

**Borough of Modena
Monthly Council Meeting Minutes
August 1, 2022**

1. Call to order

President Jennifer Daywalt called to order the monthly regular Council meeting, of the Borough of Modena Council at 7:00 pm on Monday August 1, 2022 at Borough Hall, 5 Woodland Ave.

2. Salute to the flag

3. Roll Call

Secretary Cloud conducted roll call. In attendance were Council President Jennifer Daywalt, VP Beau Tilghman, Council Members Nicole Ewing, Secretary Victoria Cloud, and Mayor Harvey. Absent were Council members Blaise Frost, Felicia Handley and Treasurer Megan Cadreau. There is one Council seat open for a four-year term and another seat with a one-year term expiring 2023.

4. Approval of this Evening's Agenda.

With this new addition under New Business to the agenda, VP Tilghman made motion to accept the revised agenda, Council member Ewing second, all in favor motion passed.

5. Approval of Minutes

5.1 Council member Ewing motion to accept the minutes of July 18, 2022. VP Tilghman second, all in favor, motion passed.

6. Public Comment on Agenda items

None

Guest speakers:

- John Sly, President West Wood EMS and Frank Dowlin, Modena's Fire Chief are present to speak about the loss of EMS services for the local Borough's/Townships from Brandywine Hospital and how these services are able to continue with your financial help/EMS tax. Mr. Sly did create a booklet for council and copies if anyone would like to review it while in the borough's office.
- Resolution #317-2022 was not on the agenda; Designating Modena Fire company to provide fire protection, ambulance services (BLS), and the Westwood Fire company Ambulance and Divisions thereof will provide Advances Life Support services. Council member Ewing made motion to amend this evening's agenda to add and accept this Resolution, VP Tilghman second, all in favor motion passed. Council members and Secretary will sign off this evening. Secretary will scan to fire chief and Mr. Sly for their records for the county.

7. Written Reports

7. 1 Treasurer's Report

- Review by Council.
- ARPA first round of funds are to be fully distributed before the second round can go out.
- Treasurer is working with auditors (Carl) to finalize the 2021 audit. Carl's schedule is a bit backed up. Megan spoke with Adam Anders that there would be a delay, which is fine.

7.2 Payment of Bills

- Per Treasurer Cadreau and President Daywalt, all bills will be paid upon due date. Bills total \$6,452.00. VP Tilghman made motion to pay bills, Council Member Ewing second, all in favor, motion passed.

7.3 Police and Fire Reports

- Junes report was review by Council.

7.4 Sewer Flow Report

- Flows are better since the repairs were completed on No. Brandywine Ave.

7.5 Code Enforcement Officer Report

- Reviewed by Council.

8. Council and Committee Reports

8.1 Council President Report

- President Daywalt mentioned that there is still a need to help financially for Fire, ALS,

8.2 Secretary Report

- Recycling truck chassis built is postponed 60 more days. From August 22 to October 22.
- Delivery of 250 new Borough recycling bins arrived today. Loaded in the garage. They will not be distributed until the new truck arrives.

8.3 Mayor Report

- Nothing to report.

8.4 Park & Recreation

- August 'back to School' event will be on Tuesday August 16, 6-8pm. Residents children only. Mahoney Environmental and Bigfoot Automotive are the sponsors for this event.
- Still working out all the details for the Duck Derby event.

8.5 Historical Committee Report

- Report reviewed as Mr. Graves spoke. He cannot find any history on the Borough of Modena having a charter.

8.6 Police & Fire Community Relations Report

- 100 year anniversary! Let's all participate!

8.7 Streets Report

- VP Tilghman stated that we are still trying to fill the PW position.
- There is so much work that needs to be done in this Borough; a very slow process. VP Tilghman suggested that the PW starting pay should be increased a bit.
- Discussion on the hay bales that have been sitting behind the Borough's garage for over two years. They are a fire hazard; they should be moved with the skid steer into the boroughs truck, then up to the compost site.
- President will check with a resident, who owns a flower farm, she may want the bales.

8.8 Planning & Zoning

- There are still ongoing issues with the 12 Union St. regarding Flood plain and what his intentions are for the property; leasing or selling.
- Still reviewing the permits for 10 Union; moving along.

8.9 Ordinance Review

- Historic/Large animal/Recycling needs to be revisited. Others Ellen is taking care of.

9. Unfinished/Old Business

- Council and President are considering lowering the amount of members to five. A petition of this action needs to be signed by the residents. Then petitions will go to a WC judge. This request can only be done every 5 years. Sign up sheet is available at borough hall. Hopefully this petition will be on the ballot in November. Borough solicitor spoke on the details of how to file this petition. She will work with council president and voter services to have this legally correct. There are 253 residents in the Borough. Need only 5% to sign petition, which is a total 13 people, let's try for 20. Motion was made to 'submit a petition, ballot question, to the voters to certify the question of reducing the number of council members from 7 to 5'. VP Tilghman made motion, council member Ewing second, all in favor motion passed.
- New fireworks law. Council agreed to stay with the State rules and regulations. Solicitor will work on the wording for a new Ordinance for the Borough.
- Storm water Ordinance. Jessica of LTL and Solicitor working together on this. County wants all municipalities to 'be processed on this through September.
- Resolution #316-2022 Complete Streets Resolution. Council member Ewing made motion, VP Tilghman second, all in favor motion passed.

Mode House

- Borough Solicitor is having a meeting with Cleveland Cliffs real estate division manager on August 2 at 11am to discuss a MOU to officially give the property to Modena Borough.
- Grants have been approved for all work done there. Waiting on disbursement of funds.

Grant Update

Brandywine Conservancy Mini Grant

- Work is done at Mode house; Secretary has submitted invoices to Shelia for re-imbusement.

CRP Grant – Streets

- The County Granted Modena \$600K. Grant funds are good until December 2023.

LSA Grants – Equipment for Borough PW and Fire Department Equipment

- Notification of award will be July or August.

902 Grant Round 60

- Modena has been awarded \$18, 000.00 for 250 new recycling bins. Reimbursement will be made to Borough, which takes 6-8 weeks, after Borough makes payment to TM Fitzgerald.
- Bins will be delivered to residents once the new recycling truck arrives along with education material and a revised Recycling Ordinance for 2023.

Comprehensive Plan

- Public meeting will be at the Duck Derby Event Sept. 10 to present the Comp Plan to the Community for comments, then a final meeting following for Council adoption.

Tropical Storm Ida/HMGP-Meredith Court

- South Brandywine Bridge repair: FEMA quoted cost would be a little over \$12k. Borough now has to wait on PEMA on what the next steps are. FEMA suggests that even though it is under \$20k, Borough should bid this project out, being very specific with details.
- Meredith Court: PEMA/Swift Water Grant; HMG will be used for this. Padula Engineering has agreed to handle the project at the cost of \$2.3M, FEMA's cost is to tear down and rebuild is \$3.4M. Or FEMA to buy out owner, tear down, leave as open space for the Borough. FEMA suggested picking up the building to code according to the flood Ordinance, engineers determined the bricks are weak, old and will crumble. Is it feasible to pick up, that cost is \$2M? With the Swift water Grant, there is not enough money to be given to Chester County, other Counties have priority first. This is not moving as quickly as first thought, but still moving. Borough/FEMA/PEMA needs to find additional funding; all are trying hard for this Borough. Property must be the same foot print/square footage going forward. Tear down can be in the winter. Completion of any chosen project could take up to 3 years.

10. New Business

- Many new Ordinances will be created in August. ALS / 2023 Emergency Service Tax.
- To pay temporary employees for public works dept. currently outsiders/family have been helping with recycling, grass cutting, overall borough maintenance. Hired in as a contractor, Per Diem, not employee, and to be covered under insurance. Solicitor suggested as a 1099, Per Diem worker. This was tabled until next meeting until verbiage composed correctly.
- Resolution #317-2022 EMS Provider/ Modena Fire Department/Ambulance for BLS and Westwood for ALS. Motion made by Council member Ewing, VP Tilghman second, all in favor motion passed. Secretary will scan this Resolution to the County and the Chiefs of both Fire Departments.

11. General Public Comments – limit of 3 minutes per person

- Charles Hughes of 7 Baker presented a LOI for a Council position. He stated that he is not a registered voter in the Borough; which is required to be on Council, he will look into it and advise council later.
- Kim Sherman 8 Baker spoke about the animal control problem in the borough. Council President advised her that municipalities and the Chamber of commerce are looking into one regional animal control program to find a location/existing building where collected animals would stay along with work force to oversee the logistics. Discussions are in the early stages with quite a few animal rescue organizations, it is a problem for all 13 municipalities.
- Kelly Stitzel of Hephzibah Baptist Church is requesting Culbertson park for the week of August 9 to 11 to host their annual neighborhood bible club, 6:30 pm to 8:00pm. Approved.

Meeting Adjourned

President Daywalt requested a motion to end the regular monthly meeting at 8:55 pm.

VP Tilghman made motion to end regular monthly meeting, Council member Ewing second, all in favor, motion passed.

Next Council Meeting

Monday August 15, 2022 @ 7:00pm at Borough Hall and zoom.

President:

Secretary:

Date: