

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF SUPERVISORS  
SCHUYLKILL TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA  
HELD ON August 12, 2020**

**SCHUYLKILL TOWNSHIP BUILDING, 111 VALLEY PARK ROAD, PHOENIXVILLE, PA 19460**  
*Duly advertised in The Pottstown Mercury and posted on [www.schuylkilltwp.com](http://www.schuylkilltwp.com)*

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*The August monthly meeting was duly advertised and held electronically  
through the GoTo Webinar application via telephone and the internet.*

*Video recordings of Board of Supervisor business meetings may be viewed at [www.schuylkilltwp.org](http://www.schuylkilltwp.org)*

**IN ATTENDANCE**

**Board of Supervisors**

Martha Majewski – Chair, Fred Parry – Vice Chair, Susan Guerette – Member, Mark Donovan – Member, Bob Cooney – Member

**Township Administration**

William Brenna, Esq. – Township Solicitor, , Paul Boettinger, PE – Township Engineer, Madeline Harbison – Township Secretary, E.J. Mentry – Township Manager/Treasurer.

**CALL TO ORDER**

The virtual monthly public business meeting was called to order at 7:30 p.m. with the Pledge of Allegiance. The meeting was chaired by Supervisor Majewski.

Supervisor Majewski announced that an executive session was held on July 23, 2020 to discuss potential litigation and also this evening, August 12, 2020, to discuss personnel issues and litigation matters.

Mr. Mentry gave a brief overview of the virtual meeting protocols and reminded attendees that question and comments could be submitted at any time during the meeting via the question submittal box on the webinar dashboard. The submittals would be read aloud at the appropriate time in the meeting.

**PRESENTATION**

Mr. John Kern, Constituent Advocate, Office of U.S. Representative Chrissy Houlahan, gave a brief presentation on the services and assistance available to the Township and its residents through Representative Houlahan’s office. Mr. Kern also encouraged residents to complete the 2020 Census. A resident, Ms. Anita Schmitt, 30 Amherst Court, commented that Representative Houlahan’s office has been very responsive when she has reached out for assistance.

**CONSENT AGENDA**

1. Approval and acceptance of the Minutes of the July 1, 2020 Board of Supervisor business meeting. No Board of Supervisors workshop meeting was held in July.
2. Acceptance of all departmental, committee, commission, and council reports as posted and received by the Board of Supervisors for the month of July 2020.

Upon **motion** by Supervisor Majewski seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township approved and accepted the Consent Agenda.

### **TREASURER'S REPORT AND PAYMENT OF BILLS**

Mr. Mentry, Treasurer, reported to the Board that as of July 31, 2020, the Township's general fund shows a balance of \$ 4,223,357. The Township has received about 56% of its budgeted revenues for the year. Expenditures are at about 36% of budget. Mr. Mentry advised the Board that he has reviewed the bills to be paid in August and recommended payment of those bills.

Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township approved and accepted the Treasurer's Report for the period ending July 31, 2020 and authorized payment of Township bills for the period ending July 31, 2020.

### **2021 Schuylkill Township Pension Plans Minimum Municipal Obligation ("MMO"):**

Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township approved and accepted the 2021 Minimum Municipal Obligation ("MMO") for the Schuylkill Township Non-Uniform Pension Plan and Police Pension Plan in the amounts of \$47,678.00, and \$203,553.00, respectively.

**Township Workers Compensation ("WC") Insurance:** Mr. Mentry advised the Board that the Township's current WC insurance policy expires on August 31, 2020 and for the past several months, he has been procuring quotes from various carriers. Delaware Valley Workers' Compensation Trust ("DVWCT") not only came highly recommended by other municipalities who participate in the Trust but also quoted a policy at about of half the rate the Township is currently paying with all the same coverage. Mr. Mentry added that DVWCT offers additional benefits to the Township such as dividends and safety grants, and recommended that the Board consider approving Schuylkill Township's participation in the DVWCT. Discussion ensued regarding coverage and cost.

Resolved, upon **motion** by Supervisor Majewski, seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township does hereby adopt Resolution 2020-24 authorizing the participation of Schuylkill Township in the Delaware Valley Workers' Compensation Trust effective August 31, 2020.

Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township approved and authorized the appointment of the Township Manager as the Schuylkill Township Trustee for the Delaware Valley Workers' Compensation Trust effective August 31, 2020.

### **TWO-MINUTE REPORTS**

Supervisor Donovan advised the Board that the Planning Commission reviewed the proposed tree ordinance and has submitted its comments.

Mr. Mentry updated the Board on the tropical storm aftermaths and the repairs which were required after washouts destroyed sections of Township roadways. He commended the Roads and Police Department and the VFVFCo for their efforts during and after the storm. He advised the Board that the negotiations for the multi-municipal Verizon franchise agreement are progressing and a draft agreement should be available in the September/October time frame. Mr. Mentry informed the Board that the new owner of the historic Anderson Barn property would be before the Historical Commission on August 17<sup>th</sup> to present his plans for the main house on that property. The Open Space Commission will not be holding a special meeting next week.

## **BOARD DISCUSSION ITEMS**

### **OLD BUSINESS**

Update: COVID-19 Township Operations/Protocols: Mr. Mentry advised the Board that the municipal building remains closed to the public with office staff working remotely. He went on to say that based on discussions with other municipal managers and County officials, he does not see anything changing significantly in the near future or possibly even through year-end. As previously discussed with the Board, the current security firm has provided a proposal for an updated access control system to allow entry by appointment only. Mr. Mentry explained to the Board that the quote was higher than anticipated and the security firm has been asked to revisit it.

Hunting in Pickering Preserve. Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry and unanimously passed, the Board of Supervisors of Schuylkill Township approved and authorized Suburban Archers for deer archery hunting (Antlered and Antlerless) during the 2020-2021 bow hunting season (*WMUs 2B, 5C and 5D from September 19 - November 27, 2020 and December 26, 2020 - January 18, 2021; state-wide October 3 – November 20, 2020 & December 26, 2020 – Jan. 18, 2021*) solely within the boundaries of Township-owned Pickering Preserve under the rules and regulations of Schuylkill Township and the Commonwealth of Pennsylvania Game Commission.

Discussion: Valley Park Municipal Park (“VPMP”) Next Steps – Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry and unanimously passed, the Board of Supervisors of Schuylkill Township approved and authorized the Township Manager to send a letter to the Chester County Conservation District indicating the cancellation of Phase 2 of the VPMP improvement project and requesting closure of the NPDES permit for the Park.

Supervisor Majewski informed the Board that a number of trees have fallen in the wooded area where the VPMP natural trail is being planned and asked for their input on how to proceed. Supervisor Donovan commented that having a “natural” area means this will occur on a regular basis. He recommended getting quotes for clearing where the trail might be but thought it might be prudent to wait until the hurricane season has passed. Mr. Mentry advised that no action be taken until the Roadmaster returns from vacation and gives his opinion on whether clearing can be handled in-house. Supervisor Majewski added that Mr. Cinciripino is obtaining a quote to remove a hazardous tree located near Anderson Cemetery in VPMP. Work is proceeding on the interpretive signs for the park.

Mr. Jim Morrisson, 510 Valley Forge Park, volunteer chairman of the Trolley Rail Exhibit project, commented that the final proposals for the rails and installation work should be in by early next week for approval and potentially the exhibit could be complete sometime in September.

### **NEW BUSINESS**

Valley Forge Volunteer Fire Company (VFVCo) Capital Expenditure Request: The VFVCo petitioned the Board for a release of up to \$300,000 from the capital equipment reserve fund held by the Township for the purchase of ambulances for the use of West End Fire Company. Discussion ensued regarding the terms of the 2015 merger of VFVCo and West End, the Township’s understanding at the time of the merger that no public funds would be expended by the Township for the support of West End which is a self-sustaining enterprise, current Township funding of

VFVFCo, and the necessity of the current expenditure request. Supervisor Cooney moved that the discussion and vote be tabled until the September 2, 2020 Board meeting; there was no second.

Upon **motion** by Supervisor Majewski, seconded by Supervisor Guerette, and passed, with Supervisor Cooney abstaining, the Board of Supervisors of Schuylkill Township denied the VFVFCo Capital Expenditure request.

#### Purchase of LED Light Sets for Municipal Complex Exterior

Upon **motion** by Supervisor Majewski, seconded by Supervisor Guerette, and passed, the Board of Supervisors of Schuylkill Township approved the expenditure of Township funds for the purchase of nine (9) LED light sets for the Schuylkill Township Municipal Complex in the amount of \$7,875.00.

Discussion: Phoenixville Clean Energy Alliance – Chester County Vision Partnership Grant Application: Mr. Dennis Ray, East Pikeland Environmental Advisory Council Board, presented information on the collaboration to form a Phoenixville Clean Energy Alliance and apply for a Chester County Vision Partnership Planning grant. If awarded, the grant will serve to hire a consultant to create an energy transition plan. The deliverables of the grant project would be municipal energy audits and analysis, recommendations to municipalities on ordinance changes relative to renewable energy, stakeholder identification and interviews, and developing educational materials for stakeholders. The project is estimated to be \$80,000 with the cost to each municipality based on the number of municipalities that participate. If 3 municipalities participate the cost to each will be \$5,700. To date East Pikeland is the only municipality committed, but West Vincent Township and West Pikeland Township are strongly considering. The grant application is due September 25<sup>th</sup>. Mr. Ray said the purpose of his appearance today is to request that the Schuylkill Township Supervisors approve funding for participation, and appoint one elected official and one additional representative to the Alliance's Oversight Board. Discussion ensued regarding the reason the Phoenixville Regional Planning Committee is not lead on this grant application, the disposition of the funding requested and grant award monies, and the timeline for the grant award. The Board advised Mr. Ray that before a vote could be taken, more information is needed on what the energy transition plan would encompass. Supervisor Cooney suggested that the program should be presented to the Schuylkill Township Environmental Council which could then submit their recommendation on the proposal to the Board of Supervisors for consideration at its September 2<sup>nd</sup> meeting.

#### RESOLUTIONS / ORDINANCES

Ordinance 2020-02: Amending the Township Code by Creating a new Chapter 98, Article III – Nuisances Created by Animals: Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township does hereby adopt and enact Ordinance 2020-02 To Amend the Code of Ordinances of Schuylkill Township by creating a new Chapter 98. Article III. Nuisances created by Animals; and repealing all ordinances inconsistent therewith.

Discussion: Proposed Tree Ordinance Draft – Next Steps: Supervisor Guerette advised the Board that the ordinance was essentially complete, but she was requesting input on Section 2. Tree Replacement Standards. Discussion ensued on Section 2.(a) regarding the tree replacement table and (c) alternative plantings as well as comments from the Township Engineer. The Board concurred that

the Township Engineer's comments on the proposed ordinance be incorporated and that Section 2.(c)[1] be deleted and instructed the Township Solicitor to review for consistency with existing Township Code. The Township Manager asked if the Board felt the draft ordinance was ready for Chester County Planning Commission review.

Mr. Jason Beecher, 1392 Nathan Hale Drive, asked if property owners needed Township approval to remove trees whether dead or alive, and if the public would have an opportunity to review and comment on the proposed ordinance before passage. Mr. Mentry responded that this draft ordinance has been in development for the past year and has been before the Township's Environmental Advisory Council and Planning Commission at public meetings multiple times; and, before enactment, the ordinance will be advertised and available for public review and comment. Regarding Township approval for tree removal, once the ordinance is enacted, approval will be required for all tree removal; different circumstances/sizes of trees have different requirements, i.e., a dead tree would need a permit, but no fee would be levied. Ms. Anita Schmitt, 30 Amherst Court, also asked if she could review the proposed ordinance.

Upon **motion** by Supervisor Majewski, seconded by Supervisor Parry, and unanimously passed, the Board of Supervisors of Schuylkill Township authorized the submittal of the proposed tree ordinance, with the discussed changes, to be submitted for review by the Chester Country Planning Commission.

#### **SUBDIVISION / LAND DEVELOPMENT**

Nothing to report.

#### **ADDITIONAL BUSINESS**

Nothing to report.

#### **ANNOUNCEMENTS**

Nothing to report.

#### **PUBLIC PARTICIPATION**

John Mraz, 34 Meadowbrook Lane, asked if the Township contribution to the VFVFCo capital funds are a monthly or annual contribution, and is the fire company asking to reallocate what is purchased from the capital fund without requesting additional contributions and has anything been spent on the West End buildings. Does the Township have the final say on expenditures from this fund? Mr. Mentry informed Mr. Mraz that the amount is an annual budgeted amount (currently \$200,000) which is deposited in monthly in the Township-held fire company capital reserve fund. A formal written request must be submitted to the Board for release of any monies from this fund. Mr. Mraz is correct in his statement that, at present, the fire company is not asking for additional monies but the concern of the Board is that the depletion of the fund by unexpected expenditures will mean additional funding will be required in subsequent years. The Township has control over the release of the funds to the fire company. No capital funds to date have been disbursed for the West End Fire Company building.

Anita Schmitt, 30 Amherst Court, asked if the Township has any influence with Comcast and its level of service. Mr. Mentry informed Ms. Schmitt that the Township has its own issues with Comcast, however, residents have had some success in resolving Comcast problems by enlisting the help of Representative Melissa Schusterman.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 10:00 p.m. upon **motion** of Supervisor Majewski, seconded by Supervisor Parry and unanimously passed by the Board of Supervisors of Schuylkill Township.

**NEXT BOARD OF SUPERVISORS' MEETING**

Board of Supervisors August Virtual Work Session..... Thursday, August 20, 2020 at 6:30 p.m.  
Board of Supervisors Virtual Business Meeting..... Wednesday, September 2, 2020 at 7:30 p.m.

Respectfully submitted,

Madeline Harbison  
Township Secretary