

August 21, 2019

The monthly meeting of the West Fallowfield Township Board of Supervisors was held on August 21, 2019 in the Township Meeting Room. Chairman Hershey called the meeting to order at 6:29 PM. Duane Hershey, Anne Deffenderfer, Richard Sprenkle, Secretary Wheeler, Solicitor Crotty, Chief Wilmont, Kathy Hutton, Jerome Liss, Robin McCormick, Patricia Softchin, Phillips Thompson, Solicitor John Carnes, Levi Fisher, and Peggy Johnson were in attendance.

Time was given to review the agenda that was available to all in attendance and was also posted in the meeting room. Duane Hershey asked for comments on agenda items. Jerome Liss informed the Board that at the Planning Commission meeting, Peggy Johnson and Solicitor Carnes made a presentation to request the Planning Commission change their opinion to a neutral position regarding the Peggy Johnson Zoning Hearing Board Hearing for a variance/relief to keep a horse on a property less than 1 acre in size in the Village District. The Planning Commission made the motion to NOT change their initial recommendation to the Board of Supervisors to oppose the granting of a variance to keep a horse on less than 1 acre in size in the village district.

Duane Hershey announced an executive session will be held following Action on the Bills to discuss personnel.

Anne Deffenderfer made the motion to approve the July 17, 2019 meeting minutes as prepared by the secretary. The motion was seconded by Richard Sprenkle and passed.

Solicitor Carnes started a presentation for Peggy Johnson for an Application that is before the Zoning Hearing Board for relief and reconsideration of the Board of Supervisors previous opinion that they are not in favor of granting a variance to keep a horse on less than one acre in size in the Village District. The Zoning Ordinance of 1997 as Amended requires a property to be 3 acres in size to keep 1 horse. Ms. Johnson arrived shortly after Mr. Carnes started the presentation. A continuance in the Zoning Hearing Board proceedings was granted, and the next hearing is scheduled for September 17, 2019. Following the presentation and discussion by the Board of Supervisors, the Board of Supervisors did not change their original opinion to oppose the granting of a variance/relief to keep a horse on less than 1 acre in size in the Village District.

Solicitor Carnes and Ms. Johnson left the meeting.

The Board of Supervisors reviewed the Solicitation Ordinance provided by Solicitor Crotty. Duane Hershey made the motion to have Solicitor Crotty prepare and advertise for the Solicitation Ordinance. The motion was seconded by Anne Deffenderfer and passed.

The Board of Supervisors reviewed the additional information provided by Daniel Gullo regarding the Fire Arms Home Occupation. Following the review of a letter of objection from a neighbor and deliberation by the Board, Richard Sprenkle made the motion to allow the Fire Arms Home Occupation of Daniel Gullo subject to the following conditions:

- 1) **A shooting range is NOT permitted.**
- 2) Customers per day remains less than 20.
- 3) The hours of operation are as stated by Mr. Gullo 8:00 AM – 5:00 PM.
- 4) The business remains a part-time business.
- 5) An approved by the Zoning Officer Sign Permit is obtained

The motion was seconded by Anne Deffenderfer and passed.

Duane Hershey made the motion to grant a partial waiver from §606 to reduce the number of required monuments. The monuments and pins as shown on the plans are sufficient to meet the intent of the Ordinance and a partial waiver appears to be justified. The motion was seconded by Anne Deffenderfer and passed.

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No bids were again received for the prepared and advertised Bids for Road Materials. The township has advertised and prepared bid packages on two separate occasions. The Roadmaster will purchase 2A Stone and Rice from the cheapest provider.

Levi Fisher submitted to the township secretary a notarized and signed by the owners of the property of Kore Fisher Stormwater Best Management Practices (BMPs) And Conveyances Operation And Maintenance Agreement and a check in the amount of \$5,700 to be held in escrow for the Construction Guarantee. The Planning Commission recommended the Board of Supervisors require a Land Development Plan and Driveway Easement be obtained since a portion of the driveway is on a neighboring property. The Township Engineer reported the project does not meet the requirements of a Land Development Plan. Duane Hershey made the motion to enter into and sign the SWM O&M Agreement and authorize Anne Deffenderfer to sign the agreement and further to require a driveway easement before any permits are released. No work is to be started until all permits are approved and the driveway easement is obtained. The motion was seconded by Richard Sprengle and passed.

Duane Hershey made the motion to accept the granted 120 day extension in the allotted time for review of the Ben and Fannie Fisher Land Development Plan. The motion was seconded by Anne Deffenderfer and passed. The granted extension extends the allotted time for review from September 10, 2019 to January 8, 2020.

Duane Hershey made the motion to enter into and sign the Victor Stoltzfus Stormwater Management Operations and Maintenance and Agreement and to authorize Anne Deffenderfer to sign the agreement. The motion was seconded by Anne Deffenderfer and passed.

Secretary Wheeler announced the signed Chipper Agreement has been received from Highland Township. Secretary Wheeler asked Roadmaster Thompson where the chipper will be housed for insurance purposed. Roadmaster Thompson will discuss with Highland Township and let the secretary know what they decide.

Richard Sprengle reported there was another accident at the intersection of Highland Road and Fallowfield Road. Discussion ensued.

Chief Wilmont gave the regular monthly report.

Roadmaster Thompson reported the Oil and Chip and Mill and Fill projects have been completed. Both companies did a good job.

Tax Collector McCormick reported she will be at the Township Building on Thursday, August 29, 2019 from 9am-12pm and August 31, 2019 from 9am-12pm to collect taxes. Anne Deffenderfer asked about specific software for tax collection. Tax Collector McCormick will investigate tax collection software further for options.

Zoning Officer Theresa Dugan was not in attendance.

Duane Hershey made the motion to approve the Walton Farms, LLC Road Occupancy to bore a hole under Centerhall Road to put an 8 inch pipe in for manure to dragline. The motion was seconded by Anne Deffenderfer and passed.

Anne Deffenderfer left the meeting at 7:45 PM.

Levi Fisher left the meeting at 7:45 PM.

Discussion was given to the Chester County Planning Commission for the Board of Supervisors to adopt a resolution to endorse supporting Landscapes3, the County's Comprehensive Plan. The Board took no action on the request and will discuss the item at a later meeting.

Discussion was given to amending the West Fallowfield Township Stormwater Management Ordinance since the adoption of Act 15 of 2018, which amended Act 167 regarding "High Tunnels." No action was taken.

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Duane Hershey made the motion following the recommendation of the Planning Commission to take no position on the Glenville Farms Zoning Hearing Board Application. The motion was seconded by Richard Sprenkle and passed.

Information was received on a meeting to be held by SCCEMS Medic 94 regarding their continued efforts to define a standard approach for municipalities to allocate funds to support the SCCEMS Medic 94. Richard Sprenkle will attend if Anne Deffenderfer is unable to attend.

Richard Sprenkle attended the first meeting held by SCCEMS Medic 94 regarding their funding approach for allocated funds from municipalities. He provided the Board with an update.

The following correspondence was read:

- Information was received from Chester County Water Resources Authority on the updating of the County's Watersheds Plan and the County's Act 167 Stormwater Management Plan.
- Cochranville Fire Company will hold its annual Meeting with the Supervisors to be held on September 16, 2019 at the Chester County Public Safety Training Campus.
- Notice was received from Atglen Borough that Fire Police will assist with traffic control for their 5K Walk/Run on September 21, 2019.
- Proof of Publication was received from Daily Local News for the Notice To Bid Road Materials.
- Notice was received from DEP that Action Manufacturing Company's RCRA Class 3 Hazardous Waste Permit Modification of existing RCRA Part B Permit for Action Manufacturing Company, Atglen Facility was reviewed and DEP has determined all applicable requirements have been satisfied.
- A Statement of Financial Interests was received from Lauren Paez who is running for Township Auditor.
- A Statement of Financial Interests was received from Jeffrey Young who is running for Township Supervisor.
- A request was received from SCCEMS for funding in the amount of \$12,387 for the year 2020.
- Information was received on PECO Green Region grant opportunities for open space projects.
- Notice was received from Allied World National Assurance Company they will not be renewing the township policy for next year due to a change in underwriting guidelines they will no longer be writing first Dollar/Low Deductible Municipal and County type risks.
- The monthly report was received from Cochranville Fire Company. In the month of July there were 19 calls; 4 were in West Fallowfield Township.
- The Atglen Public Library's Board of Trustees and Library Director Robbyn Kehoe sent a thank you letter to the Board of Supervisors for their recent annual contribution.
- Various training information was received.
- Sales flyers and information of services offered were received from various businesses.
- The Oxford Senior Center newsletter was received.

Duane Hershey asked for comments from the floor. Patricia Softchin asked for clarification on her family farm subdivision plans. Discussion ensued.

After reviewing the invoices, Richard Sprenkle made the motion to approve payment of the bills as presented. The motion was seconded by Duane Hershey and passed.

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The Board went into executive session to discuss personnel at 8:22 PM

Chairman Hershey re-opened the meeting at 8:55 PM

Duane Hershey made the motion to move Kenneth Poole from a part-time seasonal employee to a part-time Road Crew employee at the current Part Time Labor rate of \$11.54 per hour and Part Time Operator rate of \$16.50 per hour effective August 1, 2019, with no increase in the amount of monthly hours worked by the Road Crew. The motion was seconded by Richard Sprenkle and passed.

As there was no further business, the meeting was adjourned at 9:56 PM.

Respectfully Submitted,

Gina M. Wheeler, Township Secretary