented that people have spoken with a lot of emotion at the last two meetings and he complimented Ed Porter's professionalism in addressing it. It is a bad idea to shove this budget through at the end of the year. We need to take a fresh look at the budget at the beginning of the year.
- u. Chief Joe Deckman said he voted for Carol Kulp and was unaware of her no tax platform. He asked for her to come up and share her thoughts since she is the newly elected Supervisor who will fill a seat in January.
- v. Carol Kulp said when she ran for office, she had issues that were on her heart. One such issue was not wanting a red light at the intersection of South Caln Road and West Chester Road. She thought the Township could save a \$100,000 there. She said she is in favor of law enforcement and does not want to cut the police. She said she would have to look at the budget more. Wasteful spending needs to be looked at before putting a tax in place. She would like to put it out to the residents to see how they feel about it.
- w. Thomas Nash asked the Supervisors if we need the number of police that we have in the Township. Are there any figures or statistics to prove we need 13 police officers? He said he agrees with Ed Porter that we should not rubber stamp a budget. He said he wanted the budget scrutinized!
- x. Chief John Sly said he would like to say to the Board that he doesn't envy any of them. He said they did not put the Township in this position but they are facing a deficit of several \$100,000. He said the Board isn't going to make up that deficit with savings cuts. We have appealed to you to help us pay for services the residents expect from us. It's time for a change!
- y. Ed Porter responded to Chief Sly by stating that this Board has been very fair and contributed more to the fire companies than any other Board. We gave additional money and fuel last year.
- z. Ronald Scott said he believes Ed Porter is probably not going to vote in favor of this budget. The new Supervisor, Carol Kulp has said no comment. He stated that Mr. Kilgore was the hold out vote at the last meeting. What happens come the first meeting in January when Ed Porter and Carol Kulp don't like the budget and reopen it? Come January, the Board can reopen the budget and there could be three votes against the tax. We have to have a budget. He asked the solicitor to explain to the audience what could happen in January.
- aa. J.P. Sanchez stated that under The Second Class Township Code, the Board has an obligation to pass a balanced budget. The Board is doing their job. It has to be advertised publicly for 20 days prior to adoption. It can be reopened in January and there is a procedure to do that. The Board would have until the middle of February to pass a revised budget once reopened. There would be a cost to advertise the budget again. There is a 10% allowable increase to the budget.
- bb. Bud Willard said he has spent 30 years as a volunteer fire fighter. He said the Township has a very accommodating office staff that presented me with a budget. We should vote on this. He told Ed Porter if he sees discrepancies, then bring it forth to the community so we all know about it.
- cc. Ed Porter said he does bring these issues up at almost every meeting. Typical resident attendance is 2-6 people with 8,000 Township residents. The meetings are not televised. He said he first got elected, he tried to work with Comcast to get the meetings televised. The attendance at meetings is low.
- dd. Buddy Rhoades spoke about Rules of Conduct at public meetings. He said that no resident should be attacking one Supervisor for their vote. All questions should be addressed to the Chairman. He said attendance is low tonight because of holidays.
- ee. Mike Kurland said he has an accounting degree and you should always look at the numbers. However, there isn't time for that now. Mr. Kurland said he travels a lot and can't imagine leaving my family home

without the police department. The police drive around the community and the kids love this. We have a police department that is "right". Why would you want to make your life less secure? He said he doesn't mind paying extra to keep his family safe. He said he hopes the Board passes this budget and hopes we keep the police. They are needed, good at their job, and care about this Township!

- ff. Dennis Crook stated he is a volunteer for the Planning Commission. He said he spent two years working on the Comprehensive Plan. We looked at how to help the Board of Supervisors balance the budget through many different means. We looked at additional revenue and existing revenues. The Planning Commission has members that are past supervisors. The Planning Commission found that there are only two sources of income. One source of revenue is the Township's present source which is earned income tax. This income comes from working residents. There are many residents with many other forms of income that don't pay to support the Township. The only way to capture this revenue is to implement a fair tax (millage). Mr. Crook stated he supports having the tax.
- gg. Sharon Scott said she doesn't want a real estate tax. She said it is based on the fair market value of her house and her house is not for sale. She also commented on intimidations.
- hh. Bob King said he has been waiting over an hour watching the Board discuss this budget. There are only four supervisors here tonight. Did we wait an hour and a half to argue rather than trying to find cuts? What happens if the vote is 2 to 2 tonight?
- ii. DISCUSSION: There was a brief discussion between Joe Pomorski and Bob King regarding what would be done if the vote is 2 to 2. Joe Pomorski said they would try to get Mark Toth on the phone. Otherwise we will need to have a special meeting.
- jj. Tim Tipton spoke about a recent event in which he saw three state troopers fly up Strasburg Road. Then he saw the East Fallowfield Police arrived at a neighbor's house. The state police had gone somewhere else and did not stop at his neighbor's house. He asked what would have happened to his neighbor, who had a seizure, if we were relying on the state police? We need this tax. This is not a surprise to anyone on the Board. He made comments about a prior dismissal of an employee.
- kk. Ed Porter said we are dealing in two extremes - either we have police or we don't have police. He said he is not in favor of no police or going back to state troopers one hundred percent. He said he is looking at the budget costs jumping 19% in one department and cost jumps in other departments as well. Commented on police negotiations and no one is looking out for the township. As he said at the last meeting, he will always make sure the level of police protection stays the same or better. He said disbanding the police is not on the table for him at all.
- ll. Mr. Leahy commented on Ed Porter's comment about the level of protection staying at the same level or better. He said if the police department is decreased, it will not stay at the same level of protections.

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

- a. Randy Scott asked if Supervisor Mark Toth communicated why he is not here tonight. He said this is unacceptable as a leader to not be present and not communicate why. He asked Charles Kilgore why he voted yes at last month's meeting and voted no tonight. Charles Kilgore stated that he voted to advertise the budget last month however, he did not like either budget (Version A or B). Mr. Kilgore also stated he ran on a no tax platform. He stated he looked at the budget several times and he spoke to a lot of residents and 99% of them do not want this tax. Randy Scott said however everyone expects the same level of protection – police, EMS, and roads. This is what the real estate tax is for.
- b. Ed Toner spoke about a procedure in Roberts Rules of Order in which the chairman is allowed to vote again to break the tie.
- c. Joe Pomorski stated J.P. Sanchez informed him that there needs to be a majority vote of the Board to allow this.

MOTION: Joe Pomorski made a motion to allow himself to cast the deciding vote to break the 2 to 2 tie for the budget for 2016. Steve Herzog seconded.

QUESTIONS AND COMMENTS:

- a. DISCUSSION: There was a brief discussion between the Board and J.P. Sanchez regarding Ed Toner's suggested action from Robert's Rules of Order. J.P. Sanchez stated this action was not allowed under The Second Class Township Code. The motion was not voted on.
- b. DISCUSSION: There was a discussion between Joe Pomorski and Ed Porter regarding the next course of action. Joe Pomorski spoke in favor of the current budget. Ed Porter made comments about past budgets and putting the solicitor out to bid four years ago. Ed Porter commented that Joe Pomorski voted to maintain the current solicitor after bids came back lower for other solicitors.
- c. Ronald P. Scott asked if the Township comes to a halt on December 31st at 11:59 pm if there is no balanced budget. He asked what this will cost the Township. What money has the Township not received yet from the Commonwealth of Pennsylvania? Salt money for Liquid Fuels? Will employees get paid? He commented on lack of communication between the Board members. Ronald P. Scott also spoke about the risks of only having \$303,000 in reserves.
- d. Ed Porter asked Ronald P. Scott for clarification on what he meant by lack of communication. Ed Porter responded by stated that the Board can't communicate outside of a public meeting because it violates the Sunshine Act. He said this has changed since Mr. Scott was a Supervisor. Ed Porter spoke about Home Rule and stated he is in favor of it. This would allow residents to vote on something like this. Ed Porter also mentioned areas that he found and implemented savings for the Township. He stated he gave back his pay and didn't take business cards. He said the budget needs to be examined further.
- e. Steve Herzog stated we are at a standstill! It is our responsibility to pass a balanced budget. He said there are areas of improvement and we are working on them. There is a lot in limbo such as the road crew negotiations and the police contract which is up next year. He isn't in favor of a real estate tax but in the last three years, it's clear that we need a tax. This will give us a balanced budget and we can work all year on next year's budget. We don't have much choice right now. We could afford a township manager with this tax. We need to pass a balanced budget to move forward.
- f. Joe Pomorski spoke about Steve Herzog and himself meeting with D.A. Tom Hogan last week. The County is going to save the Township money on a new vehicle.

MOTION: Joe Pomorski made a motion to adopt the 2016 11/24/15 budget as presented. Steve Herzog seconded.

QUESTIONS AND COMMENTS:

- a. Sharon Scott asked the Board why Joe Pomorski and Steve Herzog, who want this budget to pass, have not worked to reduce spending so we don't have to have a real estate tax.

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

DISCUSSION: Steve Herzog asked Charles Kilgore and Ed Porter what the Board is going to do to fund the Township. He said he understands and appreciates their nae vote, however the Township has to be funded for the next year. Payroll will use up the rainy day fund in two or three pay periods. Charles Kilgore stated the Board needs to go back into the budget again and tear it apart. There is money to be saved. There was a discussion about going back through the budget to find cuts. They also discussed the option of reopening the budget in January. J.P. Sanchez reiterated the rules and restrictions of reopening the budget. Joe Pomorski briefly discussed Mark Toth's absence and attempting to get in touch with him.

E. SOLICITOR REPORT

1) Manchester Farms Update.

J.P. Sanchez presented an update on Manchester Farms: the roads have been paved, we are waiting for approval on basin 5, we are waiting on DEP for dedication, legal descriptions are done, and landscaping and minor punch list items have not been completed. DEP approval and Deeds of Dedication need to be completed to dedicate the roads.

F. POLICE DEPARTMENT

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

G. PUBLIC WORKS DEPARTMENT

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

H. FIRE DEPARTMENT

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

I. PLANNING COMMISSION

- 1) Planning Commission Report – Dennis Crook gave an update on the December Planning Commission meeting:
 - a. Fluoride in public water - Sirpa Cossaboon, an East Fallowfield resident, did a presentation on fluoride in the public water. Higher level employees from PA American Water were present. They agreed that fluoride is now classified by the DEP as a neurotoxin. PA American Water reported the fluoride is contracted to be in the water. The Commission plans to try to bring in other townships that share in our water supply. PA American Water will provide the list of municipalities.
 - b. Harkins Farm Subdivision - Chetty Builders appeared at the Planning Commission in regard to the Harkins Farm Subdivision. Their proposed changes were reviewed. Chetty wanted to change the walking trail but the Planning Commission did not approve this request. The Commission did not approve their request to remove one street entrance. They will need to do additional stormwater management procedures. Dennis reported they could not find a set of final plans with three Board of Supervisors' signatures. However, there is a letter from Vince Pompo with the list of conditions.
 - c. Implementation of Comprehensive Plan – The Planning Commission discussed this further. They feel a majority of Township issues would be fixed by hiring a township manager.

J. HISTORICAL COMMISSION

- 1) November 4, 2015 Historical Commission meeting minutes was submitted for Board and resident review.

K. TREASURER'S REPORT

- 1) The November 30, 2015 Treasurer's report submitted for Board and resident review.

MOTION: Joe Pomorski made a motion to approve the November 30, 2015 Treasurer's report as presented. Charles Kilgore seconded.

VOTE: 4-0

2) November 2015 payment authorizations.

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

VOTE: 4-0

Ed Porter asked Pani Martin about the status of earned income tax. Pani Martin stated as of November 30, 2015, the earned income tax received is \$1.477 million. She stated we will receive payments through January and possibly February.

3) Other Township Business – Pani Martin.

a. Manchester Farms – Pani Martin stated the roads have not been dedicated to date and are therefore not included in Liquid Fuels.

b. Approval of Master Installment Purchase Agreement for 2016 Freightliner

MOTION: Joe Pomorski made a motion to approve entering into a Master Installment Purchase Agreement with Mercedes-Benz Financial Services USA LLC for the purpose of purchasing via a financing contract, the 2016 Freightliner Model M2-106. The cost shall not exceed \$124,282 at a 3.85% interest. Charles Kilgore seconded.

VOTE: 4-0

c. Increase Treasurer Bond – Pani Martin reported she met with our Liquid Fuels Financial Analyst. The Analyst informed her, for Liquid Fuels purposes, her bond needs to be a minimum of what we receive from Liquid Fuels which is \$300,000. Ms. Martin's current bond is \$200,000. She said J.P. Sanchez said her bond should be higher than \$200,000 and lower than the proposed budget which is \$3.7 million. The Board instructed Pani Martin to raise her bond to \$1.85 million.

L. NEW BUSINESS

1) November 23, 2015 Western Chester County Regional UCC Board of Appeals Board Meeting letter from Joe McCormick, meeting agenda, reports and schedules submitted for Board review.

M. PUBLIC PARTICIPATION

- 1) Cheryle Hanson said it is a disgrace that the Board has had this much time and have not come up with a solution. Pass the budget so people can get paid and services don't stop. She said if you there is a problem with the budget then the Board should come up with a solution.
- 2) Ed Porter stated that as soon as he came on Board, he immediately started working on reducing medical costs while maintaining level of service. He had a former secretary do research and found that we pay more than other townships for a solicitor.

- 3) DISCUSSION: There was a discussion between Ed Porter, Joe Pomorski, Ronald P. Scott, and Cheryle Hanson regarding comparison of East Fallowfield Township's costs with other local municipalities. Ed Porter discussed the importance of looking at other township costs to gauge East Fallowfield Township's costs. Mr. Porter commented that no one on the Board is watching over the Township. Department heads and liaisons have been dismissed. Mr. Porter stated there is a serious problem with this budget. Nothing was cut! Everything is in it! Joe Pomorski asked Ed Porter if this budget is so bad, where is a better proposed budget?
- 4) Thomas Nash said we have four Supervisors that have already voted twice in good conscious for what they feel is right. The deciding vote is not here! Joe Pomorski stated he tried to call Mark Toth at 8:30 pm but could not reach him.
- 5) Sharon Scott said having earned income tax come in monthly would help the Township's cash flow. Pani Martin stated earned income tax payments come in weekly. Sharon Scott also suggested not paying legal counsel for outside citizen requests. She said legal expenses are outrageous!
- 6) Joe Pomorski stated he did vote to retain the current legal counsel when the solicitor was put out to bid a few years ago. He said he feels that when switching firms there are issues that come up from years prior and the new firm would have to contact the old firm and we would get double billed.
- 7) Chief John Sly said it doesn't matter if Mr. Toth is here tonight because he could have voted no and we still wouldn't have a balanced budget. We can't leave until the budget is passed.
- 8) DISCUSSION: Joe Pomorski suggested meeting next Tuesday at 6:30 pm. J.P. Sanchez stated per The Second Class Township Code, no proposed second amended budget can be revised upward in excess of 10%. The Code is silent as to adjusting downward. There was a discussion about reopening the budget in January.
- 9) Steve Herzog stated our legal fees this year are estimated to be \$32,000 in a \$2.7 million budget. This is a fraction of total costs. They are miniscule compared to other expenses in the budget and can't be cut much more.
- 10) Nelson Walter commented that Joe Pomorski knew the names of most of the people that came up to speak. He stated that this means this is a swayed audience. He also stated that he has never had to call the police in the 30 years he has lived in East Fallowfield Township.
- 11) Sue Pomorski spoke about her personal experience calling 911 regarding her God daughter getting locked in the car. The East Fallowfield Police got her out of the locked car in seven minutes. This could have been critical if it happened in the summer and she had had to wait for the state police.
- 12) Chief Joe Deckman apologized to Carol Kulp. He said he did not mean to "attack" her. He said he was trying to find out about her feelings on the budget. He addressed Charles Kilgore for voting yes last month and voting no tonight.
- 13) Tanya Phillips spoke about a personal experience when her grandmother was very ill and she had to call 911. She said the East Fallowfield Police were first responders and kept her grandmother alive until an ambulance arrived. She stated it is important to know when you call 911, they will come.
- 14) DISCUSSION: Steve Herzog, Sharon Scott and Ed Porter briefly discussed the 2015 legal fees as well as saving costs by having the solicitor leave a meeting early when legal business is complete. Steve Herzog said they could organize meetings better to avoid having the solicitor sit through the entire meeting.
- 15) Ed Porter asked the audience who told them that we are getting rid of the police department. Where were you persuaded that someone said that we are getting rid of police department?
- 16) DISCUSSION: There was a discussion between Officer Justin Fonock and Ed Porter. Justin Fonock stated that Ed Porter made comments about outsourcing the police department at two previous meetings. Ed Porter said he had commented on outsourcing the police in response to a question about alternatives regarding the police department. Justin Fonock stated Ed Porter made comments about police cuts at a

budget meeting. Ed Porter said this is not where the people here tonight heard cuts were going to be made to the police force. Ed Porter explained that budget meetings are workshops where ideas are hashed out and all the departments' expenses have to be discussed. It is not where propaganda comes from. He stated he would ensure the Township had the same level of service or better. Ed Porter talked about past police negotiations and comparing costs to other local municipalities. There was a discussion about East Fallowfield Township Police Department salaries as compared to other local municipalities.

- 17) Buddy Rhoades talked about the Chairman controlling a public meeting.
- 18) Pani Martin asked what the next course of action is.
- 19) DISCUSSION: The Board discussed holding a special meeting next week. Joe Pomorski said they need to determine Mark Toth's availability. Ed Porter said the Board could work together on this budget and possibly meet in the middle. Ed Porter said there are things in this budget that aren't being addressed. Joe Pomorski asked Ed Porter why he doesn't come up with a budget that he will vote yes on. Joe Pomorski commented on Mark Toth preparing his own proposed budget. Ed Porter said voting yes on this budget is voting for a tax and it is easier to tax rather than find cuts. There will be a 13.5-15% increase in the police department after contract negotiations next year. We will likely lose in negotiations with the road crew.
- 20) Vince Stabilo told the Board to please come up with a solution! He also commented on Mark Toth not being present. Pass the tax and fix the problems during 2016! He asked the Board if the 2 mill tax will help. Joe Pomorski said yes, the tax would provide \$750,000. Mr. Stabilo said you can always reduce the tax in the future.
- 21) Ed Porter stated it doesn't necessarily happen that way. He said he has been sounding the alarm for four years and nothing has been done. The majority of residents don't attend meetings and aren't aware.
- 22) Andrew Marvel told the Board to make a choice. Move forward! You can change the budget in January. Andrew Marvel said he isn't thrilled to pay a tax either but if it gets the Township in order, the roads fixed, and the police and fire departments taken care of then he is okay with a tax.
- 23) Sharon Scott asked what expense is making us need to have the real estate tax. What would we have to delete from the budget to balance the budget without a tax? She said those supporting the budget with the tax having not been minding the store.
- 24) Pani Martin said some of the major expenses causing the deficit is the workers compensation audit underestimated the cost and medical compensation insurance is going up.
- 25) Steve Herzog commented that \$350,000 (deficit) needs to be cut from the budget to remove the tax.
- 26) Ed Porter commented on \$300,000 allegedly stolen from Westwood Fire Company over years and that professional auditors don't pick up on errors. Residents need to come to meetings and pay attention. Ed Porter also stated that he will not vote in a tax at this time without cuts in the budget being looked at first.
- 27) Steve Herzog said passing the budget is a legal requirement to pay the employees. The millage we are proposing covers the deficit and would allow a township manager to be hired to cover the day to day operations of the township. This will allow the Township to move forward and function. We only have \$300,000 in the rainy day fund. Mr. Herzog spoke about police negotiations and said the police will work with us to reach a reasonable agreement. The proposed budget allows us to get the money to do much needed road repairs and it allows us to function as a government. Mr. Herzog said he would like the Township to have a 5-10 year plan.
- 28) DISCUSSION: There was a brief discussion about union negotiations between Steve Herzog and Ed Porter.
- 29) Dan Johns said that it is incredible that the Supervisors don't have a Plan B knowing there could be a tie vote or the proposed budget could be defeated. Why can't the Board vote to pass the budget and then do

whatever cleanup is needed in the beginning of the year? He commented on the employees in the front row. He said we have competent office staff and we have to retain good employees. We chased out several past employees.

- 30) J.P. Sanchez commented on advertising requirements regarding the Board holding a special meeting next week to approve the budget. J.P. Sanchez said if the January 4, 2016 Reorganizational meeting has been advertised as a regularly scheduled meeting, then the budget can be amended at that meeting, and just has to be available for public viewing for ten days. The budget would need to be approved by February 15, 2016. The budget can't be raised more than 10% increase in the aggregate. The code is silent on decreasing the budgets.
- 31) Ronald P. Scott asked Joe Pomorski if he is planning on having another meeting between now and December 31st at 11:59 pm. He said pass the budget now and reopen it in January. Don't count on Mark Toth showing up. We have not been maintaining the roads. He asked Mr. Kilgore to vote yes for this budget.
- 32) Joe Pomorski asked Charles Kilgore and Ed Porter to vote yes.
- 33) Ed Porter said that reopening the budget in January does not allow us to effectively address the problems in the budget once the tax is in place.
- 34) DISCUSSION: Ronald P. Scott spoke about department costs and cuts. He asked about the previously mentioned 33% salary increase in the office. Ed Porter said that raise is not for the two employees sitting here in the meeting. He said this is in regard to another secretary that isn't present.
- 35) Ronald P. Scott asked Charles Kilgore to vote yes to passing the budget.
- 36) Sharon Scott asked Charles Kilgore to vote no to passing the budget.
- 37) J.P. Sanchez commented briefly on the restrictions for reopening the budget.

MOTION: Joe Pomorski made a motion to adopt the 2016 11/24/15 budget as presented. Steve Herzog seconded.

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

DISCUSSION: The Board discussed holding a special meeting. Ronald P. Scott asked what income the Township is living on. Pani Martin replied earned income. Mr. Scott stated earned income has not increased as expenses have over the past years. He talked about wealthy residents who don't pay earned income tax. A real estate tax would allow these people to pay for township services. Pani Martin asked J.P. Sanchez if the Township can pay out anything, including payroll, if there is no approved budget on January 1, 2016. J.P. Sanchez said at that point you would have an unapproved illegal budget.

Next Meeting: The Board of Supervisors will hold a special meeting next week.

3. ADJOURNMENT

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 10:06 pm. Steve Herzog seconded. VOTE: 4-0

Respectfully Submitted,

Lisa Valaitis,
Township Secretary