

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
February 23, 2016 Approved minutes  
6:30 PM

**Members Present**

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

**Township Staff Present**

Lisa Valaitis, Township Secretary  
Pani Martin, Township Treasurer

**Township Solicitor**

Mike Crotty

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

Chairman Steve Herzog called the meeting to order at 6:30 pm.

2. DISCUSSION.

A. RULES OF CONDUCT FOR PUBLIC MEETINGS - Steve Herzog stated the Rules of Conduct at a public meeting are available in the back of the room. Mr. Herzog briefly reiterated the Rules of Conduct which are no shouting out, no interrupting, directing all questions and comments to the Chairman, and no personal attacks.

B. APPROVAL OF MINUTES

1) December 22, 2015 Board of Supervisors meeting minutes.

MOTION: Steve Herzog made a motion to approve the December 22, 2015 Board of Supervisors meeting minutes as presented. Ed Porter seconded.

VOTE: 4-0 (with revision on pages 7 and 10)

2) December 30, 2015 Board of Supervisors special meeting minutes.

MOTION: Steve Herzog made a motion to approve the December 30, 2015 Board of Supervisors meeting minutes as presented. Ed Porter seconded.

VOTE: 4-0

3) October 13, 2015 Board of Supervisors Workshop minutes.

DISCUSSION: Ed Porter spoke about the approval of the October 13, 2015 Board of Supervisor meeting minutes at the January 4, 2016 Reorganizational meeting. He stated that Carol Kulp, Joe Pomorski and Charles Kilgore approved those minutes at the Reorganization meeting. However only Steve Herzog, Mark Toth, and he were present at that meeting. Carol Kulp was not yet on the Board. Mike Crotty will look into whether those minutes can be approved by members not present at that meeting.

C. CITIZENS BY REQUEST

1) Ellen Kuehner – Styrofoam and Hard Plastic Recycling Initiative – Ellen Kuehner said she was at a Board meeting a few months ago and there was a question as to whether or not the businesses in East Fallowfield are required to recycle. In reading the ordinance, she said it appears as if they are required to recycle. She asked the Board if there was any follow up on that. She also requested the Township consider starting a recycling program for boxed styrofoam. She stated she spoke to Nancy Fromnick, with the Chester County Solid Waste Authority, and they do accept boxed styrofoam. We could collect it and bring it to their facility on our own. She would be willing to volunteer to help coordinate it. She also spoke about recycling number 6 which is the styrofoam restaurants use for leftovers. The Dart Container website has information on how

to recycle number 6. She requested a program be established to follow up with businesses to ensure they are recycling. Ms. Kuehner spoke about West Bradford Township's program called "Gold Star Recycling Program". The program gets community involvement and the recycling company tracks volume. Residents are acknowledged and rewarded for their efforts.

Ed Porter asked Tag Gathercole if we get recycling volume reports. Tag Gathercole stated the Township receives monthly reports on recycling volume and we get reports from businesses as well. Tag Gathercole talked about the Central Chester County Recycling Authority (CCCRA) and said that Ellen Kuehner can get involved by coming to their monthly meetings.

2) Buddy Rhoades - Township Matters.

- a. Covered Bridge - Buddy Rhoades spoke about roads being closed and status of the covered bridge work on Frog Hollow Road. The bridge work should be completed in eight months.
- b. Mortonville Road and Grants - Mr. Rhoades talked about Mortonville Road. He stated there are two grant possibilities – one with PennDOT and one with DECE. Mr. Rhoades requested the Supervisors meet with Senator Dinniman's office regarding these grants. We can do the road in phases. We need our roads open.
- c. Abandoned Homes – Mr. Rhoades discussed abandoned homes in East Fallowfield Township. He said there are quite a few in the Township, particularly on Newlinville Road and Goosetown Road. There is nothing in the ordinances to deal with abandoned homes. Abandoned homes pose a safety risk. Mr. Rhoades talked to the Zoning Officer regarding abandoned homes.
- d. Group Homes – Mr. Rhoades asked who inspects group homes. There is a group home on Goosetown Road. He said he has also talked to the Zoning Officer about this issue. Mr. Rhoades suggested the Board look into this.

3) Paula Davis – Trash/Recycling – Paula Davis spoke to the Board about her request to have the 2016 trash and recycling invoice of \$210 waived for a home she owns at 2215 Strasburg Road. This home has been vacant since July, 2013. She stated no trash has been put out.

Ed Porter explained the trash bidding process and how the contract is structured. He said the contract price is based on the number of homes in the Township. Pooling all the homes together allows us to get a lower rate. The Township can't easily determine if a home is vacant or occupied.

The Board granted Paula Davis a waiver on the 2016 trash and recycling invoice for 2215 Strasburg Road.

MOTION: Steve Herzog made a motion to give an exception to 2215 Strasburg Road's trash fee for the year 2016 subject to notification from the homeowner on sale of the property or rental if it should be rented out. Ed Porter seconded.

VOTE: 4-0

D. OPEN BOARD OF SUPERVISOR SEAT

1) Interviews for Board of Supervisor Vacancy (applicants not previously interviewed on February 9, 2016).

a. Jim Sisk.

Steve Herzog asked Jim Sisk why he is interested in the Supervisor position. Jim Sisk stated that he believes in community service and he has demonstrated this in the Township. He also feels the Township has issues that need to be corrected and he is willing to jump in to do that. Herzog asked Mr. Sisk what he thinks the Township's biggest issue is and how he would fix it. Mr. Sisk said the Township's biggest issues are road closures, resident complaints about taxes, and the Board's functionality.

Steve Herzog asked Mr. Sisk his thoughts on a fire tax. Jim Sisk stated he is against a fire tax because having multiple types of different taxes makes it confusing for residents. Mr. Sisk stated he is not opposed to putting a fire tax on the ballot for resident vote.

Steve Herzog asked Mr. Sisk what his opinion is on a township manager. Jim Sisk stated several years ago, when he was an Elected Auditor, they devised plan which included having the Board of Supervisors function as township manager over department heads. The Supervisors would be compensated in place of having a township manager.

Joe Pomorski asked Mr. Sisk to expand on his idea to regionalize the police. Jim Sisk said the Police Department already operates as a regional police force. Our police go outside of the Township now but we are funding 100% police coverage in those areas when they leave East Fallowfield. Regionalizing the police would both save money and increase police coverage. If we incorporate with other police forces in Modena, South Coatesville, Coatesville and Valley Township, we will get more grants from the State and County because of the low incomes in those areas. Joe Pomorski stated the East Fallowfield Police Department is not a regional police department. Mr. Sisk said he created a baseline and all full time police officers would assimilate into the regionalized police force. If there is no cost savings, then we don't have to do it.

Steve Herzog asked what plans Mr. Sisk would have for infrastructure improvements. Mr. Sisk stated roads and parks directly impact property values and need to be taken care of. Everyone uses the roads every day. Parks, police and office staff are not used every day.

Ed Porter asked Mr. Sisk if he has seen anything in other townships that he likes. Jim Sisk stated he likes cooperation among entities. He talked about contracting with other municipalities.

#### COMMENTS AND QUESTIONS:

- i. Wanda Korab stated she agrees with Mr. Sisk's philosophies and admires his courage to stand up and share his views.
  
- b. Linda Sarnoski.

Linda Sarnoski stated that she would like to withdraw her application. Ed Porter stated he would be interested in hearing her ideas since she took the time to come to the meeting.

Steve Herzog asked Ms. Sarnoski why she was originally interested in the position. Linda Sarnoski said she moved to East Fallowfield Township five years ago and absolutely adores it! She said there is no better place to live and she wants to give something back to East Fallowfield.

Steve Herzog asked Ms. Sarnoski her thoughts on putting a fire tax on the ballot to cover the cost of fire departments. Linda Sarnoski said this would be essential.

Steve Herzog asked Ms. Sarnoski what her thoughts on a township manager are. Linda Sarnoski stated she would need to look into it further but she feels the Township is too small to need a township manager.

Steve Herzog asked Ms. Sarnoski what she feels is the biggest issue the Township has. Linda Sarnoski said she thinks there are several issues. She said the roads need a lot of work to repair damage and speeding needs to be addressed. She also feels having the environment preserved is important and preventing the encroachment of industrialization.

Steve Herzog asked what plans Ms. Sarnoski would have for infrastructure improvements. Linda Sarnoski said she would need to look at it further because roads are very expensive. She said she'd identify what roads need work and look into funding for those improvements.

Ed Porter commented that Ms. Sarnoski has a diverse background in technology and asked her if she sees ways that the Township could improve in technology. She stated communication would be one area and something could be done with texting to improve communication.

Ed Porter asked Ms. Sarnoski if she has seen anything done in other townships that she likes. She said no because she isn't impressed with the surrounding areas.

#### QUESTIONS AND COMMENTS:

- i. Erwin Zeller asked how the Board of Supervisors will select an applicant. Steve Herzog explained the process. He said once each candidate is interviewed, the Board will start with one candidate and take a vote. If a candidate gets at least three votes, then that candidate will fill the position. If the

Board can't vote anyone into the position, then within 15 days, they'd have to have a vacancy board meeting and do another vote. Ed Porter said if no candidate can be approved by the vacancy board, then the decision goes to the courts.

- ii. Thomas Nash asked how it works if the decision goes to the courts. Mike Crotty explained that the presiding judge will hold a brief hearing, accept position statements, and make a decision.

c. Wilson Lambert.

Steve Herzog asked Mr. Lambert why he is interested in the open position. Wilson Lambert said he is excited to be here and he enjoyed being a Township Supervisor of Valley Township in the 1990's. He talked about his experience on Valley Township's Board. He is no longer on Valley's Board because he moved to East Fallowfield Township. In 1997, he ran in a failed bid for Supervisor in East Fallowfield Township. He said roads are expensive but there are many ways to cut costs to fix roads. He spoke about being involved in the process of receiving roads from developers for dedication. There are many ways that roads can be handled. He spoke about collaborative methods and working as a team. He is looking to join an administrative team that will do things in the community that he lives in. East Fallowfield Township is changing. You handle growth and change by planning.

Steve Herzog asked Mr. Lambert what he feels is the biggest issue facing the Township and what he would do to fix it. Wilson Lambert said he feels the biggest issue is financial. We have to be able to step up to this challenge. He said one method is utilizing the assets the Township has. For example, he admires Tredyffrin Township because they have an outstanding road crew and outstanding facilities! We can attain that here! He talked about the police presence in East Fallowfield.

Steve Herzog asked Mr. Lambert how he feels about a fire tax referendum. Mr. Lambert stated he believes it is up to the residents to decide and he would definitely be in favor of putting it on a ballot.

Steve Herzog asked Mr. Lambert about infrastructure improvements. Wilson Lambert stated the biggest way to improve that is to improve employees through proper training and being proactive through preventive maintenance. He also talked about finding grants to fund infrastructure improvements.

Ed Porter asked Mr. Lambert if he accomplished any grants at Valley Township. Mr. Lambert talked about his own experience with obtaining grants. He said he also came up with a snow plan and emergency plan in Valley Township.

Ed Porter asked if there anything Mr. Lambert admired in another township. Mr. Lambert stated that East Fallowfield is unique and talked about keeping the character of our community. There is a lot of open space but we are losing some of it. To keep the character of our community, we need to be proactive and plan growth to lessen the impact to the entire community. We have a school district that is on the move in a positive direction. Good schools are a draw to a good community. Ed Porter asked Mr. Lambert if he is happy with the growth and buildout in East Fallowfield Township. Wilson Lambert stated he hasn't really seen it where he lives in the Township.

Joe Pomorski asked Mr. Lambert how his experience as a teacher would serve him as a Board member. Mr. Lambert stated he is a leader at the school and he has also been a principal. Additionally, he worked for himself for 17-18 years. He talked about leadership and collaborative processes. He said being a leader means working as a team in order to get things done. Mr. Lambert stated if you can't work with other people, you can't accomplish everything.

QUESTIONS AND COMMENTS:

- i. Buddy Rhoades asked Mr. Lambert what experience he has had with contracts. Mr. Lambert said he has experience with contracts although not municipal contracts. Mr. Lambert said he has written grants for Valley Township. There was a discussion between Buddy Rhoades and Mr. Lambert regarding union contract negotiations.
- ii. Sharon Scott said we are becoming a high density township whether we like it or not. She discussed Mr. Lambert's move to East Fallowfield Township while on Valley Township's Board. She said there was controversy while Mr. Lambert was on Valley Township's Board regarding his wife and children living in East Fallowfield Township while he lived in Valley Township. He stated they moved to East Fallowfield Township in 1997 and he proactively went to court in West Chester to

ensure legally that he could finish his term in Valley Township. The court ruled his home was in East Fallowfield Township and he therefore stepped down.

d. Joe Perzan.

Steve Herzog asked Mr. Perzan why he is interested in the open Board seat. Mr. Perzan said that two years ago, he volunteered for the Planning Commission and he wants to give back to the community.

Steve Herzog asked Mr. Perzan what he feels is the biggest issue in the Township. Mr. Perzan said the budget is the biggest issue which ties in to the township manager. There is money out there to be found for a township manager. The right township manager would pay for themselves. The Supervisors have full time jobs and can't do day to day township management. A township manager may be able to bring in money to the Township as well as control and follow the budget. Steve Herzog asked Mr. Perzan if he is in favor of a township manager. Mr. Perzan stated he would be in favor of a township manager if it is the right person.

Steve Herzog asked what his stand is on putting a fire tax question on the ballot. Mr. Perzan said he has no objections as long as the relevant information is put out to the residents.

Steve Herzog asked Mr. Perzan about infrastructure plans. Joe Perzan stated the Comprehensive Plan outlines this out. As part of the Comprehensive Plan Task Force, they put together infrastructure plans which was based on resident input.

Ed Porter asked Mr. Perzan if he attends all the Planning Commission meetings. Joe Perzan said he attends most of them.

Joe Pomorski asked Mr. Perzan what type of law he practices. Mr. Perzan discussed his law experience.

Steve Herzog asked about Mr. Perzan about his administrative experience. Joe Perzan stated he owned his own business, did payroll, as well as management of staff. He was also president of a condominium association.

QUESTIONS AND COMMENTS:

- i. Sharon Scott responded to candidate Mr. Lambert's comment about East Bradford Township's open space. Sharon Scott stated that the Lamb McErlane (Vince Pompo) firm is in charge of the open space in East Bradford. Our Comp Plan is rigged and therefore we will not have open space as East Bradford does.
- ii. Buddy Rhoades asked how many candidates there are in total. Steve Herzog stated there are 10 candidates.
- iii. Steve Herzog briefly explained again how the selection process will work. He said they will vote on the candidates tonight. He thanked all the candidates that came out to apply for the positions. He also talked about the other open volunteer positions in the Township such as the Park and Recreation Committee.
- iv. Ed Porter commented that there is also an opening on the Zoning Hearing Board.

E. APPOINTMENT OF NEW BOARD OF SUPERVISOR MEMBER

- 1) Applicants Interviewed at the February 9, 2016 Board of Supervisors Workshop meeting.
  - a. Sirpa Cossaboon.
  - b. Joel Brazy.
  - c. Jean Jones.
  - d. Wes Maughn.
  - e. Richard Agatone.
  - f. Andrew Marvel.

Ed Porter stated that there will be three open seats on the Board open next year. Those applicants that aren't selected tonight should please consider running in the next election.

2) Appointment of Wilson Lambert as Township Board of Supervisor.

MOTION: Steve Herzog made a motion to appoint Wilson Lambert as the East Fallowfield Township Board of Supervisor to serve until term expiration on January 2, 2018. Ed Porter seconded.

QUESTIONS AND COMMENTS:

- a. Ed Porter asked Mr. Lambert to elaborate on having a residence in East Fallowfield Township while he was on the Valley Township Board. Mr. Lambert explained that he had a house built in East Fallowfield Township while serving a term on Valley's Board. He wanted to finish his term and continued ownership of his home in Valley Township which he still owns today. He volunteered to go to court in West Chester and that court ruled his home is where his wife is. He had to resign his position as a Supervisor in Valley Township. Ed Porter asked why he wanted to finish his term. He said he was elected by Valley Township's residents to represent them. He went to court because he wanted to follow the law.
- b. Stephanie Saxton said there was a 1997 lawsuit against Valley Township which involved Wilson Lambert and some residents. Mr. Lambert explained the lawsuit was based on Valley Township's Board unlawfully removing Valley's police chief by violating the Sunshine Law. The court ruled they did violate the Sunshine Law. She asked Mr. Lambert if this is why he moved to East Fallowfield. He said no. He built a home in East Fallowfield Township because of personal reasons.
- c. Buddy Rhoades said the rule that you must live in the township to be in office is a Second Class Township Code rule.
- d. Randy Scott asked if all the candidates are aware of the time commitment involved. He stated he hopes that whoever is appointed has the time to devote to the Township.
- e. Sharon Scott asked Mr. Herzog why he chose to motion for Mr. Lambert first and out of order from the candidates on the agenda. Steve Herzog stated it was his choice.
- f. DISCUSSION: There was a discussion regarding the best way to pick a candidate and how to do the voting. Edwin Zeller asked if the Board could discuss the candidates at a later time. Steve Herzog stated it has to be done at a public meeting. Susan Yeoman and Randy Scott suggested alternative methods. Ed Porter discussed his desire to have the court decide and stated he could not be more transparent. Stephanie Saxton stated that everyone has to make decisions and stand behind their decisions. Ed Porter said he votes based on the residents that voted for him. Buddy Rhoades stated he would like the Board to make a decision tonight. Ed Porter and Steve Herzog discussed having the decision be passed to the courts versus the Board making a decision.

VOTE: 3-1 (Steve Herzog, Ed Porter and Joe Pomorski voted yea. Carol Kulp voted nae.)

Steve Herzog congratulated Mr. Lambert and thanked the other candidates.

Mike Crotty stated to be sworn in, Mr. Lambert needs to sign and present a written oath of office to a district justice, judge or public notary.

F. LEGAL ISSUES

1) Ridgecrest Phase 1.

Mike Crotty reported Ridgecrest Phase 1 plans have previously been approved by the Board and reaffirmed in 2014. The Board is considering releasing those plans to be recorded so the developer, Rouse Chamberlin can move forward. They have worked through with the developer, their attorney and our engineer on all the various open checklist items.

MOTION: Steve Herzog made a motion that the Township authorizes the execution of the Development Agreement, Financial Security Agreement, Façade Easement Agreement and Stormwater Management Agreement for the Ridgecrest Development in the form as presented by the Township Solicitor's office. Joe Pomorski seconded.

#### QUESTIONS AND COMMENTS:

- a. Carol Kulp asked if the sewer system is a gravity system. Herbert MacCombie responded that they recommended the homes in Ridgecrest be serviced by a gravity system. Carol Kulp stated she is concerned about a gravity system leaking, the potential for root intrusion and wells being contaminated. Herbert MacCombie spoke about current technology and said typically sewer pipes are designed to last 60-70 years and the joints prohibit root intrusion. Mr. MacCombie spoke about specifics of the gravity sewer line. The lines will be owned and operated by PA American Water Company and will not be the Township's responsibility. Mr. MacCombie feels there will be no risk of pollution or well contamination. Grinder pumps and the homes along the north side of West Chester Road were also discussed. Mr. MacCombie talked about the path of the gravity line. Ed Porter asked what happened with DEP's approval of EDU's. Mr. MacCombie stated DEP's initial letter dated March 2012 recognized there are 72 homes but approved 30 EDU's until such time as East Fallowfield Township passed its Act 537 Plan and that the sewer line had to be owned and operated by East Fallowfield Township. In August 2012, another letter was written that included a new Connection Management Plan showing that PA American Water could obtain the 72 EDU's. The letter said 72 EDU's and the Connection Management Plan were approved.
- b. Sharon Scott said that the motion isn't on the agenda and the people don't know that a motion will be made. Mike Crotty said The Second Class Township Code doesn't require a motion to be placed on an agenda and Ridgecrest was noted on the agenda. Mrs. Scott stated she didn't agree. Sharon Scott asked where Ridgecrest Phase 1 is located. Joe Pomorski stated it is the Martin Farm property on South Caln Road and West Chester Road. Mrs. Scott asked who the builder is. Steve Herzog stated Rouse Chamberlin. She also asked what the escrow amounts are in the agreement. Mike Crotty talked about the details of the escrow account. He said \$1.3 million is the amount in the financial agreement. The developer is required to put the money in escrow. Mike Crotty said a third party holds the money. The builder does the work, notifies the Township Engineer who will review the work and authorize the escrow release. Sharon Scott asked if MacCombie's time is paid for by the Township. Steve Herzog said this is paid by the developer. MacCombie explained the process to Mrs. Scott. Sharon Scott requested the escrow balances be disclosed on the Treasurer's Report.
- c. Buddy Rhoades commented that the Township has always had escrow reports and residents should know what amounts are in those escrow accounts. Mr. Rhoades also commented on the agreement to put in a traffic light at the intersection of South Caln Road and West Chester Road. Steve Herzog stated the escrow balance for the South Caln Road and West Chester Road agreement is on the financial statements. He said he we could look into keeping track of the escrow account balances. Mike Crotty stated no money is released from escrow to the developer without official Board authorization.
- d. Ed Porter asked what type of escrow they are posting. Mike Crotty stated it is a construction loan escrow account with WFSF. Jonathon Penders, from Rouse Chamberlin, clarified that should there be a default by the developer, the bank is promising that they will pay the Township.

VOTE: 4-0 (Ed Porter stated he voted yea to continue the process but not as approval of the development.)

MOTION: Steve Herzog made a motion that the Township authorize the release of the Ridgecrest Phase 1 plans for recording with the Chester County Recorder of Deeds Office subject to the applicant's ongoing obligation to submit the \$1,500 Park and Recreation fund contributions at the time of building permit submission for each lot. Joe Pomorski seconded.

#### QUESTIONS AND COMMENTS:

- a. Ed Porter asked Mike Crotty if this can put in an accountable account. Mr. Crotty said it could go in to the separate Park and Recreation Fund to keep it separate.

VOTE: 4-0

2) Manchester Farms.

Mike Crotty presented an update on Manchester Farms. We have received the forms for the Deeds of Dedication for the roads in it as well the stormwater management aspect. Mike Crotty stated there is no Board action required at this time.

Joe Pomorski asked if anyone has heard from Eric Schrock (with Iron Oak, LLC) recently. Joe Pomorski said that a small landscaper reached out to him because has not been paid by Eric Schrock. Joe Pomorski said he would like to reach out to Eric Schrock as a courtesy to the landscaper and asked Pani Martin to provide contact information for Eric Schrock.

3) Planning Commission Requests for Representation.

Mike Crotty reported that Dennis Crook submitted a request for the Planning Commission to be updated on certain matters and have legal representation at their meetings. Mike Crotty suggested the Township Engineer, Planning Commission and himself hold a meeting. Mr. Crotty also suggested a cap of 1-2 hours be put on meeting length to control costs. There are stale subdivision applications that need to be discussed. Steve Herzog stated he is fine with this if Dennis Crook feels the Planning Commission needs it. Ed Porter commented on the new bar graph and legal bill comparison of the new solicitor (Siana Bellwoar) and old solicitor (Lamb McErlane) that has been added to the Treasurers report. After a brief discussion, the Board decided to table this until the next meeting.

4) Emergency Communications Booster – Authorize for Advertisement.

Mike Crotty explained the purpose of the ordinance. There is a minor adjustment to the existing ordinance. The County has a new communications system which addresses the scope of the reach of their radio communications within a structure with emergency responders. If coverage is not adequate, a booster needs to be installed. New buildings have to have adequate signal coverage.

MOTION: Steve Herzog made a motion to advertise a public hearing for the East Fallowfield Emergency Communications Booster Ordinance. Joe Pomorski seconded.

QUESTIONS AND COMMENTS:

- a. Sharon Scott asked what this is. Mike Crotty explained the county has a communications system for communicating with emergency responders. The current Ordinance requires a new building needs to provide a certain amount of coverage. If a building does not have adequate coverage, a booster needs to be installed. The new ordinance is changing the percent of coverage from 90% to 95%.

VOTE: 4-0

5) Comcast Cable Franchise Agreement Update.

Mike Crotty gave an update on the Comcast Cable Franchise Agreement. He should be able to present the formalized agreement at the March Board meeting. He said they got good revisions back from Comcast and the agreement is positive. We would maintain the franchise fee rate at 5%. The trunk extensions will remain at 150 feet which is consistent with the character of our area.

G. AGRICULTURAL SECURITY COMMISSION

1) Appointment of a Board of Supervisor Member as 2016 Chairman of the Agricultural Security Commission.

Steve Herzog explained that Charles Kilgore was appointed chairman of this commission at the January 4, 2016 Reorganizational meeting and he has since stepped down from the Board. Steve Herzog stated it was



the Board's understanding that the chairman of this commission needs to be a Board member. Mike Crotty stated it is not a requirement however it is good practice to have the Board represented on the committee. However, it is beneficial to have a Board member on this committee. The turnaround time is short and all their issues will come before the Board. This action was tabled. The Board instructed Lisa Valaitis to reach out to the committee to determine if a member is interested in chairing the committee.

#### H. POLICE DEPARTMENT

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

#### I. PUBLIC WORKS DEPARTMENT

- 1) January Road Department monthly report submitted for Board and resident review.
- 2) Weeds, Inc. Contract Approval.

Steve Herzog commented that the contract is different this year with the addition of the park. Tag Gathercole stated the pricing is about the same and he has no concerns regarding the service.

MOTION: Steve Herzog made a motion to approve the pricing set forth by Weeds, Incorporated spray for 2016. Ed Porter seconded.

#### QUESTIONS AND COMMENTS:

- a. DISCUSSION: Ed Porter, Tag Gathercole, and Buddy Rhoades spoke about some residents' concerns about the spray.
  - b. Sharon Scott said the spray washes down into the streams and into the water supply. Mrs. Scott stated she objects 100 % to this spray!
  - c. Nelson Walters said he'd like to see what is being sprayed be posted. He has a row of trees that died after spray treatment.
  - d. Tag Gathercole said that he could get a list of spray ingredients. He also stated the Weeds, Inc. spray was not what was sprayed on Mr. Walters's property.
  - e. Ed Porter asked if they spray in developments. Tag Gathercole stated they do not spray in the developments. Tag Gathercole stated he has a list of roads that are sprayed on. Tag Gathercole said to take it off the table altogether and we will weed whack the weeds. He said we could try it for a year and see how it goes. Steve Herzog stated this will be tabled until next month. Tag Gathercole will get a list of ingredients. The motion was rescinded.
- 1) Salt Contract – through COSTARS.

Tag Gathercole discussed the salt contract for 2016-2017. They need to lock in the price and it needs to be signed and approved by the 15<sup>th</sup> of next month.

MOTION: Steve Herzog made a motion to approve the 2016 COSTARS fuel allocations contract. Ed Porter seconded.

#### QUESTIONS AND COMMENTS:

- a. Buddy Rhoades asked if this was through the County. Steve Herzog stated it is through COSTARS which is the State. Mike Crotty stated the benefit of this is the Township doesn't have to put it out to bid.

VOTE: 4-0

2) Air Compressor.

Tag Gathercole stated Public Works needs a new air compressor because the one they have is very old. They are currently changing the back brakes in the trucks to save money. Tag Gathercole stated he has two quotes for a new air compressor which are as follows: Tractor Supply - \$1,099 and Associated Parts - \$1,500. The Board gave Tag Gathercole permission to purchase a new air compressor.

J. FIRE DEPARTMENTS

- 1) January Westwood Fire Company Fire Chief's Report submitted for Board and resident review.
- 2) January Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 3) January Modena Fire Company EMS Report submitted for Board and resident review.
- 4) Westwood Fire Company's Annual Banquet - Chief John Sly reported that this event will be held on Saturday, April 16, 2016.

K. PLANNING COMMISSION

1) Planning Commission Report.

- a. Dennis Crook stated Jim Durborow resigned from the Planning Commission. Ed Porter asked why he resigned. Dennis Crook said Mr. Durborow felt he'd had enough time on the Planning Commission and wanted to open it up to someone new. Dennis Crook asked for a thank you note to Jim Durborow. The Board will present Mr. Durborow with a plaque. Jim Durborow was a Planning Commission member for 12 years.
- b. PA American Water cancelled attendance at the previous Planning Commission meeting due to the weather.
- c. Sirpa Cossaboon went further with the topic of fluoride being a neurotoxin in the public water. They received some guidelines on how to get other local townships involved and how to go about this with DEP. This will be an ongoing process.
- d. Dennis Crook reported the Planning Commission is trying to set up a tour with PA American Water Company. Steve Herzog requested that tour information be forwarded to the Board.

L. HISTORICAL COMMISSION

- 1) The January, 2016 Historical Commission meeting was cancelled due to no quorum.
- 2) Historical Commission Update presented by Buddy Rhoades.
  - a. Mr. Rhoades presented an update on the work being done on the Speakman's Bridge.
  - b. Mr. Rhoades spoke about a home on the historical list located at Strasburg Road and Mt. Carmel Road which has an issue regarding a resident who started work and ceased. Rob McLarnon has gotten involved.
  - c. Mr. Rhoades spoke about the Mortonville Inn. He said we gave permission for some work there but the owner is now doing unauthorized major demolition work.
  - d. Mr. Rhoades talked about a grant for the Mortonville Bridge. He said the grant did not get through the office so the grant did not happen. Joe McCormick will apply for the grant when it is open for applications again.

- e. Mr. Rhoades stated the Historical Commission would like the some historical pictures on the website.

M. PARK & RECREATION COMMITTEE

- 1) No Report – no meeting – all positions on Committee vacant.

N. TREASURER'S REPORT

- 1) The January 31, 2016 Treasurer's report was submitted for Board and resident review.

MOTION: Steve Herzog made a motion to approve the January 31, 2016 Treasurer's report as presented. Joe Pomorski seconded.

QUESTIONS AND COMMENTS:

- a. Steve Herzog stated he liked the new report format and information.
- b. Ed Porter asked Pani Martin about insurance liability differences between departments in accounts 1406.60, 1411.60 and 1431.60. Pani Martin said she has been working with them to break up insurance allocations better. The allocation between departments is what changed on the report. Total overall liability insurance is about the same.
- c. Sharon Scott asked where the police legal expense account is which would include contract negotiations. Pani Martin stated there is no separate account for each department, however she is keeping track of this breakdown offline. Joe Pomorski stated there are currently no negotiations. Sharon Scott also asked where Township police fines are in the Treasurer's reports. Pani Martin stated it is in Vehicle Code Violations Account 1331.10 and Violations of Ordinances and Statutes Account 1331.20.
- d. Pani Martin summarized insurance liability and stated it came in under budget.

VOTE: 4-0

- 2) January 2016 payment authorizations.

MOTION: Steve Herzog made a motion to approve the January 2016 payment authorizations as presented. Joe Pomorski seconded.

QUESTIONS AND COMMENTS:

- a. Sharon Scott asked if the Weaver's Mulch payment was for an emergency. She stated Weaver's Mulch was not approved as a snow plower at the January Reorganizational meeting. Pani Martin said it was for equipment rental for snow removal during Storm Jonas. We were under a state of emergency at the time. Sharon Scott asked the Board if they were aware of this. Steve Herzog commented that they were aware of this.
- b. Buddy Rhoades commented that a front end loader was needed. Regular trucks would not work in such high snow accumulation.
- c. Tag Gathercole thanked Pani Martin for doing an outstanding job working on the paperwork for the Township to get reimbursed for Storm Jonas expenditures.
- d. Sharon Scott asked if the Green Valley Farms payment was the same thing. The Board replied it is.

VOTE: 3-1 (Steve Herzog, Carol Kulp and Joe Pomorski voted yea. Ed Porter voted nae.)

3) Other Township Business – Pani Martin.

- a. PECO Greenway Grant – Pani Martin stated she spoke with the prior Park & Recreation Committee and they recommended cancelling the grant. They feel it would be difficult to proceed with the grant and to implement a final product. It would also require much more volunteer time and effort than originally anticipated. The former Park & Recreation members feel cancelling the grant is the best option to allow the Board to focus on more pressing matters. This grant was for the Vegetation Management Guide.

MOTION: Steve Herzog made a motion to cancel the PECO Greenway Grant application and return the funds already received. Ed Porter seconded.

QUESTIONS AND COMMENTS

- i. Sharon Scott asked how much the Township would be returning. Pani Martin stated \$8,500.

VOTE: 4-0

- b. Security Cameras – Ed Porter gave an update on the status of security cameras. He said he looked at the current system and he thinks the monitor is not working. There was a discussion with Chief Porter about the security system that he installed. Ed Porter discussed the technical details of a security system. Chief Porter will get a plan together for next month.
- c. Township Newsletter – Pani Martin asked the Board if they are interested in doing a newsletter and if so, how frequently. Steve Herzog said yes the Board is interested and stated we'd need to determine the cost. Pani Martin talked about two options. One option Hometown Press which is a company that prints and produces custom full copy newsletters. They help write articles and do professional typesetting as well as distribute the newsletters to us. The newspaper is funded through advertising sponsors. Postage would be the Township's only cost which would be roughly \$1,350. Pani Martin also discussed Michael Green, a resident that volunteered to help with a newsletter. She said with the current office staff, they could come up with content but we'd have to come up with our own advertisements. However, the full cost of the paper, including postage, could be covered under this option. Pani Martin stated there is \$2,000 in the budget. Lisa Valaitis discussed which municipalities are using Hometown Press. Pani Martin stated they provide a pdf version. Pani Martin will find out if Hometown Press requires a contract or if we could do a trial newsletter.
- d. Quick Books 2016 – Pani Martin said QuickBooks had a President's Day sale. She used the Township credit card to purchase two licenses and saved \$400. Katherine Archibald is processing \$10,000-20,000 now and the audit is starting. Two licenses would allow both of them to be in Quick Books at the same time.
- e. Escrow Accounts – Pani Martin said she needs to open an escrow account for Lot 34, 140 Cyprus Lane in Manchester Farms Development. Ridgecrest Development will open its own escrow account. Pani Martin said Mike Crotty had talked to her about setting up separate escrow accounts for each escrow. We currently have the escrow money all in one account. There was a discussion on the current escrow process between Pani Martin and Mike Crotty. Mike Crotty explained the procedure. Pani Martin stated previous treasurers have tried to straighten out the escrow account. Ms. Martin stated the auditor suggested we bring in an outside CPA with escrow experience and have them sort it out. Pani Martin asked the Board how they want her to proceed. Mike Crotty said a separate account should be set up for each type of escrow agreement. Then it has to be tracked throughout the process. Mike Crotty said they will need to come up with potential CPA's and cost estimates.
- f. 2015 Audit – Pani Martin stated the 2015 audit has started. She met with Dave Barrett on February 12, 2016.

- g. Siana Bill Questions – Pani Martin asked about the four hour bill for watching the Reorganizational meeting video and if anyone had specifically requested that viewing. The Board had suggested it. Mike Crotty stated there was a personnel issue that needed to be addressed though viewing the video. Pani Martin discussed the new analysis of legal fees that she added to the Treasurer's report.
- h. Server – Steve Herzog reported he spoke to Compnet about server options. Compnet presented two options. Option #1 is replacing the server we have with a high powered server to serve all our needs including email. Option #2 is to replace the server for much less money that would serve everything but email. Our email would be on a hosted by Microsoft which offers government plans. Steve Herzog spoke about email hosting. He spoke to PSATS and Mike Crotty about this and email hosting is allowed. Other Townships are doing it. Steve Herzog stated his recommendation is Option 2 - \$3,400 for the server and email hosting of \$2,886 per year. The budget is \$13,000-\$15,000 for a new server. Steve Herzog estimated total cost to be around \$13,000 to make the switch.

MOTION: Steve Herzog made a motion to approve the Compnet recommendation for a new server and moving our email system to the government exchange online plan 2 not to exceed the cost in their proposal. Joe Pomorski seconded.

VOTE: 3-1 (Steve Herzog, Joe Pomorski, Carol Kulp voted yea. Ed Porter voted nae.)

- i. Storm Jonas – Pani Martin reported the Township submitted to PEMA for 48 hours of Storm Jonas for a state of emergency. She also reported that total Township expenses for Storm Jonas snow removal were \$47,896. We are waiting to hear if the Township will be reimbursed by the Commonwealth of Pennsylvania.
- j. Chester County Tax Collection Committee – Appointment of 2016 TCC Delegates.

Lisa Valaitis stated the Chester County Tax Collection Committee requested we update them with our current Township delegates.

MOTION: Steve Herzog made a motion to approve Resolution 2016-04 TCC Delegate Appointment Resolution. Ed Porter seconded.

- i. Sharon Scott asked who the delegates are. Lisa Valaitis stated the delegates are Pani Martin, Lisa Valaitis and Katherine Archibald. Sharon Scott also asked what the tax is it for. Mike Crotty explained that the County created this committee for efficiency in collection of taxes. The state dictated each county would create its own tax collection agency. Each Township has a delegate and gets a vote on who the tax collector is. They ratio your vote based on your township population and tax amount.

VOTE: 4-0

#### O. UNFINISHED BUSINESS

- 1) PSATS Conference – Steve Herzog stated he should be able to attend but needs to find out what day the voting is because he is the voting delegate.

#### P. PUBLIC PARTICIPATION

- 1) Sharon Scott – Sharon Scott asked why we only have a cable franchise contract with Comcast. Mike Crotty said the current Comcast agreement is up for renewal. We do collect franchise fees for Verizon as well but the contract is not up for renewal. Mike Crotty talked briefly about how the franchise agreements work. Sharon Scott also stated she is concerned about the questions being asked tonight regarding escrow. Steve Herzog talked about the effort to get the escrow accounts in order. The problem with the escrow accounts goes back years.

- 2) Buddy Rhoades – Buddy Rhoades said there is a problem with administration regarding escrow accounts. The Township has lost a lot of money from contractors not getting billed. He talked about residents' distrust regarding funds. He also commented on the importance of having a township manager. He said the Township needs to hire fully trained employees. He also spoke about the budget process. Buddy Rhoades commented that very few residents attend public meetings. The township newsletter is very important for transparency. Mr. Rhoades commented on the office door needing to be secured. Steve Herzog stated that this issue has been resolved.
- 3) Nelson Walters – Nelson Walters spoke about hiring fully trained employees in his company. He said he agrees with Buddy Rhoades.
- 4) Susan Yeoman – Susan Yeoman stated she would love to have a township newsletter! Getting the costs covered with advertising is great! We could get a list of people that are willing to receive it electronically which would save money. She commented on why residents don't attend meetings. She said people don't know that they can come to meetings and talk to the Supervisors and how empowering it is. People don't feel empowered and don't think their voice matters. She also commented on a speeding issue on Doe Run Road.
- 5) Sharon Scott – Sharon Scott asked if the Township pays a monthly fee to update the website. Pani Martin stated Lisa Valaitis does most of the website postings. There is only a fee if we need the website administrator to update something. She requested the whole 2015 audit be posted on the website. She stated newsletter content should be financial content – concise financial statements, budgets, and basically the health, wealth and safety of the community.

### 3. ADJOURNMENT

MOTION: Steve Herzog made a motion to adjourn the Board of Supervisors meeting at 10:34 pm. Joe Pomorski seconded. VOTE: 4-0

Respectfully Submitted,

Lisa Valaitis,  
Township Secretary