

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS WORKSHOP MEETING
July 11, 2017 Approved minutes
6:32 PM

Members Present

Steve Herzog, Chairman
Ed Porter, Vice Chairman
Carol Kulp, Member
Randy Doan, Member

Township Staff Present

Lisa Valaitis, Township Secretary
Pani Martin, Township Treasurer

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

Chairman Steve Herzog called the meeting to order at 6:32 pm.

2. DISCUSSION

A. Keystone Municipal Services.

Pani Martin informed the Board that she and Rob McLarnon have been working on redoing the permit requirement letters for each type of permit. Steve Herzog stated there have been some questions and lack of understanding regarding the scope of Rob McLarnon's work through his contract with Keystone Municipal Services. Rob McLarnon explained his job titles and duties. He stated he is the Building Code Official of the Township and handles all the permits under the UCC. Rob McLarnon stated he is also the Zoning Officer. Any time a resident needs a building permit, they need zoning approval. He also handles complaints as addressed under the Township Zoning Ordinances. Rob McLarnon explained the process of how he handles complaints. Steve Herzog asked Rob McLarnon if his hours working in the Township are adequate. He works 4-6 hours twice a week (Tuesday and Thursday mornings) in the Township. He discussed the number of permits per year in the Township as well as the various time frames and deadlines for permits, complaints, inspections and review of engineering plans. He informed the Board of his breakdown of each day. Steve Herzog stated there have been complaints about the availability of inspection hours. The Board discussed with Rob McLarnon the possibility of Keystone Municipal Services sending out another inspector to offer additional days for inspections. Rob McLarnon stated that he will talk to the owner of Keystone Municipal Services about getting someone to cover inspections on Monday, Wednesday and Friday.

Township Zoning Ordinances Discussion: Steve Herzog asked Rob McLarnon if he feels there are areas in the Township Zoning Ordinances that are vague or unclear. Mr. McLarnon stated he feels the Township Code is pretty good but it is open to interpretation. New issues come up that need to be addressed in the Code. Inconsistencies in the Code was also discussed. Rob McLarnon suggested he meet with the Planning Commission Chairman quarterly to discuss code discrepancies.

Planning Commission and Historical Commission: Steve Herzog commented on the need for more communication between Rob McLarnon and both the Planning Commission and Historical Commission. Rob McLarnon discussed his procedure regarding historical properties.

B. American Legal Publishing – deRicci Getty – Editorial & Legal Analysis of Township Code Presentation.

deRicci Getty, from American Legal Publishing, presented the details of the services included in an editorial and legal review of Township Code. She stated she would review every page in the Township Code as well as look at statutes and determine if they are current. Ms. Getty stated they also provide recommendations on what course of action to take. No code changes would be done without Board approval. She stated she knows new municipal statutes and municipal court rulings. Ultimately, the Township Solicitor will provide review of her review report and determine what recommendations should be implemented by the Township. Any approved changes to the Township Code as a result of their recommendations will be billed at \$18 per page. The review process itself will cost \$3,500 (not including the per page changes). She discussed inconsistencies in the Code. There was a discussion between the Board and Ms. Getty about using American Legal versus using the Township Solicitor to review the Township Ordinances since the Township Solicitor will have to review the recommended changes anyway. Ms. Getty suggested she could talk to the Township Solicitor about her changes to keep the Solicitor costs down. deRicci Getty also discussed American Legal Publishing's time frame for codifying and reviewing code.

C. Act 537 – David Porter, Herbert E. MacCombie.

David Porter presented an update on the status of the Act 537 Plan and recapped last meetings action plan. He reported he provided a list of addresses in the Eurcildon and Doe Run Farms areas to the Township office for the public meeting post cards. David Porter stated that they recommend Doe Run Farms implementing public sewer first with Eurcildon piggy backing off it. David Porter provided the Board with a sample On-lot Sewage Management Program Guidance from Westtown Township. East Fallowfield Township will not have to have as comprehensive a management plan. Ed Porter asked if this information can be posted on the Township website as information only. Adopting a Sewage Management Program presents the question on who in the Township will enforce this program.

David Porter also discussed the following documents that he distributed to the Board:

- Example ordinance that adopts an on-lot sewage management program.
- Model ordinance addressing regulations for installation, inspection and on-going maintenance of on-lot sewage disposal systems.
- Solicitor draft document prepared for East Fallowfield Township in 2012.
- DEP Act 537 Fact Sheet: Understanding Septic Systems.
- DEP Act 537 Fact Sheet: Sewage Management Programs Overview.
- DEP Act 537 Fact Sheet: Sewage Management Programs Ensuring Long-Term Use of On-Lot Systems through Proper Operation and Maintenance.
- DEP Act 537 Fact Sheet: Sewage Management Programs – Conducting Education is Key.
- DEP Act 537 Fact Sheet: Sewage Management Programs – Treatment Tank Pumping is Fundamental – Part 1
- DEP Act 537 Fact Sheet: Sewage Management Programs – Establishing the Legal Structure – Part I
- Construction Cost Estimate for East Fallowfield Township prepared by Herbert E. MacCombie's office.

David Porter discussed an updated map which identifies lots with septic failures as documented by the Chester County Health Department. Eventually the Township will need to have a person designated to be responsible for enforcing a septic management system. Ed Porter asked David Porter if residents with a failing septic system have been notified by the Chester County Health Department that their septic is failing. David Porter stated these residents have not been notified by the County. There was a discussion regarding the Chester County Health Department tracking data on septic systems. A septic failure identified by the Chester County Health Department can be caused by a number of different things. David Porter stated he will call Chester County Health Department to inquire about them providing their collected data regarding on-lot septic systems to the Township.

If the Township doesn't want to implement public sewer, then they can adopt a septic management program under Act 537. The Board discussed the problem with lots that have a failing system and implementing an on-lot septic management program. David Porter talked about a septic management program being implemented over a ten-year period. Details of on-lot septic management programs was discussed. DEP will less likely allow a septic management plan in areas restricted with small lots or other issues.

Public Meeting On July 24, 2017 for Ercildoun and Doe Run Farms Areas - Ed Porter discussed with David Porter what should be included in the Act 537 presentation at the public meeting on July 24, 2017. David Porter went over his upcoming speech at the public meeting. The Act 537 public meeting is for residents of the Ercildoun and Doe Run Farms areas but residents living in other parts of the Township are welcome to attend. The meeting will be on Monday, July 24, 2017 at 6:30 pm at the South Brandywine Middle School.

South Brandywine Middle School - David Porter reported that Ron Kabonick, with the Coatesville Area School District, could not attend the Board of Supervisors meeting as requested. David Porter will follow up with Ron Kabonick after the next school board meeting in which they will discuss the future plans for South Brandywine Middle School and public sewer. There was a discussion about David Porter attending a Coatesville Area School District Board meeting to discuss Act 537 and the district's future plans.

The public meeting invitation post cards will be mailed out tomorrow to those residents living in the Ercildoun and Doe Run Farms areas.

D. PRINT – Township Map/Directory Mailing.

Pani Martin reported that Hometown Press can't do another township newsletter due to lack of sponsors. However, she said she found an alternative company that does directories and maps and some content. She showed the Board examples of PRINT's work. Ms. Martin stated the Township would come up with the content. This is done every five years. She said PRINT would pay for the printing and postage costs. There would be no cost to the Township. Steve Herzog stated this would work in the interim.

MOTION: Steve Herzog made a motion to have the Township Treasurer work with PRINT to get together a Township map and directory mailing for delivery this fall. Ed Porter seconded.

QUESTIONS AND COMMENTS:

1) Siti Crook asked if the official township map would be printed on this mailing. Pani Martin replied no.

VOTE: 4-0

E. Budget Schedule.

Pani Martin presented her proposed budget meeting schedule. She requested the Board approve at least the first four meeting dates for advertising purposes. The Board approved the first four budget meetings on the schedule to be advertised.

F. Selective Insurance – Salvage Bill of Sale.

Pani Martin reported that the insurance company has deemed the tractor and Alamo attachment as complete losses. They forwarded salvage bills of sale. The insurance company is agreeing to pay up to \$35,000 but they want the equipment to salvage it to reduce the cost of the claim. Ms. Martin stated Tag Gathercole expressed interest in keeping the Alamo attachment for parts. The insurance company stated this could be hashed out later. Pani Martin also discussed the purchase of replacement equipment. The insurance money will not be paid to the Township until the damaged equipment is replaced. Ms. Martin stated she needed the Board's approval for Steve Herzog to sign the salvage bill of sale.

MOTION: Steve Herzog made a motion to accept the salvage bill of sale from the insurance company for the New Holland tractor and tiger mower. Ed Porter seconded.

Discussion: There was a discussion about whether or not there are any stipulations on what they can purchase and if they will be required to purchase new equipment. The Board tabled this decision and will present the salvage bill of sale document to the Township Solicitor for review.

MOTION RESCINDED: Steve Herzog rescinded the motion.

G. Liquid Fuels – Equipment Balance.

Pani Martin stated she met with the Financial Analyst for Liquid Fuels. She reported to the Board that the Liquid Fuels Fund balance is \$107,375.67. According to Liquid Fuels, that money is supposed to be allocated for equipment. According to Liquid Fuels the Township can use the money for purchasing equipment. There are specific amounts allocated/reserved for equipment. Pani Martin will get clarification on if that amount can be used for roads or just equipment.

H. New Business.

- 1) American Legal Editorial and Legal Review – Ed Porter said based upon the presentation given by American Legal Publishing, if the Board is going to move forward, then the Board should ask Siana Bellwoar for a cost estimate for reviewing the Township Code. The Board agreed.
- 2) Sample Questionnaire for Resident Interest – Pani Martin asked the Board if they'd like to ask the residents in attendance at the Act 537 public meeting if they are interested in public water as well as public sewer. The Board instructed Pani Martin to only ask for interest in public sewer on the questionnaire.

3. ADJOURNMENT

MOTION: Steve Herzog made a motion to adjourn the Board of Supervisors meeting at 9:17 pm. Ed Porter seconded. VOTE: 4-0

Respectfully Submitted,

Lisa Valaitis,
Township Secretary