

**EAST FALLOWFIELD TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION 2021-15**

**WHEREAS**, the Board of Supervisors of East Fallowfield Township, Chester County, Pennsylvania, commencing 2018, authorized and imposed a tax for **fire protection purposes** at a rate of 0.55 mills on each dollar of assessed value, and a tax for **ambulance, rescue and other emergency services purposes** at a rate of 0.45 mills on each dollar of assessed value, both of which being pursuant to Article XXXII of the Second Class Township Code, 53 P.S. §§68201 *et seq.*;

**WHEREAS**, the Board of Supervisors desires to guide the disbursement of that funding to its emergency services in a manner that reflects an equitable apportionment in keeping with the best interests of the residents of the Township; and

**WHEREAS**, the Township Board of Supervisors further directs that such funding be used by its designated emergency services providers toward general operation expenses as well as for appropriate long-term capital improvement planning; and

**NOW, THEREFORE**, the Board of Supervisors of East Fallowfield Township hereby resolves as follows:

Section 1. **Use of Fire Protection Funds & Ambulance, Rescue and Other Emergency Services Funds**

The tax revenue funds identified herein shall be maintained by the Township in a separate, proprietary fund and shall be used for fire and ambulance protection purposes set forth in Section 3205(a)(4) and (a)(8) of the Second Class Township Code, including:

- a) Purchasing and maintaining fire apparatus and a suitable place to house fire apparatus;
- b) Making appropriations to fire companies located inside or outside the Township and serving the Township;
- c) Paying salaries, benefits or other compensation of fire protection employees of the Township or fire company serving the Township, subject to the limitation that no more than ½ of the revenue generated from this tax may be used for such purposes;
- d) Training of fire company personnel and for fire training schools or centers; and
- e) Contracting with adjacent municipalities or volunteer fire companies for fire protection.
- f) To support ambulance, rescue and other emergency services serving the Township as set out in Section 3205(a)(8) of the Second Class Township Code.

No more than ½ of the revenue generated from these taxes may be used for the purpose of paying salaries, benefits or other compensation of employees of the fire, ambulance, rescue or other emergency service.

## Section 2. Allocation of Fire Protection Funds

- a) Fire Services Operational Expenses Subsidy: From the funds identified in Section 1, the Township intends to allocate \$50,000 per year to Modena Fire Company No. 1 and \$50,000 per year to Westwood Fire Company for their respective general operational funding, including paying salaries, benefits or other compensation of fire protection employees and training of fire company personnel subject to the limitations herein. The receiving Fire Companies shall provide regular reporting on their usage of the funding as directed by the Township and Township Treasurer.
- b) Ambulance Services Operational Expenses: From the funds identified in Section 4, the Township intends to allocate \$66,400 per year to Modena Fire Company No. 1 for its BLS ambulance services and \$90,400 per year to Westwood Fire Company for its ALS ambulance services, including for general operational funding of their ambulance service operations, including paying salaries, benefits or other compensation of ambulance emergency services employees and training of emergency services personnel subject to the limitations above. The receiving entity shall provide regular reporting on their usage of the funding as directed by the Township and Township Treasurer.
- c) Capital Improvements and Purchases: The Township intends to allocate to allocate \$36,600 per year to Modena Fire Company and \$36,600 per year to Westwood Fire Company for capital improvements and purchases of ambulance and fire apparatus or equipment. Such funds shall be maintained in the Township accounts until such time as the respective provider is prepared to purchase the new equipment or pursue the capital improvement project, and the same is approved by the Board of Supervisors for distribution. Nothing herein shall be construed as entitling either entities to such funds absent approval by the Township Board of Supervisors for a specified distribution. Moreover, such allocations are subject to modification after a review by the Township Treasurer of the actual received tax revenues and the actual operating expenses for each year. Funds allocated pursuant to this section are subject to the following:
  1. The entity requesting to use such funding shall provide a written request in writing for the amount sought, together with specifications for the apparatus or equipment being purchased, the other sources of funding, and an explanation on the need for the same.

2. The Board of Supervisors may consider the extent of funding provided by other municipalities toward such purchases in determining the amount of funds the Township shall allocate to that expenditure.
3. Apparatus and capital improvements purchased using Township funds shall be used to provide fire protection services within the Township.
4. No apparatus or equipment funded by the Township in excess of \$10,000 may be sold or conveyed by the purchasing entity except upon the prior approval of the Board of Supervisors. At the time of such contribution, the Township may require a written acknowledgment of the same by the entity and other appropriate documentation as determined by the Township.

### Section 3. **Reporting by Emergency Services Organizations**

Each fire protection and emergency services organization receiving funds pursuant to Section 3 shall provide the Township an annual itemized listing of all expenditures of these funds before the Township may consider budgeting additional funding to that organization (per Section 1553(c) of the Second Class Township Code) by November 1<sup>st</sup> of each year.

### Section 4. **Severability**

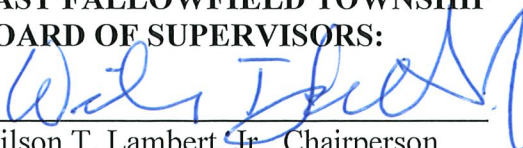
The provisions of this resolution are severable and, if any section, clause, sentence, part or provision is determined to be illegal, invalid or unconstitutional, such determination will not affect or impair any of the remaining sections, clauses, sentences, parts of provisions of this resolution. It is declared to be the intent of this Township that this resolution would have been adopted even if any such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included in this resolution.

### Section 5. **Repeal**

All resolutions or parts of resolutions, conflicting or inconsistent herewith are hereby repealed.

RESOLVED and ADOPTED this 27<sup>th</sup> day of April, 2021. This Resolution shall take effect immediately.

**EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS:**

  
\_\_\_\_\_  
Wilson T. Lambert, Jr., Chairperson

  
\_\_\_\_\_  
Joe Heffern, Vice Chairperson

\_\_\_\_\_  
Carol Kulp, Member

\_\_\_\_\_  
Katja DiRado, Member

  
\_\_\_\_\_  
John Nielsen, Member

**ATTEST:**

  
\_\_\_\_\_  
Scott M. Swichar, Township Manager/Secretary