

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS REORGANIZATIONAL MEETING
January 6, 2020 Approved minutes
6:00 p.m.

Members Present

Wilson Lambert, Chairman
Joe Heffern, Vice Chairman
Katja Dirado, Member
Carol Kulp, Member
John Nielsen, Member

Township Staff Present

Scott Swichar, Township Manager

Township Solicitor

Mike Crotty

1. Call to Order, Silent Meditation, and Pledge of Allegiance

Supervisor Lambert called the meeting to order at 6:02PM.

2. Swearing of Township Supervisors: Katja Dirado and John Nielsen

Magisterial District Judge Nancy Gill swore in Katja DiRado and John Nielsen as Township Supervisors.

3. DISCUSSION

A. Elect Temporary Chairperson to start the meeting.

MOTION: Supervisor Heffern made a motion to appoint Supervisor Lambert as temporary Chairperson to start the January 6, 2020 Reorganizational meeting. Supervisor Dirado seconded.

VOTE: 5-0

B. Election of Chairperson.

MOTION: Supervisor Heffern made a motion to appoint temporary Chairman Lambert as the 2020 Board of Supervisors Chairperson. Supervisor Kulp seconded.

VOTE: 5-0

C. Election of Vice Chairperson.

MOTION: Supervisor Dirado made a motion to appoint Supervisor Heffern as the 2020 Board of Supervisors Vice Chairperson. Chairman Lambert seconded.

VOTE: 5-0

D. Appointment of Township Solicitor.

MOTION: Vice Chairman Heffern made a motion to appoint the firm of Siana, Bellwoar & McAndrew, LLP for the 2020 year, at the rate of \$195.00 per hour for general municipal legal services. Supervisor Dirado seconded.

VOTE: 5-0

E. Legal.

a. Piper Group Subdivision.

Solicitor Mike Crotty stated that both the Chester County Planning Commission and East Fallowfield Township Planning Commission reviewed the application. The Township has in its possession a draft form of decision with post approval conditions. The application has also been reviewed by the Township engineer.

PROPOSED MOTION: Vice Chairman Heffern moved that the Township approve the Piper Group Subdivision Application pursuant to the recommendation of the Township Engineer and Township Planning Commission, subject to the conditions set forth in the form of decision presented by the Solicitor. Supervisor Kulp seconded.

VOTE: 4-0, Supervisor Dirado abstained.

b. 2020 Independent Auditor.

Solicitor Crotty stated that the Township must advertise its intent to appoint a specific auditor.

PROPOSED MOTION: Vice Chairman Heffern moved that the Township advertise the intent to appoint BBD, LLP as independent auditor for the Township, to be considered at the Board meeting on February 11, 2020. Supervisor Kulp seconded.

Supervisor Nielsen asked Solicitor Crotty to explain the audit process.

Solicitor Crotty stated that under Second Class Township Code there is an elected auditor position, however the code also allows an independent accounting firm to conduct the audit. The independent auditor assumes the role of the elected auditor. The Township is required to advertise the intent to appoint an auditor at least 30 days in advance. The auditor will look at a sampling of accounts and make recommendations. The audit report is submitted to the Township, Board, and a summary of the audit is also advertised. The audit report is also submitted to DCED.

VOTE: 5-0

F. Township Manager's Report.

a. Approval of Multimodal Transportation Fund Grant Contract between Commonwealth of Pennsylvania Commonwealth Financing Authority and East Fallowfield Township for \$730,000 for repair of Mortonville Road.

Township Manager Swichar stated that the Township received notice of a \$730,000 grant from DCED in November 2019 for repairs to Mortonville Road. The Township must accept the contract with 45 days of December 18, 2019 or the contract will expire. The Township is not required to match the grant. Manager Swichar stated that the Township had already received a \$1 million grant from PennDOT which requires a 30% match. The Township should receive the PennDOT contract within the next month. The project would need to be completed by June 30, 2022.

PROPOSED MOTION: Chairman Lambert made a motion to approve the Multimodal Transportation Fund Grant Contract between Commonwealth of Pennsylvania Commonwealth Financing Authority and East Fallowfield Township for \$730,000 for repair of Mortonville Road and authorize the Township Manager to sign and execute the contract documents. Vice Chairman Heffern seconded.

VOTE: 5-0

A. Appointment of Township Manager.

MOTION: Vice Chairman Heffern made a motion to appoint Scott Swichar as the 2020 Township Manager. Supervisor Dirado seconded.

VOTE: 5-0

B. Appointment of Township Treasurer.

MOTION: Vice Chairman Heffern made a motion to appoint Frangipani Martin as the 2020 Township Treasurer. Supervisor Kulp seconded.

VOTE: 4-0, Supervisor Dirado abstained.

C. Appointment of Township Secretary and Township Right to Know Officer.

MOTION: Chairman Lambert made a motion to appoint Scott Swichar as the 2020 Township Secretary and Township Right to Know Officer. Supervisor Kulp seconded.

Supervisor Dirado questioned if there is a deadline to advertise the hiring of a Township Secretary. Solicitor Crotty stated the position could be advertised immediately.

Township Resident Dennis Crook questioned if there is a certification class needed to be Right to Know Officer

Solicitor Crotty stated that there is no certification class needed. However, the Township should let the Office of Open Records know who will be serving as Right to Know Officer.

VOTE: 5-0

MOTION: Chairman Lambert made a motion to authorize the advertisement of an open Township Secretary position. Vice Chairman Heffern seconded.

Solicitor Crotty stated there is no requirement that the Township advertise whether they will be hiring full-time versus part-time.

VOTE: 5-0

D. Appointment of Administrative Office Assistant.

MOTION: Chairman Lambert made a motion to appoint Katherine Archibald as the 2020 part-time Administrative Office Assistant. Vice Chairman Heffern seconded.

VOTE: 5-0

E. December 17, 2019 Board of Supervisors Meeting Minutes.

MOTION: Chairman Lambert made a motion to approve the December 17, 2019 Board of Supervisors meeting minutes as presented. Vice Chairman Heffern seconded.

VOTE: 2-0. Motion Failed. Chairman Lambert abstained. Supervisor Kulp abstained. Supervisor Nielsen abstained.

Solicitor Crotty stated that a new Supervisor can approve minutes if they can verify minutes are accurate even if they were not a Supervisor when the meeting took place.

Supervisor Nielsen stated that he would like to change his vote from abstain to aye.

Supervisor Dirado made a motion to approve the December 17, 2019 Board of Supervisors meeting minutes as presented. Vice Chairman Heffern seconded.

VOTE: 3-0 Chairman Lambert abstained. Supervisor Kulp abstained.

F. Establish Monthly Meeting Dates and Times for the Board of Supervisors and Commissions.

MOTION: Chairman Lambert made a motion to approve the Board of Supervisor’s meetings at 6:30 p.m. on the 2nd and 4th Tuesday of the month, the Park and Recreation Commission meetings at 6:30 p.m. on the 1st and 3rd Tuesday of the month, the Planning Commission meetings at 6:30 p.m. on the 1st and 3rd Monday of the month, the Historical Commission meetings at 6:30 p.m. on the 1st and 3rd Wednesday of the month, and the Strategic Planning Steering Committee at 6:00pm on the 3rd Tuesday of every month. Vice Chairman Heffern seconded.

VOTE: 5-0

Solicitor Crotty requested permission to leave the meeting early.

Solicitor Crotty stated that each Motion moving forward could be made as presented rather than calling out each individual name.

G. Appointment of Public Works Department.

MOTION: Chairman Lambert made a motion to appoint the following Public Works employees as presented. Vice Chairman Heffern seconded.

Public Works Road Foreman	Barry “Tag” Gathercole – \$33.57/hour
Public Works Assistant Road Foreman	Tim Gathercole – \$29.16/hour
Public Works Laborer	Greg Leonard – \$24.96/hour
Public Works Laborer	Justin Gathercole – \$24.81/hour

VOTE: 5-0

H. Appointment of “As needed” snow plowers.

MOTION: Chairman Lambert made a motion to appoint the following “as needed” snow plowers as presented, with those with a CDL paid \$19.00 per hour, and the rest of the snow plowers at a \$1 per hour increase from 2019 being paid \$16.00 per hour. Supervisor Kulp seconded.

Snow Plower	Dan Mowery – \$19.00/hour
Snow Plower	Joe Gathercole - \$16.00/hour
Snow Plower	Alfred Perine - \$16.00/hour
Snow Plower	John Scott - \$16.00/hour
Snow Plower	Jim Reagan – \$19.00/hour
Snow Plower	Anthony Sirna – \$19.00/hour
Snow Plower	Frank Dowlin - \$19.00/hour
Snow Plower	Eddie Simpson - \$19.00/hour
Snow Plower	Jim Sisk - \$16.00/hour
Snow Plower	Chris Corle - \$19.00/hour
Snow Plower	Tim Peters - \$16.00/hour
Snow Plower	Andrae Reason - \$16.00/hour
Snow Plower	Lucas Witte - \$16.00/hour

VOTE: 5-0

I. Emergency Services.

MOTION: Chairman Lambert made a motion to appoint the following Emergency Service employees as presented. Vice Chairman Heffern seconded.

Fire Marshal, Asst. Emergency Management Coordinator – Jim Reagan – \$172.21/quarterly & \$22.00/hour
Asst. Fire Marshal, Emergency Management Coordinator – Anthony Sirna – \$172.21/quarterly & \$22.00/hour.

VOTE: 5-0

J. Police Department.

MOTION: Chairman Lambert made a motion to appoint the following Police Officers as presented. Vice Chairman Heffern seconded.

Chief of Police	Christopher Porter – \$ 100,164.06/year
Sergeant/Full-Time Police Officer	Brian Simmons – \$44.29/hour
Full-Time Police Officer	Kevin Simmons – \$41.28/hour
Full-Time Police Officer	Richard McAllister – \$41.28/hour
Full-Time Police Officer	John Hewczuk – \$30.98/hour (effective January 30, 2020)
Full-Time Police Officer	Francis J. O’Donnell – \$41.28/hour
Full-Time Police Officer	John Rappold – \$41.28/hour
Part-Time Police Officer	Timothy Kemmerle – \$28.01/hour
Part-Time Police Officer	Duncan Smith – \$28.01/hour
Part-Time Police Officer	David Wakeley - \$28.01/hour
Part-Time Police Officer	Gina Malarick-\$28.01/hour (effective January 30, 2020)

VOTE: 5-0

K. Appointment of Police Secretary and Police Right to Know Officer.

MOTION: Chairman Lambert made a motion to appoint Nancy Baker as the 2020 part-time Police Administrative Assistant and Police Right to Know Officer. Vice Chairman Heffern seconded.

VOTE: 5-0

L. Building Inspector/Code Officer/Zoning Officer.

MOTION: Chairman Lambert made a motion to appoint Keystone Municipal Services, Inc. as the 2020 Township building inspection, code official, and zoning services. Vice Chairman Heffern seconded.

VOTE: 5-0

M. Supervisor Liaison Appointments.

MOTION: Chairman Lambert made a motion to appoint the following Board liaisons as presented. Vice Chairman Heffern seconded.

Township Office – Wilson Lambert
Police Department –Kat Dirado
Public Works Department – Carol Kulp
Emergency Services and Fire Marshal – Kat Dirado
Planning Commission – John Nielsen

Historical Commission – Joe Heffern
Park and Recreation – Joe Heffern
Strategic Planning Steering Committee – John Nielsen

VOTE: 5-0

- N. 2020 State Supervisor’s Association Convention Voting Delegate.

MOTION: Chairman Lambert made a motion to appoint Supervisor Dirado as the 2020 State Supervisor’s Association Convention Voting Delegate. Vice Chairman Heffern seconded.

VOTE: 5-0

- O. WCC CoG – Western Chester County Council of Government – Select Primary & Secondary Delegates.

MOTION: Chairman Lambert made a motion to appoint Supervisor Kulp as the Primary Delegate and Supervisor Dirado as the Secondary Delegate of the WCC CoG. Vice Chairman Heffern Seconded.

VOTE: 5-0

- P. Vacancy Board.

MOTION: Supervisor Nielsen made a motion to appoint Roxanna Liberace as the East Fallowfield Township 2020 Vacancy Board member. Vice Chairman Heffern seconded.

VOTE: 4-1, Supervisor Kulp voted no.

- Q. Law Offices of John Carnes Jr.

MOTION: Chairman Lambert made a motion to appoint The Law Offices of John Carnes Jr. as the 2020 Township Zoning Solicitor, at the rate of \$135.00 per hour and \$100.00 for any services done by any attorney working for John Carnes. Vice Chairman Heffern seconded.

Chairman Lambert questioned why the Board of Supervisors is responsible for selecting a Zoning Hearing Board Solicitor. There was a brief discussion about whether the Zoning Hearing Board wants to reappoint John Carnes as their solicitor.

VOTE: 4-0, Supervisor Dirado abstained.

- R. Herbert E. MacCombie Jr. P.E.

MOTION: Chairman Lambert made a motion to appoint Herbert E. MacCombie Jr. P.E. as the 2020 Township Sewer Consultant, and approve their 2020 fee schedule, as presented. Vice Chairman Heffern seconded.

VOTE: 5-0

- S. Traffic Planning and Design.

MOTION: Chairman Lambert made a motion to appoint Traffic Planning and Design as the 2020 Township Traffic Consultants, and approve their 2020 fee schedule, as presented. Vice Chairman Heffern seconded.

VOTE: 5-0

- T. Township Engineer.

MOTION: Chairman Lambert made a motion to appoint Della Penna Engineering Inc. as the 2020 Township Engineer and approve his 2020 fee schedule as presented. Supervisor Kulp seconded.

VOTE: 5-0

U. Fee Schedule Resolution 2020-01.

MOTION: Chairman Lambert made a motion to approve Resolution 2020-01 approving the Township Fee Schedule. Vice Chairman Heffern seconded.

VOTE: 5-0

V. Agricultural Security Commission.

a. Appointment of 2020 Chairperson (Board of Supervisor Member).

MOTION: Chairman Lambert made a motion to appoint Joe Heffern (Board of Supervisor Member) as the 2020 Chairperson of the Agricultural Security Commission. Supervisor Kulp seconded.

VOTE: 5-0

MOTION: Chairman Lambert made a motion to appoint Roxanne Liberace (Resident) to the Agricultural Security Commission for a 2-year term. Vice Chairman Heffern seconded.

VOTE: 5-0

MOTION: Chairman Lambert made a motion to table the motion to appoint a Farmer to the Agricultural Security Commission for a 4-year term to the next Board of Supervisors meeting. Vice Chairman Heffern seconded.

VOTE: 5-0

Roxanne Liberace – Resident 2020 to 2021 (2-year term)
VACANT – Farmer 2018 to 2020 (3-year term)
VACANT – Farmer 2020 to 2023 (4-year term)
Arthur DeLeo – Farmer 2017 to 2021 (5-year term)

W. Zoning Hearing Board.

a. Resolution to Appoint Kathleen Moffitt as a Zoning Hearing Board member for the term ending December 31, 2022.

MOTION: Chairman Lambert made a motion to adopt Resolution 2020-02 appointing Kathleen Moffitt as a Zoning Hearing Board member for the term ending December 31, 2022. Vice Chairman Heffern seconded.

VOTE: 5-0

Kathleen Moffitt – Member 2020 to 2022
Ellis Weiss - Member 2018 to 2020
Nelson Walter – Member 2019 to 2021

X. Planning Commission.

- a. The Planning Commission Members ask the Board of Supervisors to reappoint Sue Monaghan to the Planning Commission 2020-2023 term.

MOTION: Chairman Lambert made a motion to reappoint Sue Monaghan to the Planning Commission 2020-2023 term. Vice Chairman Heffern seconded.

VOTE: 5-0

- b. The Planning Commission Members ask the Board of Supervisors to reappoint Michael Domboski to the Planning Commission 2020-2023 term.

MOTION: Chairman Lambert made a motion to reappoint Michael Domboski to the Planning Commission 2020-2023 term. Vice Chairman Heffern seconded.

VOTE: 5-0

- c. The Planning Commission ask the Board of Supervisors to appoint Edmund Pete Davis to the Planning Commission 2018 to 2021 term.

MOTION: Chairman Lambert made a motion to appoint Edmund Pete Davis to the Planning Commission 2018 to 2021 term. Supervisor Nielsen seconded.

Vice Chairman Heffern questioned why the term for Edmund Pete Davis began in 2018.

Township Manager Swichar stated that Mr. Davis would be replacing another member's term.

VOTE: 5-0

- d. The Planning Commission Members ask the Board of Supervisors to appoint John Nielsen as an alternate member of the Planning Commission 2020 to 2023 term.

MOTION: Chairman Lambert made a motion to appoint John Nielsen as an alternate member of the Planning Commission 2020 to 2023 term. Vice Chairman Heffern seconded.

VOTE: 5-0

- e. The Planning Commission Members as the Board of Supervisors to appoint John Schwab as an alternate member of the Planning Commission 2020 to 2023 term.

MOTION: Chairman Lambert made a motion to appoint John Schwab as an alternate member of the Planning Commission 2020 to 2023 term. Supervisor Nielsen seconded.

VOTE: 5-0

Sue Monaghan – Member 2020 to 2023
Michael Domboski– Member 2020 to 2023
Dennis Crook – Member 2019 to 2022
Joe Perzan – Member 2019 to 2022
Al Wright – Member 2019 to 2022
Edmund Davis-Member 2018-2021
VACANT- Member 2018-2021

John Schwab -Alternate Member 2020 to 2023 term
John Nielsen -Alternate Member 2020 to 2023 term

John Schwab –resigned from his term (Member 2018 to 2021)
John Nielsen– resigned from his term (Member 2018 to 2021)

- Y. Park and Recreation Committee.
VACANT- Member 2020-2024
VACANT - Member 2015 to 2019
VACANT – Member 2016 to 2020
VACANT – Member 2016 to 2020
Frederick Weiss – Member 2017 to 2021
VACANT – Member 2017 to 2021
VACANT – Member 2019 to 2023

John Zwirzina – Member 2015 to 2019 (No response)

Z. Historical Commission.

- a. Reappointment of Connie McLaughlin to the Historical Commission for the 2020 to 2024 term.

MOTION: Chairman Lambert made a motion to reappoint Connie McLaughlin to the Historical Commission 2020 to 2024 term. Vice Chairman Heffern seconded.

VOTE: 5-0

Joe McCormick – Member 2020 to 2024
Connie McLaughlin – Member 2020 to 2024
Sue Monaghan – Member 2017 to 2021
Arthur DeLeo – Member 2017 to 2021
Clarence Rhoades III – Member 2017 to 2021
Chad Peterson – Member 2017-2021
Lee Schlingmann – Member 2019 to 2023
VACANT – Member 2019 to 2023
VACANT – Member 2017-2021*

*Rebecca Hunt resigned from her 2017-2021 term in 2019

AA. Strategic Planning Steering Committee (New Committee Established 12/11/2018).

MOTION: Supervisor Nielsen made a motion to appoint the following to the Strategic Planning Steering Committee with the term ending 12/31/2020. Vice Chairman Heffern seconded.

Scott Swichar – Member with term ending 12/31/2020
Joe Heffern – Member with term ending 12/31/2020
Dennis Crook – Member with term ending 12/31/2020
John Nielsen-Member with term ending 12/31/2020
George Devine– Member with term ending 12/31/2020
Deane Madsen– Member with term ending 12/31/2020
Edmund Davis – Member with term ending 12/31/2020

Supervisor Dirado questioned if she could be alternate member of the Strategic Planning Steering Committee. Township Manager Swichar stated he would review the Resolution.

VOTE: 5-0

- b. Reappointment of Joe McCormick to the Historical Commission 2020 to 2024 term.

MOTION: Chairman Lambert made a motion to reappoint Joe McCormick to the Historical Commission 2020 to 2024 term. Vice Chairman Heffern seconded.

VOTE: 5-0

BB. United Construction Code Township Representative and Alternate.

MOTION: Chairman Lambert made a motion to appoint Joe McCormick as the Township Uniform Construction Code (UCC) representative. Vice Chairman Heffern seconded.

VOTE: 5-0

MOTION: Chairman Lambert made a motion to table the appointment of the Township Uniform Construction Code (UCC) alternative representative to the next Board of Supervisors meeting. Vice Chairman Heffern seconded.

VOTE: 5-0

CC. Elected Auditors.

MOTION: Vice Chairman Heffern made a motion to appoint Jim Sisk to the position of Auditor-unexpired 4-year term with the term ending December 31, 2023. Supervisor Kulp seconded

Chairman Lambert questioned if Sharon Scott was the elected auditor last year.

Township Manager Swichar stated that there are three elected auditors with staggered terms. Sharon Scott was a write-in candidate for the two-year unexpired term. Jim Sisk was a write-in for the 4-year term unexpired term however, he failed to submit an affidavit and paperwork to the County with the required notarization. The Board would need to formally appoint Jim Sisk to a four-year un-expired term. He stated that Ayoade Ojikutu was on the ballot and won a 6-year term. Township Manager Swichar stated that he informed Sharon Scott, Jim Sisk and Ayoade Ojikutu that the Township Board of Auditors will hold an organization meeting on Tuesday, January 7, 2020 at 6:30 p.m. at the Township building. He stated that all three individuals intend to be at the meeting.

VOTE: 5-0

Sharon Scott – 2020 to 2021 (2-year un-expired term)
Jim Sisk – 2020 to 2023 (4-year un-expired term).
Ayoade Ojikutu—2020 to 2025 (6-year term)

DD. Tax Collector 4-year term 2018 to 2021.

VACANT – 2018-2021

EE. Designated Banks.

MOTION: Chairman Lambert made a motion recognizing Fulton Bank as the Township designated bank. Vice Chairman Heffern seconded.

Supervisor Dirado questioned if the Township has looked at the rates of other banks.

Township Manager stated that the Township has not looked at other banks. He stated that Fulton Bank has a very good interest rate, however he intends to look at other banks.

Supervisor Nielsen questioned if Fulton Bank supplies the Township a credit card.

Township Manager Swichar stated that the Township has a Fulton credit card.

There was discussion among the Board whether Fulton Bank has a high yield account.

VOTE: 5-0

FF. New Business.

Supervisor Dirado discussed the tour of People's Hall that was provided to the Board of Supervisors in late 2019.

Township Manager Swichar stated that he has not received written estimates from People's Hall.

Vice Chairman Heffern questioned if the Township could apply for grant funding on behalf of People's Hall.

There was a discussion among the Board members about who owns People's Hall and whether to provide monetary support to the organization.

Township Manager Swichar stated that he contacted U.S. Representative Chrissy Houlahan's office regarding possible grant opportunities for People's Hall. He stated that he gave them the contact information for Board member Joe McCormick.

Supervisor Nielsen suggested highlighting People's Hall in the Township newsletter and website.

Supervisor Dirado questioned if there were any updates with the Strategic Planning Steering Committee.

Supervisor Nielsen stated that an annual report is being prepared to highlight the activities of the Committee.

Supervisor Nielsen questioned if the Township could reopen the 2020 budget.

Vice Chairman Heffern questioned Supervisor Nielsen about whether he wants to make changes to the budget.

Supervisor Nielsen stated that his goal is to familiarize himself with the budget and the funds.

Township Manager Swichar offered to review the budget with Supervisor Nielsen along with the Township Treasurer.

Vice Chairman Heffern stated that an amended budget would need to be re-advertised and adopted by February 15. He stated that there are legal procedures that would need to be followed to re-open a budget.

Supervisor Nielsen stated that he would meet with the elected auditors and seek additional information on the budget rather than requesting that the budget be reopened.

Supervisor Nielsen questioned if the Township could recruit a Junior Township Supervisor.

There was discussion among the Board members and Township Manager about recruiting a Junior Supervisor.

Supervisor Dirado questioned if grills could be installed at the park.

Township Manager Swichar stated that he wanted to look at other municipalities to see how they implemented similar programs.

Supervisor Nielsen questioned if shade trees would be installed at the community park.

Township Manager Swichar stated that the Township had recently applied for grant funding to obtain shade trees and that there are funds in the Park and Recreation budget to install shade trees.

Supervisor Dirado discussed installing various amenities at the community park.

There was a discussion among the Board members about having a Farmer's Market at the community park.

HH. Public Participation.

II. Adjournment.

MOTION: Supervisor Dirado made a motion to adjourn the January 6, 2020 Reorganizational Meeting at 6:33PM. Supervisor Kulp seconded.

VOTE: 5-0

Respectfully Submitted,

Scott Swichar,
Township Secretary