

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
February 25, 2020 Approved minutes
6:45 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

Chairman Lambert called the meeting to order at 6:45 PM.

2. DISCUSSION

A. EXECUTIVE SESSION

Chairman Lambert stated the Board of Supervisors held an executive session prior to the meeting regarding personnel issues.

B. APPROVAL OF MINUTES

JANUARY 28, 2020 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Supervisor Dirado made a motion to approve the January 28, 2020 Board of Supervisors meeting minutes as presented. Supervisor Kulp seconded.

VOTE: 4-0, Vice Chairman Heffern abstained.

C. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

- 1) January Westwood Fire Company Fire Chief's Report submitted for Board and resident review.
- 2) January Westwood Fire Company EMS Report submitted for Board and resident review.
- 3) 2019 Westwood Fire Company Year End Financial Report.
- 4) January Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 5) January Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.

D. PARK & RECREATION COMMITTEE – INTERVIEW APPLICANT – TOWNSHIP RESIDENT
NICHOLAS MARSICO

QUESTIONS AND COMMENTS

- a. Supervisor Dirado questioned Mr. Marsico about his background and why he wants to join the Park and Recreation Committee.
- b. Mr. Marsico stated that he grew up in West Chester and that he moved to the Township in May 2019. He stated that he enjoys the outdoors, parks, and fishing. He stated that he also enjoys the parks and that his aunt is on the Park and Recreation Committee in West Chester.
- c. Vice Chairman Heffern questioned Mr. Marsico if he knows anyone else that is willing to join the Park and Recreation Committee.
- d. Mr. Marsico stated that his fiancé might be interested in joining the committee.
- e. Vice Chairman Heffern stated that more members are needed for the committee.
- f. Supervisor Dirado questioned Mr. Marsico about his ideas for the park.
- g. Mr. Marsico suggested yoga in the park.
- h. Township Treasurer Pani Martin stated that township resident Brian Carling mentioned to her that he might be interested in getting involved with the Park and Recreation Committee.
- i. Township Manager Swichar stated that another resident is also interested in joining the Committee, and she will be on the agenda next month. He stated that there is now more interest in joining the Committee. He stated that he will work with the Committee and make sure that the Township is supporting their efforts.

MOTION: Supervisor Nielsen made a motion to appoint Nicholas Marsico to the Park & Recreation Committee for the term ending 2024. Vice Chairman Heffern seconded.

VOTE: 5-0

E. TREASURER'S REPORT

- 1) January 31, 2020 Treasurer's Report.

MOTION: Supervisor Kulp made a motion to approve the January 31, 2020 Treasurer's Report as presented. Vice Chairman Heffern seconded.

VOTE: 5-0

- 2) Payment Authorizations.

MOTION: Vice Chairman Heffern made a motion to approve the Payment Authorizations for the period of January 27, 2020 through February 25, 2020 in the total amount of \$210,534.66 as presented.

VOTE: 5-0

- 3) New Business.

Township Treasurer Pani Martin stated that BBD began its audit of the Township's 2019 financials last week and will be continuing their work to complete the 2019 financial report.

F. TOWNSHIP MANAGER'S REPORT

1) Grilling at Park Ordinance

Township Manager Swichar stated that the Board of Supervisors is encouraging more use at the Township's community park and the proposed Ordinance would allow for charcoal grilling at the park. He stated that he spoke with the Township's Fire Marshal, Police Chief, and Emergency Management Coordinator to see if there are any concerns related to fire safety. He stated that none of them have any concerns related to fire safety. He stated that he spoke with officials at West Bradford Township to see if they have any concerns related to grills at their parks. He stated that they do not have any concerns; however, they periodically check the grills to make sure they are clean. Township Manager Swichar stated that the Township would install a charcoal grill. He stated the Township would also provide a metal pan and bucket for residents to clean the grill.

Supervisor Dirado questioned if residents would need to apply for a permit in order to use the grill.

Township Manager Swichar stated that a facility use permit would need to be obtained. The cost is \$50 for residents and \$100 for non-residents. The permit would allow the use of the pavilion as well as the grill. He stated that the Township would not police residents who simply want to use the grill without obtaining a permit. However, obtaining a permit would allow the permit holder to have exclusive rights to using the grill.

Supervisor Dirado questioned why the proposed Ordinance does not address if someone wants to use a grill without obtaining a permit.

Township Treasurer Pani Martin stated that if someone has a facility use permit for the pavilion, then it would also allow them exclusive access to use the grill.

Township Manager Swichar stated that if someone is renting the pavilion, they would also have the exclusive right to use the grill.

Supervisor Dirado questioned if multiple grills could be installed throughout the park.

Township Manager Swichar stated that the Township should install one grill near the pavilion initially. He stated that the Ordinance does not prohibit installing more than one grill, however.

Chairman Lambert stated that he would like to be proactive about preventing problems. He stated that the Township should consider installing more than one grill to prevent any issues.

Township Manager Swichar stated that the grills are inexpensive, and the Township could consider installing more than one.

Supervisor Dirado questioned when the Ordinance would go into effect.

Township Manager Swichar stated that the motion is to authorize the advertisement of the Ordinance. He stated that the Board could consider adoption of the Ordinance at the second meeting in March.

MOTION: Supervisor Dirado moved that the Board authorize the advertisement of the grilling Ordinance No. 2020-1 Amending Chapter 16-102, Park Rules and Regulations to permit fires in Township-supplied grills. Chairman Lambert seconded.

QUESTIONS AND COMMENTS

- a. Supervisor Kulp questioned if the grills would be paid for by the park and recreation fund.
- b. Township Manager Swichar stated yes.

VOTE: 5-0

2) Update on Park Bathrooms (Discussion)

Township Manager Swichar stated that the Township received a \$125,000 grant from DCED. He asked the sewer engineer to have the bathrooms installed by Park Day. He stated that the project has been delayed as the Township had intended to have the bathrooms installed near the parking lot, however there are issues with having enough space to install an on-lot septic tank. He stated that the Township would also need to cut down mature trees near the parking lot. He stated that the Township is now considering installing the restrooms near the playground. He stated that the Township had initially budgeted about \$210,000 for an on-lot septic option. However, a public sewer option would be closer to \$270,000. While the grant would fund a portion of the project, the balance would come from the Park and Recreation Fund. The bathrooms are modular units and there is only a three month wait after they are ordered.

QUESTIONS AND COMMENTS

- a. Supervisor Dirado questioned when the project would be completed.
- b. Township Manager Swichar stated that he expects the project should be complete by Park Day. The modular bathroom would be purchased through Pennsylvania Co-Stars; however, the site work would need to be competitively bid. He stated that on-lot and public sewer are both good options. He stated that there is less maintenance required for a public sewer option.
- c. Supervisor Kulp questioned the cost of the public sewer option.
- d. Township Manager Swichar stated that the public sewer option would require grinder pumps. The public sewer option would cost approximately \$30,000 more than an on-lot system. He stated that the Township should also consider larger bathrooms which would cost \$24,000 more than the smaller bathroom unit and would provide two stalls for the men's room and two stalls for the women's room.
- e. Supervisor Dirado questioned if the facility would have a family restroom.
- f. Township Manager Swichar stated the restrooms have multiple options and features available.
- g. Supervisor Nielsen questioned if the \$210,000 price includes installation.
- h. Township Manager Swichar stated that the installation of the restrooms is included in the price.
- i. Vice Chairman Heffern asked Township Manager to explain the purpose of the grinder pumps and whether maintenance would be required.
- j. Township Manager Swichar stated that the grinder pumps operate on electric and would not function without power. He stated that the grinder pump has a holding tank where the sewage is held in a storage tank until it hits a certain level. A float would activate at a certain point and the pump would then push the sewage into a low gravity line. The sewer is operated by Pennsylvania American Water.
- k. Supervisor Kulp questioned where the public sewer would connect.
- l. Township Manager Swichar stated that public sewer would connect on Sara's Way. The Township would likely not need an easement based on the sewer map.
- m. Supervisor Dirado questioned if there are any environmentally friendly options for restrooms.

- n. Township Manager Swichar stated the only other option is a holding tank which would need to be pumped out. There is also a risk the bathroom would need to be closed during a large event if the tank became too full.
- o. Vice Chairman Heffern questioned if a septic system is more prone to breakdown in a public park.
- p. Township Manager Swichar stated the septic tank would be sized for larger capacity and that ideally it would last for 20-30 years.
- q. Supervisor Dirado questioned the long-term expense of repairing a septic tank.
- r. Township Manager Swichar stated that long-term the costs could be higher with an on-lot system. He stated that the on lot and public sewer options are both good options. A grinder pump could also fail eventually.
- s. Vice Chairman Heffern questioned the cost of a new grinder pump.
- t. Township Manager Swichar stated the grinder pumps are approximately \$15,000.
- u. Township Resident Tom Nash questioned why grinder pumps are needed for a low gravity system.
- v. Township Manager Swichar stated that the Sewer Engineer recommended a grinder pump system.
- w. Township Solicitor Crotty stated that the public sewer lines are either gravity or pressure lines and that the Township should follow the direction of the Sewer Engineer.
- x. Township Manager Swichar is waiting for a project budget from the Sewer Engineer.
- y. Vice Chairman Heffern questioned if ground percolation testing would need to be done for the on-lot option.
- z. Township Manager Swichar stated that percolation testing would be done if an on-lot system is chosen and that well water is proposed.
- aa. Township Treasurer Martin questioned if the bathrooms could be installed near the parking lot since truckers are using the porta-potties.
- bb. Township Manager Swichar stated that placing the bathrooms near the playground may eliminate having them used as a rest stop.
- cc. Supervisor Heffern questioned what additional steps are needed.
- dd. Township Manager Swichar stated that he will provide updated pricing to the Board for a public sewer option and a larger modular bathroom structure. He stated that he will find out the cost of monthly sewer charges as well.
- ee. Township Resident Tom Nash questioned usage of the bathrooms.
- ff. Township Manager Swichar stated that peak usage is during Park Day and the maximum usage is based on attendance at the event.
- gg. Township Resident Ellen Kuehner questioned if the bathrooms will be policed and whether other locations are being considered.
- hh. Township Manager Swichar stated that the playground is the preferred location due to ADA-accessibility

- 3) Township Financial Consultant - Approval of Consulting Work Contract by Barsz Gowie Amon & Fultz LLC to eliminate escrow funds still containing account balances that are no longer in use and provide additional consulting to ensure that accounting of escrow monies remains accurate.

Township Manager Swichar introduced Peter Barsz and Amanda Gattuso from Barsz Gowie. He stated that the company was hired last year when the Township's Treasurer was on leave. He stated that the Township has \$46,000 in an unused escrow account. He stated that it is likely the expenses have already been paid from the General Fund. It would be beneficial for the Township to have access to the funds. He stated that Peter Barsz has presented a proposal for the Board to consider.

Peter Barsz, from Barsz Gowie Amon & Fultz LLC, stated that Amanda Gattuso had completed financial work for the Township previously. They are familiar with the Township's books and operations. He stated that as part of the proposed work they would examine the old escrow account with the \$46,000 balance. They would also look at the other escrow accounts. He stated that there is a \$90,000 liability due to a contractor that they would need to explore. Their goal would be to declare that the funds are unidentified, and a Resolution would be presented to the Board that authorizes transfer of the funds into the General Fund. Mr. Barsz stated that they would also collapse old escrow account balances into a new escrow balance.

Township Treasurer Martin stated that previous bookkeeping did not have memos or coding to explain why the funds were transferred. She does not know where the funds belong.

MOTION: Supervisor Kulp made a motion to approve the financial consulting work contract by Barsz Gowie, Amon & Fultz LLC. Vice Chairman Heffern seconded.

VOTE: 5-0

- 4) Appointment of Matt Burns to the Planning Commission

Matt Burns stated that he has been a resident of East Fallowfield Township since 2017. He has a wife and daughter. He stated that he is a municipal engineer. He stated that he does not normally attend Planning Commission meetings.

Supervisor Dirado questioned Mr. Burns if he has experience being on a committee.

Mr. Burns stated that he does not have experience as a Board member, however he has attended Board meetings professionally as a consultant. He stated that he has attended one Board of Supervisor meeting in East Fallowfield Township. He stated that he had never attended a Planning Commission meeting before the February meeting.

Supervisor Dirado questioned Mr. Burns about why he is interested in the Planning Commission.

Mr. Burns stated that he is interested in getting more involved with the Township and wants to assist with any development reviews.

Vice Chairman Heffern asked Mr. Burns whether the Township should get a grinder pump at the park.

Township Manager Swichar stated that the Planning Commission had recommended the appointment of Matt Burns at their last meeting.

MOTION: Supervisor Nielsen made a motion to appoint Matt Burns to the Planning Commission with a 2018-2021 term. Supervisor Kulp seconded.

VOTE: 5-0

5) LED Signs at Park (Discussion)

Township Manager Swichar stated that there has been some renewed interest from the Board of Supervisors in installing an LED sign at the park. He stated that he received updated pricing from KC Signs; however, the pricing is similar to last year. The lower resolution 20mm sign is \$23,400 and the higher resolution 16 mm sign is \$26,790. He stated that a cellular modem is required that would allow for remote capability. The cost of the cellular modem ranges from \$3,175 to \$5,175 depending on the cellular carrier. Also, wire would need to be installed from the panel to the sign which would be an additional cost. He stated that he reached out to an electrician for pricing.

QUESTIONS AND COMMENTS

Township Solicitor Crotty questioned if the sign would be purchased through Co-Stars.

Township Manager Swichar stated that the sign would be purchased through Co-Stars.

Vice Chairman Heffern questioned if the funding could come from the Park and Recreation fund.

Township Solicitor Crotty stated he would research the matter.

Chairman Lambert questioned if the LED sign was budgeted.

Township Manager Swichar stated that the LED sign was budgeted in the 2020 Capital Fund. He stated that he will provide an electrician's estimate to the Board when he receives it.

Chairman Lambert questioned if the sign is the same size as the temporary sign that was installed last year at the park.

Supervisor Dirado questioned if any grants are available to pay for the sign.

Township Manager Swichar stated that grant funding is not available for an LED sign.

Supervisor Nielsen questioned if the sign is permanent.

Township Manager Swichar stated the sign is permanent.

Chairman Lambert questioned when the Board could consider the purchase.

Township Manager Swichar stated that he is waiting for the estimate from the electrician.

Township Resident Ellen Kuehner questioned if the Board of Supervisors has the size dimensions of the sign and where it would be placed. She questioned if the wood signs that are presently at the site would remain.

Solicitor Crotty stated the sign is 10 feet 1" tall. The digital portion of the sign is 31" X 81".

Township Manager Swichar stated the wooden signs could be relocated to other areas at the park.

6) Update on Newlinville Village Master Plan (Discussion)

Township Manager Swichar stated the Township is moving forward with the Newlinville Master Plan. The Township has created a task force and the first task force meeting is in February. The Township is still looking for a local community resident to join the task force. He stated that the Township distributed flyers to every residence in Newlinville. There will be numerous public meetings and local residents will have an opportunity to provide input.

QUESTIONS AND COMMENTS

Chairman Lambert questioned the date when flyers were distributed.

Township Manager Swichar stated he was not sure of the date. However, they were distributed sometime in February. The recruitment effort was advertised on Constant Contact, Facebook, and the Township's website. He also emailed the pastor at the Newlinville Mennonite Church; however, he did not hear back from him.

Chief Porter questioned if PennDOT is involved in the project. He stated that he would join the task force.

Supervisor Dirado questioned if the public meetings could be videotaped.

Township Manager Swichar stated that he would discuss the idea with the project consultant.

7) A Resolution to appoint an alternate member of the Strategic Planning Steering Committee

MOTION: Chairman Lambert made a motion to approve Resolution 2020-04 appointing Katja Dirado as an alternate member of the Strategic Planning Steering Committee for a one-year term ending 12/31/2020. Vice Chairman Heffern seconded.

VOTE: 5-0

8) New Business

Township Manager Swichar stated the Township is having its second Helicopter Candy Drop event on April 11. He stated that the event was very popular last year and was attended by at least 500 people.

G. LEGAL

Township Solicitor Crotty stated there are no action items to report.

H. POLICE DEPARTMENT

- 1) January Police Report submitted for Board and resident review.
- 2) Request for Approval to Hire Part-Time Police Officers James Ensor and Sean Marasco at \$15 per hour.

Police Chief Porter stated he would like to hire two part-time officers. One officer would replace Joe O'Keefe and another officer would be utilized for future staffing needs.

MOTION: Vice Chairman Heffern made a motion to hire James Ensor and Sean Marasco for the position of part-time Police Officer effective February 26, 2020, at the hourly rate of \$15 per the Collective Bargaining Agreement and contingent on them passing MPOETC testing requirements. Supervisor Kulp seconded.

QUESTIONS AND COMMENTS

Supervisor Nielsen questioned if the positions are permanent part-time positions.

Chief Porter stated yes. He stated the officers will work as needed. He stated that the firearms training is in May. He will perform one-on-one firearms trainings with the new officers before that date.

VOTE: 5-0

I. PUBLIC WORKS DEPARTMENT

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

J. HISTORICAL COMMISSION

- 1) 1440 Robin Road (letter to Chester County Department of Community Development)

Township Manager Swichar stated that Chester County had notified the Township about a possible rehabilitation loan for 1440 Robin Road. They requested that the Township's Historical Commission review the application to determine how the proposed work would impact the historical integrity of the Township. The Historical Commission responded that they have no objections to the proposed construction work. There is nothing historical about the property. Township Manager Swichar stated that no Board action is required.

K. NEW BUSINESS

Supervisor Dirado questioned the status of the Township feasibility study.

Township Manager Swichar stated there are questions for the School Board and Superintendent about whether they intend to leave the elementary school.

Chairman Lambert stated there is a possibility that the South Brandywine Middle School could be demolished, and the property resold.

Supervisor Nielsen stated that he spoke with Chester County Voter Services and the Hephzibah Church would be used as the only polling place in East Fallowfield Township.

There was a discussion among the Board of Supervisors whether South Brandywine Middle School or the Township Building could be used as a polling place.

Vice Chairman Heffern questioned the status of the Assistant Township Secretary position.

Township Manager Swichar stated the position is advertised and interviews are being conducted.

L. PUBLIC PARTICIPATION

Township Resident Ellen Kuehner questioned whether the owner of 2275 Strasburg Road could be excused from paying the trash fee. She read aloud a letter from the property owner.

Township Manager Swichar requested a copy of the letter from the property owner so the Board could review it.

M. ADJOURNMENT

MOTION: Vice Chairman Heffern made a motion to adjourn the February 25, 2020 Board of Supervisors Meeting at 8:21 PM. Chairman Lambert seconded.

VOTE: 5-0

Respectfully Submitted,

Scott Swichar,
Township Manager/Secretary