

**FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS**  
**Reorganization Meeting**  
**January 4, 2016**

**Call to Order:**

Supervisor Caldwell called the meeting to order at 6:00 p.m. prevailing time.

**Appointment of Temporary Chairman:**

Supervisor Smith made a motion to appoint Wilbur Caldwell as Temporary Chairman, second by Supervisor Sadler. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Pledge of Allegiance:**

Supervisor Caldwell led the Pledge of Allegiance.

**Roll Call:**

Fallowfield Township Supervisors met for their Reorganization Meeting on January 4, 2016, @ 6:00 p.m., at the Fallowfield Township Municipal Building, 9 Memorial Drive, Charleroi, Pa. Present were Supervisor Wilbur Caldwell, Supervisor Earl Sadler, Supervisor Bruce Smith, Secretary/Treasurer Karen Talbert, and Solicitor Thomas P. Agrafiotis.

**Approval of the Agenda:**

Supervisor Caldwell stated that there are two items that need discussed, first, Chester Engineers. He stated that we received correspondence from them but the Board had discussed in the past entering into a contract with them. The purpose of the contract was to make sure that whatever they are working on, was the property of the Township. Solicitor Agrafiotis stated that they are at will, do not have a contract, so you could get rid of them tomorrow if you wanted. He stated that you could appointment them conditionally upon them providing that agreement or you could just appoint them with a note that you are going to ask for that agreement, that all the files are turned over to us and anything they do, is Township property. He stated that either way, you can do it, it's not a big deal, you are not locked in for the year, they are an at will.

Supervisor Caldwell stated that we need to add, may be after Paragraph No. 39, that due to the closing of the Valley Independent, that we use the Washington Observer for our legal advertisements. Solicitor Agrafiotis stated that he was going to bring this up because he has to advertise very soon for the public hearings going to be held on January 27<sup>th</sup>. The Solicitor further stated that once you elect your officers, this is just like any other meeting. He also stated that we need to add the request from Keith Bassi, which was discussed previously, to combine parcel identification numbers. After discussion, it was decided that these two items, the newspaper for

legal advertisements and the combining of parcel identification numbers, would be added as A. and B. under Paragraph 13 – Appointment of Solicitor.

The Solicitor further stated that we are going to have three ordinances which is a pretty substantial task, which will be up for public hearing and adoption on January 27, 2016. It was the Solicitor's opinion that they should be done separately because if the County comes back and says your telecommunication ordinance has a mistake and we are doing them all combined, we will be precluded from passing anything that night. The Solicitor stated that it is best to have three separate public hearings and three separate ads, although it costs a little more money, that is the safest way to insure that we are not barred from doing anything. After discussion, it was decided that the first hearing would be at 3:30 p.m. for the Wireless Communication Ordinance; 4:00 to 5:00 p.m. would be the Oil and Gas Ordinance and 5:00 to 6:00 p.m. for the cumulative Zoning amendments. Supervisor Smith made a motion to approve the amended agenda, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Chairman for 2016** – Supervisor Smith made a motion to appoint Supervisor Caldwell as Chairman for the 2016 calendar year, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Vice Chairman** – Supervisor Caldwell made a motion to appoint Supervisor Smith as Vice Chairman for the 2016 calendar year, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Secretary/Treasurer** - Supervisor Smith made a motion to appoint Karen Talbert as Secretary/Treasurer for the 2016 calendar year, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Assistant Secretary/Treasurer** - Supervisor Caldwell made a motion to appoint Bruce Smith as Assistant Secretary/Treasurer, and stated he needed a motion. Supervisor Smith stated, second. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

Supervisor Smith – yes, Supervisor Sadler – yes, and Supervisor Caldwell – yes.

Solicitor Agrafiotis asked if there was compensation for this position, and the Secretary replied, yes, there is compensation in the amount of \$3,000.00 per year or \$115.39 every two weeks. Solicitor Agrafiotis stated that he understands that we only have a three-man board but, Bruce, you are voting on pecuniary gain. He further stated, why don't you make the motion contingent upon approval until we can make sure with PSATS that Bruce can vote on himself.

Supervisor Caldwell ask if we need a motion for that. Solicitor Agrafiotis stated that you could change your motion to a contingency motion to make sure that it is okay and that he is allowed to vote for that position. Supervisor Caldwell made a motion for contingency until we

can contact PSATS to see if it is allowable for Bruce to vote on himself. Solicitor Agrafiotis stated that technically, you should abstain if it is a pecuniary gain. Supervisor Smith asked, that is your question, me voting. Solicitor Agrafiotis stated, yes, I know with three people sometimes it may make it hard to pass motions. Supervisor Smith asked if we could rescind that, and questioned if it was that he should not vote or that he should not second a motion. Solicitor Agrafiotis stated that technically, you should abstain but I don't know with a three man board, if people had to abstain all the time, we would never get anything done, so I would do it conditionally and see if it is okay with the state. Supervisor Caldwell stated that I amend that motion, second Supervisor Sadler. A roll call vote was taken:

Supervisor Smith – yes, Supervisor Sadler – yes, and Supervisor Caldwell – yes.

**Close of Township Books for the year 2015** - Supervisor Smith made a motion to close the books for the year 2015, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Setting of meeting dates, time and place for the Regular Monthly Meetings** - Supervisor Smith made a motion to set the Regular Meetings for the last Wednesday of every month at 6:00 p.m. at the Municipal Building with the exception of the December, 2016, meeting which will be moved to December 21<sup>st</sup>, 2016, @ 6:00 p.m. due to the holiday, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Setting of meeting dates, time and place for the Monthly Agenda Meetings-** Supervisor Smith made a motion to set the Monthly Agenda Meetings for the third Monday of every month @ 6:00 p.m. at the Municipal Building with the exception of the April, 2016, meeting which will be held on April 11, 2016, due to the PSATS Conference and the December, 2016, meeting which will be moved to December 12, 2016, due to the holiday, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Township Solicitor** – Supervisor Caldwell asked the Secretary if she had received a letter from Solicitor Agrafiotis. The Secretary stated that she had received a letter from Solicitor Agrafiotis and stated that she had emailed it to each Board Member for review. Supervisor Sadler made a motion to appoint Melenzyer & Agrafiotis as Township Solicitor, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

A. **Washington Observer newspaper** - Supervisor Caldwell stated that we needed a motion making the Washington Observer newspaper the paper of choice for legal advertisement and Township information, Supervisor Smith, so moved, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

B. **Bassi request to combine parcel identification numbers** -

Solicitor Agrafiotis stated that Mr. Bassi had spoken with Supervisor Caldwell and then the paper work was forwarded to him regarding a woman who owns fourteen parcels of ground and that they wanted to combine all the parcel identification numbers into one number. The Solicitor further stated that this does not change the tax assessment but will make it simplified for everyone else. He stated that he thought it would be appropriate to make that motion. He also stated that it is for a Colleen M. Nickerso (unsure of spelling) 82 Rural Road, Charleroi, PA. Supervisor Smith asked, that is the opposite of subdivision. The Solicitor stated these are combined for tax assessment purposes not combining the properties, she will get just one bill. Supervisor Caldwell made a motion to accept the combining of the parcel identification numbers as stated by the Solicitor, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Certified Public Accountant to conduct the 2015 Township annual audit –**

The Secretary stated that she had received a letter from Edward Opst and he stated that his fee will remain the same as last year which she believed was \$7,250.00. Supervisor Smith made a motion to appoint Edward Opst as the Township's Certified Public Accountant for the 2015 annual audit, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Selection of Township Depositories** – Supervisor Sadler made a motion to select Charleroi Federal Savings Bank and Plgit as the Township Depositories, second by Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, and Supervisor Caldwell – yes.

**Setting Secretary/Treasurer's Bond** – Supervisor Caldwell called for a motion to set the Secretary/Treasurer's Bond in the amount of \$100,000.00. Supervisor Smith stated, so moved, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Setting Assistant Secretary/Treasurer's Bond** – Supervisor Caldwell called for a motion to set the Assistant Secretary/Treasurer's Bond in the amount of \$100,000.00. Solicitor Agrafiotis stated back to the appointment of the Assistant Secretary/Treasurer, it didn't appear, I could be wrong Earl, that you were going to second that motion and Bruce seconded it and technically in an ideal world he should have abstained because there is additional compensation. Earl, I do not mean to speak for you but it didn't sound like you were going to second it so that is why I said we need to double check to make sure that it is okay because usually you abstain from voting for yourself when there is some pecuniary gain. He further stated that now in this situation with a three man board it would be kind of hard to conduct business sometimes so as long as PSATS is okay then I think we are fine. Supervisor Smith made a motion to set the Assistant Secretary/Treasurer's Bond at \$100,000.00, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Setting of Tax Collector's Bond** - Supervisor Smith made a motion to set the Tax Collector's bond in the amount of \$131,413.98 which represents thirty (30%) percent of the total taxes at face of \$438,046.62 in the 2015 Tax Duplicate Book, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, and Supervisor Caldwell – yes.

**Setting of compensation paid to Tax Collector** – Supervisor Smith made a motion to set the compensation paid to Wayne Ray, Tax Collector, at five (5%) percent of the tax collections, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Collector for delinquent and current Street Light Tax and Fire Hydrant Tax** – Solicitor Agrafiotis reported that we are still trying to get a contract with Keystone Collections because I was not totally happy with some of their terms but Wayne is still the collector until they are on board. Supervisor Smith made a motion to appoint Wayne Ray as the Collector for delinquent and current Street Light and Fire Hydrant Tax, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Supervisor Caldwell stated that we do not really have to act on the matter of the collection of the **Earned Income Tax and Local Service Tax**. The Secretary responded that is correct, and that she just wanted everyone to be aware of the status of this matter which is that Fallowfield Township is a member, with a voting delegate, of the Washington County Tax Collection District. The Washington County Tax Collection District entered into a three-year contract with Keystone Collections Group which commenced on January 1, 2012, (end of three-year contract 1/1/15) to collect the District's Earned Income Tax and Local Service Tax, said contract having automatic extensions for up to three successive one (1) year terms (end of three successive one year terms would be 1/1/18). Keystone Collections Group applies a 1.5% collection commission for current and delinquent EIT and a 1.69% collection commission for current and delinquent LST.

**Appointment of Collector for delinquent Earned Income Tax and Local Service Tax** – Supervisor Caldwell made a motion to appoint Keystone Collections Group to collect the Township's delinquent Earned Income Tax and Local Service Tax, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Realty Transfer Tax split** – Supervisor Sadler made a motion to divide the one (1%) percent realty transfer tax that we receive as follows: .50% to the Township and .50% to the Charleroi Area School District, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Setting of mileage rate for 2015** – Supervisor Caldwell made a motion to set the mileage rate @ 54 cents per mile pursuant to the rate as established by the Internal Revenue Service for 2016,

second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Supervisor/Road Master** – Supervisor Caldwell made a motion to appoint Earl Sadler as Supervisor/Road Master for 2016, second by Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Working Road Master** - Supervisor Smith made a motion to appoint John Grossi as the Working Road Master for the year 2016, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Township Engineer** – Supervisor Caldwell reported that the Township had received an email from Chester Engineers stating that their rates will remain the same for 2016 as they were in 2015. There was some discussion regarding the appointment since the Township wanted an agreement regarding ownership of any and all files should the business relationship end. The Solicitor suggested appointing them and then a note can be sent to them that the Township wants to enter into an agreement regarding the return of Township files if the relationship is terminated, Supervisor Smith, so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Zoning/Code Enforcement Officer** – Supervisor Smith ask if this should be combined. Solicitor Agrafiotis stated, that technically this is two separate offices. Supervisor Smith made a motion to appoint Frank Monack as Zoning Officer. Supervisor Caldwell ask if we had a letter regarding his rates and the Secretary replied, yes, there is no change in the rates. There was a second by Supervisor Sadler. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Supervisor Sadler made a motion to appoint Frank Monack as Code Enforcement Officer, second Supervisor Caldwell. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of UCC Inspector** – Supervisor Sadler ask if we had received a letter from K2 Engineering. The Secretary reported that she had received a letter from them along with an extensive schedule of the fees that they charge; although we pay them nothing, the people who apply for the permits pay the fees. Supervisor Sadler ask if the fees were different but the Secretary said that she really did not know because she did not ever recall having received a list of their fees. Supervisor Sadler made a motion to appoint K2 Engineering as the UCC Inspector, second Supervisor Caldwell. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Solicitor for the Planning Commission and Zoning Hearing Board** – Supervisor Caldwell stated that this is for Solicitor of Zoning Hearing Board and not for the Planning Commission. Supervisor Caldwell ask if there was any change in his fees. The Secretary replied, no, she had received a letter and there was no change in his fees. Supervisor Caldwell made a motion to appoint Jason Walsh as Solicitor for the Zoning Hearing Board, second Supervisor Smith. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of one individual to the Vacancy Board** – Supervisor Caldwell stated that he had received a letter from Don Kemp stating that he would like to serve another term on the Vacancy Board. Supervisor Caldwell read the letter aloud and made a motion to appoint Don Kemp, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – no, Supervisor Caldwell – yes.

**Appointment of two vacancies on the Recreation Board** - Supervisor Caldwell stated that he had received a letter from Jamie Iacovino and he read the letter aloud. Supervisor Smith made a motion to appoint Jamie Iacovino, second Supervisor Caldwell. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Supervisor Caldwell stated that he had received a letter from Johna Pelligrini and he read the letter aloud. Supervisor Caldwell made a motion to appoint Johna Pelligrini to the Parks and Recreation Board, second Supervisor Smith. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of one vacancy on Planning Commission Board** - Supervisor Caldwell read a letter that he had written requesting re-appointment to the Planning Commission Board. Supervisor Smith made a motion to appoint Supervisor Caldwell to the Planning Commission Board, second Supervisor Sadler. Supervisor Sadler ask how long the term would be and Supervisor Caldwell stated that it would be for five years. The Secretary provided some information that she had regarding the terms on the Planning Commission Board and she stated that according to the information she had, that Bruce Smith's term was up and not Supervisor Caldwell's'. Supervisor Caldwell stated that he felt that this information was incorrect and that if you review the minutes, it was his term that was up. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Emergency Management Officer** – Supervisor Smith stated that the title to this office was changed to Emergency Management Coordinator. Supervisor Smith stated that he had verbal confirmation from Richard Pudliner, Sr. that he is interested in that position. Supervisor Smith said that if a formal letter is necessary, he will have Mr. Pudliner send one. Supervisor Caldwell made a motion to accept Richard Pudliner, Sr., and request that he send over a letter regarding his interest in the position, second Supervisor Sadler. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Appointment of Assistant Emergency Management Officer** – Supervisor Smith made a motion to table the appointment. Supervisor Caldwell ask why and Supervisor Smith stated that he felt that it might be best if the Emergency Management Coordinator had some input. Second to the motion made by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, and Supervisor Caldwell – yes.

**Appointment of Animal Control Officer** – Supervisor Caldwell stated that the Secretary has a letter from Kim Secreet and that there is no change in her fees, which are \$250.00 per month. Supervisor Smith made a motion to appoint Animal Control Services as the Animal Control Officer, second Supervisor Sadler. Supervisor Caldwell called for any further discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Motion to certify the Official Township Family (Supervisors and Secretary/Treasurer) as delegates to attend the PSATS Annual Educational Conference from April 17<sup>th</sup> through April 20<sup>th</sup> 2016** – Supervisor Smith made a motion to certify the Supervisors, Secretary/Treasurer and Emergency Management Coordinator as delegates to attend the PSATS Annual Education Conference, second by Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

**Designation of voting delegate for PSATS Annual Educational Conference** – Supervisor Smith made a motion to appoint Supervisor Caldwell as the voting delegate for the PSATS Annual Education Conference, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Supervisor Caldwell reported that the date of the next work session is January 18, 2016, @ 6:00 p.m. and the next regular meeting is January 27, 2016, @ 6:00 p.m. and called for a motion to adjourn. Supervisor Sadler made a motion to adjourn the meeting.

  
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Karen Talbert, Secretary/Treasurer