

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
May 24, 2022 Approved minutes  
6:30 p.m.

**Members Present**

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

**Township Staff Present**

Scott Swichar, Township Manager

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

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

Chairman Lambert stated there was an executive session on May 10, 2022 and on May 24, 2022 regarding personnel issues.

2. DISCUSSION

A. APPROVAL OF MINUTES

May 10, 2022 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Supervisor Nielsen made a motion to approve the May 10, 2022 Board of Supervisors meeting minutes as presented. Chairman Lambert seconded.

VOTE: 5-0.

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

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

C. PRESENTATION: DAVE PORTER, HERBERT MACCOMBIE, JR. P.E. -ACT 537 PLAN

Dave Porter, of Herbert MacCombie, P.E., stated there is an update to the ACT 537 Plan. Mr. Porter stated the plan details alternatives to adequate sewage disposal, primarily looking at public

sewer alternatives versus a septic management program. There was a public needs survey in the past. There are three areas that warrant public sewer. These areas have small lots. One area is the Stottsville area near Weaver Mulch to the Stottsville Inn. This area is currently serviced by on-lot systems. If someone sells the lot and the inspection fails, a holding tank would be needed if a replacement on-lot system cannot be installed. Stottsville has about 25 properties that would be affected. Mount Carmel area is another area that has about 33 properties that are recommended for public sewer. These two areas would be serviced by two separate pump stations, however it may be possible to combine the two areas and service them at the pump station in Sadsbury Township. This system was acquired by PA American Water. The benefit of public sewer is that PA American Water can contribute bona fide dollars for existing residences. The project could be put out to bid by PA American Water. If there is a shortfall, then the property owner would be expected to pay. It is possible that there would not be an out of pocket expense to the homeowner.

Supervisor Nielsen questioned the purpose of the \$15,000.

Mr. Porter stated that PA American Water could contribute money to the project for an existing facility. PUC will allow the contribution. If the project comes in under the bona fide dollars, then the resident may not need to contribute anything.

Solicitor Crotty questioned whether the township is in the middle of the process.

Mr. Porter stated that after the 537 plan is passed, PA American Water will seek agreements with individual property owners. If at least half of the property owners agree to tie into public sewer, then they might have to foot the bill for those who will not agree to tie into public sewer. If the township passes an ordinance requiring a mandatory connection, then all property owners are obligated to make the connection and PA American Water will distribute costs to all users.

Solicitor Crotty stated that there is a possibility of a mandatory connection and another possibility without a mandatory connection.

Mr. Porter stated there was a mandatory ordinance for the Cardinal Drive area. The other component of the 537 plan would be if there is no public sewer alternative, then a community onlot or treatment plan would be needed. DEP wants to see onlot systems are maintained properly. DEP also wants to see an onlot septic management program.

Solicitor Crotty questioned if SMP are for holding tanks only or for any onlot system.

Mr. Porter stated the SMP would be for an on-lot system. He would not recommend inspections be performed by township staff.

Supervisor Nielsen questioned why Chester County Health Department does not complete inspections.

There was a board discussion about the draft 537 Plan.

Supervisor Nielsen questioned whether unnamed tributary stream can be named after someone. He stated that it should be recognized.

Mr. Porter was not sure. He stated that board can send comments on the draft 537 plan to Mr. Swichar and he will respond.

Mr. Swichar stated that depending upon the comments from the board, he will place this on the June or July meeting agenda.

Solicitor Crotty stated that 520 Doe Run Road is applying for a holding tank and that there is a pump and haul agreement. He is using a typical form of pump and haul agreement which includes estimated flows. The agreement includes posting of financial security with the township.

Mr. Porter stated that the agreement should include that they will enter into an agreement with a licensed wastewater hauler as well as provide copy of that agreement.

### 3. TREASURER'S REPORT

1) April 30, 2022 Treasurer's Report.

MOTION: Supervisor Nielsen made a motion to approve the April 30, 2022 Treasurer's Report as presented. Chairman Lambert seconded.

VOTE: 5-0.

2) Payment Authorizations.

MOTION: Chairman Lambert made a motion to approve the Payment Authorizations for the period of May 11, 2022 through May 24, 2022 in the total amount of \$129,069.89 as presented. Supervisor Nielsen seconded.

VOTE: 5-0.

### 6. TOWNSHIP MANAGER'S REPORT

1) Sale of 2010 Ford Explorer - Resolution No. 2022-08.

Township Manager Swichar stated the township has a 2010 Ford Explorer that was a former police vehicle. The vehicle is beyond its useful life and not worth repairing. The second class township code requires the approval of the board of supervisors to sell township property. There is a proposed motion in the board's packet authorizing the township manager to sell the vehicle on Municibid.

MOTION: Supervisor Nielsen made a motion to approve Resolution No. 2022-08 authorizing the sale of a 2010 Ford Explorer (VIN# 1FMJU1G57AEB49716) as presented. Chairman Lambert seconded.

VOTE: 5-0.

2) Agreement with Scantek, Inc. for Document Conversion (Scanning)

MOTION: Supervisor Wright moved that the township approve an agreement with Scantek, Inc. dated April 27, 2022 for document conversion services in the amount of \$2,074.00 from the township's ARPA Fund and authorize the Township Manager to sign the agreement. Chairman Lambert seconded.

Mr. Swichar stated that the township uses a program called Alchemy for records management. Periodically, documents are scanned and uploaded onto the Alchemy system. The total cost is \$2,074 through PA Costars.

Supervisor Nielsen questioned if it is a one-time fee and whether paper records need to be retained for a certain number of years. He questioned if the Scantek will hold the documents.

Township Manager Swichar stated it is a one time fee. Most of the records are building permits. Records need to be retained for a certain number of years. Scantek will hold the documents for a fee, however the township is retaining the documents.

Supervisor Wright questioned how many years of documents are being scanned.

Township Manager Swichar stated there are two years of documents.

Supervisor Nielsen questioned the project management fee.

Township Manager Swichar stated that the project management fee is part of the \$2,074.00.

Supervisor DiRado questioned if the fee is paid every year and how the documents are retrieved from a Right to Know request.

Township Manager Swichar stated that the township only pays for the scanning of documents. Documents are retrieved using the Alchemy software package for Right to Know requests.

VOTE: 5-0.

### 3) Purchase and Installation of Cameras at Police Station

Township Manager Swichar stated that the camera system at the police station is outdated and is not currently working. This is a public safety concern. The cameras will monitor the inside and outside of the building. There are inmates in the building that need to be monitored.

The proposal is for 5 cameras outside and 2 cameras inside. The scope of work includes a monitor that will allow for viewing of cameras at the park and police station. The total cost is \$8,158. Mr. Swichar stated he recommends funding come from the township's ARPA fund.

MOTION: Supervisor Dirado made a motion to authorize the Township Manager to sign an agreement with KIT Communications in the amount of \$8,158 from the township's ARPA Fund for the purchase of seven cameras and a video recorder to monitor the police station perimeter. Supervisor Wright seconded.

Supervisor Wright questioned whether cameras at park would work with the existing system. He questioned if maintenance is included and whether the video is subject to a right to know.

Township Manager Swichar stated the cameras would work with the existing system. A one year warranty is included. The equipment could be relocated at a later point.

Solicitor Crotty stated that video is not subject to a Right to Know request.

Supervisor Nielsen questioned who is in charge of the video.

Township Manager Swichar stated that a resolution was signed last year. The chief manages the video footage.

Supervisor DiRado questioned what will happen to the old cameras. She questioned if the old cameras are working and whether body cameras could be used in place of the broken cameras inside the building.

Township Manager Swichar stated they will be thrown away.

Supervisor Nielsen questioned if the quote is turnkey.

Township Manager Swichar stated that the quote is for everything including cameras and installation. The police cameras are not working however, the police have body cameras.

Township Police Officer John Hewczuk, stated that body cameras cannot always be used inside the building due to privacy reasons on the computer screen.

Township Manager Swichar stated the township has a body camera policy.

Supervisor Nielsen questioned when the cameras will be installed.

Township Manager Swichar stated he will place the order as soon as the board approves the purchase. He hopes they will be installed in a month.

VOTE: 5-0.

4) Approval for Alcohol/Beer Sales at Township's 2022 Summer Concert Series

Township Manager Swichar stated that the park and recreation board is interested in having beer and wine vendors at the summer concerts. The current park rules prohibit possession of alcohol at the park. If the board is interested, the administration will make sure vendors are licensed and added as an additional insured.

MOTION: Supervisor Wright made a motion to authorize the sale and approve the consumption of beer and wine at the township's 2022 summer concert series from approved vendors with a certificate of insurance naming the township as an additional insured. Supervisor DiRado seconded.

Supervisor DiRado questioned if the police will be present.

Township Manager Swichar stated yes.

Chairman Lambert questioned if there will be concession stands or a beer truck.

Township Manager Swichar stated that the park and rec board is working with the vendors.

VOTE: 5-0.

5) New Business

7. LEGAL

1) Holding Tank/Pump and Haul Agreement for 520 Doe Run Road

Solicitor Crotty stated there is a pump and haul agreement for 520 Doe Run Road.

MOTION: Supervisor Nielsen moved that township approve the holding tank/ pump and haul agreement in the form as presented and authorize the board president to sign the agreement. Chairman Lambert seconded.

VOTE: 5-0.

2) A Resolution Updating the Master Agreement with Fulton Bank.

Solicitor Crotty stated there is a resolution to update master agreement with master agreement and to add the signatories.

MOTION: Supervisor DiRado moved that the Township approve Resolution 2022-09 authorizing the Board of Supervisors to sign the new master agreement with Fulton Bank. Supervisor Wright seconded.

Supervisor Nielsen questioned if the Resolution would remove Carol Kulp and add Al Wright.

Solicitor Crotty stated yes.

VOTE: 5-0.

3) Informational: Variance Application - Myers - 10 IMS Drive

Solicitor Crotty stated that Allan Myers is interested in purchasing the space they currently lease. They would need variance approval. They are going before zoning hearing board and planning commission.

Supervisor Nielsen questioned if the township would find out the purchase price.

Solicitor Crotty stated the township will see the transfer tax.

Supervisor Nielsen questioned if there are other active land development applications.

Solicitor Crotty stated that Allan Myers is requesting a variance first. No action is required.

8. PLANNING COMMISSION

1) No Report Submitted

1) PARK AND RECREATION BOARD

2) No Report Submitted

9. POLICE DEPARTMENT

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

10. PUBLIC WORKS DEPARTMENT

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

11. NEW BUSINESS

2) HISTORICAL COMMISSION

- 1) No report submitted.

11 OLD BUSINESS

Supervisor Nielsen questioned why the burn permit is only active for 6 months versus a year for recreational fires.

Supervisor DiRado questioned if there were any issues with the BBQ grills at the park and whether the number of grills could be increased.

Supervisor Wright stated he would bring up the grills at the next park and rec board meeting.

There was a board discussion about the grills.

Supervisor Nielsen requested that township manager Swichar look into the length of time for the burn permit.

Supervisor DiRado questioned if the township is having a bike parade again this year.

Supervisor Nielsen questioned if the township heard back from Bill Schoell regarding Dick Vermeil.

There was a board discussion about the hospital closure.

There was a discussion about a memorial for Tag Gathercole.

Supervisor Wright stated that a street light in Strasburg Hunt is not working. The light is owned by the HOA.

Solicitor Crotty stated that the zoning officer could mail a letter to the homeowner association to inquire about the issue as the HOA documents require that the light be maintained by the HOA.

Supervisor Nielsen stated that the unnamed tributary on South Caln Road should be named after someone. It is located behind Fieldstone.


There was a board discussion on naming the tributary.

1) ADJOURNMENT

MOTION: Supervisor DiRado made a motion to adjourn the May 24, 2022 of Supervisors Meeting at 8:18 PM. Chairman Lambert seconded.

VOTE: 5-0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Scott M. Swichar", is displayed within a light gray rectangular background.

Scott Swichar,  
Township Manager/Secretary