

# EAST FALLOWFIELD TOWNSHIP

## BOARD OF SUPERVISORS MEETING

November 13, 2018 Approved minutes

6:34 p.m.

### Members Present

Wilson Lambert, Vice Chairman  
Joe Heffern, Member  
Katja DiRado, Member  
Carol Kulp, Member

### Township Staff Present

Scott Swichar, Township Manager  
Pani Martin, Township Treasurer  
Lisa Valaitis, Township Secretary

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

Supervisor Wilson Lambert called the meeting to order at 6:34 p.m.

#### 2. DISCUSSION

##### A. Township Manager's Report.

##### 1) One Small Step Walk/Run – Doe Run Presbyterian Church.

Township Manager Scott Swichar reported that the Doe Run Presbyterian Church requested to change the date of the One Small Step Walk/Run event to November 17, 2018. The event was originally scheduled in October but was cancelled due to rain. Township Manager Swichar stated that there are no other events scheduled in the park on November 17.

MOTION: Supervisor Katja DiRado made a motion that the Township approve the request by the Doe Run Presbyterian Church to host a 1K/5K on November 17, 2018 in the East Fallowfield Township Park provided that the Township be named as an additional insured on their insurance for the event and that they arrange for fire police to secure the affected traffic areas during the event. Supervisor Carol Kulp seconded.

##### QUESTIONS AND COMMENTS:

- a. Township Resident Sharon Scott objected to approving this event based on East Fallowfield Township paying for insurance. Supervisor Joe Heffern explained that the Doe Run Presbyterian Church will be paying to add the Township to their insurance and there will be no cost to the Township. Township resident Sharon Scott thanked the Supervisor Heffern for clarifying the insurance.

VOTE: 4-0

##### 2) Ridgecrest Escrow Release No. 2.

MOTION: Supervisor Kulp made a motion that the Township approve Escrow Release No. 2 for the Ridgecrest Residential Subdivision, in the amount of \$49,414.53. Supervisor Heffern seconded. All in Favor.

## QUESTIONS AND COMMENTS:

- a. Township Resident Sharon Scott requested the records to include the exact address of the Ridgecrest Development by street name and number, the developer's name, where the escrow funds are held and in what form (bond, letter of credit, etc.), original escrow amount, year escrow was established, and the escrow balance after the requested release of \$49,414.53. Township Treasurer Pani Martin provided a copy of Township Engineer Chris Della Penna's review/recommendation letter to Mrs. Scott. Township Treasurer Martin stated the name of the development is Ridgecrest. The developer is Rouse Chamberlin Homes and their office is located in Exton PA. The address of a new home being built in the Ridgecrest Development is 2 Covewood Way. The Ridgecrest Development is located at the corner of West Chester Road and South Caln Road. Supervisor Heffern said that they do not have all the requested information at this time. Township Treasurer Martin said that Moser was the original developer. Township Resident Sharon Scott requested Moser's original escrow amount and the date it started and ended. Township Treasurer Martin said she does not have some of that information because that information is part of legal agreements. Township Manager Swichar stated that Mrs. Scott could submit a right to know request to obtain this information.
- b. Planning Commission Chairman Dennis Crook asked if Township Engineer Della Penna has a scheduled amount of different items they are billing for and releasing escrow. He also said that he has been researching other developments that were on hold and said he was concerned that the Conditional Use Decision conditions are being carried from one developer to the next. Greg Graham stated that the Ridgecrest Development Conditional Use conditions are listed on the recorded plans. There is a schedule attached to Township Engineer Della Penna's submission. Rouse Chamberlin will have another four or five escrow release requests.
- c. Supervisor Lambert stated that Solicitor Mike Crotty recommended this escrow release be approved.
- d. Supervisor DiRado asked Mr. Graham if anyone is allowed to take a walking tour of the development site. Mr. Graham stated that tours of the Ridgecrest Development could be set up with him.

VOTE: 3-1 (Supervisor Lambert, Supervisor Heffern, and Supervisor DiRado voted yea. Supervisor Kulp voted nae.)

### 3) Update on Mortonville Road/Multimodal Transportation Fund (MTF) Resolution.

Township Manager Swichar stated he had provided a verbal cost estimate of \$1,500,000 to repair Mortonville Road at the previous Board of Supervisors meeting. He reported he met with Geo Stabilization International (GSI) and they provided a revised cost estimate to build a soil nail wall on the damaged portion of Mortonville Road. Based on that meeting, they were able to revise the estimated project cost to \$1,310,733. Township Manager Swichar reported he is in the process of working on the PennDOT Multimodal Transportation Fund Grant Application, and because the cost estimate is lower, he is recommending the amount requested on the grant application be decreased from \$1,050,000 to \$1,000,000. The lower grant amount would reduce the required matching funds from \$315,000 to \$300,000. The proposed motion is to revise the requested grant amount from \$1,050,000 to \$1,000,000.

MOTION: Supervisor Heffern made a motion to approve Resolution No. 2018-24, which revises the previously approved Resolution 2018-22 and authorizes the Township to request a Multimodal Transportation Fund (MTF) Grant in the revised amount of \$1,000,000 from the Pennsylvania Department of Transportation. Supervisor Kulp seconded.

## QUESTIONS AND COMMENTS:

- a. Township Resident Sharon Scott asked for verification that the Township residents will be left to pay \$300,000 after grant funding. Township Manager Swichar stated that the Township would be responsible for 30% of the grant amount. However, there are additional fund sources. Mrs. Scott objected to the Township spending \$300,000 to repair Mortonville Road. She said the current condition of the road is not causing problems with the health, welfare or safety of Township residents and the road is not closed. She objected to the additional \$15,000 of road paving costs approved at the previous Board of Supervisors meeting.
- b. Supervisor DiRado stated road repair costs will increase if Mortonville Road slides into the creek. The repair cost now versus the cost in the future should be considered. Supervisor DiRado stated having to close Mortonville Road again would create a burden for residents that live on or near that road.
- c. Supervisor Heffern stated that if Mortonville Road is not repaired, then the road could crumble into the creek when a school bus is traveling on the road.
- d. Supervisor Lambert stated that according to The Second Class Township Code, the only responsibility of the Board of Supervisors is to maintain the roads. The Township has an obligation to maintain the Township roads.
- e. Township Resident Mary Pflueger said that if Mortonville Road is not repaired and continues to deteriorate, it will create environmental problems because the road runs along a creek. Mrs. Pflueger also stated that it is the Township's responsibility to fix Mortonville Road.
- f. Planning Commission Chairman Crook reported that Susan Elks, from the Chester County Planning Commission, will be discussing additional municipal revenue generating ideas at the next Planning Commission meeting. Planning Commission Chairman Crook stated that Susan Elks may be able to provide additional possibilities for matching funds.
- g. Supervisor Heffern asked Township Manager Swichar if he is reducing the amount of the grant proposal specifically because he does not think the project will cost as much and the Township will not be on the hook for as much matching funds. Township Manager Swichar stated he has a project budget and needs to justify the project cost of \$1,310,733. Supervisor Heffern asked if the Township needs to make a decision about using the funds at the time the motion is made. Township Manager Swichar stated that the motion will only authorize the Board to submit a grant proposal at this time. They are not approving the spending of \$300,000. There is no cost to submit this grant proposal. The Township is not obligated to use the grant money.
- h. Supervisor DiRado commented that if the Township does not apply for this grant, the cost to the Township to repair Mortonville Road would be the entire amount of the project cost of \$1,310,733. Township Manager Swichar said if the Township does not stabilize the embankment, it is possible the road will continue to deteriorate and eventually fall into the creek. It is possible that at some point the road will need to be closed in both directions. If this happens, the repair costs will be much higher.
- i. Township Resident Mary Pflueger asked if the Township takes no action, and someone is injured as a result of this decision, would the Township be liable in a lawsuit. She also commented that since the Township has identified the problem, it is obligated to fix the problem and repair Mortonville Road. Supervisor Heffern said he cannot answer Mrs. Pflueger's question about liability without the Township Solicitor present at the meeting, however he would not want this on his conscious.

VOTE: 4-0

4) Additional Business.

a. Update on Junior Township Supervisor Program.

Township Manager Swichar reported that he met with the Coatesville Area School District High School Principal this month to discuss the Junior Township Supervisor Program. She will help recruit applicants and has reached out to programs within the high school. She has several interested candidates. Township Manager Swichar said this program will be posted on the Township website and Facebook page.

b. Status of Coatesville Area School District Schools in the Township.

Township Manager Swichar reported that he and Police Chief Porter met with Coatesville Area School District Superintendent Dr. Taschner. The East Fallowfield Elementary School is slated to close in five years. The school district does not have future plans for that school or the site. Township Manager Swichar stated that there is some interest in the Township purchasing the East Fallowfield Elementary School to be used as a Township building. The South Brandywine Middle School is planned to close in one year. The seventh graders and eighth graders will go to North Brandywine Middle School. The South Brandywine Middle School building will be torn down and a new elementary school will be built at that location.

B. Township Treasurer.

1) PMHIC – One American LTD/STD & Life/AD&D Insurance Quote.

Township Treasurer Martin stated that PMHIC is the cooperative that runs with Benecon. She said that Benecon helps the Township with insurance for the police officers. Benecon also recently informed her that they offer short-term and long-term disability plans as well as life insurance and death and dismemberment policies. She said she reached out for quotes and has provided two quotes to the Board of Supervisors. Township Treasurer Martin said that she is still waiting for one quote. She said if the Township switches to PMHIC/Benecon, the annual savings for the Township would be \$2,000.

2) 2019 Budget Review & Advertising.

Township Manager Swichar stated that this is the first reading of the budget. He also stated the Board of Supervisors have the option to make a motion tonight to advertise the 2019 draft budget. A formal presentation of the 2019 budget will be given at the December 11, 2018 Board of Supervisors meeting. The Board of Supervisors may consider adopting the budget on December 11, 2018 or December 18, 2018. Township Manager Swichar discussed the following details in a presentation on the 2019 proposed budget:

- The 2019 proposed budget is a balanced budget.
- No fund balance being proposed as revenue in the balanced General Fund operating budget = BALANCED BUDGET.
- 2019 General Fund budget is \$3,738,570.54.
- No real estate tax increase. Real estate tax millage will remain at 3 mills (general millage = 2 mills and Fire/EMS millage = 1 mill).
- After five years of no residential trash bill increase, the 2019 proposed budget includes a \$65 rate increase for residential refuse collections which will increase the annual residential trash fee from \$210/year in 2018 to \$275/year in 2019 (unlimited recycling and larger 95-gallon recycling containers). This fee will remain static for at least three years.
- Investment in Infrastructure includes \$273,252 budgeted for Capital Fund Projects; \$275,000 for road improvements, two new police vehicles, \$210,000 budgeted for restrooms at the East Fallowfield Township Community Park.

Township Manager Swichar reported he is looking into rolling the trash bill into the municipal tax bill. He is investigating whether the trash bill would be tax deductible under this billing method. Township Manager Swichar discussed the advantages and disadvantages of making this billing change. The residents would no longer have the option to pay quarterly and the trash bill would be due in total by May 31, 2018 to avoid a 10% late penalty. The Township would save money by eliminating MuniBilling, which is the Township's current trash billing system. Supervisor Lambert commented that he would not be comfortable removing the quarterly payment option for residents and requiring the entire trash bill be paid by May 31, 2018. Township Treasurer Martin discussed the current trash billing requirements. For homeowners that escrow their municipal taxes, the tax bill would be rolled into their tax escrow payments. Supervisor Heffern stated this billing method would decrease the number of delinquent trash accounts. Township Treasurer Martin discussed the current collection process for delinquent trash accounts. Supervisor Lambert stated if this switch is made, residents will need to be educated on the new process.

Township Treasurer Martin presented an updated 2019 proposed budget. She reported that General Fund expenditures increased by \$8,000. Township Treasurer Martin stated that there currently are 2,775 households that are billed for trash services. Approximately 2,600 residents pay their trash bill on time. There was a discussion regarding the proposed \$65 resident trash bill increase. Township Treasurer Martin stated that the proposed fee increase should help to keep the fee stable for five years. She said that this needed to be accounted for in calculating the new annual residential trash payment.

MOTION: Supervisor Heffern moved that the Board advertise notice of the availability of the draft budget, which the Board intends on adopting at its meeting on December 11, 2018. Supervisor Kulp seconded.

QUESTIONS AND COMMENTS:

- a. Township Resident Mary Pflueger asked if recycling is mandatory. Township Manager Swichar stated that Act 101 requires the Township to recycle. The Township Ordinance requires residents to recycle.
- b. Planning Commission Chairman Crook stated that it is amazing that the budget is balanced and the Township's services are being maintained.
- c. Township Resident Sharon Scott commented that the budget was balanced by increasing taxes.
- d. Supervisor Lambert commented that it is the Board of Supervisors' fiduciary duty to balance the budget.
- e. Supervisor DiRado commented that the revenue has not gone up much and the Township is still within budget. The Township must provide services to every resident in this Township.

VOTE: 4-0

3) New Business.

- a. Creation of Planning Economic Committee.

Supervisor DiRado discussed the possible creation of a Planning Economic Committee. She commented that as Township Manager Swichar previously stated, the Coatesville Area School District has decided to build a new school and will likely raise taxes in the next five years. She proposed the Board of Supervisors create a Planning Economic Committee to look at municipal revenue opportunities. She proposed the committee start in January. Supervisor Lambert stated it is a great idea. Supervisor Lambert asked if Supervisor DiRado

is looking to recruit members. She said that she is looking at the Planning Commission to offer suggestions and nominate someone to chair the committee. Supervisor Heffern asked if a committee member representative could attend the school board meetings. Supervisor Lambert also suggested a more aggressive campaign to attract new business in East Fallowfield Township. Supervisor DiRado and Supervisor Lambert discussed considering the rezoning of non-residential areas in the Township. Planning Commission Chairman Crook also briefly discussed revitalization of Newlinville.

4) Old Business.

a. Intersection of West Chester Road and South Bailey Road.

Supervisor Heffern asked Township Manager Swichar for an update on the status of the request for a four-way stop sign at the intersection of West Chester Road and South Bailey Road. At the last meeting, PennDOT's recommendations were discussed and Supervisor Heffern had suggested having Road Foreman Tag Gathercole add a yellow indicator sign under the stop signs saying "not a four-way stop" to try to prevent future accidents. Supervisor DiRado reported there is an additional stop-sign on the left side of South Bailey Road. Township Manager Swichar said he will follow up with Road Foreman Tag Gathercole. There was a discussion about PennDOT's recommendation to have the one homeowner at the intersection remove a tree that is impairing vision at the intersection.

5) Public Participation.

- a. Township Resident Ralph Buonomo stated the property next door to him, 2035 West Chester Road, is still in very poor condition. He asked Supervisor Lambert about the status of the blighted property ordinance that he had promised earlier this year would be adopted. Supervisor Lambert stated the Blighted Property Ordinance has been completed and approved. Township Treasurer Martin told Mr. Buonomo to fill out a complaint form regarding 2035 West Chester Road.

3. ADJOURNMENT

MOTION: Supervisor Heffern made a motion to adjourn the Board of Supervisors meeting at 8:11 p.m. Supervisor Lambert seconded.

VOTE: 4-0

Respectfully Submitted,



Lisa Valaitis,  
Township Secretary