

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
May 14, 2024 Approved Minutes  
6:30 p.m.

**Members Present**

Wilson Lambert, Chairman  
John Nielsen, Vice Chairman  
Katja DiRado, Member  
Al Wright, Member  
Mike Domboski, Member

**Township Staff Present**

Scott Swichar, Township Manager  
Lisa Ionata, Township Treasurer  
Chad Osborn, Police Chief  
**Township Solicitor**  
Eric Brown

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

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

Chairman Lambert stated that there was an executive session on April 30, 2024 and May 14, 2024 to discuss personnel matters.

2. DISCUSSION

A. APPROVAL OF MINUTES

March 12, 2024 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Vice Chairman Nielsen made a motion to approve the March 12, 2024 Board of Supervisors meeting minutes as presented. Supervisor DiRado seconded.

VOTE: 4-0. Chairman Lambert abstained.

March 26, 2024 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Vice Chairman Nielsen made a motion to approve the March 26, 2024 Board of Supervisors meeting minutes as presented. Supervisor DiRado seconded.

VOTE: 5-0.

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

- 1) March Westwood Fire Company Fire and EMS Report submitted for Board and resident review.
- 2) April Westwood Fire Company Fire and EMS Report submitted for Board and resident review.

- 3) Westwood 2023 Year End EMS Report submitted for Board and resident review.
- 4) March Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 5) March Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.
- 6) March Modena Fire Company EMS Report submitted for Board and resident review.
- 7) April Modena Fire Company Fire Chief's Report submitted for Board and resident review.
- 8) April Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.
- 9) April Modena Fire Company EMS Report submitted for Board and resident review.

### 3. TREASURER'S REPORT

- 1) March 31, 2024 Treasurer's Report

MOTION: Chairman Lambert made a motion to approve the March 31, 2024 Treasurer's Report as presented. Supervisor DiRado seconded.

VOTE: 5-0.

- 2) April 30, 2024 Treasurer's Report

MOTION: Chairman Lambert made a motion to approve the April 30, 2024 Treasurer's Report as presented. Supervisor DiRado seconded.

VOTE: 5-0.

- 3) Payment Authorizations.

MOTION: Chairman Lambert made a motion to approve the Payment Authorizations for the period of March 27, 2024 through May 14, 2024 in the total amount of \$711,391.34 as presented. Supervisor DiRado seconded.

Vice Chairman Nielsen stated that \$286,000 of the total amount was a transfer to the capital fund.

Treasurer Ionata stated there were various interfund transfers that had occurred.

VOTE: 5-0.

- 4) Approval of a Master Services Agreement with Paymerang, LLC

MOTION: Vice Chairman Nielsen made a motion approving a one-year agreement with Paymerang for vendor payment services and authorizing the township manager to sign the master services agreement. Chairman Lambert seconded.

Treasurer Ionata stated that this is a third party consultant that will print checks. This will save the township money on postage and envelopes. The company will take on responsibility for fraud. They will work with all vendors to begin paying them electronically instead of payment by check. She stated that the township is experiencing late fees due to checks that are not arriving on time. This would simplify bank reconciliations. The Township would keep its internal processes the same and the township can cut a check if necessary. The board would still approve the expenditure at a meeting before it is released for payment by Paymerang.

Township resident, Shane Cloyd questioned the expense.

Treasurer Ionata stated that the fee is \$100 a month for the first year. She estimated that the township already spends about \$1200 a year on postage and checks.

Supervisor DiRado questioned what would happen if there is a cyber-attack.

Treasurer Ionata stated that the agreement provides \$2 million of fraud coverage.

Township Manager Swichar questioned how many references were checked. He stated that he is aware the references were positive.

Treasurer Ionata stated that she reached out to three references.

VOTE: 5-0.

5) A Resolution Designating Bancorp Bank, LLC as a Depository of Township Funds

MOTION: Vice Chairman Nielsen made a motion to adopt Resolution No. 2024-09 approving Bancorp Bank as a depository of township funds pursuant to the one-year agreement with Paymerang. Supervisor Wright seconded.

Treasurer Ionata stated that there will be a working relationship with Bancorp.

VOTE: 5-0.

4. PRESENTATION: BY KATHY COOK TO DISCUSS SINGLE USE PLASTICS

Vice Chairman Nielsen discussed Triple Fresh and how they seemed agreeable to a single use plastic ban.

Supervisor DiRado questioned the ramifications of having a plastic ban and whether the ban is education based.

Ms. Cook stated that most communities do not take a heavy-handed approach and that they emphasize education instead.

Vice Chairman Nielsen stated that the EAC is discussing a model ordinance and how to implement a single use plastics ban.

5. TOWNSHIP MANAGER'S REPORT

1) 2024 Road Paving Project.

Township Manager Swichar stated that the township put the road program out to bid last month. Three bids were received, and John A. Dirocco was the low bidder. The bid tabulation shows there is a base bid and a base bid plus alternate. Mr. Swichar stated that the alternate is to pave 112 linear feet on 15<sup>th</sup> Avenue in East Fallowfield Township. Caln Township approached the township and offered to pave the small section of 15<sup>th</sup> Avenue in East Fallowfield for \$15,165. Caln Township is paving the other portion of 15<sup>th</sup> Avenue in their township. The Township's pricing on the alternate bid reflects \$4,672, which is almost a third cheaper than the Caln Township offer. The Township Engineer is recommending awarding the bid to the low bidder. The bid and alternate bid from John DiRocco is \$359,814.97.

MOTION: Vice Chairman Nielsen moved that the Township award the low bid in the amount of \$359,814.97 to include the base bid and alternate to John A. Dirocco General Contractors for the 2024 paving project. Chairman Lambert seconded.

Township resident Shane Cloyd asked a question about working with Caln Township.

VOTE: 5-0.

2) Resolution No. 2024-10 to Appoint Voting Delegates to Chester County Tax Collection Committee.

Township Manager Swichar stated that state law requires that municipalities that levy an earned income tax appoint one voting delegate and one alternate to the Chester County Tax Collection Committee.

MOTION: Supervisor DiRado made a motion to adopt Resolution 2024-10 to appoint voting delegates Scott Swichar and Lisa Ionata to the Chester County Tax Collection Committee. Chairman Lambert seconded.

VOTE: 5-0.

3) A Resolution approving the adoption of a new flex-time policy to the Employee Handbook/Personnel Manual for East Fallowfield Township

Township Manager Swichar stated that the proposed policy would allow for a flexible work schedule with prior manager approval. This policy only applies to full-time non-exempt employees that are non-union.

MOTION: Supervisor DiRado made a motion to approve Resolution No. 2024-11 approving a new flex-time policy in the Employee Handbook/Personnel Manual for East Fallowfield Township as presented in the Resolution. Chairman Lambert seconded.

Township resident, Shane Cloyd questioned the policy.

Township Manager Swichar stated that the policy would allow a variable schedule to be worked within the same week. It allows employees to work more than 8 hours in a day but not more than 40 hours in a week. Flexibility with start and end times is permitted under the new policy.

VOTE: 5-0.

4) Resignation of Municipal Building Committee Member

MOTION: Supervisor Wright moved that the Township accept the resignation of Municipal Building Committee Member Brian Simmons with the term ending December 31, 2024. Vice Chairman Nielsen seconded.

VOTE: 5-0.

5) Appointment of Member to the Municipal Building Committee

Township Manager Swichar stated the township received an application from John Ionata to join the committee. He has a strong financial background. In the interest of transparency, John is the husband of the township treasurer. However, the committee is advisory only.

MOTION: Chairman Lambert made a motion to appoint John Ionata to the Municipal Building Committee with the term ending 12/31/2024 (5 members maximum). Supervisor Wright seconded.

VOTE: 5-0.

6) Notification of FY2024 Community Project Funding in the amount of \$550,000 for East Fallowfield Township Police Department/Administration Facility Project (Informational)

Township Manager Swichar stated that the Township requested community project funding last year. The request was made through Representative Chrissy Houlahan's office. The Township recently received notice that the township will receive \$550,000 for the township police department/municipal complex project. The funding can be used for engineering, design, architecture and highway occupancy permits for a new municipal building. Construction is not an eligible expense.

Vice Chairman Nielsen questioned if a separate fund would be established to house the funds and whether they could earn interest.

Township Manager Swichar stated that it is probably a good idea to segregate funds and that they would look further at the grant guidelines. They are waiting for more information to determine if interest could be earned.

- 7) New Business (None)

6. LEGAL

- 1) Award of Holiday Pay Benefits to Township Employee, Denise Verderosa

MOTION: Supervisor Domboski moved to award township employee, Denise Verderosa, three additional days (24 hours) of holiday pay. Supervisor DiRado seconded.

VOTE: 5-0.

7. PLANNING COMMISSION

- 1) No Report Submitted

8. POLICE DEPARTMENT

- 1) March Police Report submitted for Board and resident review.
- 2) April Police Report submitted for Board and resident review.
- 3) Approving New Policies for Police Department.

MOTION: Supervisor DiRado made a motion to approve the following new policies for the Police Department: Weapons and Ammunition; Recording Police Activities, Sick Leave; Social Media, and Traffic Safety Vests. Chairman Lamber seconded.

Chief Osborn stated that the department is three policies away from completing the policy manual.

VOTE: 5-0.

- 4) Resolution to Approve Township Employee Job Descriptions.

MOTION: Vice Chairman Nielsen made a motion to adopt Resolution No. 2024-12 approving the revised job description for Police Secretary. Supervisor Wright seconded.

VOTE: 5-0.

- 5) Metropolitan Communications-Upfitting of Police Car

MOTION: Supervisor DiRado make a motion approving a proposal from Metropolitan Communications to upfit the 2024 Ford Interceptor Police Car in the amount of \$15,966.12 under the PA Costars program from the Township's ARPA Fund. Supervisor Domboski seconded.

VOTE: 5-0.

9. PARK AND RECREATION

1) Report Submitted

Ms. Dickinson, Chair of the Park and Rec Board, provided an overview of township events.

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

MOTION: Vice Chairman Nielsen made a motion retroactively approving an event hosted by Rescue and Recovery on May 11, 2024 from 9:00am to 5:00pm subject to the terms of use on the Township Park and Recreational Facilities Application. Supervisor DiRado seconded.

Vice Chairman Nielsen questioned attendance.

Township resident, Shane Cloyd, questioned if parking lot lights were installed.

VOTE: 5-0.

3) Approval of Facility Use Permit Application Submitted by East Fallowfield Elementary School

MOTION: Vice Chairman Nielsen made a motion to approve the facility use permit application for the East Fallowfield Elementary School subject to the following conditions: township named as an additional insured. Chairman Lambert seconded.

VOTE: 5-0.

10. PUBLIC WORKS DEPARTMENT

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

2) April Road Department Report submitted for Board and resident review.

3) Resolution to Approve New Employee Job Description for Part-Time Laborer.

MOTION: Vice Chairman Nielsen made a motion to adopt Resolution No. 2024-13 approving a new job description for Part-Time Laborer. Supervisor Wright seconded.

VOTE: 5-0.

4) Recommendation to Hire Seasonal Public Works Employee

MOTION: Supervisor DiRado made a motion to appoint Shane Brennan as a seasonal grass cutter in the public works department at an hourly rate of \$17.00. Vice Chairman Nielsen seconded.

VOTE: 5-0.

10) HISTORICAL COMMISSION

- 1) A Resolution Supporting the Pennsylvania Commission for the United States America 250

MOTION: Supervisor DiRado made a motion to approve Resolution No. 2024-14, supporting the Pennsylvania Commission for the United States Semiquincentennial. Vice Chairman Nielsen seconded.

Joe McCormick stated that there is a website that has all the information.

VOTE: 5-0.

- 2) 30 Loop Road - Certificate of Appropriateness.

MOTION: Supervisor Wright made a motion for the Board of Supervisors to approve Resolution No. 2024-15 to issue a Certificate of Appropriateness to the Building Code Official for the roof project located at 30 Loop Road. Chairman Lambert seconded.

Joe McCormick, chair of the historical commission, stated that the Historical Commission previously recommended that a certificate of appropriateness be issued for the roof only. The windows were not approved by the Historical Commission.

Township Manager Swichar stated that the proposed resolution for a certificate of appropriateness reflects the roof only and excludes the windows.

There was a board discussion.

MOTION: Chairman Lambert moved to table. Supervisor DiRado seconded.

VOTE: 5-0.

- 3) Doe Run Bridge and National Register of Historic Places (Informational)

Mr. McCormick stated that the plans were reviewed and the historic commission determined that the project does not impact the historical property. The plans were marked preliminary and they reserve the right to rescind the recommendation.

11) EAC

- 1) Motion to Increase the Number of EAC Members



Supervisor Wright stated as a point of information that the motion proposes to add a tenth member.

MOTION: Vice Chairman Nielsen made a motion to increase the number of members on the Environmental Advisory Council from 9 to 11. Supervisor DiRado seconded.

Supervisor Wright questioned if the motion is on the agenda.

Solicitor Eric Brown stated a motion is first needed to amend the agenda.

2) Motion to Amend the Agenda.

MOTION: Vice Chairman Nielsen make a motion to amend the agenda under the Environmental Advisory Council. Supervisor DiRado seconded.

VOTE: 4-1. Supervisor Wright voted no.

3) Motion to Increase the Number of Members on the Environmental Advisory Committee.

MOTION: Vice Chairman Nielsen made a motion to increase the number of members on the Environmental Advisory Council from 9 to 11. Supervisor DiRado seconded.

Supervisor Domboski questioned the need to increase from 9 to 11.

Vice Chairman Nielsen stated that there are two qualified applicants.

VOTE: 4-1. Supervisor Wright voted no.

4) Appointment of Roger Mustalish to the Environmental Advisory Council (EAC).

MOTION: Vice Chairman Nielsen made a motion to appoint Roger Mustalish to the Environmental Advisory Committee (EAC) with the term ending 12/31/2024 (revised to 11 members max) Chairman Lambert seconded.

Joe Heffern	Member 2024 to 2024	1-year term
John Nielsen	Member 2024 to 2024	1-year term
Teri Dickinson	Member 2024 to 2024	1-year term
Deane Madsen	Member 2024 to 2024	1-year term
Tanner Burns	Member 2024 to 2024	1-year term
Jeanne Berlin	Member 2024 to 2024	1-year term
Charles Reed	Member 2024 to 2024	1-year term
Paul Brenner	Member 2024 to 2024	1-year term
Roger Mustalish	Member 2024 to 2024	1-year term
Katja DiRado	Alternate Member	1-year term

Township resident Shane Cloyd questioned the duties of EAC Members and why more members are needed.

Vice Chairman Nielsen stated that the EAC is an advisory board.

There was a board discussion on why more members were needed.

Mr. Mustalish provided an overview of his qualifications.

VOTE: 5-0.

- 5) Motion to Amend the Agenda to Include Robert Deist as a Member of the EAC.

MOTION: Vice Chairman Nielsen make a motion to amend the agenda to include Robert Deist as a member of the EAC. Chairman Lambert seconded.

VOTE: 4-1. Supervisor Wright voted no.

- 6) Appointment of Robert Deist to the Environmental Advisory Council (EAC)

MOTION: Vice Chairman Nielsen make a motion to appoint Robert Diest to the Environmental Advisory Committee (EAC) with the term ending 12/31/2024. Chairman Lambert seconded.

VOTE: 5-0.

Joe Heffern	Member 2024 to 2024	1-year term
John Nielsen	Member 2024 to 2024	1-year term
Teri Dickinson	Member 2024 to 2024	1-year term
Deane Madsen	Member 2024 to 2024	1-year term
Tanner Burns	Member 2024 to 2024	1-year term
Jeanne Berlin	Member 2024 to 2024	1-year term
Charles Reed	Member 2024 to 2024	1-year term
Paul Brenner	Member 2024 to 2024	1-year term
Roger Mustalish	Member 2024 to 2024	1-year term
Robert Diest	Member 2024 to 2024	1-year term
Katja DiRado	Alternate Member	1-year term

Mr. Diest provided an overview of his qualifications.

- 4) OLD BUSINESS

None.

- 5) NEW BUSINESS

- 1) Mr. Swichar provided an update on Fire Hydrants and stated that the township had reached out to Pennsylvania American Water to discuss resident concerns about fire hydrant maintenance. Hydrants are maintained once a year. The township’s hydrant fee is determined by state law and regulated by the PUC.

Chief Mike McWilliams, Westwood Fire Company, stated that the fire hydrants are not tested by the fire company, however if they report a faulty hydrant, then Pennsylvania American will fix the hydrant.

Supervisor Wright provided comments on adding agenda items 24 hours in advance. He stated that the board was not able to meet last month, and he noted that the board advertises two meetings a month.

6) PUBLIC PARTICIPATION

Justin Brown, resident of Fieldstone Village discussed the situation with the completion of the tri-corner work.

Solicitor Brown stated the township is sympathetic to the situation and has engaged the solicitor to move forward with any action they can take. They are not at liberty to discuss legal strategy but hope to work collaboratively with the HOA to resolve the situation.

Robin Romanelli, Township resident at Fieldstone, discussed the situation at Fieldstone and had questions about a meeting that occurred between the HOA, developer, and Township.

Solicitor Brown encouraged her to communicate with legal counsel, but stated she should work directly with her HOA Board and officers directly in order to review the matter.

Mike McWilliams stated that the South Brandywine Middle school will be demolished and there will be training at the site for emergency services.

There was a discussion about the Coatesville Library donation.

Joe McCormick stated that the East Fallowfield Elementary School is a listed historic asset. The owner is required to discuss any possible plans for demolition with the Historic Commission.

Shane Cloyd, Township resident questioned the process to petition to reduce number of Supervisors and asked questions about interest in accounts, the budget, and the municipal building committee.

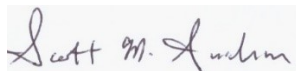
There was a discussion about the township budget and municipal building committee.

7) ADJOURNMENT

MOTION: Vice Chairman Nielsen made a motion to adjourn the May 14, 2024 of Supervisors Meeting at 8:23 pm. Supervisor DiRado seconded.

VOTE: 5-0.

Respectfully Submitted,



Scott Swichar,  
Township Manager/Secretary