

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
August 24, 2021 Approved minutes
6:34 p.m.

Members Present

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

Township Staff Present

Scott Swichar, Township Manager

Township Solicitor

Mike Mauger

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

Chairman Lambert called the meeting to order at 6:34 PM.

2. DISCUSSION

A. APPROVAL OF MINUTES

July 27, 2021 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Supervisor DiRado made a motion to approve the July 27, 2021 Board of Supervisors meeting minutes as presented. Chairman Lambert seconded.

Chairman Lambert stated that on page two of the minutes he made the suggestion to implement an open space management plan, rather than Vice Chairman Heffern.

Township Manager Swichar stated that he will make the change. He stated it was a typo.

VOTE: 4-0.

B. PRESENTATION- BY KIRA FLOERSHEIM OF U.S. REPRESENTATIVE CHRISSY HOULAHAN'S OFFICE

Ms. Floersheim, the Constituent Services Representative from U.S. Representative Chrissy Houlahan's Office provided an overview of her office's services and explained how they assist with funding for local municipalities. She stated that Mr. Swichar had some questions about the American Recovery Funding and that they initiated a congressional inquiry into the matter.

Supervisor Nielsen stated that the Township started an EAC recently and questioned whether the Township should target the Department of Energy for grant opportunities.

Ms. Floersheim stated that her colleague John Kern is the grants program manager. Their office will provide a letter of support to assist the township. Their website provides a list of grant opportunities and resources.

C. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

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

3. TREASURER'S REPORT

- 1) July 31, 2021 Treasurer's Report

MOTION: Supervisor Nielsen made a motion to approve the July 31, 2021 Treasurer's Report as presented. Chairman Lambert seconded.

VOTE: 4-0.

- 2) Payment Authorizations.

MOTION: Chairman Lambert made a motion to approve the Payment Authorizations for the period of July 28, 2021 through August 24, 2021 in the total amount of \$311,784.01 as presented. Supervisor DiRado seconded.

VOTE: 4-0.

- 3) Resolution No. 2021-22 Designating Fulton Bank and Meridian Bank as depositories of Township funds

MOTION: Supervisor Nielsen made a motion to adopt Resolution 2021-22 designating Fulton Bank and Meridian Bank as depositories of Township Funds. Vice Chairman Heffern seconded.

Supervisor Nielsen questioned when this will happen.

Treasurer Breslin stated that he is waiting for two signatures on the agreement. Most of the funds will be transferred to Meridian at the end of September.

VOTE: 4-0.

4. TOWNSHIP MANAGER'S REPORT

- 1) Agreement with T.P.D for Construction Management and Preparation of Bidding/Contract Documents related to Mortonville Road Construction)

Township Manager Swichar stated that Mr. Waltermyer, of T.P.D will discuss the Mortonville Road project.

Mr. Waltermyer provided an update on the 500-foot section of Mortonville Road that will be repaired. He stated that the project is in the design phase. T.P.D. has been working with a geotechnical engineer to

design an armor wall and drainage improvements. The design is almost finished. There is a stream restriction and the work must be done between November and March. The project will go out to bid in October and award of the bid will occur in November. The contractor will be mobilized in November or late December. Final paving would occur in March or April. Mortonville Road would be closed during the 4-5 month project duration. The detour would be the same as when the roads was closed previously. The August 2020 agreement with T.P.D did not have bidding and construction management services. The proposal before the board includes bidding and construction management services. A T.P.D inspector would be on the job to monitor progress as part of the proposal.

Supervisor Nielsen questioned if there is a conflict with any of the construction contractors. He questioned what other services are provided other than engineering design and inspection.

Mr. Waltermyer stated no. The proposal makes the project bid -ready on PennBid and also provides for management during construction. They are approximately 45 days from completion of the design. He is working with Mr. Swichar on minor slope easements. The easements are between Mortonville Road and the creek. If maintenance is needed on the drainage, then an easement would be needed. Three or four drainage inlets will be installed.

Township Manager Swichar questioned how much of the \$730,000 DCED grant can be reimbursed for engineering and inspection services.

Mr. Waltermyer stated that DCED will reimburse 10% for engineering and inspection.

Township Manager Swichar questioned whether there are rising material costs.

Mr. Waltermyer stated most of the rising costs are attributed to traffic signals. There is some inflation with materials. PennBID can provide access to numerous contractors.

Supervisor DiRado questioned turtle season dates.

Mr. Waltermyer stated that the project would need to be completed by April 1 to October 31.

Township Manager Swichar stated that the funds for the agreement with T.P.D would come from the township's capital fund. The Township is looking at short-terms loans so they are no depleting funds in the capital fund.

Mr. Breslin stated that he has looked at Meridian Bank and PennDOT's Infrastructure Bank. PennDOT's interest rate is 1.6%.

There was a board discussion about the project.

Al Wright questioned the length of the permits.

MOTION: Supervisor Nielsen made a motion approving an agreement with T.P.D for construction management and preparation of bidding/contract documents for the Mortonville Road Construction Project. Chairman Lambert seconded

VOTE: 4-0.

2) Weed Control Program for 2021 –Weeds, Inc. Contract.

Township Manager stated that that the contract is for weed control around guardrails. The Township consulted with Penn State Department of Plant Science. Penn State did not recommend planting ground

cover as a natural alternative. The Board has a copy of the proposed contract for program #1 in the amount of \$2,330.

MOTION: Vice Chairman Heffern made a motion to approve Program #1 for \$2,330 for the 2021 vegetation control behind the guard rails on township roads and to authorize the Township Manager to sign the contract. Chairman Heffern seconded.

Supervisor Nielsen stated he is opposed to spraying weed killer and prefers removing weeds with a mechanical method. He looked at the guardrails and he is not convinced there is an immediate need to spray weed killer.

Supervisor DiRado stated that the spray could enter the streams. She questioned if the weeds could be cut mechanically and whether the Township could hire additional staff.

Township Manager Swichar stated that staffing is a challenge. They would need four men on the road at one time to mechanically cut the weeds.

Vice Chairman stated that he has concerns about using weed killer. There is no scientific basis for not using weed killer. However, he is concerned about insufficient staff and the township would also use fossil fuels for weed whacking. The road crew has other tasks to perform. He would like to find a long-term solution.

Chairman Heffern stated that the road crew should be performing road maintenance instead of cutting grass. There is no data showing the harm from weed killer. No municipalities in Pennsylvania are pouring vinegar on weeds.

There was a board discussion about weed removal at guardrails.

Supervisor Nielsen questioned if the board is being negligent for not removing weeds around guardrails.

Solicitor Mauer stated that the Board is aware of the problem. If they do not take care of the problem, they could be held liable.

Al Wright stated that the township should plan for next year to address the problem.

VOTE: 2-2. Supervisor DiRado voted nay. Supervisor Nielsen voted nay. Motion is denied.

3) Approval of the 2021-2022 Chester County Consortium bid for Sodium Chloride.

Township Manager Swichar stated that the Township joined the Chester County Consortium last year. The Township is part of the salt bid. In the past the township purchased salt through Pennsylvania Costars. The price for salt has increased quite a bit as raw material prices have increased. Last year, the township was able to purchase salt for \$51 a ton. This year, the low bid is \$64.50 a ton from Eastern Salt Company. He is asking the Board to approve the low bid. There is no minimum purchase and the township is able to purchase more salt through the consortium.

Supervisor DiRado questioned if there is salt remaining in the shed from last year.

Township Manager Swichar stated yes.

MOTION: Supervisor DiRado made a motion to approve the 2021-2022 Chester County Consortium Bid to Eastern Salt Company for Sodium Chloride for \$64.50 a ton. Chairman Lambert seconded.

Supervisor Nielsen questioned if the price includes delivery.

Township Manager Swichar stated yes.

VOTE: 4-0.

4) BAWA Fellowship Release No. 8 (Phase #1)

Township Manager Swichar stated there is a letter in the Board's packet from the Township Engineer recommending a release in the amount of \$50,000.

MOTION: Supervisor Nielsen made a motion that the Township approve Release No. 8 for the BAWA Fellowship Subdivision in the amount of \$50,000.00. Chairman Lambert seconded.

VOTE: 4-0.

5) Update on Trash Contract with Waste Management (formerly Advanced Disposal).

Township Manager Swichar stated that the existing agreement with Waste Management expires the end of this year. There is an option to extend the agreement for an additional two one-year terms. He stated he recommends that the Township extend the agreement for another year. He stated that there have been problems with Waste Management. However, they have been responsive and have worked with the Township to resolve issues. He has reached out to numerous townships and most townships are experiencing similar service issues due to a lack of CDL drivers.

Supervisor Nielsen questioned what haulers he has spoken with and whether he reached out to Blosenski. He recommends Blosenski.

Township Manager Swichar stated he spoke with Republic Services and Eagle Disposal. He spoke with other Townships that were not happy with Blosenski.

There was a board discussion about trash collection.

6) Section 902 Recycling Implementation Grant

Township Manager Swichar stated that it is cheaper for the Township to purchase its own recycling containers. Currently, the hauler owns the cart and removes them after the contract ends. He stated that the Township should consider applying for a DEP Act 101 Section 902 grant. The grant would fund 90% of the cost of new recycling containers. The cost for the recycling containers is approximately \$200,000.

Supervisor Lambert questioned whether Waste Management owns the recycling containers.

Township Manager Swichar stated yes. They own trash and recycling containers.

Supervisor DiRado questioned how long the container would last and whether the resident would see a reduced trash bill.

Township Manager Swichar stated that ideally residents would benefit from a contract that is less. The containers typically last 15 years.

Treasurer Breslin stated that the Township would be less committed to a hauler if they do not own the containers. If the Township owns the container, there is less of a commitment to them.

Supervisor DiRado questioned if the township would purchase extra containers.

Township Manager Swichar stated yes.

There was a board discussion about the containers.

MOTION: Vice Chairman Heffern made a motion approving the submission of a grant application to DEP's Section 902 Act 101 Municipal Recycling Program Grant for the purchase 2,800 96 gallon-residential recycling containers. Chairman Lambert seconded.

VOTE: 4-0.

7) LEGAL

1. Sarah Bronson Application for Addition to Agricultural Security Area

Mike Mauger stated that an application was received from the Bronsons. There is a benefit to the property owner such as protection from eminent domain and certain zoning requirements. The Township will need to advertise. It goes through the County Planning Commission, Township Planning Commission, and Township's Security Area. The Township has two options they can go through the process or if they do not render a decision within 6 months, it is deemed approved.

Supervisor Nielsen questioned if the Planning Commission will need to review.

Mr. Mauger stated that the Resolution is to advertise notice of the Bronson ASA application.

Motion: Vice Chairman Heffern moved that the Township advertise notice of receipt of the Bronson ASA application, noting that it is available for review at the Township building for public inspection and that the Township will accept any proposed modifications to the Township Ag Security Area within fifteen (15) days. Chairman Lambert seconded.

Supervisor DiRado questioned whether the township will accept any proposed modifications

Mr. Mauger stated that the township will accept submission of proposed modifications.

Vice Chairman Heffern moved that the Township advertise notice of receipt of the Bronson ASA application, noting that it is available for review at the Township building for public inspection and that the Township will accept any proposed papers related to modifications to the Township Ag Security Area within fifteen (15) days. Supervisor DiRado seconded.

Supervisor Nielsen questioned what would happen if someone else wanted to place their property.

Mr. Mauger stated they could make that request.

VOTE: 4-0.

2. Funding Agreement with People's Hall

Township Manager Swichar stated that the Township has not received the exhibit.

8) PARK AND RECREATION BOARD

1) Healing The Planet grant application update

Al Wright, Chairman of the Park and Recreation board stated that the Township was not awarded a grant from the Healing the Planet for the gazebo project

2) PECO Green Region Grant

Township Manager Swichar stated that the maximum grant amount is \$10,000.

Supervisor DiRado questioned if a butterfly bee garden is a possible project. What is the deadline for the design. She questioned if a fountain is a possibility.

Mr. Wright stated that she should come to a park and recreation board meeting so they can understand the scope. The Township could consider how to convert a lawn area into a natural area to reduce grass cutting.

Township Manager Swichar stated that he discussed the butterfly garden with Scott Neumann at PECO. He stated that the butterfly garden is not a fundable project for the PECO grant. He will present a Resolution which is required to be included in the grant application at the next Board meeting.

7) PLANNING COMMISSION

1) No Report Submitted

9) POLICE DEPARTMENT

1) July Police Report submitted for Board and resident review

2) New Policy for Body-Worn Cameras

Supervisor Nielsen stated he is against facial recognition software.

Township Manager Swichar stated that the policy does not address the purchase or technology needed.

MOTION: Vice Chairman Heffern made a motion to table the East Fallowfield Township Police Body Worn Camera Policy. Chairman Lambert seconded.

VOTE: 4-0.

3) Police Staffing Study:

MOTION: Chairman Lambert make a motion to approve the submission of a letter of intent to DCED to complete a police staffing study. Supervisor DiRado seconded.

Supervisor DiRado questioned when the request letter will be submitted.

Township Manager Swichar stated the request letter will be submitted within a week.

Supervisor Nielsen questioned if the Chief would see the study.

Township Manager Swichar stated yes.

There was a board discussion about the police study.

VOTE: 4-0.

10) PUBLIC WORKS DEPARTMENT

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

11) HISTORICAL COMMISSION

- 1) No report submitted.

12) NEW BUSINESS

13) OLD BUSINESS

Supervisor Nielsen discussed the Hutchinson AME privately owned cemetery. He stated that the Planning Commission and Historical Commission should give an annual report.

There was a board discussion about the cemetery.

Supervisor DiRado questioned if PSATS is having any workshops this year.

Township Manager Swichar stated he would check and provide the information to her.

14) PUBLIC PARTICIPATION

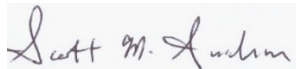
None

15) ADJOURNMENT

MOTION: Supervisor DiRado made a motion to adjourn the August 24, 2021 of Supervisors Meeting at 8:50 PM. Chairman Lambert seconded.

VOTE: 4-0.

Respectfully Submitted,



Scott Swichar,
Township Manager/Secretary