

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
February 28, 2023 Approved Minutes
6:30 p.m.

Members Present

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

Township Staff Present

Scott Swichar, Township Manager
Lisa Ionata, Township Treasurer
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. Chairman Lambert stated there was an executive session held on February 6, 2023, regarding personnel issues.

3. DISCUSSION

A. APPROVAL OF MINUTES

January 24, 2023 BOARD OF SUPERVISORS REORGANIZATIONAL MEETING MINUTES

MOTION: Supervisor Wright made a motion to approve the January 24, 2023 Board of Supervisors reorganizational meeting minutes as presented. Supervisor Nielsen seconded.

VOTE: 4-0.

B. 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) January Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 4) January Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.

C. APPOINTMENT OF PLANNING COMMISSION MEMBER DEBORAH STOFF

MOTION: Supervisor Nielsen made a motion to appoint Deborah Stoff to the Planning Commission with the term ending 2025. Supervisor Wright seconded.

VOTE: 4-0.

Michael Domboski	Chairman	2020 to 2023
Sue Monaghan	Vice Chairman	2020 to 2023
Alfred Wright	Member	2023 to 2026
Jonathan Egger	Member	2023 to 2026
Joe Perzan	Member	2023 to 2026
Deborah Stoff	Member	2022 to 2025
Jennifer Wright	Member	2022 to 2025

D. PRESENTATION BY DAVID TURNER, OF DAVID’S DRIVE, TO DISCUSS THE INSTALLATION OF AN AED AT THE TOWNSHIP PARK

David Turner, of David’s Drive, stated that David’s Drive and Aidan’s Heart have partnered together to provide an AED at the township park. He recommends that the AED be placed at the restroom building.

Mr. Swichar stated that the topic had gone through the Park and Recreation Board.

Supervisor Wright stated that the issues had been worked out.

Solicitor Crotty questioned how to prevent tampering of the device.

Christy Marshall Silva, of Aidan’s Heart stated that AED devices are rarely tampered with.

There was a board discussion on the topic.

MOTION: Supervisor Wright made a motion to approve the acceptance and placement of the AED at the township park Chairman Lambert seconded.

Supervisor Nielsen questioned the possibility of having an AED at the township building.

Supervisor DiRado questioned who will be responsible for replacing the pads.

Solicitor Crotty stated that the Township would be responsible for replacing the pads.

VOTE: 5-0.

4. TREASURER’S REPORT

1) January 31, 2023 Treasurer’s Report.

MOTION: Supervisor Wright made a motion to approve the January 31, 2023 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 January 25, 2023 through February 28, 2023 in the total amount of \$257,122.06 as presented. Supervisor Wright seconded.

VOTE: 5-0.

3) Change Signor on Township's PayTrace Account

MOTION: Supervisor Wright made a motion to change the signor on the Township's PayTrace account from Christopher Makely to Scott Swichar and Lisa Ionata. Chairman Lambert seconded.

Treasurer Ionata stated that PayTrace is used for credit card payments.

Solicitor Crotty stated they are looking to update the account and Christopher Makely is no longer with the Township.

Connie McLaughlin, Resident, questioned, if it is one or another or both employees that are needed as signers.

Solicitor Crotty stated there will be dual signers.

VOTE: 5-0.

5. TOWNSHIP MANAGER'S REPORT

1) Appointment of Township Engineer.

Township Manager Swichar introduced Nate Cline from Pennoni. Mr. Swichar stated that the Township was looking at hiring a new township engineer. They had interviewed 5 prospective engineering firms. Pennoni had great references. He expects that hiring Pennoni will bring a fresh perspective to the Township. Megan Todaro has a strong background in grant writing. The selection committee is recommending the selection of Nate Cline from Pennoni.

Nate Cline gave an introduction of himself and his company, Pennoni.

Supervisor Nielsen questioned the fee schedule and asked about sustainability.

Mr. Cline stated the fee schedule is included in the proposal. Their office will assign the best person to the task. He stated that they have an energy group, and they are involved in solar work.

MOTION: Supervisor Wright made a motion to appoint Nathan Cline from Pennoni as the 2023 Township Engineer, and approve his 2023 fee schedule as presented. Chairman Lambert seconded.

Supervisor DiRado questioned what would happen if they encountered a new situation and what are the new trends.

Mr. Cline stated he would reach out to members in his firm or email his other resources. Pickleball courts are very trendy right now. Amphitheatre projects are also popular.

Supervisor Wright questioned the size of his office.

Mr. Cline stated there are about 35 staff members in his firm.

Supervisor Nielsen questioned if MacCombie would be replaced.

Mr. Swichar stated the Township is only looking at the Township Engineer position.

VOTE: 5-0.

- 2) Presentation by Kathleen Hood to Discuss the Bicentennial Farewell Tour of the Marquis De Lafayette

Kathleen Hood gave a presentation of the Bicentennial Farewell Tour scheduled for 2025. She will forward the presentation to the board.

There was a board discussion on the matter.

- 3) A Resolution Authorizing the Township Manager to Approve and Release Certain Disbursements During the Intervals Between Board Meetings.

Township Manager Swichar stated that the Township frequently receives recurring bills that are due before the regularly scheduled board meeting.

Supervisor Nielsen questioned how the funds are directed to the merchant and whether the process will be done at the office.

Treasurer Ionata discussed the ACH process. The withdrawals are scheduled.

Supervisor Wright questioned if they are proposing an auto pay.

There was a board discussion on the matter.

Treasurer Ionata stated that the township currently has ACH positive pay to protect the township.

Supervisor Wright stated that the Township might want to reauthorize the Resolution on an annual basis.

MOTION: Supervisor Wright made a motion approving Resolution No. 2023-09 authorizing the Township Manager to approve and release certain disbursements during the intervals between board meetings with a date ending to the resolution of 2/28/2024. Supervisor Nielsen seconded.

VOTE: 5-0.

- 4) Grant Contract for Chester County Preservation Partnership Grant Program

Mr. Swichar stated that the board approved the submission of a grant application last month for a gazebo structure to Chester County Preservation Partnership Program. Chester County requested that the Township submit the grant contract along with the grant application.

MOTION: Supervisor Nielsen made a motion authorizing the execution of a grant contract between East Fallowfield Township and Chester County Board of Commissioners for a park gazebo as part of the Preservation Partnership Grant Program. Chairman Lambert seconded.

Supervisor Wright questioned the amount of the grant.

Township Manager Swichar stated that the grant amount requested is \$52,946 which is 50% of the project cost.

VOTE: 5-0.

5) Grant Contract for Chester County Preservation Partnership Grant Program

Township Manager Swichar stated that grant proposal was for open space funds for 221 Wilmington Road. The proposed motion would retroactively approve submission of the grant contract.

MOTION: Chairman Lambert made a motion authorizing the execution of a grant contract between East Fallowfield Township and Chester County Board of Commissioners for preservation of land at 221 Wilmington Road as part of the Preservation Partnership Grant Program. Supervisor Nielsen seconded.

Supervisor Nielsen stated that there are approximately 10 acres and 5 acres would be preserved.

Supervisor Nielsen questioned if the grant is for improvements.

Township Manager Swichar stated that the grant is only for preservation.

VOTE: 5-0.

6) Approval of Teamsters Health & Welfare Fund Interim Agreement

Township Manager Swichar stated that the Teamsters Health and Welfare Fund is requesting that the Township sign an agreement so that the Township will continue to remit contributions for the bargaining unit members in the Teamsters until the new CBA is signed.

Supervisor Wright questioned if this is done yearly or a one-time thing.

Solicitor Crotty stated it is a one-time thing addressing the gap.

Supervisor Nielsen questioned if there is a similar document for the contract extension.

Solicitor Crotty stated that the terms of the contract are in effect until a new contract is signed.

MOTION: Supervisor Wright made a motion to approve an interim agreement between the Teamsters Health and Welfare Fund and East Fallowfield Township. Chairman Lambert seconded.

Supervisor Nielsen questioned the date of the letter and whether it is past 30 days.

Solicitor Crotty stated that the date is not past 30 days.

VOTE: 5-0.

7) Purchase of Camera System for Public Works Garage and Township Building

Township Manager Swichar stated that the outdated camera system would be replaced with a new camera system.

MOTION: Chairman Lambert made a motion approving the purchase of a camera system from KIT Communications in the amount of \$14,420.00 under the PA Costars program from the Township's ARPA Fund. Supervisor Wright seconded.

Supervisor Wright questioned who has access to the cameras.

Township Manager Swichar stated that the township manager and police chief would have access to the cameras.

Supervisor Nielsen questioned if the cameras are wifi.

Township Manager Swichar stated they are hardwired.

VOTE: 5-0.

8) Mr. Swichar stated that the dates for PSATS' 2023 Annual Conference are April 23-26, 2023, at the Hershey Lodge.

6. LEGAL

1) Ordinance #2023-01 Amending Section 27-1702 (2) (I) Keeping of Large Animals

Mr. Crotty stated that the Township looked at this and tasked the Planning Commission with reviewing the ordinance. The proposed ordinance lowers the bar for chickens and this covers chicken as an accessory use. The threshold would be lowered from 2 acres to 1 acre. A permit would be required to verify there are proper enclosures and that there is a record that requirements were met. No roosters are allowed, there are odor controls, and property restrictions so that chickens do not go on another person's property. The proposed ordinance puts reasonable restrictions in place. Any changes to the ordinance would require readvertisement. If someone has chickens that are permitted under the current ordinance, then they would be permitted to have chickens under the proposed ordinance. However, that would be on a 2+ acre property.

Supervisor Wright stated that a lot of people felt that ½ acre is a reasonable amount of land for a domestic chicken coop.

There was a board discussion about the matter.

MOTION: Supervisor Wright moved that the Township amend draft Ordinance #2023-01, Amending Section 27-1702 (2) (I) Keeping of Large domestic Animals as Pets for adoption amending Section I (3) (B) to ½ acre. Supervisor Nielsen seconded.

Mike Domboski questioned if the maximum will be capped at 20 chickens.

Supervisor Wright stated that there would be a ½ acre minimum for four chickens, every quarter acre you get an additional chicken, with 20 chickens maximum at 4 ½ acres.

Solicitor Crotty stated that the ordinance will need to be readvertised.

VOTE: 4-1, Vice Chairman Heffern voted nay.

- 2) Ordinance #2023-02 restating the Township’s municipal contribution to PMRS pursuant to the Collective Bargaining Agreement for non-uniformed employees.

MOTION: Supervisor Nielsen moved that the Township adopt Ordinance #2023-02 restating the Township’s municipal contribution to PMRS pursuant to the Collective Bargaining Agreement for non-uniformed employees in Teamsters Local 107. Supervisor Wright seconded.

VOTE: 5-0.

- 3) Authorize Township Solicitor to Attend Zoning Board Hearing on March 8, 2023 for Spring City Group-102 Perry Court Variance

There was a board discussion on the application.

MOTION: Supervisor Nielsen made a motion authorizing the Township Solicitor to attend the zoning board hearing on March 8, 2023. Supervisor Wright seconded.

VOTE: 5-0.

5) PLANNING COMMISSION

- 1) No Planning Commission Report Submitted.

6) POLICE DEPARTMENT

- 1) January Police Report submitted for Board and resident review.
- 2) Purchase of 2023 Ford Interceptor Police Car

MOTION: Chairman Lambert made a motion approving the purchase of a 2023 Hybrid Ford Interceptor Police Car from Whitmoyer Ford in the amount of \$43,700 under the PA Costars program from the Township’s ARPA Fund. Supervisor Nielsen seconded.

Supervisor Wright questioned what vehicle would be replaced.

Township Manager Swichar stated there are two vehicles that could potentially be replaced.

Supervisor Nielsen questioned if a similar vehicle was purchased last year.

VOTE: 5-0.

3) Proposal to Upfit a 2023 Ford Interceptor Hybrid Police Car

MOTION: Supervisor Wright made a motion approving the PA Co-Stars proposal from Metropolitan Communications, Inc, in the amount of \$16,287.30 from the Township's ARPA Fund to upfit a Hybrid Ford Interceptor Police Car. Chairman Lambert seconded.

Supervisor Nielsen questioned what would happen to the outfitting in the old vehicles.

Police Chief Osborn stated outfitting would be trashed as they would no longer fit the new vehicle.

VOTE: 5-0.

4) An Agreement between Sergeant Brian Simmons and East Fallowfield Township

MOTION: Chairman Lambert moved that the Township approve an agreement between East Fallowfield Township and Sergeant Brian Simmons to attend the Northwestern School of Police Staff and Command education program. Supervisor Wright seconded.

Chief Osborn provided an overview of the program.

VOTE: 5-0.

5) Written Offer Letter of Employment

MOTION: Chairman Lambert made a motion to tender a conditional offer of employment to Corey Denton to serve as part-time police officer at an hourly rate of \$26.27 (2023 rate), pursuant to Act 57 and per the terms contained in the conditional offer letter dated February 28, 2023. Supervisor Nielsen seconded.

VOTE: 5-0.

6) Agreement with SRW Strategies, LLC

MOTION: Chairman Lambert moved that the Township authorize the Township Manager to sign an agreement with SRW Strategies, LLC for services related to Act 57 compliance, at a cost not to exceed \$1,000. Supervisor Wright seconded.

There was a resident question about ACT 57.

Solicitor Crotty provided an overview of Act 57.

Supervisor Nielsen questioned if this is a new position being created.

VOTE: 5-0.

7) A Resolution authorizing the Execution of an Intergovernmental Cooperation Agreement for the Purpose of Joining with Other Municipalities as a Member of the Chester County Emergency Response Commission

MOTION: Supervisor Nielsen moved that the Township approve Resolution 2023-10 authorizing the Execution of an Intergovernmental Cooperation Agreement for the Purpose of Joining with Other Municipalities as a Member of the Chester County Emergency Response Commission. Supervisor Wright seconded.

Solicitor Crotty stated that the commission is a multi-municipal swat team. The commission replaced a previous commission.

There was a board discussion on the topic.

VOTE: 5-0.

8) Approving a New Fiscal Management Policy for Police Department.

MOTION: Supervisor Wright made a motion to approve the new Fiscal Management Policy for the Police Department. Chairman Lambert seconded.

Chief Osborn provided an overview of the policy. The policy is intended to provide petty cash if meals are needed for a prisoner. Wawa gift cards would be used.

VOTE: 5-0.

9) Purchase of CODY TraCS Interface Software to Provide In-Car Citation and Crash Reporting

MOTION: Supervisor Nielsen made a motion to approve the purchase of CODY Trax Software at an annual cost of \$1,380.00. Supervisor Wright seconded.

Chief Osborn provided an overview of the software.

VOTE: 5-0.

7) PUBLIC WORKS DEPARTMENT

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

8) PARK AND RECREATION BOARD

1) Park and Recreation Report Submitted

2) Agreement with Showstoppers for 2022 Summer Concert Series

MOTION: Supervisor Wright made a motion to authorize the township manager to sign an agreement with Show Stoppers, Unlimited for a summer concert series at a cost of \$6,800. Supervisor Nielsen seconded.

Supervisor Nielsen questioned if the Township will solicit for sponsorship this year.

Township Manager Swichar stated yes.

VOTE: 5-0.

3) Approval for AKC for Use of Township Park and Recreational Facilities

MOTION: Supervisor Wright made a motion approving an event hosted by AKC on subject date subject to the terms of use on the Township Park and Recreational Facilities Application. Supervisor Nielsen seconded.

Solicitor Crotty stated that the AKC is a group that is proposing dog agility course.

Teri Dickinson provided an overview of the event. There is no date at the moment.

VOTE: 5-0.

4) Approval for Rescue and Recovery for Use of Township Park and Recreational Facilities

MOTION: Supervisor Nielsen made a motion approving an event hosted by Rescue and Recovery to be determined date subject to the terms of use on the Township Park and Recreational Facilities Application. Supervisor Wright seconded.

VOTE: 5-0.

1) HISTORICAL COMMISSION

Connie McLaughlin, of the Historical Commission, questioned why their reports are not making it to the board of supervisors. She also questioned the whereabouts of certain files.

There was a board discussion on the topic.

5) OLD BUSINESS

6) NEW BUSINESS

7) PUBLIC PARTICIPATION:


None

8) ADJOURNMENT

MOTION: Supervisor Wright made a motion to adjourn the February 28, 2023 Board of Supervisors Meeting at 9:31PM. Supervisor Nielsen seconded.

VOTE: 5-0.

Respectfully Submitted,

A handwritten signature in black ink on a light gray rectangular background. The signature reads "Scott M. Swichar" in a cursive script.

Scott Swichar,
Township Manager/Secretary