

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
March 28, 2023 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
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 that an executive session was held prior to the March 28, 2023 Board meeting to discuss personnel matters.

3. DISCUSSION

A. APPROVAL OF MINUTES

FEBRUARY 28, 2023 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Vice Chairman Heffern made a motion to approve the February 28, 2023 Board of Supervisors meeting minutes as presented. Chairman Lambert seconded.

VOTE: 5-0.

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

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

C. PRESENTATION- RESOLUTION OF COMMENDATION TO MODENA FIRE COMPANY

MOTION: Supervisor Nielsen made a motion to approve Resolution No. 2023-11 commending Modena Fire Company Volunteers for rescuing a horse on Christmas Day. Supervisor Wright seconded.

Township Manager Swichar stated that personnel from Modena Fire Company and Po-Mar-Lin Fire Company were in attendance.

Chairman Lambert read the resolution into record.

VOTE: 5-0.

4. TREASURER’S REPORT

1) February 28, 2022 Treasurer’s Report

MOTION: Chairman Lambert made a motion to approve the February 28, 2023 Treasurer’s Report as presented. Vice Chairman Heffern seconded.

VOTE: 5-0.

2) Payment Authorizations.

MOTION: Supervisor Wright made a motion to approve the Payment Authorizations for the period of March 1, 2023 through March 28, 2023 in the total amount of \$365,596.83 as presented. Chairman Lambert seconded.

VOTE: 5-0.

5. TOWNSHIP MANAGER’S REPORT

1) Wage Increases for Non-Bargaining Unit Staff

Township Manager Swichar stated he recommends 4% salary wage increases for non-union administrative staff.

MOTION: Supervisor Wright made a motion to approve the following wage increases for the following non- bargaining unit staff retroactive to January 1, 2023. Chairman Lambert seconded.

<u>Employee</u>	<u>Current Wage</u>	<u>Proposed Increase</u>	<u>Recommended</u>
Nancy Baker	\$22.22/hour	4%	\$23.11/hour
Denise Verderosa	\$44,096	4%	\$45,864 annual
Sue Sereditch	\$17.00	4%	\$17.68/hour

Supervisor Nielsen questioned the titles of each employee.

Supervisor DiRado questioned why Denise Verderosa is the only employee that has a salary. Township Manager Swichar stated that she is a full-time employee.

VOTE: 5-0.

2) Pay increase for Seasonal Workers

Township Manager Swichar stated that he is recommending an increase from \$16.50 to \$17.00 an hour.

MOTION: Supervisor Nielsen made a motion to approve a pay increase from \$16.50 to \$17.00 hour for seasonal workers in the public works department. Vice Chairman Heffern seconded.

VOTE: 5-0.

- 3) Approval of Chester County Vision Partnership Program Grant Contract – Open Space, Recreation, and Environmental Resources Plan

MOTION: Supervisor DiRado made a motion to approve the Chester County Vision Partnership Program Grant Contract between East Fallowfield Township, Chester County Planning Commission and SIMONE COLLINS, INC. for the Open Space, Recreation, and Environmental Resources Plan. Supervisor Wright seconded.

Supervisor Wright questioned the schedule for completion.

Township Manager Swichar stated that the schedule is in the contract.

There was a board discussion on the topic.

VOTE: 5-0.

- 4) A Resolution for the Watershed Restoration and Protection Grant Program

Township Manager Swichar stated that the Township applied for a grant from the COVID-19 ARPA PA Small Water and Sewer Grant Program. The grant request was to install stormwater controls at the PECO substation. Mr. Swichar stated the township did not meet specific requirements for the ARPA grant program. Mr. Swichar stated that he recommends that the grant application be transferred to the Watershed Restoration and Protection Grant program. The grant program will provide \$300,000 maximum funding for the project. Deadline for submission is May 31.

MOTION: Supervisor Wright made a motion to approve Resolution No. 2023-12 authorizing the submission of a Watershed Restoration and Protection Program Grant application in the amount of \$300,000 from the Commonwealth Financing Authority to be used for stormwater controls in Newlinville Village. Vice Chairman Heffern seconded.

VOTE: 5-0.

- 5) 2023 Pennsylvania American Water Environmental Grant Program

Township Manager Swichar stated that the Township will pay for the proposed memorial pollinator garden. The grant would pay for up to \$10,000.

Supervisor Wright questioned if the funding would be for the current garden that has been discussed.

Township Manager Swichar stated yes.

MOTION: Supervisor Nielsen made a motion authorizing the Township Manager to submit a grant application to the Pennsylvania American Water Environmental Grant Program for a grant in the amount of \$7,500 for a memorial pollinator garden. Supervisor DiRado seconded.

VOTE: 5-0.

6) DEP Recycling Technical Assistance Program

Township Manager Swichar stated that the Chester County Central Recycling Authority informed him that they are looking to sell their 1 acre property on IMS Drive. The Authority operated a recycling sorting facility in the past. The Township could look at the site as a possible location for a transfer station for recycling. The grant program would pay for an evaluation and feasibility study.

Supervisor Wright questioned whether the Township owns lands at the site.

Township Manager Swichar stated that the Township does not own the land, however, they use the site for electronics collection.

Supervisor DiRado questioned if there would be out of pocket expenses.

Mr. Swichar stated that DEP would advise of additional expenses.

There was a board discussion on the matter.

MOTION: Vice Chairman Heffern made a motion authorizing the Township Manager to submit a grant application to the DEP Technical Assistance Program to determine the feasibility of developing a recycling transfer station at the Central Chester County Recycling Authority site on IMS Drive. Supervisor DiRado seconded.

VOTE: 5-0.

7) 2023 Road Paving Project

Township Manager Swichar stated the list of roads is in the board packet.

Supervisor Nielsen questioned whether the list was based on liquid fuels money available.

Mr. Swichar stated that the Township budgeted \$261,000 for road paving. He met with the Treasurer to review the finances and he is comfortable increasing the amount to be spent on road paving. The project is estimated to cost \$334,518.

There was a board discussion on the road paving program.

Supervisor Wright questioned if the township looked at drainage under the roads scheduled to be paved.

Township Manager Swichar stated that the road crew would inspect drainage pipe conditions prior to paving.

MOTION: Supervisor DiRado moved that the Township approve the advertisement to request bids for the 2023 road paving project to resurface the following roads: Goosetown Road Mount Carmel Road, Allegheny Drive, Juniata Drive, Octagon School Lane, Russell Circle, Armstrong Court Weston Drive, Tasha Lane, and Falon Lane. Vice Chairman Heffern seconded.

VOTE: 5-0.

- 8) A Resolution Approving the Adoption of Revisions to the Employee Handbook/Personnel Manual for East Fallowfield Township.

Township Manager Swichar stated that the Resolution would add Juneteenth as a paid holiday for administrative non-union full-time staff. The Teamsters already received this holiday in the CBA.

MOTION: Supervisor Nielsen made a motion to approve Resolution No. 2023-13 approving the adoption of revisions to the Employee Handbook/Personnel Manual by adding Juneteenth as a paid holiday for non-uniformed staff. Vice Chairman Heffern seconded.

Supervisor Wright questioned if Juneteenth is a federal holiday.

Mr. Swichar stated yes.

VOTE: 5-0.

- 9) Agreement with T.P.D for Engineering Services to Repair Drainage Pipe on Saw Mill Road

Township Manager Swichar stated that the Township approved the phase 1 engineering last year. A bog turtle habitat was found at the site which necessitates a phase 2 bog turtle study.

Supervisor Wright questioned whether the project could be completed if turtles are found. What are the ramifications.

Township Manager Swichar stated that similar to Mortonville Road, the project would need to happen during a certain period of the year and precautions would need to be taken to safeguard the site.

MOTION: Vice Chairman Heffern made a motion to approve an agreement with Traffic, Planning, and Design, Inc. at an amount not to exceed \$9,190 for Phase 2 Bog Turtle Survey/engineering services related to a damaged drainage pipe on Saw Mill Road. Supervisor DiRado seconded.

Supervisor Nielsen questioned if protection of the habitat is included in the proposal.

Solicitor Crotty stated that the proposal would only include the study itself. Implementation would be another phase.

VOTE: 5-0.

10) Notification of \$361,828 in Grant Awards for the month of March (Informational)

Township Manager Swichar stated that the Township received \$361,828 in grants during the month of March. Mr. Swichar provided an overview of the grants. Mr. Swichar stated that the Law Enforcement Support Grant was administered by the Pennsylvania Commission on Crime and Delinquency.

There was a board discussion on the grants.

- 1) Local Law Enforcement Support Grant of \$53,500 awarded for records management system upgrades.
- 2) Local Share Assessment (LSA) Grant of \$100,000 awarded for Traffic Calming/Speed Display Boards.
- 3) Local Share Program (LSA) of \$56,328 awarded for a new fuel pump dispenser.
- 4) DCED Multimodal Transportation Fund (MTF) grant of \$150,000 awarded for Traffic Calming/speed display boards.
- 5) PMHIC UHC 2023 Wellness Grant of \$2,000 for employee wellness initiatives.

Supervisor Nielsen questioned the cost of the traffic calming in Newlinville.

Township Manager Swichar stated that TPD provided a concept plan for traffic calming which included budget figures.

11) Financial Securities Letter from Meridian Bank (Informational)

Treasurer Ionata stated that the board packet included a letter from Meridian Bank. The letter shows that Act 72 requires municipal funds to be secured. Township funds are safe.

Supervisor Wright questioned whether each bank account is insured at \$250,000.

Treasurer Ionata stated that the FDIC insurance is limited to \$250,000 for all accounts at one bank. The rest of the township funds are collateralized pursuant to Act 72.

6. LEGAL

- 1) Ordinance #2023-02 Amending Section 27-1702 (2) (I) Keeping of Large Animals (Keeping of Chickens)\

Solicitor Crotty stated that this is the second hearing of the Ordinance. The draft ordinance was amended and advertised. The draft ordinance was amended from one acre to ½ acre for chickens.

MOTION: Supervisor DiRado moved that the Township adopt Ordinance #2023-02, Amending Section 27-1702 (2) (I), Keeping of Large Domestic Animals as Pets for adoption. Supervisor Wright seconded.

Sue Monaghan, member of the Planning Commission provided an overview of why the Planning Commission recommended a change from 2 acres to 1 acre. She stated that the Board should consider going back to 1 acre requirement for chickens.

There was a board discussion on the proposed ordinance.

Chairman Lambert stated that he is in favor of one acre but wants the board to get along.

Supervisor DiRado stated that she support ½ acre requirement for chickens. She stated that limiting to 1 acre would create a have-not situation. The Township is a rural township.

Vice Chairman Heffern stated that he voted against ½ acre at the prior meeting. He stated that he is concerned about the setbacks for ½ acre as well as foxes and rats. He is not in a position to second guess the Planning Commission.

Supervisor Nielsen stated he does not want to undercut the Planning Commission.

Supervisor Wright stated that the smaller the lot, the less chickens. The Planning Commission studied the chicken ordinance. It is a matter of what the community wants. The community is a rural community with lots of open space.

Michael Greck, township resident, stated that he supports ½ acre for chickens.

Solicitor Crotty stated that if the vote fails tonight, then a motion to readvertise for one acre would be needed.

VOTE: 3-2. Vice Chairman Heffern voted nay. Supervisor Nielsen voted nay.

- 2) Collective Bargaining Agreement with Teamsters and East Fallowfield Township

Solicitor Crotty stated that the agreement is ready for board approval.

Supervisor Nielsen questioned the dates on the agreement.

There was a board discussion regarding how the Teamsters dated the agreement.

MOTION: Vice Chairman Heffern moved that the Board approve and authorize the execution of the Collective Bargaining Agreement between East Fallowfield Township and the Teamsters, in

the form as presented subject to confirmation by the Teamsters of the dates of their signatures on the draft . Supervisor Wright seconded.

Chairman Lambert questioned a signature on the document.

VOTE: 5-0.

3) Adoption of 537 Plan

Solicitor Crotty stated that the item should be tabled as the Township just received a draft and it still needs review by the Planning Commission.

Supervisor Wright questioned if any guidance is needed.

Solicitor Crotty stated that the Planning Commission might want to review the County review letter and discuss the plan with the sewer engineer.

Supervisor Nielsen questioned if maintenance of on-lot systems is part of the plan. He questioned who provides enforcement.

Solicitor Crotty stated that the Act 537 plan provides the least intrusive measures on the residents. The Planning Commission is an advisory Board and provides recommendations about the plan.

4) Drug Possession/Paraphernalia Ordinance (Informational)

Solicitor Crotty stated that Chief Osborn presented a proposed ordinance from his previous police department. Currently, when the police arrest someone for drug possession, the district attorney is not prosecuting them. An alternative approach is making it a violation of the township ordinance so that the police could continue enforcement.

There was a board discussion about a proposed ordinance.

7. PARK AND RECREATION

- 1) Teri Dickinson, Chair of the Park and Rec Board, provided an overview of proposed and planned park events. There is a park cleanup on April 22.

8. PLANNING COMMISSION

- 1) No Report Submitted

9. POLICE DEPARTMENT

- 1) February Police Report submitted for Board and resident review.
- 2) Purchase of Extended Warranty from Whitmoyer Auto Group

MOTION: Supervisor Wright made a motion authorizing the township manager to purchase a 5-year 100,000 mile Premium Care Extended Service Plan from Whitmoyer Ford at a cost of \$2,195. Supervisor Nielsen seconded.

VOTE: 5-0.

3) Approving New Policies for Police Department.

Solicitor Crotty stated that their office is reviewing the policies and it will be ready for the April meeting.

4) Motion to Amend the Agenda

MOTION: Supervisor Nielsen made a motion to amend the agenda to include item e. Written Offer of Employment to Travis Pidcock. Chairman Lambert seconded.

Supervisor Wright questioned how many part time officers are on the force.

Police Chief Osborn stated this hire would make five.

VOTE: 5-0.

5) Written Offer Letter of Employment

MOTION: Chairman Lambert made a motion to tender a conditional offer of employment to Travis Pidcock 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 March 28, 2023. Vice Chairman Heffern seconded.

VOTE: 5-0.

Supervisor DiRado questioned if she will be able to meet the officer.

10. PUBLIC WORKS DEPARTMENT

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

2) Purchase of HTC Hydraulic Truck Conveyor for Freightliner Truck

MOTION: Supervisor Nielsen made a motion authorizing the Township Manager to purchase an HTC hydraulic truck conveyor from US Municipal at a cost of \$11,573.00 from the Township's ARPA fund. Vice Chairman Heffern seconded.

Supervisor DiRado questioned if we need to continue to purchase new equipment.

VOTE: 5-0.

10) HISTORICAL COMMISSION

1) Report submitted

11) NEW BUSINESS

None

12) OLD BUSINESS

Supervisor Nielsen discussed the volunteer breakfast and People's Hall.

There was a board discussion about the breakfast.

Supervisor Wright stated that he looked at a drainage pipe on Sue Monaghan's property.

There was a board discussion about the drainage pipe.

Solicitor Crotty stated that stormwater plans at Brandford Village could be looked at and checked to determine whether stormwater facilities are being maintained properly.

Supervisor Nielsen stated that the EAC will be meeting at the park this summer as the concerts will be at the same time as EAC meetings.

13) PUBLIC PARTICIPATION

None

14) ADJOURNMENT

MOTION: Supervisor Wright made a motion to adjourn the March 28, 2023 of Supervisors Meeting at 8:43pm PM. Supervisor DiRado seconded.

VOTE: 5-0.

Respectfully Submitted,



Scott Swichar,
Township Manager/Secretary