

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
July 28, 2015 Approved minutes  
6:29 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**

Vince Pompo

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

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

2. Discussion

A. EXECUTIVE SESSIONS: The public was informed that there was an Executive Session held on July 14, 2015 regarding personnel issues.

B. APPROVAL OF MINUTES

- 1) June 9, 2015 Board of Supervisors meeting minutes.

MOTION: Joe Pomorski made a motion to approve the June 9, 2015 Board of Supervisors meeting minutes as presented. Charles Kilgore seconded.

VOTE: 4-0

- 2) June 23, 2015 Board of Supervisors meeting minutes.

MOTION: Joe Pomorski made a motion to approve the June 23, 2015 Board of Supervisors meeting minutes as presented. Charles Kilgore seconded.

VOTE: 4-0

C. PUBLIC WORKS

- 1) The June 2015 Road Department monthly report was submitted for Board and resident review.

D. FIRE COMPANIES

- 1) Chief Deckman spoke briefly about the recent fire at 165 Bridle Path Lane. Chief Deckman reported the fire went up very fast. He also commented that the fire was accidental and started in the back outside and went up to the roof and inside. The Board thanked Chief Deckman and the Westwood Fire Department for their response and efforts.
- 2) June Westwood Fire Company Fire Chief's Report was submitted for Board and resident review.
- 3) June Westwood Fire Company EMS Report submitted for Board and resident review.
- 4) June Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 5) June Modena Fire Company EMS Report submitted for Board and resident review.

## E. CITIZENS BY REQUEST

- 1) Al Wright – Mt. Carmel Road repairs – Al Wright, 218 Windy Hill Rd. stated he lives in Strasburg Hunt. He commented on the road conditions at the corner of Mt. Carmel Road and Short Drive as well as Mt. Carmel Road and Strasburg Road. He said that Mt. Carmel Road needs repairs from Short Drive down the hill into Valley Township. He asked the Board to put Mt. Carmel Road on the priority list for 2016 repairs. There was a discussion about the potential Scott Farm Development. Vince Pompo stated the condition of approval has this developer doing substantial improvement on Mt. Carmel Road. Mr. Pompo said he inquired through their attorney about the developer doing the work now. The developer did not agree to do this. Vince Pompo discussed the Road Foreman coming up with a method of temporarily repairing Mt. Carmel Road. Al Wright said Mt. Carmel Road really needs pothole repairs and the residents of Strasburg Hunt do not want to wait until the Scott Farm Development is approved for road repairs to be done.
- 2) Monya Jennings – physical issue in development – Not present at the time.
- 3) Boy Scout – Park Kiosk Project – Pani Martin said the boy scouts did a project and added a kiosk to the park. They will be at a future meeting to do a formal presentation and turn over the official kiosk key to the Board of Supervisors.

## F. SOLICITOR REPORT

- 1) Manchester Farms update -

Vince Pompo presented an update on Manchester Farms. He requested this be kept on the agenda until the project is complete. The agreement that was approved by the Board has been fully executed and work has commenced. Mr. Pompo said he has not viewed the property personally. Eric Schrock is obtaining quotes for concrete and base repair. Mr. Pompo has seen proposals from prospective paving contractors and documentation between Mr. Schrock and Chris Della Penna. He received a call today from Dan Daley, with their engineering office, EB Walsh, asking for guidance in what legal description is needed for road dedication and additional right of way along S. Caln Road. Everything appears to be moving forward. He commented that some invoices were submitted last week. Since this is the first round, he has asked J.P. Sanchez to work closely with Chris Della Penna to ensure everything is done correctly.

- 2) Ridgecrest update -

Vince Pompo reported that he participated in two meetings with Ted Moser, Ted Moser's engineer, Jonathon Penders (Rouse-Chamberlin), and Jonathon Pender's engineer. For one of the meetings Chris Della Penna, and Jamie MacCombie (sewer engineer) were also present. The purpose of these meetings was to put together what is necessary for all of the conditions to be satisfied for the various approvals so they can submit their final plans for the Board's signatures and all of the development agreements. Rouse-Chamberlin will be the developer. Vince Pompo said they now have all forms for the developer agreements. Vince Pompo is waiting to get those back for review. He is also waiting to obtain the Homeowners' Association (HOA) papers. Vince Pompo did review these documents seven years ago but Rouse-Chamberlin would like to use new documents. Vince Pompo said that whatever the conditions were in the original HOA papers will be the same in the new documents. Vince Pompo said Rouse-Chamberlin is hoping to present all the papers to the Board at the August Board of Supervisors meeting.

Mr. Pompo also said that Jonathon Penders, from Rouse-Chamberlin, has told him they are negotiating to purchase the empty lot in Manchester Farms. Mr. Pompo said he asked Jonathon Penders about the liens on this property. Mr. Penders indicated the liens would have to be satisfied in order for that transaction to occur. Mr. Pompo said that Mr. Penders asked him if he had any concerns. Mr. Pompo said his only concern was that if they are intending to do construction after the roads are completed, then the Township may ask for security for the roads. As far as the intersection of West Chester Road and South Caln Road is concerned, Rouse Chamberlin will be funding the portion allotted to Ridgecrest before they're permitted to record their plans. With the assistance of Chris Della Penna, we have identified additional right of way that will be required on the Ridgecrest property to the east of the intersection. Mr. Pompo said he asked for that additional right of way be offered for dedication now rather than later.

## G. CITIZENS BY REQUEST

- 1) Monya Jennings – physical issue in development – Monya Jennings said she was present to request the Board speak to her HOA to ensure they recognize their requirements in regard to stormwater management systems. She said in her development, which is Brinton Station, there are four large trees that fell during the last storm and they are blocking the water gates. The water can't flow properly down the hill. She has been working with the HOA for the past month and they said they were trying to collect bids for cutting the trees. In the meantime, the ground is now soggy, they are getting a lot of flies, mosquitos and wild life in that area because it is not being maintained. Ms. Jennings said the HOA Declarations states they are required to maintain that area and if not, the Township can intervene. Vince Pompo said that most of these documents state that the Township has a right to enforce but not a duty to enforce. Ms. Jennings gave a copy of the HOA Declarations to Vince Pompo to review. She commented that the area effected feeds into four irrigation ponds that may control the water system for not only our community but many others as well. Ed Porter asked if the trees fell from open space or someone's yard. Ms. Jennings said the trees are in open space. Vince Pompo stated the Declaration clearly states the HOA is responsible for maintaining those facilities. "If requested or required by the Township, the Township would accept an easement over the stormwater management facilities or dedication of those facilities to the Township. The Township has no obligation to accept dedication." Mr. Pompo stated he doesn't think the Township will want to take over these facilities. Joe Pomorski asked how many people are on the HOA Board. Ms. Jennings said she is not sure because the HOA website is not updated. Ms. Jennings said she would like this to be on record in case something happens. Joe Pomorski asked Ms. Jennings who is the HOA president. She said the HOA President is Edward Cyran Esq. Joe Pomorski asked what the HOA response had been. Ms. Jennings said that the HOA Board came out to look at the area and said they would take care of it right away. This was in late June. She hasn't heard anything since. Ed Porter suggested it might be the cost versus what has been budgeted that is holding them up. Ms. Jennings said the HOA has the money. Joe Pomorski asked Ms. Jennings to reach out to the HOA Board again and keep the Board posted.

## H. LEGAL ISSUES

- 1) Adoption of Open Space Design Option Zoning Amendment -

MOTION: Joe Pomorski made a motion to adopt Ordinance No. 2015-02. Steve Herzog seconded.

QUESTIONS AND COMMENTS: Sharon Scott commented that she didn't know what the Open Space Design Option Zoning Amendment is and didn't feel the public knew. She requested the Board withhold the vote to allow for public review. Ms. Scott asked if the amendments were in writing for public review so she could see what the specific amendments are. Joe Pomorski said there was a Public Hearing at 5:30 pm on the Open Space Design Option Zoning Amendment and the Public Hearing was advertised. It was originally scheduled for before last month's Board meeting which was cancelled because of the storm. Al Wright requested the Board follow through with approving the Open Space Design Option Zoning Amendment. He said he has seen it discussed over the last two years. He said he feels everyone involved is comfortable with the changes.

Dennis Crook, Chairman of the Planning Commission, commented that the Planning Commission has been working with this for the last nine months to a year now. He said they cleaned up some of the language with Vince Pompo's assistance. Mr. Crook explained that some of the language in it misled developers into thinking they could mix commercial and residential together. A lot of the additional options were taken out of the ordinance such as the bonus densities. The ordinance still gives the option of putting houses closer together in exchange for getting more open space in developments and conserving half the space. They also changed the minimum lot size to 10,000 square feet. Dennis Crook commented on Mobile Home still being in the ordinance as an option but there is also an option for single homes in Mobile Home zoning. Ed Porter asked Dennis Crook if he could give an example of a development in the Township that would be comparable to 10,000 feet. Dennis Crook stated the minimum lot size was included so that houses don't get

any closer than what was stated on the previous ordinance but still close enough to utilize it the way a developer would need to. Ed Porter asked what the distance between houses would be. Vince Pompo said the distance between houses is not proposed to be changed. The minimum feet between houses is not less than 20 feet side to side and 50 feet back to back or back to side. One of the main issues the Planning Commission had with the old ordinance is that there was no minimum lot size. Mr. Crook stated the old ordinance allowed for a 3,500 feet lot. The ordinance amendment ensured a minimum lot size of 10,000.

Sharon Scott commented on the distance between houses. She said the health, safety, and welfare of new home buyers is at risk. She commented on the fire in Manchester Farms and that the homes on either side of the fire had melted sides.

John Davis asked if the minimum lot size could get down to a 10,000 square foot lot. He commented that you could have four houses on an acre lot. Vince Pompo said the size of the lot is not driving the density. Density is based on the zoning district.

Ray Ott explained that the new ordinance enables clustering to occur but doesn't give a bonus density. The old ordinance allowed additional houses. The other purpose of the change was to establish a minimum lot size. He also said this ordinance amendment does not change the overall density. Ed Porter asked Ray Ott if he was aware of any other local municipalities with this modification and this type of ordinance. Ray Ott replied yes, about half of the townships in Chester County have this type of ordinance and of those, most of them offer a yield bonus to do it. It's a very common technique. Mr. Ott stated this ordinance does not change the number of housing units in a development.

Sharon Scott commented on properties not passing perk tests. She said East Fallowfield Township's rural environment is being ruined and we don't public water and sewer. Al Wright commented that he moved to East Fallowfield Township because it is country and he has public water and sewer. John Davis commented on the calculation in the ordinance. Ray Ott said the calculation is done on the net total acreage, not the gross acreage.

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

2) Adoption of the East Fallowfield Township Comprehensive Plan update -

MOTION: Joe Pomorski made a motion to adopt Resolution No. 2015-04. Steve Herzog seconded.

QUESTIONS AND COMMENTS: Sharon Scott requested the Board table this vote until the next meeting in order to comprehend what was put out at last night's meeting. Sharon Scott made several comments in regard to the Comprehensive Plan. She also requested a moratorium on building in the Township. She stated the public comment on the Comprehensive Plan was that people moved here because they didn't want public water and sewer and that the roads are too narrow. She would like to see open space in the Township preserved. She mentioned specific plots that she'd like to see preserved. Ms. Scott spoke about water quality and not allowing building done within 1,800 feet from streams. She also made comments regarding the cost to the Township for the Comprehensive Plan.

Al Wright commented that once the Comprehensive Plan is passed, there is an implementation section at the end of the Plan. He requested at a future meeting the Board discuss how the recommendations in the Comprehensive Plan will be implemented.

Mr. D'Angelo, asked about 2 acres being cut down to 1.3 acres and if it's part of the Comprehensive Plan. Ray Ott said it will stay at 2 acre zoning and explained that they did an analysis of the existing zoning when they started the Plan. The existing zoning would accommodate approximately 1,500 new dwelling units in the Township. The Comprehensive Plan has 755 new dwelling units included in the Buildout Analysis. Population projections justify reducing the number of new dwelling units to 755 in the Plan. The Comprehensive Plan is a statement of official policy for the Township and is not an ordinance. Ray Ott explained that the Comprehensive Plan does not commit the Township to build 755 new dwelling units. The Plan has a map showing how it would look if the 755 dwelling units were built. The zoning recommendations are embodied in the Future Land Use Map. The Plan also includes how many dwelling units each zoning district can

accommodate. The public water and sewer line is drawn on Strasburg Road with the exception of South Brandywine Middle School. There was a discussion about the pipe line tie in along Strasburg Road. Ray Ott also said the Plan points out that there are lots south of Strasburg Road that are less than one acre and have on-lot septic. If those septic systems fail in the future, there could be a problem because there isn't room for a second septic system on those lots. The purpose of including this in the Plan is to alert the Township of a potential future problem. The Plan also recommends the Township conduct a water resource analysis study to measure water quality and supply. Ms. D'Angelo stated she lives in the north east side of the Township and the Comprehensive Plan designates that part of the Township as public water and sewer. She asked if she would be forced to hook up or if it would be optional. Joe Pomorski said the Plan does not require hooking up. Ed Porter commented on a Township ordinance requiring hook up to public sewage. The footage is 150 feet. She also asked if the zoning in that area will be changed from 2 acre zoning to 1.3 acres. Ray Ott explained that this land use category is classified as residential infill. Any developer in this area needs to be compatible with the density and street-scapes of the area. The 1.3 acres is an average and not the recommendation in the Plan. Mr. D'Angelo commented on the volume of traffic on West Chester Road and the volume of accidents on S. Bailey Road. Ms. D'Angelo stated they received a letter from the Township requesting permission to have their existing septic on their property inspected. She asked if this is in anticipation of the Comprehensive Plan being approved. Ed Porter said this is a survey for the Act 537 and it is voluntary. A selected sample of residents were selected for this survey. There is information on the website for residents to review.

Dennis Crook stated that the Comprehensive Plan has been worked on for over two years and they have received a lot of input from Township residents at two different public meetings. He said he was amazed at what he learned working on this. Over 40% of the Township is in conservation which is open space. Nothing will be built on this land. Ed Porter commented that the 40% conservation land is owned by 19 residents. The rest of the Township could be developed. Dennis Crook spoke about stopping development in the Township by purchasing a farm to stop development. Everyone has the right to do what they want with their land as long as it complies with zoning. He commented on a Federal lawsuit in regard to developing Branford Village and Brook Crossing. Ed Porter asked why Newlin and West Marlborough and other townships don't suffer the consequences of East Fallowfield. Dennis Crook said it is basically because of King Ranch. They divided up thousands of acres into 100 acre parcels, each was purchased by different people and they had a gentleman's agreement not to build on those parcels and maintain open space. John Davis asked about the Delaware Valley Regional Plan stating East Fallowfield needed 530 by 2030. Specifically, he said the Comprehensive Plan states the number of houses to be built is 700+ and the projected housing need is 1,500. Mr. Davis asked why the Comprehensive Plan did not use the 530 for houses to be built. Dennis Crook said it will stay at 1,500 unless the ordinance is changed. The Comprehensive Plan is just a guide. Ray Ott said those calculations are done by netting out wetlands and slopes, using the density parameters, and coming up with what the lots could be. He said you want to have a buffer in the different projections in case you are ever challenged and have new development imposed on the township due to lack of accommodation. Ray Ott stated there are also open space lands such as agricultural preservation and public lands/public access. Total open space in the Township is 54%. Sharon Scott suggested the Board of Supervisors consider a Public Land Trust to conserve open space. Ed Porter asked Ray Ott if the County will reimburse the Township. Ray Ott said the County stated the Township is eligible for a reimbursement of 70%.

VOTE: 4-0

Ray Ott commented that he was impressed with how much community involvement there is in East Fallowfield Township. There were 150 residents in attendance at the first Comprehensive Plan public meeting and 100 residents at the second public meeting. Predominant public comments from the June 3rd public meeting were included in the Comprehensive Plan.

## I. PLANNING COMMISSION

### 1) Planning Commission Report –

- a. Penn State Extension Services Septic System Workshop – Dennis Crook said this workshop has been set up for Tuesday, September 29<sup>th</sup>. Sessions will run 1:00 pm to 3:00 pm and 6:00 pm to 8:00 pm. The workshop will be held at the Chester County Public Safety Training Campus, 137 Modena Road, South

Coatesville. They will be offering free water tests. Education will be offered on water and septic as well. There will also be alternatives offered for a bad system – low interest or state grants for disabled or elderly homeowners.

- b. Bawa Muhaiyaddeen Fellowship – Dennis Crook stated the Planning Commission is looking into some issues and Vince Pompo is providing more guidelines. He said they are getting prepared. Ed Porter asked if Bawa Muhaiyaddeen needs to reapply given the time frame. Vince Pompo stated they do not. He said they are still within the time frame under the Permanent Extension Act. However, this is not unlimited. They have until July 2016.

## J. TREASURER'S REPORT

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

MOTION: Joe Pomorski made a motion to approve the June 30, 2015 Treasurer's report as presented. Steve Herzog seconded.

QUESTIONS AND COMMENTS: Sharon Scott commented that the escrow financials are not included in the Treasurer's Report. She said this could have an impact on the financials of East Fallowfield Township. She also made comments about a real estate tax.

VOTE: 4-0

- 2) June 2015 payment authorizations.

MOTION: Joe Pomorski made a motion to approve the June 2015 payment authorizations as presented. Charles Kilgore seconded.

QUESTIONS AND COMMENTS: Ed Porter asked if there was a payment for tree work on Strasburg Road which is a PennDot road. He said the the Road Crew was there as well as a tree service company. Pani Martin said she has not received a bill for tree work on Strasburg Road. Ed Porter requested that Pani Martin let him know if the Township does receive a bill for this because the work should be billed to PennDot.

VOTE: 4-0

- 3) Budget meeting – discuss date of first meeting -

The Board discussed dates for the first budget meeting. They selected August 25, 2015 at 5:30 pm.

- 4) Hiring of part-time Administrative Assistant in Township office -

MOTION: Joe Pomorski made a motion to hire Katherine Archibald at \$15.00 per hour effective July 23, 2015. Charles Kilgore seconded.

QUESTIONS AND COMMENTS: Sharon Scott asked what this position is. Pani Martin said Katherine Archibald is a replacement for Maria Marasigan. The job duties are answering phones, helping residents that come in to the office, processing deposits and payments, processing payments through MuniBilling, working with Portnoff (collection agency for trash payments) and helping the Township Treasurer and Secretary as needed.

VOTE: 4-0

5) Other Township Business -

- a. Township credit card - Pani Martin said Vince Pompo forwarded information on what other townships are doing. PLGIT and Fulton Bank were two options. Pani Martin said she has already started looking into the Fulton Bank option because the Township has an established banking with Fulton. They offer a community card, there is no personal guarantee required and it is based on the organization's credit. Along with the application, the Township needs to submit financial statements including balance sheet, income statement, interim financial statements and audited financial statements. Ed Porter asked what the limit would be on the credit card. Joe Pomorski said \$2,000 was the limit on the past Township credit card. There was a discussion about possibly needing a higher limit for Park Day expenses. The Board decided \$2,000 was an appropriate limit to request for the credit card. Ms. Martin said she would take charge of the credit card. Pani Martin asked the Board if she could proceed with the application. The Board approved. Security cameras will be on hold until the Township gets a credit card. The notary class is something that the credit card would be used for. Lisa Valaitis will be taking the course.
- b. Verizon land lines - Pani Martin said she has spent many hours on the phone with Verizon. They have moved their billing over to summarized-billing. We have a telephone line we don't use. She said she would like to disconnect that line. Ms. Martin said she has been trying to find the phone line. She said there is a phone line that is an old police line that they no longer use. The office is using this line, which is extension 4576, as a third roll over line. We may be able to get rid of that line. She also said Verizon is willing to bundle the phone lines with internet as part of a two year contract. This would save \$30 per month. If the extra line is disconnected, the savings would be \$70 per month.

Pani Martin also discussed an option of voice over IP through Vonage. Voice over IP which is internet phone service. They offer a month to month option. If the power goes down, they'd have it set up to be able to route the phone service to a cell phone. Steve Herzog said his concern is that during times of mass power outage, the cell towers get overloaded in the area. He said land lines don't need power if you use a basic phone. Ms. Martin said that there aren't many options to lower the Verizon bills. There was a discussion about internet options such as speed. Ed Porter requested Pani Martin put together a chart on the savings options with Verizon. Steve Herzog asked Ms. Martin to find out from Vonage what internet speed they would recommend and compare it to what we have. Steve Herzog commented on other options. Ms. Martin said she would put together a chart of analysis of Verizon versus Vonage with the different plans. She will also get more solid numbers from Verizon and find out what internet speed the Township currently has. There was a discussion about the Verizon billing for both the office and police. All charges are together on one bill.

- c. Legal bills - Pani Martin reported Siana Bellwoar's billing total is up to \$11,000 since February. She said she wanted to keep the Board aware of the billing. She also asked if Vince Pompo or J.P. Sanchez is the Township's solicitor or if the Township has a team. Vince Pompo stated that Lamb McErlane is the Township's Solicitor. She said she was trying to understand their billing because both lawyers' names are on the Lamb McErlane invoices. Steve Herzog requested Pani Martin put together a cost breakdown analysis for Siana Bellwoar. Ed Porter requested Pani Martin ask Siana Bellwoar what minimum time increment they use for billing.
- d. Liquid Fuels - Mortonville Road line item - Pani Martin said when she first started the job, Ed Porter had requested she add a line item for Mortonville Road. She said because she was new, she had put this in Liquid Fuels because this is where all the road construction was located. She said she subsequently paid the first aerial survey bill for Mortonville Road out of Liquid Fuels. Upon reviewing, she doesn't think this bill should have been paid out of Liquid Fuels. She has inquired with Liquid Fuels and they are looking into whether there is a way this can be considered Liquid Fuels. She feels this payment will probably have to be transferred out of Liquid Fuels and recommends doing it sooner rather than later. Pani Martin also said she has another bill for Mortonville Road and asked what fund to pay the bill out of. The Board said to pay it out of the General Fund. Ms. Martin will create a "Roads" section in the General Fund and pay the bill out of that.

- e. Colonial Life - Pani Martin reported that Colonial Life is interested in offering our employees voluntary benefits similar to Aflac. The Township pays it upfront and gets reimbursed through the employee payroll deductions. Ms. Martin asked the Board if they would like to proceed with this. Steve Herzog voiced a concern about the impact on the Police Contract. Vince Pompo said this would be subject to both the Police CBA and Public Works negotiations. The Board decided not to change anything.

f. Park Day –

- a) Budget - Pani Martin asked if there will be a budget for Park Day. Ed Porter asked if there was any information or list of who donated in the past to Park Day. Pani Martin said she had not found that list yet but has been working with Kathey to determine who to ask for donations. Pani Martin said they will try to get donations to cover all expenses. The Board said the Township would put in money if needed. There was a discussion about past costs to the Township for Park Day. Pani Martin will locate the list of previous donators. Pani Martin asked what account to put donations under. The Board instructed Pani to create a line item under General Fund for Park Day donations. Vince Pompo said to keep records in case the donors want the tax deduction. Contributions to municipalities are tax deductible. He said in the past, he gave a form letter to the Township for this purpose. Mr. Pompo told Pani that she should fill out that form for donors to keep a paper trail.
- b) Zip Line – Pani Martin asked the Board if they would like to proceed with having the zip line at Park Day. They discussed how much could be charged for riding the zip line to offset the \$2,500 cost. If the cost is fully covered by donations, then the Township will not have to charge for the ride. There was a discussion about possible problems with using Township money for the zip line. Vince Pompo said most municipalities do solicit sponsorships to pay for these types of events. This is considered common to ask for donations from your businesses in your municipality as well as your vendors. They also discussed liability issues with the zip line. Ed Porter asked Pani Martin to get a list of what rides will be donated with the zip line. The Board approved reserving the zip line for Park Day.
- g. Resident Correspondence – Pani Martin asked the Board what type of correspondence with residents they would like to do in the future. She asked if they would prefer growing our Facebook page or doing an electronic newsletter. Ed Porter discussed doing a pdf version newsletter. Printing and postage for a paper newsletter is very expensive. A pdf newsletter could be posted on the Township website and Facebook page. Facebook administrator for the Township page was discussed as well as what type of posts to put on Facebook. Pani Martin asked the Board if there was an official policy on sending cards or reaching out to residents who have had a house fire. Joe Pomorski stated there is no official policy on this and he would not object to the Township office sending a card.
- h. Email Migration – Pani Martin stated the Township is running out of space for email. On different days, new email has been blocked from coming through. There is not enough space on our server. Even if we replace our existing server, it will open up space on our operating system but it will not free up the space necessary for our email system. Compnet recommends a hosted solution, either through them or Microsoft 365. The alternative would be to build our own server and the cost would be approximately \$9,000 - \$12,000. We would be paying \$400 a month. Within two and a half years, we could have bought our own server. There was a discussion regarding archive software and storing old email on a backup drive. Migrating email would involve a one-time fee of \$3,000 and a monthly fee as well. The Board requested more specifics on the servers in the Compnet proposal. Steve Herzog will speak to Josh Keller at Compnet to get more information.

K. POLICE DEPARTMENT

- 1) The June 2015 Police report was submitted for Board and resident review.

L. PARK AND RECREATION COMMITTEE

- 1) The July 24, 2015 Park and Recreation Monthly Report to Board of Supervisors was presented for Board and resident review.

- 2) Resolution for BOS Approval #2015-05 – Township Resolution Endorsing the Brandywine Creek Greenway and its 2014 Strategic Action Plan.

MOTION: Joe Pomorski made a motion to approve Resolution #2015-04 endorsing the Brandywine Creek Greenway and its 2014 Strategic Action Plan. Steve Herzog seconded.

QUESTIONS AND COMMENTS: Sharon Scott asked about the Brandywine Creek Greenway and how many feet it is along the waterway. Vince Pompo explained that this is a program that is sponsored by the Brandywine Conservancy. It extends the entire length of the Brandywine, both east and west branches. It is a planning document to promote keeping that open and to create enhanced recreational activities within the corridor. It is a strategic action plan that sets forth certain goals. There are no funding requirements relative to East Fallowfield or any other township that is asked to endorse the program. In order for the Brandywine Conservancy to continue its work and to demonstrate that the municipalities in which the Brandywine flows support the work that they do, they asked the municipalities to pass a resolution to endorse the plan. It does not commit the municipalities to do anything. The plan itself can be found on their website. The resolution is essentially promoting a greenway, preserving resources, protecting it from development and creating open space and recreational opportunities. Vince Pompo said this resolution is consistent with the newly adopted Comprehensive Plan.

VOTE: 4-0

- 3) Authorization to reimburse for materials installed in Park flower gardens.

MOTION: Joe Pomorski made a motion to authorize staff to reimburse Ms. Joyce Pieffer for the costs of the materials installed by her at the Park flower gardens. Ed Porter seconded.

QUESTIONS AND COMMENTS: Lisa Valaitis said this was for gardening around the monument. Ed Porter asked what the amount for reimbursement was. Lisa Valaitis said she did not have the dollar amount. Lisa Valaitis said that Tag Gathercole had wanted to thank her personally for doing such a terrific job.

VOTE: 4-0

#### M. HISTORICAL COMMISSION

- 1) No presentation. No report submitted.

#### N. NEW BUSINESS

- 1) Renewal of Process and Marketing Contract for Recyclables – Chester County Solid Waste Authority – Joe Pomorski asked if there was a down side to renewing. Lisa Valaitis said there was no down side to renewing. The Board approved renewing the contract.

#### O. PUBLIC PARTICIPATION

- 1) Dennis Crook – Dennis Crook, East Fallowfield Township resident, said solar panels came up in the Planning Commission. There is only one place in the Zoning Ordinance that he found anything about solar panels on buildings or put in banks that are not on buildings. The Planning Commission is looking to investigate this further. They are looking at applications for that will come up and how this may affect the historic committee as well as any other regulations. Our Zoning Ordinance – Part 7 Supplemental Land Use Provisions states they can be used in the Township but there is no limitations or anything else mentioned about them. He discussed some HOA's having restrictions on solar panels. Mr. Crook also commented that there are some federal regulations. The Planning Commission would like to look into this further. He asked Vince Pompo if he knew of any other Townships that have ordinances on solar panels. Ed Porter suggested talking to Rob McLarnon, Building Code Official.

- 2) Sharon Scott – Sharon Scott, East Fallowfield Township resident, commented on the \$11,000 Siana Bellwoar bill that Pani Martin discussed under the Treasurer’s Report. She asked if the Board of Supervisors sign off on a bill before the Treasurer pays the bill. Ed Porter explained that each check requires three Board of Supervisors’ signatures and the bill is attached to the check. Payments are also voted on at the monthly Board meetings. Ms. Scott asked if the \$11,000 bill had been paid yet. Pani Martin said that several bills make up the \$11,000. She asked what Siana Bellwoar does. Joe Pomorski said they are the Township’s representation in union contract negotiations with the Public Works Department. Ed Porter said the Public Works Department is unionizing with the Teamsters. Ms. Scott asked if a resident does not hook up to public sewer, will they have to hook up in order to sell their house. Vince Pompo stated that he believes this is required but there is no procedure in place to have the Township get involved in real estate settlement proceedings. Vince Pompo discussed possible procedures. He said the Township is not in the business of making residents hook up to public sewer and he explained that PA American water requested a mandatory connection ordinance.
- 3) Aaron Taylor – 2401 Strasburg Road – Aaron Taylor, East Fallowfield Township resident, stated that he and his wife recently purchased the property located at 2401 Strasburg Road. There is an ordinance that requires if your woodland disturbance exceeds 20,000 feet or 25 %, whichever is less, then you have to replant. The problem is that his entire property is wooded. Therefore they do not have the ability to reforest the property. He said his engineer recommended he come before the Board and request a waiver from that ordinance for his property. He presented a letter from Chris Della Penna and Rob McLarnon. He presented a plot plan with proposed buildings on it and a satellite image of his lot to the Board for review. He also presented the letters from Rob McLarnon and Chris Della Penna and a copy of the relevant ordinance. He stated the ordinance requires for every 300 feet of disturbance over the 20,000 feet, you have to plant one tree and two shrubs which comes out to 220 trees and 440 shrubs. Mr. Taylor said there is not enough space on his property to comply with this ordinance because the property is all wooded. He pointed out some areas on the plot plan where he could reduce the disturbance. The driveway is cleared but there is an easement stating that nothing can be planted or built in it. He said without the waiver he is stuck. The entire property will still be wooded and neighbors’ views will not be changed. He also discussed a stream in the back of his property. Vince Pompo asked Mr. Taylor if he owned the property. Mr. Taylor stated he does own the property. Vince Pompo stated the Board is authorized to grant a waiver. Vince Pompo asked Mr. Taylor if he had a plan showing where he is going to be cutting down timber. If the Board approves the waiver, how would the Board be assured that he would only take down the trees needed to reasonably develop the property? The ordinance is intended to reduce timber disturbance. Mr. Taylor stated the only other tree removal that may happen is potentially a pool. There is no other development planned on the property. Vince Pompo commented on the line marked “limit of disturbance” and asked Mr. Taylor if it would be acceptable to him if the Board would grant a waiver to allow removal of vegetation in excess of what the ordinance allows but limited to the line of disturbance. This would not account for the future pool. Mr. Taylor stated this is fine with him and is what he is looking for. Mr. Taylor will come back before the Board for any further development, such as a pool.

MOTION: Joe Pomorski made a motion to grant a waiver to Ordinance 22-30.3A to allow Mr. Taylor to remove woodlands in excess of the required area without replacement, limited to limits of disturbance based on the ENS control map. Ed Porter seconded.

QUESTIONS AND COMMENTS: Sharon Scott stated that this item was not on the agenda and therefore the public is not aware of it. She suggested the vote be tabled until the next meeting because Mr. Taylor’s neighbors may not be aware of this. Ed Porter asked Mr. Taylor if he had spoken to his neighbors. Mr. Taylor said he has met all neighbors in the front except one. He has not met the owner of the farm field at the rear of his property. There is a vacant lot to the one side. The neighbors have been supportive so far. One neighbor was concerned about his driveway. He is still bound by the setbacks and he is well past the setbacks.

VOTE: 4-0

- 4) Chief John Sly – Chief Sly, from Westwood Fire Company, said they usually invite their townships to attend a budget meeting at the Fire Station. Chief Sly asked the Board if they would prefer to have the Fire Companies come to a Board meeting to discuss their budget needs. The Board decided to have the budget

meeting with the Fire Companies at the September 8, 2015 Board of Supervisors Workshop meeting. Chief Sly will reach out to Modena Fire Company and request their attendance.

**3. ADJOURNMENT**

MOTION: Joe Pomorski made a motion to adjourn the Board of Supervisors meeting at 9:26 pm. Steve Herzog seconded. VOTE: 4-0

Respectfully Submitted,

Lisa Valaitis,  
Township Secretary