

November 16, 2017

The mid-month meeting of the West Fallowfield Township Board of Supervisors was held on November 16, 2017 in the township meeting room. Chairman Hutchison called the meeting to order at 6:32 PM. Anne Hutchison, Jeffrey Young, Duane Hershey, Solicitor Crotty, Secretary Wheeler, Steve Dempsey, Gail Emerson, Glen Carlson, Jerome Liss and Dick Sprenkle 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.

Chairman Hutchison asked for comments on the agenda items. Steve Dempsey asked for clarification on the Resolution to Prohibit Category 4 Mini Casinos within Township Boundaries. Should the Board of Supervisors opt-out now, they can at a later time rescind the opt-out and allow for a mini casino within the township boundaries. If the Board of Supervisors does not opt-out before the deadline of December 31, 2017, they cannot at a later time opt-out. Should the Board of Supervisors choose to opt-in, there will not be an option to opt-out at a later time. Steve Dempsey said the board should leave it open for the future as it gives land use options. Jerome Liss said the board should vote no now and consider the option of putting in a mini casino at a later time.

The Board of Supervisors will hold their regularly scheduled meeting on December 7, 2017 at 6:30 PM. There will be no mid-monthly meeting in December as advertised. The Board of Supervisors will hold the Year End Meeting on December 28, 2017 at 6:30 PM. The Board of Supervisors will meet on January 2, 2018 at 6:30 PM to reorganize. There will be no meeting of the Board of Supervisors on January 4, 2018.

Anne Hutchison made the motion to adopt **RESOLUTION 17-10 2017 A  
RESOLUTION OF THE BOARD OF SUPERVISORS OF WEST FALLOWFIELD  
TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA PROHIBITING THE  
LOCATION OF A CATEGORY 4 LICENSED FACILITY WITHIN THE TOWNSHIP.**

WHEREAS, Act 42 of 2017 authorizes the licensing of ten (10) Category 4 casinos within the Commonwealth; and

WHEREAS, these Category 4 casinos will be “mini-casinos” licensed to those that operate a Category 1, 2, or 3 casino within the Commonwealth; and

WHEREAS, Act 42 of 2017 {§ 1305.1 (A.1) (1)} gives all municipalities within the Commonwealth the option to prohibit the location of a Category 4 facility within their municipal boundaries; and

WHEREAS, a resolution to prohibit the location of a Category 4 facility within the municipal boundaries must be passed by the governing body of the municipality and delivered to the Pennsylvania Gaming Control Board no later than December 31, 2017.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of West Fallowfield Township, Chester County, Pennsylvania adopts this resolution in accordance with § 1305.1 (A.1) (1) of Act 42 of 2017 to prohibit the placement and operation of a Category 4 licensed facility within the boundaries of West Fallowfield Township.

AND, FURTHER, that a copy of this resolution shall be delivered to the Pennsylvania Gaming Control Board no later than December 31, 2017.

RESOLVED AND ADOPTED at a duly advertised public meeting on this 16<sup>th</sup> day of November 2017.

The motion was seconded by Duane Hershey and passed.

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The Board of Supervisors reviewed the Zoning Officer Report from February through October 2017. There were 17 Zoning Reviews, 4 Inspections/Posts, and 2 Complaints.

Glen Carlson stated it took a long time to get his permit. He wants a reason for the lag time. Jerome Liss commented on the time frame for reviews by the Zoning Officer and the performance standards of the Zoning Officer. Duane Hershey stated the Board of Supervisors are addressing the issues.

Gail Emerson stated she filed two complaints. She would like a copy of the Zoning Officer report and copies of letters sent to the property owners regarding her complaints. She will need to file a PA Right To Know Request with the township office. Solicitor Crotty stated the Zoning Officer Report could be provided in response to a Right To Know Request even though it contains names and addresses of those who made applications for permits and/or were involved in complaints.

Anne Hutchison made the motion to allow the Chester County AG Council to hold their Board Meeting in the township meeting room on Wednesday, September 5, 2018. The motion was seconded by Jeffrey Young and passed.

Following the review of the 2018 State Fund Budget, Anne Hutchison made the motion to accept the 2018 State Fund Budget in the amount of \$265,984. The motion was seconded by Jeffrey Young and passed.

Following the review of the 2018 General Fund Budget, Anne Hutchison made the motion to accept the 2018 General Fund Budget in the amount of \$768,294. The motion was seconded by Jeffrey Young and passed.

Anne Hutchison made the motion to adopt **RESOLUTION 17-11 2017 RESOLUTION BY THE BOARD OF SUPERVISORS OF WEST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA AUTHORIZING THE ELECTION OF ANNUAL CONTRIBUTION INCREASE UNDER THE TERMS OF THE POLICE PENSION PLAN OF WEST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA TO THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM**

## **BACKGROUND**

The provisions of Section 9.1(d) of the Police Pension Plan provides that the municipality may annually elect to contribute at a higher amount in future years by adopting a resolution and filing with the Pennsylvania Municipal Retirement Board.

**BE IT AND IT IS HEREBY RESOLVED** by the Board of Supervisors of West Fallowfield Township as follows:

Commencing January 1, 2018, the Board of Supervisors of West Fallowfield Township shall contribute \$8,500 per year into a defined contribution money purchase pension plan on behalf of the Full Time Chief to which the officer shall be immediately one hundred percent (100%) vested. Other Full Time Officers will receive a contribution of \$8,500 per year into a defined contribution money purchase pension plan to which the officer shall be immediately one hundred percent (100%) vested. In the event that the full-time officer's employment is terminated at any time due to the Township's abolishment of the police department, regionalization or for any other reason (including, but not limited to resignation of the full-time

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officer) the full-time officer shall become immediately vested and entitled to all sums currently standing in the defined contribution money purchase pension plan account. The full-time officer can retire at age 50 and benefits accumulated in the fund will be made available to the officer. A Pension report shall be forwarded to each full-time officer quarterly that will include status and growth of the pension fund.

RESOLVED THIS 16<sup>th</sup> DAY OF NOVEMBER 2017

The motion was seconded by Jeffrey Young and passed.

The Board of Supervisors discussed the possibility of grant money becoming available from the PA Small Water and Sewer Program. Jerome Liss asked if the Board had looked into a community well as an alternative. They have not. Glen Carlson asked what the issue is with the homes in the village. There is the probability that in the future there will be a health crisis with the current systems in the village. Most of the homes on Cochran Street can't be sold because the buyers cannot obtain a mortgage for the properties. In some cases the wells and cesspools are side by side which causes health concerns.

Anne Hutchison made the motion to have the township engineer explore the preliminary costs and scope of work to obtain grant money for public sewer and water. The motion was seconded by Jeffrey Young and passed.

The following correspondence was read:

- The monthly report was received from Cochranville Fire Company. In the month of October there were 15 calls; 2 were in West Fallowfield Township.
- Information was received on an automated meeting software package available from InterCom Network. The Board of Supervisors is not interested in the software at this time.
- A letter was received from AQUA in regards to some of misconceptions they feel have occurred in their talks with Chester County Water Authority.
- A donation request was received from Christiana Ambulance Association.
- The monthly report was received from SCCEMS. There were 221 EMS incidents in the month of October.
- Various training information was received.
- Sales flyers and information of services offered were received from various businesses.

Anne Hutchison asked for comments from the floor. Jerome Liss asked if Action Manufacturing Company has submitted any monthly reports as he thought they were required to do so. Solicitor Crotty will follow-up with Action Manufacturing Company attorney. Mr. Liss stated he needed a Stormwater Exemption Form and there was no such form. Secretary Wheeler will provide Mr. Liss with the Stormwater Exemption Form.

Steve Dempsey inquired as to the diesel fuel tank for the maintenance building. The township is still obtaining information on a 1,000 gallon tank. Steve Dempsey inquired about a solar Your Speed Sign. Chief Wilmont is believed to have obtained pricing on such a sign towards the beginning of the year. Jeffrey Young said he thought it was quite expensive. Secretary Wheeler will see if Chief Wilmont still has the information on prices for the sign. Steve Dempsey said the township should petition the State to lower the speed to 25 MPH on Limestone Road from the current 35 MPH.

Glen Carlson asked when the minutes will be put online. The last minutes posted were from September. Secretary Wheeler reminded Mr. Liss the October meeting minutes were only

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just approved at the November 2, 2017 meeting. They will be placed online in a reasonable amount of time. Mr. Liss also commented the government information needs to be updated on the website.

Gail Emerson made a complaint of a business being run out of a property on King Road. There are several old boats and cars on the property. The complaint will be forwarded to the Zoning Officer.

After reviewing the invoices, Anne Hutchison made the motion to approve payment of the bills as presented. The motion was seconded by Jeffrey Young and passed.

Anne Hutchison recessed the meeting at 7:15 PM.

The Board went into Executive Session at 7:15 PM.

Anne Hutchison reopened the meeting at 7:55 PM

As there was no further business, the meeting was adjourned at 7:55 PM.

Respectfully Submitted,

Gina M. Wheeler, Township Secretary