

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
May 25, 2021 Approved minutes
6:37 p.m.

Members Present

Wilson Lambert, Chairman
Joe Heffern, Vice-Chairman
John Nielsen, Member
Carol Kulp, Member

Township Staff Present

Scott Swichar, Township Manager
Township Solicitor
Mike Mauger

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

Chairman Lambert called the meeting to order at 6:37 PM.

2. DISCUSSION

A. APPROVAL OF MINUTES

April 27, 2021 BOARD OF SUPERVISORS MEETING MINUTES

MOTION: Vice Chairman Heffern made a motion to approve the April 27, 2021 Board of Supervisors meeting minutes as presented. Supervisor Nielsen seconded.

VOTE: 3-0. Supervisor Kulp abstained.

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.

3. PRESENTATION-OVERVIEW OF BANKING SERVICES FROM UNIVEST BANK

Township Manager Swichar stated that the Township is paying about \$600/month in fees to its current bank, Fulton Bank. The Township has had good interest income with Fulton Bank until recently. The Township is considering switching to Uninvest to decrease fees and increase the interest rate. Fulton Bank only provides 10 basis points.

David Ohman, head of government banking Uninvest Bank stated that the bank is in all five counties in southeastern Pennsylvania. They have a large presence in Lancaster and Montgomery County. He stated that in the General Fund, the earned credit will be 20 basis points which will offset the cost of doing business. The Township would not be given service charges. Their pricing is 30% less than competition. Uninvest Bank will monitor the township's finances for three months to determine the

compensating balance. For the other accounts, Univest will provide no fees and 20 basis points interest. Univest will provide a remote scanner. The cost is \$600 for the actual scanner.

Chairman Lambert questioned the service fees from Univest.

Mr. Ohman stated the compensating balance is 20 basis points which will cover the actual costs. He stated he is unable to determine the actual cost. Based on historical figures, the township should not have fees.

Treasurer Breslin stated that Fulton Bank is charging \$570 in fees a month. Comparable fees from Univest are \$125/month.

Vice Chairman Heffern questioned whether the interest rate would be double.

Mr. Ohman stated that Univest would work with the township if they do not need the funds, they could put money in a money market and earn more interest.

Supervisor Nielsen questioned the benefits of positive pay.

Mr. Ohman stated that the township sends a disk of checks that were sent out for payment. If the check is whitewashed it would not be accepted. The cost is \$47 a month for each account. The Township might earn enough in earned credits that it won't need to pay for the service. ACH transfer protection is an additional \$33 a month.

Township Manager Swichar stated that the Township has fraud protection through a crime policy with Travelers Insurance. He questioned the length of time and process for switching from one bank to another.

Mr. Ohman stated 45 days. Univest has a transition team. He questioned who does payroll

Treasurer Breslin stated the Township outsources its payroll to a third party.

Township Manager Swichar questioned Mr. Ohman whether the Township would save \$7,620 a year if they switched to Univest.

Mr. Ohman stated yes.

Supervisor Kulp questioned if Fulton Bank would renegotiate their numbers.

Township Manager Swichar stated that they met with Fulton Bank, and they were not willing to make many changes. He questioned what Univest is looking for from the Township.

Mr. Ohman stated they need board approval in the form of a Resolution to move forward.

Solicitor Mauger stated that the Township could authorize the decision by including a Resolution in the minutes.

4. TREASURER'S REPORT

1) April 30, 2021 Treasurer's Report

MOTION: Chairman Lambert made a motion to approve the April 30, 2021 Treasurer's Report as presented. Vice Chairman Heffern seconded.

Supervisor Nielsen questioned the Eagle Contracting expense and whether the restrooms are open.

Treasurer Breslin stated the expense is related to the park restrooms. The bill is paid from the park and recreation fund

Township Manager Swichar stated the restroom is open. They are looking at making some changes. Eagle Contracting completed its work.

Chairman Lambert questioned the payment to Modena Fire Company and Westwood Fire Company.

Treasurer Breslin stated that payment is for their fire allocation.

Supervisor Kulp questioned the payment to Traffic, Planning and Design.

Treasurer Breslin stated that the invoices were from February.

Township Manager Swichar stated that the invoices are for engineering of Mortonville Road repair. The Township will receive reimbursement from grants.

VOTE: 3-1. Supervisor Kulp voted Nay.

2) Payment Authorizations.

MOTION: Chairman Lambert made a motion to approve the Payment Authorizations for the period of April 28, 2021 through May 25, 2021 in the total amount of \$279,151.06 as presented. Supervisor Kulp seconded.

VOTE: 3-1. Supervisor Kulp voted Nay.

5. TOWNSHIP MANAGER'S REPORT

1) Resolution No. 2021-16 to Appoint Voting Delegates to Chester County Tax Collection Committee.

Township Manager Swichar stated that East Fallowfield Township is a member of the Chester County Tax Collection District. The Committee oversees its EIT collector, Keystone. The Township is required to appoint one voting delegate to this committee. The Resolution would replace the previous township treasurer with the new Treasurer, Joe Breslin. Mr. Swichar stated that he would still remain the primary voting delegate.

MOTION: Vice Chairman Heffern made a motion to adopt Resolution 2021-16 to appoint voting delegates to the Chester County Tax Collection Committee. Chairman Lambert seconded.

Supervisor Nielsen questioned if the Committee would serve to oversee Keystone.

Township Manager Swichar stated yes.

VOTE: 4-0.

2) Summer Seasonal Employment: Recommendation to Hire Seasonal Public Works Employee

MOTION: Vice Chairman Heffern make a motion to hire Gregory Leonard for part-time seasonal work in the Public Works Department at a rate of \$14.50/hour for the 2021 summer season. Supervisor Nielsen seconded.

VOTE: 4-0.

- 3) Resolution No. 2021-17 Recommending that the Pennsylvania General Assembly Adopt Legislation to Permit the Use of Virtual Meeting Platforms for Public Meetings Held by Municipalities.

Township Manager Swichar stated that the proposed Resolution is being circulated by the Chester County Association of Township Officials. The Resolution is recommending that the Pennsylvania General Assembly adopt legislation to permit the use of virtual platforms for public township meetings. The virtual option could offer some flexibility.

Supervisor Nielsen questioned if a supervisor could virtually call into an in-person meeting to cast a vote.

Solicitor Mauger stated that would depend on the law that would hypothetically be passed. The Resolution is a recommendation to adopt legislation. There is no law in place to hold a virtual meeting.

Bill Schoell, of State Representative Dan Williams office, stated that the proposed resolution would allow the same rules under the Governor's emergency declaration to remain. It is not on the local government committee's agenda yet. Representative Williams is a co-sponsor.

MOTION: Chairman Lambert moved that the Board approve Resolution 2021-17 recommending that the Pennsylvania General Assembly Adopt Legislation to Permit the Use of Virtual Meeting Platforms for Public Meetings Held by Municipalities. Supervisor Nielsen seconded.

VOTE: 3-1. Supervisor Kulp voted Nay.

Mr. Schoell stated that there is legislation house bill 955 that proposes advertisements to be electronically posted. He questioned whether the Board supports the idea.

Supervisor Heffern stated that he supports the idea if it will save the Township money.

Township Manager Swichar stated that the township could spend \$300 every time it advertises in the paper. It is expensive when the Township is required to advertise twice.

- 4) Vegetation Management around Guardrails. (Update)

Township Manager Swichar stated that the Board of Supervisors brought up the topic of weed control around guardrails. He stated that he had a meeting with two professors from Penn State's Department of Plant Science. Penn State is not aware of any natural products that will provide systematic control. They do not recommend vinegar which cannot control perennial weeds or kill seeds. Penn State looked at the Township's geography and they do not believe the roads get enough sunlight for fescue to be competitive. Groundcover would require excavation down 6 inches and replacing with soil. Penn State does not think ground cover would work since broadleaf weeds still need to be controlled and triclophor would still need to be used. They suggested going to PennDOT to discuss alternative options. He stated he has not heard back from PennDOT. He stated that Penn State believes it is hard to get around using herbicide for guardrails.

He understands that the Board is against using chemicals. The Township will continue to explore the topic.

Supervisor Nielsen questioned who he spoke with at PennDOT.

Township Manager Swichar stated he reached out to Darren Altemose at District 6.

Chairman Lambert stated there was a comment in the chat that a light was out in the ladies' room at the park.

Township Manager Swichar stated he would look into this issue.

6. LEGAL

1) Coatesville Area School District – Memorandum of Understanding.

Solicitor Mauger stated that Mr. Crotty was called into a meeting. The memorandum between the school district and township formalizes policies on how the school district will respond to certain incidences.

Supervisor Nielsen questioned if there are any material changes from the previous MOU.

Township Manager Swichar stated there are no changes from 2019. There is a new superintendent.

Vice Chairman Heffern questioned if Chief Porter has any issues with the MOU.

MOTION: Vice Chairman Heffern moved that the Board approve and authorize the Police Chief to sign the Memorandum of Understanding with the Coatesville Area School District in the form as presented. Chairman Lambert seconded.

Supervisor Kulp asked for more explanation as she thought the School District has its own police force.

Mr. Mauger stated that the school district has its own police force, but the agreement formalizes an agreement on how the school responds to certain incidents. The school can decide to handle certain incidents with its own force. Other incidents, they are required to report.

Chairman Lambert stated that the police will be involved in certain incidents.

Mr. Mauger stated that the MOU memorializes which incidents have to be reported.

VOTE: 4-0.

2) A Resolution Expanding the Scope and Purposes of the Strategic Planning Steering Committee.

Mr. Mauger stated a Resolution was prepared to expand the Strategic Planning Steering Committee to provide for environmental impact and resources.

MOTION: Supervisor Nielsen made a motion to approve Resolution 2021-18 expanding the scope and purposes of the Strategic Planning Steering Committee. Vice Chairman Heffern seconded.

Supervisor Kulp questioned if implementation of 5G will be related to this effort given the dangerous effect on birds, animals, and children.

Supervisor Nielsen stated he is looking for members to join the committee. He stated that Supervisor Kulp is welcome to attend future meetings. This is an advisory committee.

VOTE: 3-1. Supervisor Kulp voted Nay.

3) PA American Waters Application to Acquire Valley Township's Water System (Informational)

Mr. Mauger stated that the Township received an application from Pennsylvania American Water to acquire Valley Township's Water System. There are about nine residents that are served by Valley Township's Water System.

Township Manager Swichar stated that the application in front of the Planning Commission is for wastewater. There is only one customer in East Fallowfield Township affected by the wastewater application. No approval is requested.

Al Wright, of the Planning Commission questioned if the Planning Commission will need to provide approval for the water system application.

Township Manager Swichar stated he is not sure.

4) Interim Final Rule for Recovery Act (Informational Update)

Mr. Mauger stated that Mr. Crotty emailed the Board guidance on American Rescue Plan Act. Funds are expected to be distributed to the state over the summer. Final guidelines should be in place when the funds arrive to the Township.

7. PARK AND RECREATION BOARD

- 1) No Report Submitted

8. PLANNING COMMISSION

- 1) No Report Submitted.

9. POLICE DEPARTMENT

- 1) April Police Report submitted for Board and resident review
- 2) Police Chief presentation on training and background checks

Chief Porter discussed Act 57 and 59 of 2020 related to training and hiring. He discussed graffiti in the park.

Township resident, Jay Mento questioned whether meetings will be made virtual on a permanent basis.

3) PUBLIC WORKS DEPARTMENT

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

4) HISTORICAL COMMISSION

1) No report submitted.

5) NEW BUSINESS

Chairman Lambert stated he reviewed the chat feature and there were some concerns from the public.

6) PUBLIC PARTICIPATION

Ann Kirk, of Clearfield Lane, discussed issues with mailbox theft on her street and in her neighborhood.

Teri Dickinson, Township resident, stated there was suspicious activity on her street.

Chief Porter stated that incidents need to be reported to the police.

Mark Moyer, of 113 Clearfield Lane, stated there were people walking through his neighborhood with flashlights.

7) Purchase of WatchGuard Body Cameras

Chief Porter stated that the police cars currently have WatchGuard cameras. He stated the cameras will increase transparency. He stated that he will submit a written policy related to the body cameras to the Board of Supervisors.

Chairman Lambert questioned if the policy would say whether the camera will need to be left on when the officer is not in the car.

Chief Porter stated the policy will state when the officer needs to wear the camera. He discussed officer training.

Supervisor Nielsen questioned who will have possession of video.

Chief Porter stated he will have access to the video.

MOTION: Vice Chairman Heffern made a motion to authorize the purchase of four Watchguard Body Cameras and related equipment, including a three-year warranty from Motorola Solutions from the Capital Fund under the Pennsylvania Co-Stars Purchasing Contract in the amount of \$10,005.00. Chairman Lambert seconded.

VOTE: 4-0.

8) ADJOURNMENT

MOTION: Vice Chairman Heffern made a motion to adjourn the May 25, 2021 of Supervisors Meeting at 10:00 PM. Supervisor Nielsen seconded.

VOTE: 4-0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Scott M. Swichar". The signature is written in black ink on a light-colored background.

Scott Swichar,
Township Manager/Secretary