

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
October 22, 2024 Approved Minutes

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
David Fiorenza, Township Treasurer
Chad Osborn, Police Chief
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 October 22, 2024, regarding personnel issues.

3. DISCUSSION

A. APPROVAL OF MINUTES

September 24, 2024 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Vice Chairman Nielsen made a motion to approve the September 24, 2024 Board of Supervisors meeting minutes as presented. Chairman Lambert seconded.

VOTE: 5-0.

October 8, 2024 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Supervisor DiRado made a motion to approve the October 8, 2024 Board of Supervisors meeting minutes as presented. Vice Chairman Nielsen seconded.

VOTE: 4-0. Chairman Lambert abstained.

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

- 1) September Westwood Fire Company Fire Chief's Report submitted for Board and resident review.
- 2) September Westwood Fire Company EMS Report submitted for Board and resident review.
- 3) September Modena Fire Company Fire Chief's Report submitted for Board and resident review.

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

4. PRESENTATION BY MODENA FIRE COMPANY AND WESTWOOD FIRE COMPANY ON FIRE/EMS FUNDING AND STAFFING

Westwood Fire Department President, John Sly, stated that he appreciates the township's support. He stated that there was a Fire/EMS millage increase last year. He stated that both Modena Fire Company and Westwood Fire Company were able to hire paid firefighters as a result of the millage increase. There are no requests to the board being made for the 2025 budget. Both fire departments are adequately funded. There was an online message that said the fire departments need more funding. Mr. Sly stated that the departments are adequately funded. Mr. Sly discussed Act 72 incentive tax credit funding for volunteer firefighters.

Mr. Sly stated that the ambulance fund drive is mailed out to all residents. They act like an insurance policy. If a resident contributes to the ambulance fund drive, then any balance is written off. Mr. Sly stated that it takes a team of multiple fire companies to fight a fire.

There was a board discussion on the topic.

5. FEASIBILITY STUDY PRESENTATION on Programming and Initial Concepts by Heckendorn Shiles Architects

Bryant Snyder, Project Manager, and Mick Kirchman from Heckendorn Shiles provided an update on the progress of the feasibility study for a new municipal complex. Site plan options were discussed. Bench mark comparisons of size and square footage were also discussed.

There was a board discussion.

Bryant Snyder stated that 221 Wilmington Road is listed on the township's historic resource list and this might be an error. The township site is listed as being historical and owned by the Church of Christ. Also, the historic resources map appears to list the wrong address for the cemetery.

Supervisor Domboski stated that the issue needs to be put before the historic commission. Mr. Swichar stated that he would bring this to the attention of the historic commission.

Mr. Snyder asked the board if there was feedback on the orientation option #1 versus orientation option #2. Option #2 would be more expensive due to additional hardscaping.

Solicitor Crotty stated that option 1 is a better fit because there is additional space to add a fire department or ambulance station.

There was a board discussion about option #1 being the preferred option.

There was a question about bringing water and sewer up to the corner of Triple Fresh.

There was a board discussion on the topic.

6. Approval of Land Development Application –600 Doe Run Road, UPI 47-4-133

Solicitor Crotty stated that the plans have been reviewed by the township’s Planning Commission and other bodies. The plans have also been reviewed by the township engineer and sewer engineer. The board has the recommendation letters in their packet. The solicitor has prepared the form of decision with all the typical conditions that the applicant needs to satisfy, which are the conditions on the township engineer’s review letter.

Supervisor Wright questioned if there is a sidewalk that runs across Doe Run Road and the location of fire hydrants.

Barry Stingel, T&M Architects, representing the school district, stated that there will be three hydrants on the school property closer to the school building. No hydrants are proposed on Doe Run Road. He stated that there will be a 10 foot wide asphalt walkway running the length of the property on Doe Run Road. The school will maintain the walkway. Two Crosswalks are proposed. One is across Doe Run Road and one is across Strasburg Road to the township park. Mr. Stingel stated that the traffic study did not show enough traffic to warrant a traffic light at Strasburg and Doe Run Road. However, PennDOT requires that the school district conduct a traffic count after the school is operational. The school is scheduled to open in the Fall of 2026. The traffic counts would likely be done in the fall of 2026. The projected number of students is 750.

There was a board discussion on the hydrants and traffic counts.

Solicitor Crotty stated that one of the conditions in the written decision is the traffic light should be installed if it is warranted.

MOTION: Vice Chairman Nielsen moved that the Township approve the preliminary/final land development plans for the East Fallowfield Elementary School Application, per the form of the written decision prepared by the Township Solicitor. Supervisor DiRado seconded.

VOTE: 4-0. Chairman Lambert abstained.

7. PROPOSED ORDINANCE 2024-01 PROHIBITING THE USE OF SINGLE-USE CARRY OUT PLASTIC BAGS, POLYSTYRENE FOOD CONTAINERS, AND SINGLE-USE PLASTIC STRAWS BY COMMERCIAL ESTABLISHMENTS

MOTION: Supervisor DiRado made a motion adopting Ordinance 2024-01 prohibiting the use of single-use carry out plastic bags, polystyrene food containers, and single-use plastic straws by commercial establishments. Vice Chairman Nielsen seconded.

Mr. Swichar stated that the Daily Local newspaper made an error by not correctly advertising the hearing the first time. The township readvertised the hearing to prevent any legal challenges.

Solicitor Crotty stated that the original decision by the board was not effective and nothing new is being proposed in this ordinance.

There was a board discussion on the topic.

There was a board discussion about whether the proposed ordinance applies to Weaver's Mulch.

Solicitor Crotty stated that proposed ordinance does not impact Weaver's Mulch.

AMENDED MOTION: Supervisor Wright made an amended motion to table until the board receives an answer about the Weaver Mulch question. Supervisor Domboski seconded

VOTE: 2-3. Chairman Lambert voted nay, Supervisor DiRado voted nay, Vice Chairman Nielsen voted nay. Motion did not pass.

VOTE ON THE MOTION: 3-2. Supervisor Wright voted nay. Supervisor Domboski voted nay. Motion passed.

8. TREASURER'S REPORT

1) September 30, 2024 Treasurer's Report.

MOTION: Vice Chairman Nielsen made a motion to approve the September 30, 2024 Treasurer's Report as presented. Chairman Lambert seconded.

VOTE: 5-0.

2) Payment Authorizations.

MOTION: Vice Chairman Nielsen made a motion to approve the Payment Authorizations for the period of October 9, 2024 through October 22, 2024 in the total amount of \$118,214.78 as presented. Chairman Lambert seconded.

Treasurer Fiorenza stated that approximately half of the amount is for payment to the township's trash hauler.

VOTE: 5-0.

9. TOWNSHIP MANAGER'S REPORT

1) Resolution for DCED Statewide Local Share Assessment Grant

Township Manager Swichar stated that he recommends that the township submit a grant proposal in the amount of \$765,380.07 for the bridge replacement project on Mortonville Road. The grant does not require matching funds. The Township aggressively pursues grant funding as a way to use non-tax revenue to pay for large capital projects. The Township has been very successful at securing grant funding. There is a proposed motion in the board packet authorizing submission of the grant application.

MOTION: Supervisor Domboski made a motion approving the submission of Resolution 2024-20 authorizing the submission of a grant application to DCED's Statewide Local Share Assessment Grant in the amount of \$765,380.07 for a bridge replacement project on Mortonville Road and authorizing the Township Manager to execute all documents. Supervisor Wright seconded.

Vice Chairman Nielsen questioned timing of the grant.

Township Manager Swichar stated that the township would likely be notified of the grant sometime next year.

Supervisor DiRado questioned if the township could use assessments that were completed before.

Township Manager Swichar stated that he asked the township engineer whether they could use prior studies that were completed by the township. He is waiting for an answer.

Joe Mento, Township resident questioned if township funds could be used to repair a road in a different township.

Solicitor Crotty stated no.

VOTE: 5-0.

2) Approval of Resolution 2024-21 and Contract for PennDOT Winter Maintenance Services Agreement

Township Manager Swichar stated that PennDOT pays municipalities an upfront annual sum to remove snow and ice from state roads from October 15 to April 30. PennDOT knows the township could maintain state roads better than they can. This allows PennDOT to better maintain large state highways.

MOTION: Supervisor Wright made a motion to approve Resolution No. 2024-21 and the Winter Maintenance Services Agreement between PennDOT and East Fallowfield Township. Supervisor DiRado seconded.

Vice Chairman Nielsen questioned if the agreement is for five years and whether all the roads are in the township.

Township Manager Swichar stated the agreement is for five years and all roads are in the township.

VOTE: 5-0.

3) Approve East Fallowfield Township Road Map of Goals and Priorities (2025-2029)

Township Manager Swichar stated that he brought this up at the meeting in September. The board developed a road map document to inform township decisions next year and over the next five years. The road map is not meant to override the township's existing plans and the document is a work in progress. The document was placed on the township website and Facebook page.

MOTION: Supervisor DiRado made a motion to approve the Road Map of Goals and Priorities (2025-2029). Chairman Lambert seconded.

Township resident Shane Cloyd questioned live streaming of township meetings.

Solicitor Crotty stated that review of livestreaming is listed as a goal for 2025.

VOTE: 5-0.

4) BAWA Fellowship Escrow Release No. 19 (Phase 1)

Township Manager Swichar stated that there is a recommendation letter from the township engineer in the board packet recommending the escrow release for stormwater improvements.

MOTION: Supervisor Domboski made a motion that the Township approve Escrow Release No.19 for the BAWA Fellowship Residential Subdivision Phase 1, in the amount of \$163,962.47. Supervisor Wright seconded.

Supervisor DiRado questioned if she could look at the property.

VOTE: 5-0.

5) First Presentation of Budget (Informational)

Township Manager Swichar provided an overview of the 2025 proposed budget. Since the last budget workshop, the township made updates to the budget which reflect actuals up until September 30. Mr. Swichar stated that October 8 was the budget work session where we discussed and reviewed the first draft of the budget. Mr. Swichar stated November 12 is the second budget presentation. The board could authorize the advertisement of the budget on November 12. Per second class township code, the township is required to advertise the budget for at least 20 days before the final budget is adopted. Once the board authorizes the advertisement, the budget would then be available for public inspection. The budget would be placed on the township website and hard copies would also be available at the township building. Budget adoption is currently scheduled for December 10. If the Budget is not approved for whatever reason, there is another meeting scheduled for December 17. The budget must be adopted by December 31 per second class township code.

Mr. Swichar stated that there is no real estate tax increase proposed in the 2025 General Fund or Fire/EMS fund. This will be the seventh year that the township has not seen a tax increase in the General Fund. There was a small increase in the Fire/EMS budget in 2024. That was the first increase the fire/ems fund had in 6 years. 2025 General Fund Revenues are: \$3,209,768. This budgeted revenue is \$195,212 greater than 2024 General Fund Revenue of \$3,014,556. This is largely attributed to increased Earned Income Taxes (EIT).

The 2025 General Fund Expenditure Budget is \$4,069,970, which is \$1,055,414 greater than 2024 General Fund Expenditure budget of \$3,014,556. Mr. Swichar stated that the 2025 general fund expenditure budget includes a \$1 million interfund transfer from the general fund into the capital fund. This is reflected on line 492.18 in the general fund budget. When you remove the interfund transfer, the 2025 expenditure budget is only \$55,414 greater than the 2024 General Fund Expenditure Budget. budgeted increases of 5% into insurance costs and operating expenses.

Mr. Swichar stated that township infrastructure is a high priority and the proposed capital fund budget reflects the need to make improvements: The Township budget includes \$425,000 for road paving, \$200,000 for Traffic Calming in Newlinville Village. The township received two grants for this project. \$335,000 for repairs to the Saw Mill Road culvert pipe, and \$910,113 is budgeted to replace the collapsed Mortonville Road Bridge and for safety improvements to the Frog Hollow Bridge.

The proposed 2025 General Fund budget shows a small 1.82% increase of \$55,414 compared to the 2024 general budget. The increase does not reflect the \$1 million inter transfer from the General Fund to the capital fund to fund capital expenditures.

In the Fire/EMS budget, the proposed budget is \$804,372, an increase of 4.9% over the 2024 budget. The proposed 2025 budget for liquid fuels is \$468,250, reflecting a 7.45% increase over 2024. The proposed 2025 trash budget is 1,378,504, a \$15,878 increase over the 2024 trash budget. The Park and Rec Fund reflects the second to largest increase. The 2025 proposed budget is 27.49% larger than the 2024 adopted budget. The Township budgeted for a replacement of the swing set. The 2025 Capital Fund reflects \$1,794,289 in spending versus \$996,244 in the 2024 capital budget. The increased spending reflects the major capital improvements planned for next year. The ARPA fund is not shown in the 2025 budget as we expect to draw down all the funding in 2024.

This slide shows the Fire/EMS budget which starts at line 301 in the budget. Mr. Swichar stated that there were complaints online that the township does not properly fund the fire departments. Mr. Swichar stated that there is no increase recommended in the Fire/EMS Fund. Mr. Swichar stated that The Township provides \$150,000 to each fire company (Modena Fire Company and Westwood Fire Company) providing fire protection to East Fallowfield Township for general fire operational purposes. A \$66,400 subsidy is also provided to Modena Fire Company (EMS) and \$115,808 to Westwood Fire Company for EMS/Advanced Life Support (ALS). The Township provides a Subsidy to Volunteer Association funded by the State as a pass through (Foreign Fire Insurance Tax. The Township will continue to set aside funds to each fire company) for capital purchases. \$73,200 (\$36,600 for each fire department).

Mr. Swichar stated that the township budgeted a \$1 million transfer from the General fund in 2025 to the capital fund to pay for the capital projects.

Mr. Swichar provided an overview of real estate tax millage history since 2016. 2016 was the first time the township had a township real estate property tax. At that time, Township set the General Purpose millage rate at 1.25 mills In the 2018 budget, the Township increased the General Purpose township millage to 2.00 and also introduced a fire/EMS tax of 1 mill to fund fire and

ambulance service. The township's millage was set at 3 mills in 2018. The township has not increased the General Purpose millage for 7 years. The last time was in 2018.

Mr. Swichar stated that Fire/EMS millage was set at 1 mills in 2018 (.56 mills for fire/.44 mills for ambulance) however, in 2024, there was a small .75 mill increase in the Fire/EMS fund. The township raised the Fire/EMS millage from 1 mill to 1.75 mills in 2024.

Mr. Swichar stated that Westwood Fire Company and Modena Fire Company were struggling to find volunteer firefighters so the township added .69 mills to enable them to hire full-time staff firefighters. The .06 millage increase went to Westwood Ambulance to continue to provide Advanced Life Support (ALS) to the entire township. The .06 mills provided another \$49,308 to Westwood for the ALS service.

Mr. Swichar stated that the highest township tax paid to East Fallowfield Township is \$1,978 and that is for a property that is currently on the market for \$10 million (assessed at 1.46 million) The average homeowner with a residential assessed value of 132,084 pays approximately \$495.32 for their township real estate taxes and \$450 for trash, which amounts to \$946.32. Mr. Swichar stated that \$132,084 is not the market price of your home, it is the average assessed value of a home in East Fallowfield. Some homeowners will pay far less than \$964.32 and some pay more, it all depends on your real estate tax assessment.

Mr. Swichar stated that Township residents receive many services as part of their township real estate tax bill including trash collection, 24x7 police protection, fire ambulance protection, road paving, access to a beautiful township park, and recreation for their tax dollar.

Mr. Swichar discussed a pie chart showing that the school district receives 84% total of the tax dollar, Chester County receives 9% of the tax dollar, and East Fallowfield Township only receives 7 % of the total tax dollar.

Mr. Swichar provided an overview of the costs associated with healthcare and the importance of surplus funds.

10. LEGAL

11. Meeting Room Rental and Rules of Use (Informational)

Solicitor Crotty stated that at the last meeting there was discussion about renting out the meeting room. There is a proposed form of rental rules for the board's consideration. There is a rental fee included in the proposed rules. There might be staff involvement and public records would need to be removed from the meeting room. Whether to charge a fee for use of the meeting room is a policy decision for the board, but there will be staffing and utility costs associated with renting the room. The fee in the proposed rules is \$500.

There was a board discussion about renting the meeting room.

12. PARK AND RECREATION

1) Budget Request for 2025 (Teri Dickinson)

Teri Dickinson, chair of park and recreation, requested a line item of \$8,000 for park and recreation events in 2025.

There was a board discussion about recreation expenses and whether to pay the park and recreation chair for her work.

Solicitor Crotty stated that the road foreman typically takes on responsibilities related to park and recreation.

Supervisor Nielsen discussed the park and recreation developer fee of \$1,500 and other funding streams for park and recreation.

Solicitor Crotty stated that the township should keep revenues simple by keeping the revenue in the General Fund. The solicitor would need to look into whether the \$1,500 park and recreation fee could be increased.

13. PLANNING COMMISSION

- 1) No Report Submitted

14. POLICE DEPARTMENT

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

13. PUBLIC WORKS DEPARTMENT

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

15. HISTORICAL COMMISSION

- 1) Report Submitted
- 2) 800 Doe Run Road - Certificate of Appropriateness.

MOTION: Vice Chairman Nielsen made a motion for the Board of Supervisors to approve Resolution No. 2024-22 to issue a Certificate of Appropriateness to the Building Code Official for the roof project located at 800 Doe Run Road. Supervisor DiRado seconded.

Solicitor Crotty stated that there was a typo in the historical commission recommendation letter. The correct address is 800 Doe Run Road.

AMENDED MOTION: Vice Chairman Nielsen made a motion to correct the proposed resolution 2024-22 to read 800 Doe Run Road instead of 800 Buck Run Road. Supervisor Domboski seconded.

VOTE ON AMENDED MOTION: 5-0.

MOTION: Vice Chairman Nielsen made a motion for the Board of Supervisors to approve Resolution No. 2024-22 to issue a Certificate of Appropriateness to the Building Code Official for the roof project located at 800 Doe Run Road. Supervisor DiRado seconded.

VOTE: 5-0.

16. OLD BUSINESS

Supervisor Domboski questioned the status of the website project.

Supervisor Wright requested a list of austerity list in case the budget needs to be trimmed.

Township manager Swichar stated that he is not recommending that anything be removed from the budget.

Supervisor DiRado questioned the status of the fuel dispensers.

Supervisor DiRado questioned if the donation was made to People's Hall.

17. NEW BUSINESS:

18. PUBLIC PARTICIPATION:

Shane Cloyd, Township resident, asked questions about the township website, Fire/EMS services, low interest loans, and vehicle maintenance expenses in the budget.

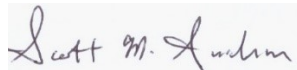
There was a board discussion about the website.

19. ADJOURNMENT

MOTION: Supervisor Wright made a motion to adjourn the October 22, 2024 Board of Supervisors Meeting at 9:33 PM. Chairman Lambert seconded.

VOTE: 5-0.

Respectfully Submitted,



Scott Swichar,
Township Manager/Secretary