

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
August 27, 2019 Approved minutes  
6:30 p.m.

**Members Present**

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

**Township Staff Present**

Scott Swichar, Township Manager

**Township Solicitor**

Robert Tucker

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) July 23, 2019 Board of Supervisors Meeting Minutes.

MOTION: Chairman Herzog made a motion to approve the July 23, 2019 Board of Supervisors meeting minutes as presented. Supervisor Carol Kulp seconded.

VOTE: 4-0 (Supervisor Kulp abstained.)

2) August 13, 2019 Board of Supervisors Meeting Minutes.

MOTION: Chairman Herzog made a motion to approve the August 13, 2019 Board of Supervisors meeting minutes as presented. Supervisor Wilson Lambert seconded.

VOTE: 5-0

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

1) Appreciation Award Presented to East Fallowfield Township by Westwood Fire Company.

Westwood Fire Company Chief John Sly stated that each year the Westwood Fire Company hosts an appreciation banquet for their volunteers and staff. Chief Sly said that he is proud to recognize 19 Clinical Save Recommendations that were submitted to the Department of Health. Chief Sly presented an Appreciation Award to East Fallowfield Township for supporting the first responders of Westwood Fire Company and Modena Fire Company by increasing funding and for continued commitment to dedicated funding. Both fire companies have benefitted from the funding increase. Chief Sly also thanked the Board of Supervisors for their continued support. Westwood Fire Company will be getting a new ambulance in two months thanks to the Township's support. Chief Sly said they would not be able to continue without this support. Chief Sly thanked Supervisor Katja DiRado for representing East Fallowfield Township at Westwood's banquet.

2) July Westwood Fire Company Fire Chief's Report submitted for Board and resident review.

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

#### C. CITIZENS BY REQUEST

- 1) Shauna Stonewall - The Stone Academy - 905 Buck Run Road.

Ms. Shauna Stonewall, the Chief Administrator for the Stone Academy, discussed the non-public school called the Stone Academy. Formally Maranatha Christian Academy. The school is looking to relocate from Valley Township to 905 Buck Run Road in East Fallowfield Township. The Christian-based Academy is strong in education and offers small classrooms. The Academy is supported through the Coatesville Area School District and is approved through the Department of Education and Department of Human Services. Ms. Stonewall said their goal is to start with 25 children, four teachers and two aids. The maximum capacity for the school is 76 children. Ms. Stonewall said that the school will initially go up to first grade but may include up to the sixth grade. They want to convert the house on the property into the school. They will go through the conditional use approval and they are applying for a grant that would enable them to install keyless entry, security cameras, and other means of keeping the children safe. Supervisor Lambert asked if the Stone Academy is a charter school. Ms. Stonewall stated it is not a charter school. Ms. Stonewall said the Academy hires locally whenever possible and would like to recruit employees from East Fallowfield Township first and then seek employees from the Chester County area. Supervisor DiRado asked if the Stone Academy is a school or a daycare because the Certificate of Compliance states "childcare services." Ms. Stonewall said that the Stone Academy offers before and after school care starting at the age of three. Ms. Stonewall stated the Stonewall Academy is legally a school with a Certificate of Human Services that licenses daycares. Township Manager Swichar said that when he spoke to Ms. Stonewall a few weeks ago, she mentioned a residential component. He asked Ms. Stonewall if that was still being considered. Ms. Stonewall said they are working with an engineer who is finishing site plans and they will be submitting a conditional use application which will address the residential (R-1) zoning.

- 2) Dennis Crook - John Carnes Reappointment Right to Know Request.

Planning Commission Chairman Dennis Crook discussed a recent Right to Know request that he submitted to the Township regarding the reappointment of John Carnes as the Township's Zoning Hearing Board Solicitor. Planning Commission Chairman Crook stated he submitted the Right to Know regarding the RFP's for the Zoning Hearing Board Solicitor. Mr. Crook found that the information he requested was only available from the transcript of the April Zoning Hearing Board hearing. He said he paid the required \$16.50 to obtain the pages of the hearing transcript that included the information he was seeking. Planning Commission Chairman Crook stated the transcript of the hearing included three people that spoke and three people that voted. There was no formal motion made. Planning Commission Chairman Crook cited the Municipalities Planning Code Section 906, C, "Organization of the Board" which states "the board shall keep full public records of its business, which records shall be the property of the municipalities, and shall submit a report of its activities to the governing body as requested by the governing body." Mr. Crook also cited the Township Ordinance Section 27 - 2206, Section 4 "The Zoning Hearing Board will shall keep full public records of its business which records shall be the property of the township and shall submit a report of its activities to the Board of Supervisors as requested." Planning Commission Chairman Crook said that there are no records in the Township office regarding the Zoning Hearing Board hearings. Dennis Crook stated these records should be available to residents and committee members for all Zoning Hearing Board hearings just as the records are available for other Township commissions. These transcripts or minutes should be stored/archived in the Township records. Planning Commission Chairman Crook stated he felt he should not have had to pay the transcription fees. This cost should be part of the hearing costs. He also said that under the Sunshine Law, all meetings are required to have minutes and be available for public review. Solicitor Robert Tucker stated that the Zoning Hearing Board conducts hearings and does not produce meeting minutes. Therefore, the records

of these hearings are considered transcripts. Under the Right to Know Law, it is the requestors obligation to pay the cost of the records requested. Planning Commission Chairman Crook asked how committee members are supposed to obtain needed information. Solicitor Tucker stated that every Zoning Hearing Board hearing is advertised in the newspaper. Residents may attend hearings. The Zoning Hearing Board issues a Decision for each hearing. Township Manager Swichar stated the Township does not order the transcript of every hearing because it is cost prohibitive for the Township to order every transcript for every hearing. The Township pays for the court reporter as the Township is required to do. Township Manager Swichar stated that under Act 247, the Township is not required to order every transcript. Manager Swichar also stated he is not aware of other municipalities that order hearing transcripts. Under Act 247, the person requesting the transcript bears the cost. Township Manager Swichar reported that the Township advertised the RFP of the Zoning Hearing Board Solicitor in the newspaper, on the website, and on Facebook. The Township took extra steps to make the community aware of this hearing. Chairman Herzog stated the newspaper is the only legal advertising requirement. Planning Commission Chairman Crook stated that for transparency purposes and according to the Municipalities Planning Code, the Board of Supervisors should keep full public records of its business. He asked what records are being kept regarding the Zoning Hearing Board. Township Manager Swichar stated that hearing decisions are kept in the Township files. Supervisor Lambert stated that the Board of Supervisors empowered the Zoning Hearing Board to select their own solicitor and the Zoning Hearing Board did select a solicitor. The Zoning Hearing Board is not required to follow Roberts Rules of Order and make motions at their hearings. Supervisor Lambert questioned why Planning Commission Chairman Crook thought he needed to submit a Right to Know to obtain this information. Planning Commission Chairman Crook discussed the importance of the Planning Commission having access to the Zoning Hearing Board's decisions. Chairman Herzog said if there is no legal issue, the Planning Commission should have access to all Zoning Hearing Board hearing decisions. Township Manager Swichar said that the description of Planning Commission Chairman Crook's Right to Know request is for all 2019 hearing transcripts and did not request decisions. Supervisor Lambert stated that Planning Commission Chairman Crook did obtain the document he requested in his Right to Know request.

#### D. TREASURER'S REPORT

1) July 31, 2019 Treasurer's Report.

MOTION: Chairman Herzog made a motion to approve the July 31, 2019 Treasurer's Report. Supervisor Lambert seconded.

VOTE: 5-0

2) Payment Authorizations.

MOTION: Chairman Herzog made a motion to approve the Payment Authorizations as presented for the period of July 24, 2019 through August 27, 2019 in the total amount of \$160,101.09 as presented. Supervisor Lambert seconded.

VOTE: 5-0

#### E. TOWNSHIP MANAGER'S REPORT

1) Vision Partnership Program Grant for the Newlinville Village Master Plan.

Township Manager Swichar reported that the Township is in receipt of an award letter from the Chester County Planning Commission stating that the Township's grant application for the Newlinville Village Master Plan was approved for funding in the amount of \$21,266. The Township's matching requirement is \$9,114. Township Manager Swichar stated the next step is to get a grant contract from Chester County. As part of the grant program, a plan will be developed to redevelop the Newlinville area of the Township. The Township will contract with a consultant on this project. Supervisor Kulp asked what possible things will be done to improve the Newlinville area. Township Manager Swichar stated the Township will develop a Concept Plan which is a visual design of proposed improvements such as decorative lights, curbing, and a "welcome to Newlinville"

sign. Infrastructure improvements to sewers and roads would be made. The Concept Plan will also make zoning recommendations on how to correct zoning issues. Part of Newlinville is in the Multi-Use Zoning District and there are problems with the existing zoning. A project task force will be formed to work on this project. The task force should be comprised of Planning Commission members, a Board member, residents and representatives from neighboring municipalities.

2) Level 2 Electric Vehicle (EV) Charging Rebate Application - Discussion Only.

Township Manager Swichar stated that Supervisor DiRado expressed interest in an electric charging station in East Fallowfield Township for resident use. Township Manager Swichar investigated electric charging stations and there is a rebate program called Level II EV Charging Rebate Program through PADEP. There is up to a \$10,000 reimbursement under the rebate program. The cost to get a two-port charging station is \$10,000. Most municipalities charge at least the basic cost of electricity for use. Costs of a charging station would at least be covered, and a station could potentially be income producing. Township Manager Swichar said he will investigate potential demand for an electric vehicle charging station.

3) West Chester Road and South Caln Road - Contract to Survey Underground Utilities.

Township Manager Swichar stated the Township is moving forward with improvements to the intersection of West Chester Road and South Caln Road. The Township Traffic Engineer, Traffic, Planning and Design recommends the Township conduct a subsurface investigation of the intersection which would help with final the design of the intersection. There are questions about the underground utilities in the area. The Pennsylvania One Call service will not determine the exact depth of utilities. The Township received two cost estimates and the lowest estimate was received from SoftDig for \$7,493. The funds would come from the \$316,000 escrow account reserved for the intersection.

MOTION: Chairman Herzog moved that the Board approve the Township Manager to sign and execute the contract between East Fallowfield Township and SoftDig Underground Services, Inc. to conduct a survey of underground utilities at West Chester Road and South Caln Road for a total of \$7,493. Supervisor Kulp seconded.

QUESTIONS AND COMMENTS:

- a. Supervisor DiRado asked if this cost will impact the Township's ability to complete the project with the money remaining in escrow. Township Manager Swichar stated this is one of those necessary investigations and it will prevent later issues with the utilities. Project costs would be much higher if problems with underground utilities are discovered later.
- b. Township Resident Erwin Zeller asked about the purpose of the \$316,000 escrow fund. Chairman Herzog said that the \$316,000 is the total amount of funds set aside for the intersection improvements. The money was originally for a signalized intersection, but it was determined that the four-way stop sign is sufficient.
- c. Supervisor Kulp asked if the Ridgecrest Development contributed to the escrow fund. Chairman Herzog stated that Ridgecrest did contribute to the escrow fund.

VOTE: 5-0

4) Public Works Roof Restoration.

Township Manager Swichar reported that the Public Works roof restoration project was completed last week on budget and on schedule.

5) Township Fall Newsletter.

Township Manager Swichar announced that the Township Fall Newsletter was mailed out and residents should receive it within the next week.

## F. LEGAL

### 1) Update on ASA Application - Ruth Doutrich: Informational Only.

Solicitor Tucker presented an update on the Doutrich ASA Application. The hearing to consider the Doutrich Application for approval has been scheduled and advertised for September 24, 2019. The ASA Application has been sent to the Township Planning Commission, Chester County Planning Commission, Township Agricultural Security Committee, and County Agricultural Preservation Board. Solicitor Tucker reported the soil studies were sent to the Planning Commission as requested. Planning Commission Chairman Crook confirmed that the soil studies were sent to the Planning Commission. Planning Commission Chairman Crook stated that the ASA Application was sent to the Planning Commission; however, they were not aware of the application until a few days before the Planning Commission meeting. Planning Commission Chairman Crook said the Planning Commission sent a letter to the Board of Supervisors requesting the Township Engineer and Township Solicitor provide information on this application. The only reply the Planning Commission received was a letter from Township Manager Swichar stating he spoke to Solicitor Crotty and the soil study was sent to them. Without further reply, the Planning Commission is on hold. Planning Commission Chairman Crook said that in order to advise the Board of Supervisors, they need additional information. Planning Commission Chairman Crook stated he has gotten conflicting reports from the County concerning clock dates and when the Planning Commission should have received the ASA Application. Planning Commission Chairman Crook stated that according to Chester County, the ASA Application is already past being deemed approved. Chairman Herzog and Township Manager Swichar stated that this is not correct. Mr. Crook asked when the Planning Commission should have received the ASA Application. Planning Commission Chairman Crook stated the date stamp on the ASA Application is June 10, 2019. Solicitor Tucker stated at the July 23 Board of Supervisors meeting, the Board authorized the Township to send to the ASA Application to the Planning Commission. At this point, the ASA Application was forwarded to the Planning Commission. Solicitor Tucker stated that the 45-day clock starts when the Planning Commission receives the ASA Application. Solicitor Tucker stated the Planning Commission has 45 days to review the ASA Application which complies with the Agricultural Security Act. The hearing on September 24, 2019 will determine if the Doutrich ASA Application is approved by the Board of Supervisors. Solicitor Tucker asked when the Planning Commission received the ASA Application. Township Manager Swichar stated the Planning Commission received the ASA Application on July 30, 2019. Solicitor Tucker stated that July 30, 2019 is well in excess of the 45-day requirement. Planning Commission Chairman Crook stated that this application was received by the County first and the County sent it to the Township. He stated that the County has a clock date on the application. Applications may start at the County or the Township. Supervisor Heffern, Chairman of the Agricultural Security Committee, explained the multi-step ASA Application process. Supervisor Heffern stated the Agricultural Security Committee is required to base their decision on three criteria. If the ASA Application meets the criteria, then it will be approved. Supervisor Heffern stated the ASA Application was submitted to the County earlier in the year to seek an easement grant. The property owner needed to go through the Township to be accepted into the ASA before obtaining an easement grant. Supervisor Heffern reported that Township resident Ronald P. Scott came to the Agricultural Security Committee meeting to show support for approval of the Doutrich ASA Application.

Planning Commission Chairman Crook said he would like the Township Solicitor to come to the next Planning Commission meeting. Chairman Herzog asked Township Manager Swichar to have Solicitor Crotty reach out to Planning Commission Chairman Crook again about clock dates & the difference between the County and the Township clock dates. Chairman Herzog asked Township Manager Swichar to request Solicitor Crotty's attendance at the next Planning Commission meeting to help clarify the Planning Commission's questions regarding the ASA Application. Chairman Herzog also requested that Township Manager Swichar attend the Planning Commission meeting if they need assistance reviewing the ASA Application.

Supervisor Lambert said that the Board of Supervisors should consider compensating the Planning Commission members. Chairman Herzog said that with budget season approaching, this could be considered.

## QUESTIONS AND COMMENTS:

- a. Township Resident Erwin Zeller questioned Ruth Doutrich's goal for the property. Is Ruth Doutrich's goal to develop the land? Chairman Herzog said the applicant's motive is to preserve the land as agricultural and not to develop it. The land will remain as open space. Supervisor Heffern reported that the applicant's son informed him that the goal is to preserve the land by obtaining an easement with the County.
- b. Planning Commission Chairman Crook discussed his concern about whether the one small lot is part of the subdivision. It was recorded in the small property's deed that it was subdivided in 2002. The final Scott Farm Estates Subdivision plan was approved by the Board of Supervisors and signed off on. However, the signed plan was not recorded at the County due to a sewer moratorium. In 2002, it was subdivided. The County records do not show it subdivided but the deed for the main property does show it was subdivided.
- c. Township Resident Erwin Zeller asked if the compensation amount to the property owner was available. Supervisor Heffern said that is not available until the application is approved.
- d. Planning Commission Chairman Crook discussed a large discrepancy in assessed property values within the Township. He said it is essential that the Township investigate these discrepancies because it impacts the Township's tax revenue.
- e. Township Resident Ellen Kuehner asked where the property is located and whether future subdivision of the property could be prevented by approving the ASA Application. Supervisor Heffern confirmed that is correct. She asked if the property must be used for agriculture or if the property is not allowed to be developed. Supervisor Heffern stated that the property must have the potential to be agricultural. Township resident Ellen Kuehner asked if the County buys the rights to the entire property open space land. Supervisor Heffern stated that is correct. He also stated that the property is located off Mt. Carmel Road and Strasburg Road.

### 2) Zoning Enforcement – 2035 West Chester Road: Informational Only.

Solicitor Tucker presented an update regarding zoning enforcement for 2035 West Chester Road. He reported that the hearing last month was continued until this morning. The owner did demolish the structure and the property has been cleaned up. Solicitor Tucker reported that he called the District Justice to cancel the hearing. Township resident Ralph Buonomo asked what happens with the house. He stated that the house was part of the complaint. Solicitor Tucker stated that there is no further pending enforcement on this property. Township Manager Swichar stated that the trash and trailer have been removed, the house secured, and the garage demolished. The property has been considerably cleaned up. Township Manager Swichar said that there are no plans to tear down the house and the violations were corrected. Chairman Herzog stated that all further complaints must go through the Code Officer.

### 3) Eagle Scout Services Project - Resolution 2019-18.

Solicitor Trucker presented a resolution for Board consideration establishing protocol for Eagle Scout and Girl Scout projects performed in the Township.

MOTION: Chairman Herzog made a motion to approve Resolution 2019-18 establishing a process and rules for Eagle Scout Service Projects and Girl Scout Gold Award Projects. Supervisor Kulp seconded.

VOTE: 5-0

### 4) Stop Sign Ordinance.

Solicitor Tucker stated that last month the Board authorized advertisement of the proposed Stop Sign Ordinance for specific intersections in the Brook Crossing Development. The proposed ordinance is based on recommendations made by Traffic, Planning and Design.

MOTION: Chairman Herzog made a motion to approve Ordinance 2019-04 for the erection of stop signs for the intersections of Crossing Blvd/Magpie Lane, Magpie Lane/Corbit Way/Salmon Lane, Nassau Lane/Salmon Lane, and Magpie Lane/Nassau Lane. Supervisor DiRado seconded.

QUESTIONS AND COMMENTS:

- a. Township Resident Frank Favuzza, who resides in Brook Crossing, spoke about his concerns regarding the installation of additional stop signs in Brook Crossing. He stated that Brook Crossing has a speed limit of 15 mph which is the lowest speed limit of all the neighborhoods in East Fallowfield Township. He stated that speed limit is not enforced by the Township Police Department and drivers commonly roll through the existing stop signs. Mr. Favuzza also objected to one of the stop signs which would be placed in his yard approximately ten feet from his driveway. This could cause cars to back up in front of his yard. He has four children and he is concerned for their safety playing outside. Chairman Herzog stated the 15-mph speed limit is unenforceable. The legal speed limit is 25 mph. Mr. Favuzza said he did not see the value in adding additional stop signs. Supervisor DiRado stated the value of the stop signs is to save lives. Mr. Favuzza also voiced concerns about his property value being lowered. There was a discussion about whether the stop signs will work. Mr. Favuzza said that the stop signs would not stop speeding. Chairman Herzog said that the traffic study indicates the stop signs are warranted. Mr. Favuzza stated that no one approached him about the proposed additional stop signs, and he was not aware this was under consideration. Mr. Favuzza stated that he should have been notified that this was under consideration. Planning Commission Chairman Crook asked if Brook Crossing has a Homeowner's Association. Chairman Herzog said that there is a Homeowner's Association and they brought the request for additional stop signs to the Township. Township Manager Swichar asked Mr. Favuzza how heard about the proposed stop sign ordinance. Mr. Favuzza stated there was a Facebook post two days ago. Township Manager Swichar reported the Township asked the Homeowners Association to notify the residents of Brook Crossing.

VOTE: 4-1 (Chairman Herzog, Supervisor Lambert, Supervisor Heffern, and Supervisor DiRado voted yea. Supervisor Kulp voted nae.)

5) SALDO – Bawa Fellowship Land Development.

Solicitor Tucker stated that DEP reviewed the Bawa Fellowship On-Lot Sewage Management Agreement and approved it with small modifications. The modifications will require more monitoring by the Bawa Fellowship subdivision. They are required to install digital water meters for each dwelling and maintain the meters. They will also be required to provide an annual pumping log to the Township and the Township will provide the annual pumping log to the Township Sewer Engineer.

MOTION: Chairman Herzog motioned to approve the updated form of On Lot Sewage Management Agreement for the Bawa development in the form as presented. Supervisor Lambert seconded.

QUESTIONS AND COMMENTS:

- a. Supervisor Kulp asked if the lots have wells. She asked if other properties with wells will subsequently be required to have water meters. Solicitor Tucker stated the water meter is for sewer. Supervisor Kulp also asked who is required to maintain the water meter. Tucker stated the developer will initially maintain the water meters and eventually it will be the homeowners' responsibility to maintain the water meters.

There was a discussion regarding the water meter. The Board questioned why the water meter was included in the revised On-Lot Sewage Management Agreement. Due to this question, the Board of Supervisors tabled this topic until the next Board of Supervisors meeting. Chairman Herzog withdrew the motion.

6) SALDO – Ridgecrest Phase 2.

Solicitor Tucker reported that Rouse Chamberlin submitted the Development Agreement, Financial Security Agreement and Stormwater Management Agreement for Phase 2 of the Ridgecrest Development. The plans for Phases 1 and 2 are already approved. These forms are necessary to move on with Phase 2.

MOTION: Chairman Herzog made a motion to approve the forms of the Development Agreement, Financial Security Agreement and Stormwater Management Agreement for Phase 2 of the Ridgecrest Development, subject to confirmation by the Township Engineer of the financial security values. Supervisor Lambert seconded.

VOTE: 5-0

G. PLANNING COMMISSION

1) Planning Commission Report.

Planning Commission Chairman Crook reported that the Planning Commission held one meeting in August. At that meeting they reviewed the Doutrich ASA Application. The Planning Commission further requests the experts that were requested in their letter to the Board of Supervisors to attend the next Planning Commission meeting in order to provide a recommendation to the Board of Supervisors on the Doutrich ASA Application. The Planning Commission received and approved six sets of meeting minutes at the August meeting. He believes they are still six to eight meetings behind, and he is hopeful that these will be caught up soon. Planning Commission Chairman Crook also stated that the Planning Commission has been discussing what to do with the unused money in their current year budget. He discussed the possibility of hosting a community conversation regarding the Newlinville area of the Township. Planning Commission Chairman Crook reported the Planning Commission is still trying to hone down the Multi-Use, Office-Industrial and Village Commercial zoning revisions. The Planning Commission would like more feedback from the community on their vision for the Newlinville area of the Township. Supervisor DiRado asked Mr. Crook if they are utilizing the recently conducted West Chester University GIS Study. Mr. Crook said that this study is very helpful to the Planning Commission. Planning Commission Chairman Crook stated that holding a Community Conversation with residents is key because revitalizing Newlinville would provide a revenue alternative to increasing taxes. Planning Commission Chairman Crook said it is important to look at every use in the Multi-Use and Office-Industrial Zoning Districts to revise the Township Ordinances to attract revenue generating businesses. Planning Commission Chairman Crook asked the Board of Supervisors for feedback on what topic they would like to see addressed in a Community Conversation. Chairman Herzog stated that the Board of Supervisors supported the Township hosting a Community Conversation. Township Manager Swichar discussed the details on the Community Conversation or Public Workshop that will be held as part of the Grant.

H. POLICE DEPARTMENT

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

I. PUBLIC WORKS DEPARTMENT

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

J. OLD BUSINESS

1) Township Park Trees.

Supervisor DiRado asked Township Manager Swichar if he had investigated a grant program through the Red Clay Alliance to plant trees in the Township Park. Township Manager Swichar confirmed there is a grant, however he has not had a chance to review it further.

K. PUBLIC PARTICIPATION

1) Township Resident Tom Nash discussed a call to the Police Department that he made regarding a car parked on Lyons Lane. He said he never found out if a police officer ever investigated the car. Mr. Nash felt that the



Police Department should have given a report to him. Chairman Herzog said that Mr. Nash should contact the Police Department and ask for a report.

- 2) Township Resident Erwin Zeller thanked the Township for paving Lyons Lane and Wagner Lane. He said that most of Wagner Lane was paved, however the east segment of Wagner Lane was milled but not blacktopped. Township Manager Swichar will view at Wagner Lane tomorrow.
- 3) Township Resident Ellen Kuehner discussed recycling requirements for Township businesses. Ms. Kuehner said that there are no visible recycling containers at any businesses in the Township. Chairman Herzog said that businesses are required to recycle, however the businesses are not required to force their customers to recycle. Ms. Kuehner asked if this is a Township law. Chairman Herzog said that it is not a Township law. There is no law that requires businesses to put out recycling bins for customers to recycle. Ms. Kuehner asked if the Township could be progressive and adopt an ordinance to address business recycling. Chairman Herzog said that the Township cannot force businesses to put out recycling bins for customers. Township Manager Swichar stated that the Township can strongly encourage recycling and education. The Township also verifies annually that businesses are recycling. There was a discussion regarding how to further encourage businesses to offer recycling options to their customers.
- 4) Planning Commission Chairman Dennis Crook asked for confirmation that the East Fallowfield Township Police Department does not have a detective. Chairman Herzog confirmed that the detective position was never filled. Mr. Crook said that the Township should have the detective position filled because child sexual abuse is a growing problem. Chairman Herzog encouraged Mr. Crook to contact Chief Porter.

L. ADJOURNMENT

MOTION: Chairman Herzog made a motion to adjourn the Board of Supervisors meeting at 8:59 p.m. Supervisor Lambert seconded. VOTE: 5-0

Respectfully Submitted,



Lisa Valaitis,  
Township Secretary