

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
December 14, 2021 Approved minutes
6:30 p.m.

Members Present

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

Township Staff Present

Scott Swichar, Township Manager
Township Solicitor
Mike Crotty

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

Chairman Lambert called the meeting to order at 6:30 PM.

2. A Resolution of Commendation and Appreciation for Supervisor Carol Kulp

Chairman Lambert thanked Supervisor Kulp for her accomplishments and leadership and read into the record Resolution #2021-30.

VOTE: 4-0.

3. DISCUSSION

A. APPROVAL OF MINUTES

November 23, 2021 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Vice Chairman Heffern made a motion to approve the November 23, 2021 Board of Supervisors meeting minutes as presented. Supervisor Kulp seconded.

VOTE: 5-0.

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

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

4. TREASURER'S REPORT

1) Payment Authorizations.

MOTION: Supervisor DiRado made a motion to approve the Payment Authorizations for the period of November 24, 2021 through December 14, 2021 in the total amount of \$502,133.61 as presented. Vice Chairman Heffern seconded.

VOTE: 5-0.

5. TOWNSHIP MANAGER’S REPORT

1) Appointment to Planning Commission

Township Manager Swichar stated that the Planning Commission had passed a motion at their last meeting recommending the appointment of Robin Romanelli. There are currently two vacancies. He stated that he recommends filling the 2022 term. Ms. Romanelli’s application is in the board packet.

MOTION: Supervisor Nielsen make a motion to appoint Robin Romanelli to the Planning Commission with the term ending 12/31/2022. Vice Chairman Heffern seconded.

VOTE: 5-0.

Michael Domboski	Chairman	2020 to 2023
Sue Monaghan	Vice Chairman	2020 to 2023
Alfred Wright	Member	2019 to 2022
<i>Robin Romanelli</i>	<i>Member</i>	<i>2019 to 2022</i>
Joe Perzan	Member	2019 to 2022
<i>Vacant</i>	<i>Member</i>	<i>2018 to 2021</i>
Jennifer Wright	Member	2018 to 2021

2) Resolution to Authorize Transfer of Funds from the General Fund to Capital Fund.

Township Manager Swichar stated he expects the township will end 2021 with a surplus. The \$300,000 transfer would allow the township to fund capital projects next year.

MOTION: Vice Chairman Heffern made a motion to approve a Resolution no. 2021-31 authorizing the transfer of unencumbered monies in the amount of \$350,000 from the General Fund to the Capital Fund to fund capital and infrastructure projects. Chairman Lambert seconded.

Supervisor Nielsen questioned the meaning of unencumbered and whether the township has encumbered funds. He questioned if the Township could move funds from the Capital Funds back to the General Fund.

Township Treasurer Breslin stated there are no liabilities on the township funds. The Township does not currently have encumbered funds. He stated the Board of Supervisors could move funds back to the General Fund at their discretion.

Township Manager Swichar stated that the Township has substantial reserves in the General Fund. He stated the township does not anticipate any issues with moving the funds

VOTE: 5-0.

3) Resolution to Authorize Transfer of Funds from Park and Recreation Fund to Capital Fund

Township Manager Swichar stated that last year the Board approved a Resolution authorizing a transfer of \$20,000 from the Capital Fund to Park and Rec Fund so that the fund had enough money to pay for the restroom project. The grants were received. This Resolution will allow the township to pay back the Capital Fund the \$20,000 that was borrowed.

MOTION: Vice Chairman Heffern made a motion to approve Resolution no. 2021-32 authorizing the transfer of unencumbered monies in the amount of \$20,000 from the Park and Recreation Fund to the Capital Fund as reimbursement for the park restroom project. Chairman Lambert seconded.

VOTE: 5-0.

4) Donation to Coatesville Area Public Library for 2021

Township Manager Swichar stated that the Township had budgeted \$8,000 for 2021 for a community donation. The Township had approved a \$14,000 grant in September for People's Hall to make interior repairs. The Township was notified that the repairs will not happen until 2022. The Board could consider making a donation to the library in 2021. Mr. Swichar stated that he obtained a list from the library of what other nearby municipalities are donating to the library. The list is in the board's packet. The library relies on funding from nearby municipalities. There is money available this year to contribute to the library.

Vice Chairman Heffern questioned how much money was contributed last year and whether the township had contributed \$10,000 in the past.

Township Manager Swichar stated that \$8,000 was donated last year.

Treasurer Breslin stated that \$8,000 was contributed in 2018 and 2019.

MOTION: Supervisor Nielsen moved that the Township make a 2021 donation of \$8,000 from the Township's General Fund to the Coatesville Area Public Library. Vice Chairman Heffern seconded.

Township resident Nina Petro questioned if the library receives funding from County Chester and whether the donation is designated for a particular cause.

Vice Chairman Heffern stated the library likely receives County funding but also rely on funding from municipalities.

Chairman Lambert questioned if the City of Coatesville will contribute to the library in 2021.

Township Manager Swichar stated that the City of Coatesville makes a contribution in December 2021.

VOTE: 5-0.

5) Agreement with D.L. Howell & Associates for Engineering Services for Goosetown Road Property

Township Manager Swichar stated that the township has been discussing building a parking lot at the site of the township's Goosetown Road property. The next step is to develop engineering plans. The Township met with Brandywine Conservancy and they agreed to reimburse the township 100% of the cost to develop the engineering plans.

MOTION: Vice Chairman Heffern moved that the township approve an agreement with D.L. Howell & Associates dated November 18, 2021 for engineering services in the amount of \$12,080 for the township's Goosetown Road property and authorized the Township Manager to sign the agreement. Chairman Lambert seconded.

Supervisor Nielsen stated he is personal friends with a principal at D.L. Howell.

VOTE: 4-0. Supervisor Nielsen abstained.

6) Agreement with D.L. Howell & Associates for Engineering Services for Goosetown Road Property

Township Manager Swichar stated that the Township received a second estimate of \$9,880 from D.L. Howell. The estimate is for doing a survey of the entire 33.6 acre site. Should the township wish to develop the site with trails, the survey would be needed to identify property lines. Brandywine Conservancy agreed to reimburse the township for this expense.

MOTION: Vice Chairman Heffern moved that the township approve an agreement with D.L. Howell & Associates dated December 9, 2021 for survey work in the amount of \$9,880 for the township's Goosetown Road property and authorized the Township Manager to sign the agreement. Chairman Lambert seconded.

Supervisor Nielsen abstained.

VOTE: 4-0.

Supervisor Nielsen questioned how long the engineered plans would be valid if MS4, zoning, or codes change. He questioned whether a full survey is needed.

Township Manager Swichar stated there is no expiration date. The Township would need to evaluate any changes that happened. The Township would want to have a complete survey of the property so they are not putting trails on someone else's property. The survey is needed to develop a plan for trails.

Chairman Lambert questioned when an open space management plan would be submitted to Planning Commission.

Township Manager Swichar stated that this should be addressed with the Planning Commission.

7) Brandywine Creek Greenway Mini-Grant Program

Township Manager Swichar stated that the grant program provides funding between \$2,000-\$10,000. The township received a \$3,600 grant this year for picnic tables for the pavilion. The grant requires a 1:1 match. The Township had discussed a butterfly garden, however there is not enough information at this point to move forward with the project. Township Manager Swichar recommended applying for funding for the gazebo project. The Township had already applied for \$10,000 grant funding for the PECO Green Region. Mr, Swichar suggested applying for a \$10,000 grant from Brandywine Creek Greenway Mini Grant. The cost of the gazebo is \$41,355.

Chairman Lambert questioned the butterfly garden. project

Township Manager Swichar stated the grant is due this Friday. There is not enough information about the butterfly garden at this point. A \$10,000 grant from Brandywine Creek Greenway Mini Grant would be applied as the match for the PECO Greenway grant.

MOTION: Vice Chairman Heffern made a motion authorizing the Township Manager to submit a grant application to the Brandywine Creek Mini Grant Program for a new gazebo in the amount of \$10,000. Chairman Lambert seconded.

Supervisor Nielsen questioned the deadline and whether there is an additional estimate.

Township Manager Swichar stated the deadline had been extended to Friday, December 17.

Park and Rec Board Chair Al Wright stated no other estimates were received. The estimate is for a high-end gazebo.

There was a board discussion about the gazebo.

Supervisor Kulp questioned whether the vote is only to apply for the grant.

Township Manager Swichar stated the board would need to approve the purchase of a gazebo.

VOTE: 5-0.

8) New Business.

None

6. LEGAL

1) 2022 Budget.

Township Manager Swichar stated that the 2022 budget is ready for adoption. The budget had been advertised.

MOTION: Vice Chairman Heffern moved that the Board approve the 2022 budget as advertised. Chairman Heffern seconded.

VOTE: 4-1. Supervisor Kulp voted nay.

2) 2022 Tax Resolution Establishing Real Estate Millage.

Township Manager Swichar stated that the resolution will establish the real estate tax millage for

2022. There is no real estate tax millage increase for 2022.

MOTION: Vice Chairman Heffern moved that the Township approve Resolution 2021-33, establishing the Township property tax rates for 2022 as follows: 2.00 mills general millage; 0.44 mills emergency services millage; and 0.56 mills fire tax millage. Chairman Lambert seconded.

VOTE: 5-0.

3) SPCA Contract 2022 - 2024.

Township Manager Swichar stated there is a copy of the proposed agreement in the board packet. The current agreement expires the end of this year. All the townships in Chester County are in the same position as East Fallowfield Township regarding animal control. The COG is exploring its own animal control initiative. Solicitor Crotty has reviewed the agreement. There are no other options at the moment. The fees have increased since the last contract. Township Manager Swichar recommends signing the agreement and continuing to explore other options.

Supervisor Kulp questioned why there is a base line contract fee.

Township Manager Swichar stated the base line contract fee is paid every year.

Supervisor DiRado stated that stray dogs from Kentucky are being brought to this area.

Supervisor Nielsen questioned if residents could call the SPCA directly.

Police Chief Porter stated that the township pays no matter who calls the SPCA.

There was a board discussion about animal control.

Township resident Nina Petro questioned if SPCA is regulated and what the COG stands for.

MOTION: Vice Chairman Heffern moved that the Township authorize the execution of the 2022-2024 SPCA Contract, for a period of 3 years. Chairman Heffern seconded.

VOTE: 5-0.

7) PLANNING COMMISSION

- 1) No Report Submitted

8) POLICE DEPARTMENT

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

9) PUBLIC WORKS DEPARTMENT

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

10) NEW BUSINESS

Chairman Lambert stated that an executive session will be held immediately after the meeting to discuss personnel matters.

11) HISTORICAL COMMISSION

- 1) No report submitted.

12) PARK AND RECREATION BOARD

- 1) The township is rescheduling the tree lighting event to December 18 at 5:00pm.

13) OLD BUSINESS

Township Supervisor Nielsen stated that the owner of 10 Newlinville Road still has Tyvek siding on it. The Planning Commission should consider a Use and Occupancy permit for resale.

There was a board discussion about 10 Newlinville Road.

14) PUBLIC PARTICIPATION

Solicitor Crotty joined the meeting at 7:28 pm.

Susan Clark discussed 5G small wireless facilities and ACT 50.

Solicitor Crotty stated that Telecommunication ACT does not permit the Township to regulate perceived public health issues related to cell towers.

15) ADJOURNMENT

MOTION: Vice Chairman Heffern made a motion to adjourn the December 14, 2021 of Supervisors Meeting at 7:39 PM. Chairman Lambert seconded.

VOTE: 5-0.

Respectfully Submitted,



Scott Swichar,
Township Manager/Secretary