

**Newlin Township  
Board of Supervisors  
Meeting Minutes  
September 12, 2022**

**Call to Order:** The Board of Supervisors' monthly meeting convened at 7:30 p.m. on Monday, September 12, 2022, at the Township Garage located at 1751 Embreeville Road. Present were Supervisors Bill Kelsall (Chair), Jim Cornell (Vice-Chair) and Bob Pearson, and Secretary/Treasurer Gail Abel.

**Announcements:** Mr. Kelsall announced there will be an executive session immediately following tonight's meeting to discuss an employment matter and a legal matter.

**Comments:** Mr. Kelsall advised that he and Mr. Pearson had attended Modena Fire Company's 100<sup>th</sup> Anniversary celebration, and that it was a great day for a great fire company. Mr. Pearson thanked Jack Law, West Bradford Fire Company's Fire Chief (who was in attendance at tonight's meeting) for attending Modena Fire Company celebration to show his fire company's support.

Jack Law noted that several months ago Aqua Pennsylvania, Inc. ("Aqua") had asked to perform testing on two Embreeville Wells and brought to the Board's attention his understanding that Aqua is planning an interconnect in Downingtown between those wells and lines serving East Brandywine and West Bradford Townships. A brief discussion ensued.

Mr. Law also noted that he had heard that Longwood Fire Company Chief A.J. McCarthy will be taking charge of all three fire companies funded by the Kennett Fire and Emergency Services Regional Commission ("KFERC") (of which Newlin Township is a member) and commented that this development seemed in conflict with statements made when KFERC was being formed that those fire companies would remain independent. Bennett Baird, the Township's KFERC Commissioner responded that operational regionalization, with Chief McCarthy in charge, has been a decision of the three fire companies, not KFERC.

Finally, Mr. Law noted a recent published article in which the KFERC fire companies complained of rising fuel costs and questioned whether those companies were taking proper advantage Chester County's intermediate fuel bidding procedures to get the lowest fuel prices.

Rodney Wynn stated that about 20 years ago the Township had prohibited him from installing a driveway at his preferred location on the grounds that the slope of that portion of his property was too steep, but that his neighbor had recently been allowed to install a driveway on an extremely steep slope and questioned how that could be possible in light of the Township's approach to his driveway request. Mr. Pearson asked that Mr. Wynn provide the address to the secretary and said that he would look into it.

**Minutes:** Ms. Abel presented the minutes of the August 8, 2022, Board Meeting. Mr. Pearson's motion to approve those minutes was seconded by Mr. Cornell and unanimously approved.

**Financial Report:** Ms. Abel presented the monthly Financial Report: As of August 31, 2022, the Township had \$1,110,797.68 on deposit, including \$781,070.05 in general and unrestricted funds. Overall, this represents a net decrease of \$28,599.53 since July 31, 2022. Mr. Pearson's motion to accept the Financial Report was seconded by Mr. Cornell and unanimously approved.

**Payment Authorization and Account Transfers:** Ms. Abel presented a list of pending bills, invoices and other recurring/routine payments totaling \$24,731.19 from General Funds and requested payment authorization. Mr. Pearson's motion to approve the requested payments was seconded by Mr. Cornell and unanimously approved. Ms. Abel also advised that the second tranche of Federal Funds under the American Rescue Plan Act had been received on September 7<sup>th</sup>, in the amount of \$70,717.60, and requested authority to transfer these funds from the General Fund account at Truist Bank to the Meridian Bank account that is the Township's designated account for such funds. Mr. Pearson's motion to approve the requested transfer was seconded by Mr. Cornell and unanimously approved.

**Act 57 Procedure for Waiver of Certain Property Tax Late Payment Penalties – Resolution 2022-04:** Mr. Cornell presented Resolution 2022-04, prepared by the Township's Solicitor in compliance with Pennsylvania's Act 57 (which was signed into law on July 11, 2022). Mr. Cornell explained that Act 57 amends the Local Tax Collection Law to allow new homeowners to receive a waiver of property tax penalties if they did not receive the appropriate tax bill within their first year after acquisition. Mr. Pearson's motion to approve Resolution 2022-04 was seconded by Mr. Cornell and unanimously approved.

**Authorization for Advertisement regarding Vacating a Section of Laurel Road:** Mr. Kelsall requested authorization to direct the Township Solicitor, Kristin Camp, to prepare an advertisement of proceedings, to be conducted at the October Board Meeting, to adopt an Ordinance to vacate a section of Laurel Road. Mr. Pearson's motion to direct the Solicitor to prepare the advertisement was seconded by Mr. Cornell.

Erica Lee announced she was videotaping the meeting. Matthew Provinski inquired about repairing Laurel Road to keep it open. Mr. Pearson responded that the Supervisors had spent years looking at repair and relocation scenarios and had conclude that the Township could not afford any of those alternatives.

Richard Mitchell asked if Laurel Road could be maintained in its current state until adequate funding might be found. Mr. Cornell noted that the Township has an obligation to maintain a safe passage on every public road unless it is vacated, and that the Supervisors had not found a way to maintain such safe passage.

Mr. Provinski raised the concern that vacating a portion of Laurel Road will create problems for brought up school bus transportation. Mr. Pearson noted that the Township has received or complaint or heard of concerns from the School District on this subject even though the portion of Laurel Road to be vacated has been impassable since 2014.

Mr. Mitchell also complained that every weekend all summer long there are cars parked along Laurel Road near New Frontier Canoe Company. Mr. Kelsall suggested that the Township could put up no parking signs, but Mr. Mitchell advised that the owners had already done so.

Mr. Mitchell inquired as to the Township's plans regarding the three Laurel Road properties that the Township had purchased in 2021. Mr. Pearson said that he hoped they could be donated to one of the prominent conservation organizations in the area

There being no further discussion, Mr. Pearson's motion was unanimously approved.



**Snow Removal Advertisement for 2022-2023 Winter Season:** Mr. Pearson advised that the township needed to advertise for snow removal for the 2022-2023 season, with bids to be opened at the Board's October meeting. Mr. Pearson's motion to approve such advertisement was seconded by Mr. Cornell and unanimously approved.

**Road Master Update:** Mr. Pearson advised that Rob Mastrippolito's last day as a Newlin Township employee was September 1<sup>st</sup>, and that the Township has interviewed a few qualified applicants but that no replacement has been selected at this time. Erica Lee inquired asked who would be maintaining Township roads pending his replacement. Mr. Pearson replied that the Township will utilize independent contractors as needed.

**Appointment of New Emergency Management Coordinator and Fire Marshall:** Mr. Kelsall noted that Mr. Mastrippolito had been the Township's Emergency Management Coordinator and Fire Marshall and suggested that the Township engage Richard Hicks to perform those duties. Mr. Pearson's motion to appoint Richard Hicks the new Emergency Management Coordinator and Fire Marshal was seconded by Mr. Cornell and unanimously approved.

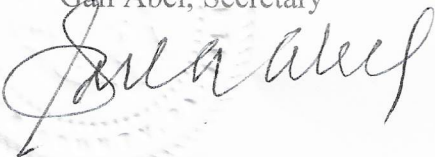
**Appointment of New Employee:** Mr. Kelsall advised that as noted above, action on this matter will be deferred until a future Board Meeting.

**Adjournment:** Upon Mr. Pearson's motion, seconded by Mr. Cornell, the meeting was adjourned.

Time: 8:13 p.m.

Respectfully Submitted,

Gail Abel, Secretary

A handwritten signature in cursive script, appearing to read "Gail Abel", is written over a faint circular official seal.