

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
July 23, 2019 Approved minutes
6:30 p.m.

Members Present

Steve Herzog, Chairman
Wilson Lambert, Vice Chairman
Joe Heffern, Member
Katja DiRado, Member

Township Staff Present

Scott Swichar, Township Manager
Pani Martin, Township Treasurer

Township Solicitor

Mike Crotty

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

Chairman Steve Herzog called the meeting to order at 6:30 p.m.

2) DISCUSSION

A. APPROVAL OF MINUTES

1) June 25, 2019 Board of Supervisors Meeting Minutes.

MOTION: Chairman Herzog made a motion to approve the June 25, 2019 Board of Supervisors meeting minutes as presented. Supervisor Wilson Lambert seconded.

VOTE: 4-0

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

- 1) June Westwood Fire Company Fire Chief's Report submitted for Board and resident review.
- 2) June Westwood Fire Company EMS Report submitted for Board and resident review.
- 3) June Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 4) June Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.
- 5) June Modena Fire Company EMS Report submitted for Board and resident review.

C. PRESENTATION

1) Bill Schoell, District Office Director for Pennsylvania State Representative Dan Williams.

Mr. Bill Schoell, Chief of Staff for Pennsylvania State Representative Dan Williams spoke about the services that the office of State Representative Dan Williams provides. Mr. Schoell said that Representative Dan Williams' office is ready to assist residents and the Board of Supervisors any way they possibly can with any state related issues. He distributed business cards to the Board of Supervisors. Mr. Schoell also left pamphlets with the Township staff that have contact information and a list of items the office may assist with. Mr. Schoell stated that the office does much more than what is listed on the pamphlet so please call their office for any type

of assistance. They can also connect their constituents to other resources. State Representative Dan Williams' office is in Caln Township (Thorndale) on Route 30 between the Wendy's and the Quik Stop Pharmacy.

D. TREASURER'S REPORT

1) June 30, 2019 Treasurer's Report.

MOTION: Chairman Herzog made a motion to approve the June 30, 2019 Treasurer's Report. Supervisor Lambert seconded.

VOTE: 4-0

2) Payment Authorizations.

MOTION: Chairman Herzog made a motion to approve the Payment Authorizations as presented for the period of June 26, 2019 through July 23, 2019 in the total amount of \$168,384.88 as presented. Supervisor Joe Heffern seconded.

QUESTIONS AND COMMENTS:

- a. Chairman Herzog asked for more details about a tractor service bill from a business in Elizabethtown because it is a considerable distance from the Township. Township Treasurer Pani Martin said the company in Elizabethtown is called Messicks and it is one hour and six minutes from the Township. Township Treasurer Martin said she reviewed three years of history on the tractor and it looks like there are only two or three vendors that can service the Township's New Holland tractor.

VOTE: 4-0

E. TOWNSHIP MANAGER'S REPORT

1) Repair/Restore Metal Roof for Public Works Garage.

Township Manager Swichar stated that the Township budgeted \$50,000 this year for repairs to the Public Work's garage roof. The roof on the administrative section of the building is made of shingles and is in good condition. There has been leaking into the Public Works garage which needs to be addressed. The Township collected four roof repair estimates. Fortunately, the cost estimates came in much less than the budgeted amount of \$50,000. The metal roof itself is in good condition and none of the roof repair companies recommended a full roof replacement. Township Manager Swichar stated he investigated a repair system called the Conklin Roofing System. Township Manager Swichar explained the steps involved in the Conklin Roofing System. The Township received four estimates. The lowest quote came from River Run Roofing for \$16,448.07. River Run Roofing offers a ten-year labor warranty and an 18-year material warranty. River Run Roofing also offers the best warranty. Township Manager Swichar reported that the Building Inspector reviewed the repair process and approved the Conklin Roofing System. Township Manager Swichar stated the roof repair is below the official bidding threshold.

MOTION: Chairman Herzog moved that the Board authorize the Township Manager to execute a metal roof restoration contract with River Run Roofing in the amount of \$16,448.07. Supervisor Heffern seconded.

QUESTIONS AND COMMENTS:

- a. Supervisor Katja DiRado asked if this roof repair will alleviate the leaking problem. Township Manager Swichar said that this should alleviate the roof leaking. He said there is a good warranty being offered and there is nothing wrong with the metal roof itself. Plus, a waterproof seal will be applied, and the seams will be covered. Supervisor DiRado also asked if the roof repairs will be done with no disruption of Township services. Township Manager Swichar stated there will be no disruption of services.

VOTE: 4-0

2) DCED Multimodal Transportation Fund - Resolution 2019-17.

Township Manager Swichar recommended the submission of a grant proposal to the DCED Multimodal Transportation Fund in the amount of \$1,000,000 for repairs to Mortonville Road. He stated the Township received a \$1,000,000 PennDOT Multimodal Transportation Fund Grant earlier this year which has a 30% match requirement. If the DCED Grant is awarded to the Township this year, there would be no matching requirement. However, if the grant funding is awarded in 2020, there will be a matching requirement. If this grant is awarded to the Township this year, the Township would not need to use all the PennDOT Grant funding. A portion of the award would offset some of the repair costs which would reduce the amount of the matching funds required. Township Manager Swichar said the Township has until February 2020 to sign the agreement with PennDOT. Additionally, the Township's Chester County Conservation Grant application is still under consideration.

MOTION: Chairman Herzog made a motion to approve Resolution 2019-17 authorizing the submission of a Multimodal Transportation Fund grant to DCED in the amount of \$1,000,000 for repairs to Mortonville Road. Supervisor Lambert seconded.

QUESTIONS AND COMMENTS:

- a. Supervisor DiRado asked how Mortonville Road is holding up with all the recent rain. Township Manager Swichar stated that Mortonville Road's condition has not deteriorated despite the recent heavy rain. The road is in the same condition as it was a year ago.

VOTE: 4-0

3) Results of Municibid Auction - 1997 Ford Louisville Aeromax Dump Truck (with Snow Plow/Spreader).

Township Manager Swichar presented an update to the Municibid auction of the 1997 Ford Louisville Aeromax Dump Truck. He reported there were 15 bids on the truck, and it sold for \$3,900.

4) Map of Developable Properties/Wawa Meeting Update.

Township Manager Swichar reported that he and Supervisor Lambert met with Frank Marciano, Real Estate Director of Wawa, Inc. Supervisor Lambert presented an update on the meeting with Frank Marciano. Supervisor Lambert stated the Township is looking for revenue alternatives to residents' taxes. They requested that Mr. Marciano / Wawa look at possible areas in the Township where a Wawa could be located. Supervisor Lambert stated for residents to get gas, they must go to Kennett Square, West Chester, or Parkesburg. Supervisor Lambert stated they are looking at areas of the Township where a convenience store could be located. The Planning Commission could look at possible rezoning. Supervisor DiRado said she would like to see commercial businesses in the Township but not a business as large as Wawa. Supervisor Lambert stated the Township must allow for this type of use somewhere in the Township, however it does not have to be a Wawa. Supervisor Heffern asked Supervisor Lambert if he discussed a specific area of the Township with Wawa. Supervisor Lambert stated the Newlinville area of the Township was discussed with Frank Marciano.

Supervisor DiRado stated that the Township should be more progressive and look for sustainable energy sources or businesses. We need to keep the Township taxes down because residents are upset about the increasing school district taxes. Supervisor Lambert stated he agrees. To move forward they need to compile a list of developable properties. Township Manager Swichar stated that John Nielsen, Chairman of the Strategic Planning Steering Committee has stated the committee could be tasked with creating a list of developable properties. Township Manager Swichar said the Township may work jointly with the Chester County Planning Commission and the Western Chester County Chamber of Commerce.

Strategic Planning Steering Committee Chairman John Nielsen said that the Strategic Planning Steering Committee and the Planning Commission have identified the Multi-Use Zoning District and Office-Industrial Zoning District as the desirable area of the Township for commercial development. They are looking more for mom and pop businesses in the Village Commercial Zoning District. Supervisor Lambert said he agreed.

Township Manger Swichar said that under the current zoning, a convenience store would only be permitted in the Multi-Use Zoning District. The Planning Commission will be reviewing the Township Zoning Ordinances.

MOTION: Chairman Herzog made a motion to authorize the Township Manager and Strategic Planning Steering Committee to develop a map of available developable properties in East Fallowfield Township. Supervisor Lambert seconded.

QUESTIONS AND COMMENTS:

- a. Township Resident Ellen Kuehner asked what area of the Township the Board of Supervisors are considering for commercial development. Chairman Herzog stated the area is from the storage unit business on Route 82 north to the Township line. Chairman Herzog said that this area of the Township is properly zoned as Multi-Use/Office-Industrial.
- b. Supervisor DiRado said that this is a great start.

VOTE: 4-0

5) Update on Chester County Census 2020 Complete Count Committee.

Township Manager Swichar reported that the Chester County Planning Commission formed a Complete Count Committee for the Census 2020. He attended the first meeting on behalf of East Fallowfield Township. The Census 2020 is not until April; however, the census process is ramping up. Chester County is going to develop a survey to send out to all municipalities. The purpose of the Complete Count Committee is to enable Chester County to work with municipalities to make sure people are properly counted. Representatives from the U.S. Census will attend East Fallowfield Township's Park Day. The Township will work with the County to post outreach materials on the Township website and Facebook page. East Fallowfield Township will participate in the County's Complete Count Committee. Mr. Bill Schoell stated that residents that wish to be employed by the U.S. Census., may call his office to find out who to contact to be hired. Mr. Schoell briefly discussed the details regarding open jobs with the U.S. Census. Mr. Schoell spoke about the importance of getting an accurate headcount. An accurate census count is imperative for obtaining federal funding for schools and colleges.

6) Movie Night (New Date) - September 21, 2019.

Township Manager Swichar thanked everyone that attended the Star-Spangled Banner Event. He also thanked those that donated and participated. The Township has rescheduled the Movie Night for September 21. Township Manager Swichar will post a resident survey on Facebook and the website to allow residents to vote for what movie is shown at Movie Night.

7) 2019 Road Paving.

Township Manager Swichar reported that the road paving contractor, John DiRocco General Contractors, is planning to begin road work either August 5 or August 6. Residents will be notified three days before their roads will be paved. Updates will also be posted on the Township website. There was a discussion regarding paving the Township building parking lot. Township resident Steve Rogowski and Township resident David Baker, from Huntington Circle, requested Huntington Circle to be repaved. Mr. Rogowski stated there has not been any work done on Huntington Circle since 1979. Chairman Herzog stated that Huntington Circle may not be added to this year's road repair list because the job has gone out to bid. He said that Huntington Circle could be considered for next year. Township Manager Swichar said he is happy to go out and assess the condition of Huntington Circle. Mr. Rogowski also presented photographs depicting the condition of Huntington Circle.

F. LEGAL

1) Ag Security Area - Continued - 47-4-6.6 - Ruth Doutrich.

Solicitor Crotty discussed the status of the Doutrich Agricultural Security Area Application. The property is a 70.41-acre property located off Mt. Carmel Road. Solicitor Crotty summarized the two-step process for handling

an agricultural area security application. The first step is to advertise that the Township received the Agricultural Security Area Application to give property owners that wants to join the Agricultural Security Area an opportunity to submit an application. The advertisement ran last Friday, and no new applications were received. The second step is to send the Agricultural Security Area application for review to the Chester County Planning Commission, the East Fallowfield Township Planning Commission, the Chester County Agricultural Preservation, and the East Fallowfield Township Agricultural Security Committee for review. A public notice regarding the hearing to adopt and approve the application must also be advertised. The Township is currently at the second step in the process

MOTION: Chairman Herzog moved that the Board authorize the advertisement of a public hearing on the Doutrich Agricultural Security Area application, together with forwarding the same to the Planning Commission, County Planning Commission, the applicable agricultural preservation boards and other necessary parties for their reviews. Supervisor DiRado seconded.

QUESTIONS AND COMMENTS:

- a. Township Resident Ellen Kuehner asked what the Doutrich Agricultural Security Area Application is for. Chairman Herzog said that the application is a request to be included in the Agricultural Security Area which prevents the property from being developed, the property may only be used for agricultural use and protection on the state level from eminent domain. Solicitor Crotty stated that being approving a property to be in the Agricultural Security Area allows the property to be eligible for certain easement grants.

VOTE: 4-0

- 2) Zoning Enforcement – 2035 West Chester Road – Update.

Solicitor Crotty presented an update on the zoning enforcement process for 2035 West Chester Road. He reported that Zoning Officer Rob McLarnon is continuing to push the property owner to clean up the property. Last month the property owner submitted the required demolition permit. Zoning Officer Rob McLarnon had to chase them down to pick up the demolition permit. Soon, the property owner will be doing necessary demolition and clean up on the property. The next hearing before the district judge is scheduled on August 27, 2019 at 10:15 a.m. Some progress needs to be made by the property owner before the August 27 hearing. Solicitor Crotty stated that if the property owner has not done any clean up by the hearing date, the owner will be fined per diem. Solicitor Crotty stated the house on the property will be brought up to code and will not be demolished.

- 3) Stop Sign Ordinance.

Solicitor Crotty reported that the Township Traffic Engineer prepared a report on their recommendation to add additional traffic signs at several intersections within the Brook Crossing Development. The intersections that the Traffic Engineer recommended for additional stop signs are Crossing Boulevard/Magpie Lane, Magpie Lane/Corbit Way/Salmon Lane, Nassau Lane/Salmon Lane, and Magpie Lane/Nassau Lane.

MOTION: Chairman Herzog moved that the Board authorize the advertisement of the stop sign ordinance for the intersections of Crossing Boulevard/Magpie Lane, Magpie Lane/Corbit Way/Salmon Lane, Nassau Lane/Salmon Lane, and Magpie Lane/Nassau Lane. Supervisor Heffern seconded.

VOTE: 4-0

- 4) Coatesville Area School District – Memorandum of Understanding.

Solicitor Crotty said according to Pennsylvania's Law Safe School Acts, the Coatesville Area School District is required to enter into agreements called Memorandums of Understanding with each municipality the school district is located in. These agreements specify police services provided and emergency response protocol. Solicitor Crotty reported that Solicitor Eric Brown and Police Chief Porter have both reviewed the Memorandum of Understanding and signed off on it.

MOTION: Chairman Herzog moved that the Board approve and authorize the Police Chief to sign the Memorandum of Understanding with the Coatesville Area School District in the form as presented. Supervisor Heffern seconded.

QUESTIONS AND COMMENTS:

- a. Supervisor DiRado asked if bullying or social media is addressed in the Memorandum of Understanding. Solicitor Crotty stated the mandatory notification requirements and discretionary notification requirements would cover bullying. Solicitor Crotty said there is an additional tool that was passed a few months ago which provides for a confidential hotline to call to report bullying or potential violence situations in schools.

VOTE: 4-0

G. PLANNING COMMISSION

1) Planning Commission Report.

Planning Commission Vice Chairman John Nielsen spoke on behalf of Planning Commission Chairman Dennis Crook, who was not present at the meeting. Planning Commission Vice Chairman Nielsen asked about the status of past Planning Commission meeting minutes for the past year and a half. He said that the Planning Commission recently recommended an economical transcription service for preparing meeting minutes. What has been the results solution to the meeting minutes? The Planning Commission has not held recent meetings due to the meeting minutes. Township Manager Swichar reported that he tried to hire a college intern from West Chester University but was not able to find an intern. Chairman Herzog suggested hiring a temporary employee to get the meeting minutes caught up. Supervisor DiRado suggested hiring someone part-time to work on the Planning Commission meeting minutes. Township Manager Swichar stated he will investigate these options. Planning Commission Vice Chairman Nielsen stated the Planning Commission will be moving forward with developing the Multi-Use and Office-Industrial Zoning Districts. The Commission also plans to focus on the 30 recommendation items in the Strategic Implementation Plan, which is a section of the Township's Comprehensive Plan, that are in various stages of being implemented. Many of these recommendation items held second place to hiring a township manager. There was a discussion regarding what the Planning Commission does and what the Board of Supervisors has charged the Planning Commission with doing. The Board of Supervisors has charged the Planning Commission with looking into a Wawa/CVS in the Township and looking at the Office-Industrial and Multi-Use Zoning Districts.

H. POLICE DEPARTMENT

- 1) June Police Department Report submitted for Board and resident review.

I. PUBLIC WORKS DEPARTMENT

- 1) June Road Department Report submitted for Board and resident review.

J. NEW BUSINESS

1) Park Benches.

Supervisor DiRado asked Township Manager Swichar what the status is concerning new benches for the park. Township Manager Swichar said he is researching and pricing out benches. He confirmed there is money in the budget for park benches. They discussed a memorial bench or memorial tree program for the park. Township Manager Swichar will investigate these options further.

K. PUBLIC PARTICIPATION

- a. Township Resident Ellen Kuehner asked what the purpose is for the hearing on August 27 at 10:15 a.m. Solicitor Crotty said the hearing is an enforcement hearing against an individual property owner to clean up the property. Ms. Kuehner stated that some residents had tried to attend a Historical Commission meeting and a Planning Commission meeting in the past few weeks. However, these meetings were cancelled and there was a cancellation notice posted at the Township building. Ms. Kuehner asked what the Township's

procedure is for posting cancellations. Township Manager Swichar stated the office posts cancellation notifications on the website home page and the Facebook page as well as at the Township building. Cancellation notices are posted when received by the committee. Supervisor DiRado said that meetings get cancelled due to lack of quorum which may happen last minute. Township resident Ellen Kuehner discussed the electronic sign survey results that were posted on the website. She said there were 277 responses which equals 3.6% of the Township's residents based on a total of 7,569 residents. Ms. Kuehner said that 66% of residents who completed the survey were opposed to the electronic sign. She asked the Board of Supervisors what the status of the electronic sign is. Chairman Herzog said that there has been no further movement on the electronic sign. Ms. Kuehner also asked what the \$5,000 payment for Park Day was for that was recently approved by the Board of Supervisors. Chairman Herzog said a check was cut for \$5,000 for the Zipline and moon bounces for Park Day. Chairman Herzog said the Township pays for the zipline as an advancement and the money is reimbursed by community donations. Township Treasurer Martin said there is no money spent from the General Fund for Park Day.

- b. Township Resident Jim Cochran discussed the ongoing West Chester Road water runoff problem on his property located at the corner of West Chester Road and South Caln Road. Township resident Jim Cochran requested the Board of Supervisors review his pictures of the water damage on his property. Supervisor Heffern suggested that Mr. Cochran email the photographs to Township Manager Swichar and he could forward them to the Board of Supervisors. Supervisor DiRado stated the Board of Supervisors are working on solving this problem. Mr. Cochran stated the water runoff problem on his property has been going on for 20 years. He reported that there is new damage to his property from this past storm. Township Manager Swichar said the plans are being finalized. Township Manager Swichar stated this job is expected to go out to bid in early spring and the work will be completed next year. Mr. Cochran stated that all his walkways are coming up due to water runoff. Township Resident Jim Cochran asked if it is his responsibility to fix the damage to his property. Solicitor Crotty discussed Mr. Cochran's options.
- c. Township Resident Ralph Buonomo discussed the water runoff damage to his property due to the intersection of West Chester Road and South Caln Road. He also commented that the people that resided at 2035 West Chester Road dumped trash on the Township owned property located behind 2035 West Chester Road. Township Manager Swichar asked Township resident Mr. Buonomo to email or drop off the pictures and facts regarding the dumped trash.
- d. Township Resident Ellen Kuehner respectfully requested that the Strategic Planning Steering Committee consider the following types of potential businesses: country, boutique, and artist coops with luncheonette. Residents will be more welcoming to these types of businesses. Strategic Planning Steering Committee Chairman Nielsen said that the Committee has identified the area of the Township in the Office-Industrial Zoning District with potential businesses such as banks, doctor and dentist offices, and gas stations. The Comprehensive Plan is up for review in five years, and as part of that process, the Township will hold a Community Conversation to obtain resident feedback on potential businesses in the Township.

L. ADJOURNMENT

MOTION: Chairman Herzog made a motion to adjourn the Board of Supervisors meeting at 7:35 p.m. Supervisor Lambert seconded. VOTE: 4-0

Respectfully Submitted,



Lisa Valaitis,
Township Secretary