

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 22, 2020 Approved minutes
6:32 p.m.

Members Present

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

Township Staff Present

Scott Swichar, Township Manager

Township Solicitor

Mike Crotty

1. CALL TO ORDER, SILENT MEDITATION, PLEDGE OF ALLEGIANCE, EXECUTIVE SESSION

Chairman Lambert called the meeting to order at 6:32 PM. He stated there was an executive session on September 16, 2020 regarding personnel issues.

2. PRESENTATION BY MONICA STRAUER, CHAIRPERSON OF THE PARK AND RECREATION BOARD

Ms. Strauser stated that the new restroom facility should have cameras installed. The Park Board passed a motion to install a camera at the park. Township Manager Swichar stated that the Board of Supervisors has a copy of the Resolution passed by the Park Board. Ms. Strauser stated that the Resolution stated that the East Fallowfield Park Board believes that cameras are necessary to protect the restroom investment and the Police Department would be responsible for maintenance and operation of the cameras.

MOTION: Motion by Vice Chairman Heffern to discuss the motion. Seconded by Supervisor Dirado.

Township Solicitor Crotty stated that the Township would need quotes for security equipment and that internet service would be needed at the park.

Ms. Strauser stated that WIFI might not be needed at the park as they could possibly tap into the internet at the police station through a repeater system. She questioned if the Park and Recreation Board still has a role with the cameras. Township Manager Swichar stated that the Park and Recreation Board should continue to discuss the issue.

Township Manager Swichar stated that he and Chief Porter had met with several vendors to get camera system quotes. He is discussing internet service with Verizon. The Township would not be able to connect to the internet service at the Police Station. Internet service would allow remote monitoring. He stated that the Park and Recreation Board should continue the dialogue with the Board of Supervisors.

Vice-Chairman Heffern stated it would be helpful for the Park and Recreation Board to continue dialogue with the Board of Supervisors.

Ms. Strauser questioned whether a camera system would come from the Park and Recreation budget. Solicitor Crotty stated that a camera system could come from the Park and Recreation budget. However, it is up to the Board's discretion. The Township should look at a proprietary fund first rather than the General Fund. The General Fund offers flexibility for other projects.

Supervisor Dirado questioned if the Board of Supervisors would receive quotes for the camera packages.

Township Manager Swichar stated yes.

Vice Chairman Heffern questioned if grants are available for a camera system.

Township Manager Swichar stated that it would be difficult to obtain a grant for a camera system at the park.

Supervisor Dirado questioned when the restrooms will be open and whether the surveillance cameras will only operate when the restrooms are open.

Ms. Strauser stated that the surveillance should be 24 hours a day.

Township Manager Swichar stated that the cameras would record via a hard drive and monitored through live streaming.

Supervisor Nielsen questioned if the camera system would connect to other cameras at the Township building.

Township Manager Swichar said yes.

A. Purchase of Trees at Community Park

Ms. Strauser stated that Mr. Swichar had secured a \$7,500 grant for trees at the park. A tree planting is scheduled for the fall. The Park Board is reviewing quotes from various vendors. She stated that Arbor Glenn has the best variety and pricing. Funding for the trees is coming from grant money. She questioned if the Board needs to approve the purchase of the trees.

Solicitor Crotty stated that the Board could authorize the purchase of trees from Arbor Glenn in a certain amount not to exceed and leave the motion open so that the precise mix of trees could change. He questioned if the quote includes installation.

Ms. Strauser stated that quote includes installation. She stated that tree guards are needed, which could be an additional expenditure.

Supervisor Dirado questioned whether tree guards are needed on all trees.

Ms. Strauser said yes.

Mr. Swichar stated that the trees are large trees rather than saplings.

Supervisor Kulp questioned how many trees are from the Wagner Lane Subdivision escrow monies.

Supervisor Dirado stated that money from the Wagner Lane escrow has not yet been received. However, monies from the developer could be used for tree guards. She stated that she thought the trees would be larger in size.

Ms. Strauser stated that 2" caliper trees can be 12 to 18 feet tall.

Supervisor Dirado questioned if all the trees will need tree guards and whether the Boy Scouts would be interested in maintaining the trees.

Ms. Strauser stated the guards are inexpensive.

Vice Chairman Heffern stated that the Boy Scouts typically work on a one-time project instead of regular maintenance and questioned whether the Township has equipment for maintenance of the trees.

Township Manager Swichar stated the Township does not own a water tank.

MOTION: Supervisor Dirado made a motion to authorize the purchase of trees for the community park in an amount not to exceed \$10,000 from the Township's Park and Recreation Fund from Arbor Glenn. Supervisor

Nielsen seconded.

Supervisor Kulp questioned if the Township can wait until Wagner Lane decision has been made.

Solicitor Crotty stated the Wagner Lane escrow would provide money rather than trees.

Supervisor Nielsen questioned if there is a rough sketch plan.

Ms. Strauser stated no.

Supervisor Dirado questioned if trees could be placed near the park benches to provide shade.

Ms. Strauser stated the trees would be placed in natural spaces and that the Park and Recreation Board would develop a map to determine locations to plant the trees.

Supervisor Dirado questioned when the results of the survey will be discussed.

Supervisor Kulp questioned where the funds will come from.

Ms. Strauser stated that there is a \$7500 PECO grant and additional funding is from the Chester County Preservation Partnership grant.

VOTE: 5-0.

B. Movie Night on October 10 and Agreement with Big Air Cinema.

MOTION: Chairman Lambert a motion to approve a contract between East Fallowfield Township and Big Air Cinema for \$500. Vice Chairman Heffern seconded.

Supervisor Dirado questioned how residents will be spaced out at movie night. She questioned how many residents attended the previous movie night event.

Ms. Strauser stated that flags would be used to denote the area and each flag would accommodate a 14-foot circle.

Township Manager Swichar stated that attendance at the last movie night was approximately 200.

Ms. Strauser questioned the process for record keeping.

Solicitor Crotty stated that the Township Secretary should be provided a copy of records.

Ms. Strauser questioned the approval process for purchasing.

Solicitor Crotty stated that all purchases must be approved by the Board of Supervisors. However, some purchases could be approved by the Township Manager. Supplies and equipment can be approved by the Township Manager. Prior board approval is needed for purchases over \$500 and for agreements/contracts.

There was a discussion about the Governor's Order that limits the size of gatherings and the possibility of a Halloween parade.

VOTE: 5-0.

3. DISCUSSION

A. APPROVAL OF MINUTES

August 25, 2020 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Chairman Lambert made a motion to approve the August 25, 2020 Board of Supervisors meeting minutes as presented. Vice Chairman Heffern seconded.

VOTE: 4-0, Supervisor Kulp abstained.

A. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

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

B. TREASURER'S REPORT

- 1) August 31, 2020 Treasurer's Report and Payment Authorizations.

MOTION: Chairman Lambert made a motion to approve the August 31, 2020 Treasurer's Report in the amount of \$231,215.89 as presented. Supervisor Kulp seconded.

Supervisor Nielsen questioned the MMO pension contribution for 2021.

Township Manager Swichar stated that the MMO will be discussed under Manager's Report.

VOTE: 5-0

Fire Chief Mike McWilliams, of Westwood Fire Company, stated that Westwood Fire Company is working on its 2021 Budget and is scheduled to meet with Township Manager Swichar to discuss operational changes. After the meeting, Westwood Fire Company will discuss the changes with the Board of Supervisors.

C. TOWNSHIP MANAGER'S REPORT

- 1) 2021 Minimum Municipal Obligation (MMO) for East Fallowfield Township - Police Pension Plan & Non-Uniform Pension Plan.

Township Manager Swichar stated that ACT 205 requires that he inform the Township's Board of Supervisors of the 2021 Minimum Municipal Obligation for the East Fallowfield Township Non-Uniform Pension Plan and Police Pension Plan. The 2021 MMO for the non-uniformed pension plan is \$15,864 a slight decrease from the 2020 MMO of \$22,490. The 2021 MMO for the Police Pension Plan is \$64,075. The 2020 MMO for the Police Pension Plan was \$47,372. The MMO is based on actuarial projections and yearly wages from 2020. The Township is required to report the information to the Board of Supervisors by the last day in September and report the information to PMRS.

Supervisor Nielsen questioned which employees are non-uniform employee and who are the 14 people on the plan. He questioned how many plans the Township has.

Solicitor Crotty stated it could be former employees who vested in the plan.

Township Manager Swichar stated that there is a non-uniform and police pension plan.

Supervisor Dirado questioned how close the MMO estimate is to the actual payment.

Township Manager Swichar stated that the MMO is the actual bill that will be paid to PMRS next year and the same amount is budgeted. A large portion of the MMO is provided by state aid.

2) Vision Partnership Program Visioning Workshop on September 30, 5-7PM (informational).

Township Manager Swichar stated that the Visioning Workshop is on September 30 at 5:00PM at Extra Mile Auto. A copy of the flyer was mailed to residents of Newlinville and dropped off at their homes. A copy of the flyer is in the Board packet.

Supervisor Dirado questioned who is giving the presentation.

Township Manager Swichar stated that Tom Comitta and his staff will be giving the presentation.

3) Update on Township's Finances During the COVID-19 Pandemic

Township Manager Swichar showed a table reflecting earned income taxes for 2018-2020 received by the Township for each quarter.

Solicitor Crotty questioned why the spreadsheet reflects five quarters.

Township Manager Swichar stated that the money is from 2019 but comes in during 2020. These funds are from 2019 reconciliation. The fifth quarter consists of 2019 monies if the employer did not withhold enough or if the taxpayer is self-employed. The fifth quarter was extended to October 2020.

Township Manager Swichar stated that in April he gave an update on the Township's finances related to the pandemic. He stated at the time that the Township should not panic and that the Township has substantial reserves to mitigate a crisis. The Township's #1 revenue is the earned income tax. This is the 1% income tax for residents and non-residents working or living in the Township.

The Township budgeted \$1,225,000 in 2020 for EIT revenue. EIT revenues in the beginning of 2020 were very strong. The Township received \$301,302 in the beginning of 2020 for the fourth quarter of 2019. In 2019, the Township received \$272,723 for fourth quarter 2018. The Township did better in the fourth quarter of 2019 then it did for the fourth quarter of 2018. For the first quarter of 2020, the Township brought in \$313,136, which is slightly more than came in during the first quarter of 2019.

The second quarter of 2020 is where we begin to see a small decrease in EIT revenues. The second quarter consists of April, May, and June. The second quarter 2020 EIT revenues were \$282,298. This decrease of 5.89% is about \$17,000 less than the EIT revenues for the second quarter of 2019. He stated this is a small decrease given the state's average was a 7% overall decrease.

The Township is currently in the middle of the third quarter. The third quarter payments are not due until October 31. There is no way to know what the third quarter will look like until November. The second quarter of 2020 payments were not due until August 31. It is possible the Township will receive additional payments for the second quarter of 2020. The Township has brought in the same amount of earned income taxes to date as last year because of the stronger revenues that came in during the beginning of 2020. The Township will continue to monitor the revenues. The Township is fortunate to have revenues that do not dry up immediately such as parking meter revenue. There is no need to panic.

D. LEGAL

1) Budget Process-Informational Update Only

Solicitor Crotty stated that the budget must be advertised at least 20 days before adoption and that it must be adopted by December 31. If we want to avoid a special meeting, the budget should be authorized for advertisement on November 24.

Chairman Lambert stated that he found out that the Township Manager is working with an expired contract. The Township will need to address the matter as soon as possible.

Solicitor Crotty will provide a draft template to the Board of Supervisors.

E. PLANNING COMMISSION

- 1) No Report Submitted

F. POLICE DEPARTMENT

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

G. PUBLIC WORKS DEPARTMENT

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

2) HISTORICAL COMMISSION

No report submitted.

3) OLD BUSINESS

4) PUBLIC PARTICIPATION

5) NEW BUSINESS

Chairman Lambert stated that the Board previously discussed using herbicide around the guardrails. He stated that he had reached out to Wildland Weed Management Department of Plant Science, Penn State University by email. He stated that according to their email, organic weed control methods are not efficient; however, vinegar is organic and can burn the green tissue it contacts. Perennial plants will regrow from vinegar. Herbicidal vinegar is expensive and can be hazardous. The applicator and municipality will need to be licensed. The vinegar would need to be applied during the same time as the mowing. The most efficient approach is to use herbicides as the application would need to be applied once or twice a year. He stated that the Township should continue to investigate different approaches.

Supervisor Dirado stated that she voted no to chemical application. She stated that the Township could close the road and cut the area where weeds are located.

Supervisor Kulp stated she agrees with Supervisor Dirado.

Supervisor Nielsen stated that he maintains his property to the right-of-way. He questioned whether the Township could draft a letter instructing residents to maintain the right-of-way. He stated that the Township is doing the homeowner's work. He has seen the road foreman push back bamboo on a homeowner's property.

Solicitor Crotty stated that a form letter could be created, however residents should avoid guardrails. He stated there is an Ordinance restricting bamboo.

MOTION: Supervisor Nielsen made a motion as head of the Strategic Planning Steering Committee to suspend meeting of Strategic Planning Steering Committee until such time as approved necessary by the Township's Board of Supervisors.

Supervisor Nielsen stated that the Committee Members should consider joining the Planning Commission or Park and Recreation Board. Many of the issues are related to zoning and very few members are attending.

Supervisor Dirado stated she was not aware of the poor attendance. She would have attended if she was aware.

Supervisor Nielsen stated that it may be difficult to entice businesses to start up during COVID-19.

Vice Chairman Heffern stated that some of the members of the Strategic Planning Steering Committee have shifted their focus to the Newlinville Task Force. He stated that the Committee has transitioned.

Supervisor Nielsen stated that existing committees such as the Planning Commission and Park and Recreation Board could be strengthened by including new members and by discussing other topics such as spraying of herbicides.

Supervisor Dirado stated the Township will need strategic planning and should seek new revenues given the Coronavirus.

Supervisor Nielsen stated that the process of bringing in new business starts with zoning. Zoning should be changed, or businesses will find it difficult to start up.

Chairman Lambert questioned whether the committee needs to be dismantled or whether the committee could remain dormant.

Solicitor Crotty stated that with certain committees, committee members who have set terms have a right to compete the term. He stated that the Township could send a letter to committee members to ascertain their interest in continuing on the committee. He stated that the Township would need to pass an Ordinance to end the committee which would cost money.

Supervisor Nielsen stated that he would like to suspend the formal meetings but not the committee itself.

Solicitor Crotty stated that it is not necessary to advertise that meetings are not being held.

Supervisor Dirado questioned if anyone else might be interested in taking Supervisor Nielsen's place.

Supervisor Nielsen stated he will check with the other members. He stated that he would like to table the motion until next month.

Motion was withdrawn by Supervisor Nielsen.

6) ADJOURNMENT

MOTION: Vice Chairman Heffern made a motion to adjourn the September 22, 2020 of Supervisors Meeting at 8:09 PM. Chairman Lambert seconded

VOTE: 5-0

Respectfully Submitted,

A handwritten signature in cursive script, reading "Scott Swichar", is displayed on a light gray rectangular background.

Scott Swichar,
Township Manager/Secretary