

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
November 26, 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
Lisa Valaitis, Township Secretary

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. EXECUTIVE SESSIONS

Chairman Herzog reported the Board of Supervisors held executive sessions on November 12 and November 26 prior to the Board of Supervisors meeting regarding personnel issues.

B. APPROVAL OF MINUTES

1) October 22, 2019 Board of Supervisors Meeting Minutes.

MOTION: Vice Chairman Wilson Lambert made a motion to approve the October 22, 2019 Board of Supervisors meeting minutes as presented. Supervisor Joe Heffern seconded.

VOTE: 3-0 (Chairman Herzog and Supervisor Carol Kulp abstained.)

2) November 12, 2019 Board of Supervisors Meeting Minutes.

MOTION: Chairman Herzog made a motion to approve the November 12, 2019 Board of Supervisors meeting minutes as presented. Supervisor Heffern seconded.

VOTE: 4-0 (Supervisor Kulp abstained.)

C. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

1) October Westwood Fire Company Fire Chief's Report submitted for Board and resident review.

2) October Westwood Fire Company EMS Report submitted for Board and resident review.

3) October Modena Fire Company Fire Chief's Report submitted for Board and resident review.

4) October Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.

5) October Modena Fire Company EMS Report submitted for Board and resident review.

D. TREASURER'S REPORT

1) September 30, 2019 Treasurer's Report.

MOTION: Chairman Herzog made a motion to approve the September 30, 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 September 25, 2019 through October 22, 2019 in the total amount of \$206,148.77 as presented. Supervisor Kulp seconded.

VOTE: 5-0

E. TOWNSHIP MANAGER'S REPORT

1) 2020 Budget Presentation.

Township Manager Scott Swichar presented the revised 2020 proposed budget. He stated that this is the first reading of the budget. Township Manager Swichar stated that if the Board approves the budget revisions, then they may motion to advertise the 2020 budget for inspection. The budget will be available for inspection for 20 days prior to Board of Supervisors approval which will occur at the December 17, 2019 Board of Supervisors meeting. Township Manager Swichar discussed highlights of the 2020 proposed budget as follows:

a. Budget Highlights.

Township Manager Swichar reported that the 2020 proposed budget is a balanced budget. There is no fund revenue being proposed as revenue in the General Operating Fund Budget. There is no real estate tax or trash fee increase. The trash fee will remain at \$275. The revenue in the proposed 2020 budget shows General Fund Revenue of \$1,077,800 less than the 2019 General Fund Revenue. The General Fund Revenue was \$3,739,610 in 2019 and is \$2,982,930 in 2020. This decrease is attributed to moving trash income related to trash and recyclables to a separate Trash Fund in the 2020 proposed budget. The General Fund Expenses are budgeted to be \$759,432 less in 2020 as compared to 2019. The reason is attributed the trash related expenses being moved to the new Trash Fund. The 2020 proposed budget includes continued infrastructure improvements. The infrastructure improvements completed in 2019 were the repaving of the Township Building and Police Department parking lots and a new roof for the Township Building. Township Manager Swichar stated that he expects to move forward with the repairs to Mortonville Road. Township Manager Swichar announced the Township was awarded a \$730,000 DCED Grant for repairing Mortonville Road. Healthcare costs typically increase every year and for 2020, healthcare costs are budgeted to decrease by \$3,000. The 2020 proposed budget maintains the current staffing levels and level of service. There is a surplus of \$3,795 for 2020. There is no proposed transfer of funds into the Capital Project Fund at the end of 2020. For 2019 there is a General Fund Surplus of \$481,915. Township Manager Swichar said there are several reasons that the Township has done so well this year. Benecon returned a \$71,000 surplus due to the Township's excellent claims history. Building permit fees are much higher than budgeted this year. The 2019 budget includes a \$67,000 transfer to capital projects fund this year. He will be recommending additional funds be transferred to the Capital Projects Fund. He will discuss this further at the December 17, 2019 Board of Supervisors meeting.

b. Revenue Comparison Between 2019 Adopted and 2020 Proposed Budget.

- The Real Estate Property Tax Revenues are flat with a slight decrease from \$790,000 in 2019 to \$770,000 in 2020 as a result of shrinking Real Estate Tax Valuation in the Township. Revenue has been decreasing since 2016 which is likely attributed to successful tax appeals. This year the real estate property tax stabilized compared to more significant decreases over the last several years.
- The Real Estate Transfer Tax (310.10) is flat and budgeted at \$170,000 which is the same as the budgeted amount in 2019.
- Earned Income Tax Collection estimates are flat. The Earned Income Tax is budgeted at \$1,225,000 in 2020 which is \$25,000 more than the \$1,200,000 budgeted in 2019.
- The Local Services Tax budget increased from \$24,800 in 2019 to \$26,000 in 2020 which is an increase of \$1,200.
- There is a budgeted increase of \$26,000 in construction/building revenue. The budgeted income was \$54,000 in 2019 and increased to \$80,000 in 2020.

c. Trash Fund.

- The 2020 budget includes a separate Trash Fund.
- Advantages to having a separate Trash Fund are increased transparency and the fund helps the Township make better financial decisions. The separate Trash Fund more easily shows expenses and income related to trash collection. In the past, trash revenues and expenses were lumped into the General Fund and the General Fund was subsidizing the trash expenses.

d. General Fund Administration Expenses.

- There is a budgeted decrease in expenses for administration: \$589,616 in 2019 down to \$560,461 in 2020. This reflects a lean operating budget.
- There are expenditure reductions for Life Insurance/AD&D and STD. The policy was switched to Nationwide.
- The budget reflects a 3% salary increase for administrative staff.
- A library donation of \$8,000 is included in the 2020 budget.

e. Police Budget Overview.

- The proposed Police Department budget includes 7 full-time officers (current staffing level).
- Salaries reflect a 3.25% increase in 2020.
- Health/Dental Insurance has increased from \$202,024 in 2019 to \$242,000 in 2020.

f. Public Works Budget Overview.

- The proposed 2020 budget includes 5 full-time employees (current staffing level) in the Public Works Department.
- The Public Works Department salaries reflect a 3% increase in 2020.
- The Public Works Department contract with the Teamsters expires at end of 2019.
- Health/Dental Insurance (Health/& Welfare Fund) is budgeted for a 3% increase.

g. Planning/Zoning Expenditures.

- There is a budget increase in Code Enforcement /Zoning Service from \$28,000 in 2019 to \$44,000 in 2020 which reflects fees from building permits paid to Keystone Municipal Services (Building Inspector).

- \$8,000 has been budgeted for the Planning Commission in 2020 which is slightly lower than the 2019 budget. Funds from the Vision Partnership Program will cover costs of some of the Planning Commission's projects in 2020.

h. Liquid Fuels Fund Highlights.

- The budgeted Liquid Fuels Fund income for 2020 is \$375,362.
- The budgeted Liquid Fuels Expenses for 2020 is \$370,600.
- The Township will continue investment in road paving (\$200,000 budgeted in 2020).
- Budget proposes to use \$20,000 from the Liquid Fuels Balance to fund the 2020 Liquid Fuels Budget.
- The budget includes \$22,000 to purchase of a side mower for a tractor to cut grass on side of the road.

i. Trash Fund Highlight.

- The 2020 budget includes a separate Trash Fund.
- The Trash Fund is a new fund supported through the residential trash fee and grants. The purpose of the Trash Fund is to account for revenue and expenditures related to the disposal of refuse and recycling. The separate Trash Fund more easily shows expenses and income related to trash collection. In the past, trash revenues and expenses were lumped into the General Fund and the General Fund was subsidizing the trash expenses.
- There is no cost to the Township for the additional fund.
- The benefits of a separate trash fund include increased transparency and better financial planning decisions.
- The 2020 total proposed budget for the Trash Fund is \$710,000.
- The largest expense in the Trash Fund is the contract costs with Advanced Disposal.
- 2020 is the second year of a three-year (plus two option years) (trash contract with Advanced Disposal).
- There is no rate increase proposed for residential trash in 2020. The residential trash fee will remain at \$275.
- The Township will continue to offer free electronics recycling collection at the Township Building.

j. Capital Projects Fund Highlights.

- The Capital Projects Fund represents the cost of Township infrastructure and equipment.
- \$12,000 is budgeted for a 2006 Ferris Zero Turn Mower.
- \$50,000 is budgeted for a new police vehicle.
- \$120,000 is budgeted for a Grapple Loader Yard Waste Truck which will replace the 1990-yard waste truck. Township Manager Swichar stated he expects the Township to be awarded a grant to cover 90% of this cost.
- \$10,000 is budgeted for record retention (document management) and \$10,000 code enforcement software to manage inspections/permitting.
- \$10,000 for police body cameras. The Township will apply for grant funding to cover a portion of this cost.
- \$26,790 is budgeted for an LED Sign. This budget item is being carried over from the 2019 budget.
- \$30,000 is budgeted for a fuel master pump system to replace the Township's current antiquated fuel system.
- \$23,000 is budgeted for a Township Building feasibility study to evaluate the use of the East Fallowfield Elementary School building as a future Township Building.
- \$31,000 is budgeted for the Newlinville Village Master Plan to revitalize the Newlinville area of the Township. The Chester County Vision Partnership Program Grant of \$21,266 will go toward the cost of this project.

k. Park and Recreation Fund Highlights:

- Most of the Park and Recreation Fund revenue comes from the Fee in Lieu of Fee due to new construction in the Township. The Fund also generates income from local business sponsorship.
- Two movie nights at the Park will be offered in 2020. Township Manager Swichar stated that they are working on additional events and putting together an events calendar for 2020.
- The new ADA-Accessible Restrooms Project will be completed in 2020. The Township was awarded a grant for the completion of this project.
- The budget includes \$6,500 for the purchase of additional picnic tables and benches for the park.
- \$10,000 has been budgeted for the installation of shade trees in the park. The Township applied for a \$5,000 PECO Green Region Open Space Program Grant and a second grant for \$10,000 which will help cover costs of the shade tree installation.

MOTION: Chairman Herzog moved that the Township authorize the advertisement of the availability of the 2020 budget. Supervisor Lambert seconded.

QUESTIONS AND COMMENTS:

- a. Planning Commission Vice Chairman John Nielsen asked what the amount is for the budgeted transfer from the Capital Projects Fund to The General Fund in 2020. Township Manager Swichar said there is no transfer budgeted for 2020. Solicitor Crotty stated the \$400,000 figure is a surplus for 2019 and Township Manager Swichar will make a recommendation regarding transfer of the \$400,00 at the December 17, 2019 Board of Supervisors meeting.
- b. Township Resident Ellen Kuehner asked if the electronic sign is still being considered. Township Manager Swichar said the Board is continuing to consider an electronic sign. Township resident Ellen Kuehner said that the resident survey results showed residents were not in favor of an electronic sign. Supervisor DiRado said only a small sample of residents completed that survey. Supervisor DiRado said that she is still considering the LED sign but is not considering it for in front of the Township building.
- c. Supervisor DiRado asked if the some of the library donation funding of \$8,000 could be donated to the People's Hall. Solicitor Crotty explained the requirements for taking this course of action. Supervisor Heffern stated that he would be reluctant to take funding away from the library. Chairman Herzog stated that further research is required.
- d. Planning Commission Chairman Dennis Crook stated that he was not consulted about reducing the Planning Commission 2020 budget. He stated that the Planning Commission budget should be increased due to the nature of their upcoming projects and the need for higher legal expenses. Township Manager Swichar said there is a separate legal expense line item under the Planning/Zoning section of the budget. Some of the Planning Commission's project costs will be covered by the Chester County Vision Partnership Program Grant. Township Manager Swichar said the 2020 Planning Commission budget was calculated by analyzing the last three years of Planning Commission expenses. Chairman Herzog stated tonight's vote is to allow the Board of Supervisors to advertise the 2020 budget for inspection in order to consider approval of the budget on December 17, 2019. At this time, the Board of Supervisors is not voting to approve the proposed budget and further budget discussions can still occur. Adjustments to the budget are also permitted. Planning Commission Chairman Crook also asked if the proposed 2020 budget is balanced. Chairman Herzog stated the proposed budget is balanced.

VOTE: 5-0

- 3) Approval of Chester County Vision Partnership Program Grant Contract – Newlinville Village Master Plan Project.

MOTION: Chairman Herzog made a motion to approve the Chester County Vision Partnership Program Grant Contract between East Fallowfield Township, the Chester County Planning Commission, and Thomas Comitta Associates, Inc. for the Newlinville Village Master Plan Project. Supervisor Kulp seconded.

QUESTIONS AND COMMENTS:

- a. Supervisor DiRado asked when the Newlinville Village Master Plan Project will be starting. Township Manager Swichar said that if the contract is approved tonight, the contract will then go to the Chester County Board of Commissioners for approval on December 10, 2019. The project will start on February 1, 2020.
- b. Supervisor Kulp asked how much this project will cost the Township. Township Manager Swichar stated the total cost of the project is \$30,300. The grant funding is \$21,266. Therefore, the out of pocket cost to the Township is \$9,034. Township Manager Swichar stated the hope is that the Newlinville area of the Township will be revitalized and put back on the map.
- c. Township Resident Erwin Zeller asked for details of the program. Chairman Herzog said that the grant is for a study on ways to revitalize the Newlinville area and make possible zoning changes. There are no specific action details for the project at this point. The Board needed to approve a consultant for the project. Then the contract needs to be approved by the County. More specific project details will be available later. Township Manager Swichar stated a streetscape plan will also be completed as part of the project. Mr. Zeller asked if this project was included in the 2020 budget.

VOTE: 4-1 (Supervisor Kulp voted nae.)

F. LEGAL

1) Malavolta Conditional Use Hearing (6:00 p.m. start time).

Solicitor Crotty noted that the Malavolta Conditional Use Hearing was held immediately before the Board of Supervisors meeting at 6:00 p.m. for the Malavolta Barber Shop. Solicitor Crotty reported that the Board of Supervisors approved the Malavolta Conditional Use Application subject to some conditions. The estimated start time is 5-6 months.

2) RGM Properties, LLC Stormwater Management Agreement - 2186 Strasburg Road.

Solicitor Crotty stated that a draft Stormwater Management Agreement for RGM Properties, LLC is before the Board of Supervisors for consideration. These stormwater agreements are required under the Township's Stormwater Management Ordinance to ensure people maintain stormwater management facilities on their properties as required under the Stormwater Management Ordinance. Solicitor Crotty stated the property address was not correctly filled out on the agreement; however, the form of the document is correct so this may be voted. The Stormwater Management Agreement will be recorded with Chester County, so the actual address needs to be included on the document.

MOTION: Chairman Herzog make a motion to approve the form of the Stormwater Management Agreement for 2186 Strasburg Road subject to a revision to the agreement to include the property address in the document. Supervisor Lambert seconded.

VOTE: 5-0

3) Police Collective Bargaining Agreement 2019-2021.

MOTION: Chairman Herzog made a motion to approve the 2019-2021 Police Collective Bargaining Agreement as presented. Supervisor Heffern seconded.

QUESTIONS AND COMMENTS:

Township Resident Erwin Zeller asked what the length of the agreement is. Chairman Herzog stated the Police Collective Bargaining Agreement is a three-year contract. Solicitor Crotty stated the contract is effective through the end of 2021.

VOTE: 5-0

G. PLANNING COMMISSION

1) Planning Commission Report.

Planning Commission Chairman Crook presented the November Planning Commission Report. He reported that the Planning Commission is still looking at changing uses in the Multi-Use, Office-Industrial, and Village Commercial Zoning Districts. Supervisor DiRado asked how long this process will take. Planning Commission Chairman Crook stated the Planning Commission has been working on this project for a year. He stated they are also researching possible use of a legal scribe to help with revising the Multi-Use, Office-Industrial and Village Commercial Zoning Districts.

2) Planning Commission Recommendation Letter - Malavolta Conditional Use Application (Hearing at 6:00 p.m.) submitted for Board review.

H. POLICE DEPARTMENT

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

2) Domestic Violence/Child Abuse.

Supervisor DiRado stated that she spoke to the police officers at the Township's Park Day event and they said the biggest concern in the Township is domestic violence. Supervisor DiRado asked Police Chief Porter about the possibly educating Township residents. Police Chief Porter discussed the process of getting help for victims of domestic violence. Police Chief Porter said he could partner with the Domestic Violence Center to provide education to the community. There was a discussion about current domestic violence laws and protection from abuse orders. Planning Commission Chairman Crook asked Police Chief Porter if the Police Department currently has a detective. Police Chief Porter state the Police Department does not have a detective on staff. Planning Commission Chairman Crook asked how much on the Police Incident Report is child sexual abuse issues. Police Chief Porter said a lot of incidents on the report are child sexual abuse cases because the County now sends out these cases to the Township in which the case has occurred. Police Chief Porter stated they get one or two child abuse cases a week. Supervisor DiRado asked why the Township no longer has a detective. Police Chief Porter stated the detective retired and at that time the Township was under hard times, so the detective was not replaced.

I. PUBLIC WORKS DEPARTMENT

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

J. HISTORICAL COMMISSION

1) No Report.

K. PUBLIC PARTICIPATION

1) Planning Commission Vice Chairman John Nielsen presented a People's Hall fact sheet to the Board of Supervisors. He stated the People's Hall is a cultural and historical landmark in East Fallowfield Township and therefore the Board of Supervisors should be supportive of the hall. Planning Commission Vice Chairman Nielsen also requested that the Township promote the People's Hall on the website.

2) Township Resident Siti Crook discussed her husband, Dennis Crook's fall on the icy steps of the Township building on the evening of February 4, 2019 after a Township Planning Commission meeting. She stated that on February 4, 2019 it had snowed during the day. The Township had failed to clear away the snow on the east side of the building including the steps and parking lot. By the time the Planning Commission meeting had ended, the temperature had dropped, and the steps iced up. She spoke about the hardships and health problems Dennis Crook has faced since his fall. She also discussed the out of pocket expenses they have

incurred as a result of his fall. There was a discussion regarding whether the Township's insurance plan covers volunteers.

L. ADJOURNMENT

MOTION: Chairman Herzog made a motion to adjourn the Board of Supervisors meeting at 7:33 p.m. Supervisor Lambert seconded. VOTE: 5-0

Respectfully Submitted,

Lisa Valaitis,
Township Secretary