

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
January 25, 2022 Approved minutes  
6:30 p.m.

**Members Present**

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

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

2. DISCUSSION

A. APPROVAL OF MINUTES

JANUARY 3, 2022 BOARD OF SUPERVISORS REORGANIZATIONAL MEETING MINUTES

MOTION: Vice Chairman Heffern made a motion to approve the January 3, 2022 Board of Supervisors reorganization meeting minutes as presented and to ratify all actions taken therein. Supervisor DiRado seconded.

VOTE: 4-0.

B. FIRE DEPARTMENTS & DEPARTMENT OF EMERGENCY SERVICES

1. December Westwood Fire Company Fire Chief's Report submitted for Board and resident review.
2. December Westwood Fire Company EMS Report submitted for Board and resident review.
3. December Modena Fire Company Fire Chief's Report submitted for Board and resident review.
4. December Modena Fire Company Fire Chief's Report – East Fallowfield Calls Only submitted for Board and resident review.
5. 2021 Year End Modena Fire Company Fire Chief's Report submitted for Board and resident review.
6. 2021 Year End Modena Fire Company Ambulance Report submitted for Board and resident review.

3. TREASURER'S REPORT

- 1) December 31, 2021 Treasurer's Report

Treasurer Breslin stated that the General Fund ended the year with a \$722,000 surplus. Taking into account the transfer of \$350,000 into the Capital Fund, the township ended the year with a surplus of \$1,072,164.00. The Township real estate taxes and earned income taxes were slightly higher than budgeted. Actual real estate transfer taxes and building permit fee revenues were substantially higher than the projected budget. The township received \$76,000 in pension reimbursement and \$76,000 in refunds from Benecon. The township received funds from the American Recovery Plan. The Township's audit will begin in February. Expenses that were higher than budgeted included health insurance, worker's compensation and unemployment due to one employee's claim that was not challenged.

Supervisor Nielsen questioned where the \$350,000 transfer came from.

Treasurer Breslin stated the transfer came from the General Fund surplus and was transferred into the Capital Fund.

MOTION: Vice Chairman Heffern made a motion to approve the December 31, 2021 Treasurer's Report as presented. Supervisor Nielsen seconded.

VOTE: 4-0.

2) Payment Authorizations.

MOTION: Vice Chairman Heffern made a motion to approve the Payment Authorizations for the period of January 4, 2022 through January 25, 2022 in the total amount of \$202,362.66 as presented. Supervisor DiRado seconded.

VOTE: 4-0.

7. TOWNSHIP MANAGER'S REPORT

1) Chester County Schools Joint Purchasing Board's Fuel Bid

Township Manager Swichar stated that the Township joined the Chester County Joint Purchasing Fuel bid last year. The bid allows more purchasing power as the township goes out to bid with 12 other municipalities in Chester County. The township compared fuel pricing and historically pricing with the joint purchasing board is 20 cents a gallon cheaper. The term is for August 1, 2022 to July 31, 2023. The bid opening is on February 9, 2022. The township needs to respond on the same day and make a decision on whether to lock in the pricing on that date.

MOTION: Vice Chairman Heffern made a motion authorizing the Township Manager to accept the lowest bid on the Chester County Schools Joint Purchasing Board's Fuel Bid for gasoline and diesel fuel. Supervisor Wright seconded.

Supervisor Wright questioned if the fuel is for both public works and police.

Supervisor Nielsen questioned if the township is considering bio-diesel since the new backhoe is compatible with bio-diesel.

Township Manager Swichar stated the township will need to look at its other pieces of equipment and see if they are compatible with bio-diesel.

VOTE: 4-0.

2) Purchase of a Deere 410L backhoe

Township Manager Swichar stated that the township is looking at replacing its 16-year old backhoe as it is past its useful life. The current machine has over 5,000 hours. The township received an estimate from Plasterer Equipment. The proposal is for a Deere 410 backhoe under the Pennsylvania state contract. The backhoe was approved in the 2022 Liquid Fuels Budget. The costars pricing is \$135,700. It will take 6 months to receive the backhoe after the township signs the purchase order. If the Board authorizes the purchase tonight, the next step is to investigate financing.

Supervisor Wright questioned if the township should consider paying for the equipment outright. He questioned when payment is made.

Township Manager Swichar stated depending on interest rates, the township would consider paying for the equipment outright. The township would receive the backhoe in six months and make payment upon receipt. The backhoe is more fuel efficient and energy efficient than the previous model.

Supervisor DiRado questioned if there are safety features.

Township Manager Swichar stated there is a shock absorber.

Supervisor Nielsen questioned the software package.

Township Manager Swichar stated there is a one-year subscription for a maintenance monitoring package included.

MOTION: Vice Chairman Heffern made a motion authorizing the Township Manager to sign a purchase order with Plasterer Equipment for the purchase of a new Deer 410L Backhoe at the cost of \$135,700 under the Pennsylvania Co-Stars Program. Supervisor Nielsen seconded.

VOTE: 4-0.

3) Appraisal Services from John P. DiRomualdo

Township Manager Swichar stated the quote is for \$900.

MOTION: Vice Chairman Heffern made a motion authorizing the Township Manager to engage in appraisal services with John P. DiRomualdo Real Estate Appraisers and Consultants at a cost of \$900. Supervisor DiRado seconded.

Supervisor Nielsen questioned if he is a certified appraiser.

Solicitor Crotty stated yes.

VOTE: 4-0.

4) Mortonville Road Slope Remediation and Stabilization Project

Township Manager Swichar stated the township received 6 bids. The Township had two bids that were over \$1 million. JVI Group was the low bidder on the project. The base bid was \$579,963.75. Their alternate bid was \$100,241.75. The combined bid is \$680,205.50. The Board has a letter from T.P.D in their board packet recommending the project be awarded to JVI Group. Bid materials were reviewed by the Solicitor's office and they have no issues.

MOTION: Supervisor Wright moved that the Township award the low base bid in the amount of \$579,963.75 and the alternate bid in the amount of \$100,241.75 to JVI Group, Inc for slope remediation and stabilization on Mortonville Road pending PennDOT concurrence and authorize the Manager to take all actions necessary to effectuate the same. Vice Chairman Heffern seconded.

Supervisor Nielsen questioned why the bid total was not complete.

Township Manager Swichar stated that the lack of a bid total on the form is not a material defect. It was likely oversight on the part of the bidder. JVI is aware that they are \$100,000 less than the next lowest bid.

Solicitor Crotty stated that the Board is only awarding the contract at the stated price. There is also a bid bond to protect the township. The Township could collect on the bid bond for lost time.

Supervisor Nielsen questioned why there is no paving in the base bid. Does the bid bond cover the entire amount of \$680,205.50 or only \$579,000.

Township Manager Swichar stated the road paving is for Strasburg Road to Saw Mill Road.

Solicitor Crotty stated that the bond covers 10% of the total amount.

VOTE: 4-0.

- 5) Review of Township's Property maintenance/zoning ordinance and evaluate a Use and Occupancy Inspection

Township Manager Swichar stated that there was a board discussion about a property on Newlinville Road and questions came up about whether the township should have a use and occupancy inspection program.

MOTION: Supervisor Wright made a motion requesting that the Township's Planning Commission review the Township's property maintenance/zoning ordinance and evaluate implementation of a Use and Occupancy Inspection program. Supervisor DiRado seconded.

Supervisor Wright stated that staff should help staff define and clarify the scope of what they are trying to accomplish. He questioned if we currently have a Use and Occupancy program in place.

Township Manager Swichar stated there is no program currently in place.

Supervisor Nielsen stated that this is similar to the rental permits.

Supervisor DiRado questioned if the zoning officer would need to get involved in the inspection process.

VOTE: 4-0.

6) Federal Surplus Property Program

Township Manager Swichar stated that the township is already registered to participate in the program. The township has never received surplus from the program. He recommended that we update the application to stay active.

Supervisor Wright questioned if they need to renew annually.

Township Manager Swichar stated that the program is renewed every three years.

MOTION: Vice Chairman Heffern made a motion authorizing the Township Manager to submit an application for the Federal Surplus Property program. Supervisor DiRado seconded.

Supervisor Nielsen questioned if 501C3 organizations such as the fire companies and Coatesville Library are in the program.

VOTE: 4-0.

7) Appointment of “As needed” snow plowers.

Township Manager Swichar stated that the proposed motion will add Andrae Reason to the snow plow operator list and formally increase the hourly rate to \$20 for non-CDL drivers. There is a big need for non-CDL drivers.

MOTION: Supervisor Nielsen make a motion to appoint the following “as needed” snow plower as presented, and increase the hourly rate for all non-CDL snow plowers from \$16.50/hour to \$20.00/hour. Snow Plower Andrae Reason-\$20.00/hour. Supervisor DiRado seconded.

Supervisor Nielsen questioned if the township has considered brine.

Solicitor Crotty stated that every roadmaster has a different opinion on the matter. Sometimes a special treatment could be added to the salt treatment to prevent it from bouncing.

Township Manager Swichar stated he would check with T.P.D

VOTE: 4-0.

8) Discussion on Bomb Shelter

Township Manager Swichar stated that bomb shelters are not a typical function of township government. The shelter is a constant maintenance headache for the public works crew. The Township has the capability to decommission the structure and could do the work in-house. The Township does not want someone to enter the structure and get hurt.

Vice Chairman Heffern questioned the costs.

Township Manager Swichar stated that township has the materials in its possession. The only expense is labor.

There was a board discussion about the bomb shelter.

Township Manager Swichar stated there are three access points to the site.

MOTION: Vice Chairman Heffern made a motion to allow the manager to investigate a permanent decommissioning for the bomb shelter and to take immediate precautions to secure access to the structure.

Supervisor Wright amended the motion to add that the Historical Commission would have 20 days to do their research. Vice Chairman Heffern seconded.

VOTE: 3-1.

Township Manager Swichar questioned if the motion will allow for permanent decommissioning of the structure.

AMENDED MOTION: Supervisor Wright made an amended motion to clarify the prior motion authorizing the completion of the physical decommission by public works. Vice Chairman Heffern seconded the clarification.

VOTE: 3-1 Supervisor DiRado voted nay.

9) New Business: none

8. LEGAL

1) Informational-American Rescue Plan State and Local Fiscal Relief Final Rule Announced and Application Process for funding local community groups.

Solicitor Crotty stated that the Township received \$790,000 as part of American Rescue Plan. The money is coming from the federal government to the local level. The first half of the funding came last year the second payment will come in June 2022. The final guidance was issued two weeks ago. No complicated calculations are needed. Any government can use an assumed \$10 million revenue loss. The Township can use any or all of the \$790,000 for any general governmental purpose. There are some limits on spending the money. Money cannot be used to reduce pension plan or tax payments. The money cannot be used for paying off loans or for settlements or to override COVID-19 mitigation efforts. The board should consider how the money will be spent and put it the spending plan in the form of a Resolution.

Supervisor DiRado questioned if the funds can be used to purchase a new township building.

Solicitor Crotty stated yes. The money must be committed by the end of 2024 and spent by the end of 2026. The money can be used for planning for a new building, Road paving, stormwater, potential township building, police equipment and vehicles, park projects, unpaved trails are potential projects. The money can be used as a match for a grant.

Supervisor Wright discussed having a list of planned potential expenditures.

9. PLANNING COMMISSION

- 1) No Report Submitted

10. POLICE DEPARTMENT

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

11. PUBLIC WORKS DEPARTMENT

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

12. NEW BUSINESS

13. HISTORICAL COMMISSION

- 1) No report submitted.

14. PARK AND RECREATION BOARD

- 1) 2022 Calendar of Events

Supervisor Wright stated the park and rec board put together a calendar of events.

- 2) OLD BUSINESS

Supervisor Nielsen stated that AJ Blosinski has a small trash truck. He questioned why Waste Management cannot collect trash from residents on Jane Street. He stated the township should consider using Blosenksi to collect trash from Jane Street

Township Manager Swichar stated that Waste Management provided a letter stating that they will not collect trash curbside on Jane Street due to safety reasons. The program will likely go out to bid in the fall.

There was a board discussion about the trash situation on Jane Street.

Solicitor Crotty stated that a future bid could require curbside collection on Jane Street as an alternate bid or prime bid. The township could require bidders to collect curbside on Jane Street and, if there are no bidders, the township could rebid the contract without requiring curbside collection of Jane Street.

Township resident Jay Mento stated that Jane Street is a dangerous road for trucks. He stated that a pickup truck could collect trash on Jane Street.

Township Manager Swichar started that he would check with AJ Blosenski to see if they would provide curbside collection on Jane Street.

3) PUBLIC PARTICIPATION

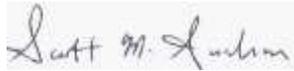
None.

4) ADJOURNMENT

MOTION: Supervisor Nielsen made a motion to adjourn the January 25, 2022 of Supervisors Meeting at 7:44 PM. Vice Chairman Heffern seconded.

VOTE: 4-0.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Scott M. Swichar". The signature is written in a cursive style and is placed on a light gray rectangular background.

Scott Swichar,  
Township Manager/Secretary