

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS WORKSHOP MEETING
September 12, 2017 Approved minutes
6:31 PM

Members Present

Ed Porter, Vice Chairman
Carol Kulp, Member
Wilson Lambert, Member

Township Staff Present

Lisa Valaitis, Township Secretary
Pani Martin, Township Treasurer

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

Vice Chairman Ed Porter called the meeting to order at 6:31 pm.

2. DISCUSSION

a. Treasurer/Office Manager.

1) Video Taping and Photographing at Public Meetings.

Buddy Rhoades briefly discussed video-taping of public meetings. He objected to having residents take pictures and videos of himself speaking at public meetings. He also objected to photos and recordings of himself being posted on social media. Ed Porter stated the Board members are not engaged with anyone in the audience filming at this time. Mr. Porter stated the Township is not endorsing his rights being violated. Buddy Rhoades stated he is a private citizen and he has rights. He said he will take legal action if needed. Ed Porter requested that Lisa Valaitis have Mike Crotty (Township Solicitor) respond to Mr. Rhoades statement at the next meeting.

2) General Code – Re-Codification Presentation – Michael Peter.

Michael Peter, from General Code, gave a presentation on General Code's codification proposal. He gave a brief summary of General Code's assumed maintenance of East Fallowfield's Township Code from another company in 2016. This was envisioned as a two-step process. The first step was to update the code and put the code online. The second step was to re-codify the code. He spoke about a re-codification project which would aim to find conflicts and inconsistencies in the Township Code. Statutory law changes over time. Mr. Peter presented a brief history of General Code. He also explained what codification is. He said codification is a unified single body of law. Codes are amended and the codification makes the code flow and user friendly. Mr. Peter stated General Code has submitted a proposal to the Township. The cost for the proposal is \$12,000.

General Code proposes to re-codify the Township Code by doing an editorial and legal analysis which includes the following:

- Identify and fix conflicts and inconsistencies.
- Ensure compliance with The Second Class Township Code.
- Fine tune fines, fees, and penalties.
- Practical recommendations to make our legislation more enforceable.
- Suggestions for modernizing legislations.

- Identify new subjects for legislation that may take a positive proactive approach to prevent future problems.

Michael Peter discussed why the Township should use General Code to re-codify the Township Code. Mr. Peter stated that General Code has already been chosen to do the Township's codification. General Code is familiar with East Fallowfield Township's Code and The Second-Class Township Code. Using General Code would provide the Township with consistency and continuity.

Mr. Peter explained how the process of re-codification would work through reviewing and revising the code. Michael Peter stated that General Code's recommendations would ultimately be reviewed by the Township Solicitor. The entire codification can be adopted in one ordinance.

b. Public Works Department.

1) Salvage of TL-90 & Tiger Mower – Discussion.

Tag Gathercole reported that the TL-90 is the mower that burned. If the Township wants to buy the tractor back it will cost \$1,000 - \$3,000. For the Township to buy the Tiger Mower back would cost \$2,000-\$4,000. Tag Gathercole stated the Tiger Mower is the more important part. Ed Porter stated getting the mower deck back would benefit the Township. Ed Porter asked Tag Gathercole to get more cost information for the Board to make a motion on the action.

2) Seal Coating of Roads in Providence Hill.

Tag Gathercole discussed the SealMaster's AsPen Surface Sealer Test Project. SealMaster wants to do a seal coating in Providence Hill. SealMaster will pay for half of the Township's cost and they will do a demonstration for other municipalities to come and watch. The seal coating would improve the road condition and make the road look better. SealMaster will provide the machinery and the Township staff will do the road work. The estimated cost of work on 2 1/2 miles of roads would normally cost \$11,900. Under this agreement, the cost to the Township would only be \$5,955. Mr. Gathercole stated SealMaster would like to do the work in early October. Ed Porter suggested waiting until the next Board meeting due to the absence of two Board members and the Township Solicitor to consider legal parameters. Pani Martin stated that the cost would come out of Liquid Fuels. Tag Gathercole will have a representative of SealMaster come to the next Board meeting to speak about the proposed project.

c. Treasurer/Office Manager.

1) ClearGov – Financial Transparency.

Pani Martin reported that ClearGov reached out to the Township regarding their transparency product for the Township. They use census information and DCED data from the Township and they put it in a website in a way that people understand. Comparisons to other local municipalities are also on the website. Pani Martin presented some statistics on East Fallowfield Township from the demo website provided by ClearGov. Ed Porter asked what the cost is. Pani Martin reported the cost is \$4,500 to start up and \$3,000 yearly after the first year. Pani Martin will forward the website link to the Board.

2) Keystone Municipal Services – Service Extension Discussion.

Pani Martin reported that she spoke to Keystone Municipal Services. She asked the Board if the Township needs partial-day or full-day coverage for inspections on Monday, Wednesday, and Friday. Pani Martin discussed Rob McLarnon's recommendations which were to do half day inspections (residential only) and no plan review. Ed Porter stated Rob McLarnon should be able to best assess the needs on Monday, Wednesday and Friday. There was a discussion about the fee schedule for Rob McLarnon. Ms. Martin reported that code enforcement is \$60 per hour and attendance at a Zoning Hearing Board hearing is \$95 per hour. There was a conversation regarding insurance and who is liable for mistakes made by the Zoning Officer. Pani Martin stated Keystone Municipal Services carries its own insurance. She provided a copy of the contract to the Board for review.

3) Paytime Payroll Service.

Pani Martin stated that at a previous Board of Supervisors meeting, the Board motioned to appoint Paytime as the new Township payroll provider. Per the Township Solicitor, that motion was not adequate and an additional motion needs to be made to authorize the chairman to sign the Paytime agreements. She said the Township Solicitor had a list of questions upon his review of the agreement.

Ed Porter went through the questions/points that Solicitor Crotty addressed in an email:

- They need 30 days' notice before terminating the agreement.
- The Township is still responsible for HIPPA.
- The Township has to verify submission information at least 10 days prior to the first payroll.
- The Township has an active obligation to correct any errors in payroll and report them to Paytime.
- Paytime will not put in claims if the Township submits incorrect information.
- Non-sufficient funds is a fee of \$150.
- The Board reviewed the service fees compared to the current provider and other bids. The
- They are not responsible for any liability if their system should malfunction.
- If any disputes on our side should happen, the Township should go to their county to contest.
- A time clock needs to be rented. There was a discussion about renting the time clock. The cost is \$35 per month to rent the time clock. A time clock can also be purchased. Ed Porter asked if the Township has a finger print time clock. Pani Martin stated that the Township could only switch to a finger print time clock during union contract negotiations.

MOTION: Ed Porter moved that the Township authorize the Chairman to execute the Paytime Payroll Service Agreement and Swipeclock Time and Attendance Software Service Agreement in the form as presented. Carol Kulp seconded.

QUESTIONS AND COMMENTS:

- a. Buddy Rhoades asked what keeps employees from clocking other employees in and out. Pani Martin stated nothing fully prevents this other than a sign she hung up stating swiping in or out other employees is an offense that can warrant dismissal.

VOTE: 3-0

d. Citizens by Request.

1) Buddy Rhoades

Mr. Rhoades discussed the negative receivable of \$750,000 that keeps coming up on past treasurer reports. He also asked if insurance covers errors made by office staff such as the \$6,000 in PMRS fees. Pani Martin explained that the \$6,000 fee has not been paid and has been waived unless the Pennsylvania Auditor General disallows the waiver. Pani Martin will look into the insurance question. Mr. Rhoades asked if the escrow accounts were reviewed. He stated some escrow money can be put back in the General Fund. He asked if anyone figured out what the true escrow value is. He also said the Board previously agreed to review all the development agreements. Mr. Rhoades stated this was mentioned in the April 11, 2017 meeting minutes. Ed Porter asked what the current escrow balance is for the intersection of West Chester Road and South Caln Road. Ms. Martin stated the balance is around \$280,000. Pani Martin discussed the negative escrow receivable of \$750,000. She stated when the Township switched from accrual to cash basis of accounting, the auditors were able to wipe out this balance. Between the West Chester Road and General Agency Fund, there is still \$300,000. She reported the Township's auditors found there is still approximately \$100,000 in unidentified funds in the general fund. The auditors have discussed researching this. Ms. Martin stated she previously brought two people before the Board who could potentially go through the escrow accounts to figure it out.

Budget Items – Mr. Rhoades spoke about other municipalities that remove old equipment from their books at a certain point in time. Mr. Rhoades discussed the issue of hiring a township manager and a prior study a previous Board had done regarding the need for a township manager. He suggested the Board look into agencies that hire township managers. Mr. Rhoades stated the Township needs to hire someone that knows how to write grants. A township manager would also be able to review the escrow account. Buddy Rhoades stated the employee handbook has been a work in process for a long time and it's never been finished.

Historical Properties – Mr. Rhoades discussed the Martin Farm property and the two historical homes on that property. He stated those homes are deteriorating. He has not seen the Planning Commission address these historical homes. Mr. Rhoades talked about stormwater problems at the intersection of South Cain Road and West Chester Road. Mr. Rhoades asked the Board to read the Historical Commission meeting minutes every month. He spoke about various historical properties within the Township and the conditions/status of them - the four school houses and the building under construction on Mortonville Road. Two of the school houses are in poor condition. They have been reported to the Zoning Officer and have not been followed up on.

Mr. Rhoades stated no one has followed up on the property on Rt. 82 with the tires on the property to have the tires removed. He commented on the Longview Development not being complete. He said the roads are not complete nor dedicated. Manhole covers are too high and the school buses can't go into the development. Fire hydrants in Longview Development have not been inspected.

Luria Brothers Property – Mr. Rhoades asked who maintains the fence on the Luria Brothers property, which used to be a scrap yard. The fence has fallen down and that fence is there for safety reasons.

e. New Business.

1) Rental Income.

Wilson Lambert discussed rental income. He referenced page 33 in the book provided by General Code - reporting requirements for earned income tax from landlords for rental properties. In the book, it references a requirement for landlords to submit a report listing tenants and are required to pay a fee to the Township. Mr. Lambert stated the Township does not have this requirement. He suggested the Township should address rentals to earn income on rental properties. A discussion ensued.


2) Escrow Account.

Ed Porter discussed \$100,000 that is in an account marked escrow but it is unclear where it comes from. This is potentially \$100,000 that could be pulled back into the budget. He asked Pani Martin she if knew what had to be done to figure out what the \$100,000 is for. Is there a need for a forensic accountant to figure this out? Pani Martin stated that she found someone through PSATS that would be qualified to do this task for the cheapest rate. However, no consultant has been willing to give a time estimate for this task so a total cost could not be estimated. Ed Porter asked if Mike Crotty has ever given advice on this situation. Ms. Martin stated Mike Crotty had recommended Thomas Josias Consulting to review the escrow. Pani Martin discussed a meeting that took place between the current auditor, two Board members and herself regarding the escrow accounting. Ed Porter will ask Mike Crotty about this at the next Board meeting on September 26, 2017.

3. ADJOURNMENT

MOTION: Ed Porter made a motion to adjourn the Board of Supervisors meeting at 8:36 pm. Carol Kulp seconded. VOTE: 3-0

Respectfully Submitted,


Lisa Valaitis,
Township Secretary