

**New Garden Township  
Combined Sewer and Work Session  
April 13, 2009  
6:30 p.m.**

**PRESENT:**

Chairman Bob Norris  
Vice Chairman Bob Perrotti  
Barclay Hoopes  
Betty Gordon  
Warren Reynolds

Mr. Phil D'Amico  
Mr. Mike Wolfe  
Mr. Gildo Guizzetti  
Mr. Greg Hanson  
Mr. Scott Gantt  
Mr. Joe Yakscoe  
Mr. Mike Stewart  
Neil Land, Esquire  
Mr. Ed Hill, Interim Manager

**A. CALL TO ORDER**

Vice Chairman Perrotti called the meeting to order and a pledge to the flag was recited.

**B OPPORTUNITY FOR RESIDENTS TO ADDRESS THE BOARD**

No residents addressed the Board

**C SEWER BUSINESS**

**1. Sewer Department Overview and Priorities (Yakscoe/Gantt/Stewart)**

The sewer department was requested to provide the Board and Sewer Authority an up-date in the operation of the sewer plants and system.

- a. Joe Yakscoe, Director of Public Works, provide an overview for the sewer department structure and the improvement in the preparation of required reports. The department holds staff meetings every other Tuesdays with Spence Andress, sewage consultant, and Vice Chairman Perrotti to discuss issues need action and to establish priorities. Staff has also established a library of maintenance manuals and have identified all equipment manufacturers with service providers
- b. Scott Gantt, licensed plant operator, outlined some of the problems that staff faced at the beginning of the year; holding ponds at capacity because of the wet seasons limiting spray operations, disinfection systems not in working order and high inflow and infiltration (I&I) in that portion of the Baltimore Pike system which feeds into the Avondale Plant. Further, Gantt reported that because the East Plant holding pond has been near capacity the township has been shipping 100,000 GPD to the Kennett Square treatment plant for the first three months of the year. This has cost the township approximately \$80,000 which is double the amount budgeted for that item. The valve to the Kennett Square plant was closed on April 1<sup>st</sup> since the spray fields at the East Plant are now available due to the clearing weather.
- c. Mike Stewart reported that his responsibility includes equipment and facility maintenance, safety, training and PA One Call utility marking. He

stated that the preventive maintenance program which will be a long term cost saver.

2. Baltimore Pike I&I (Gantt)

a. In further discussion of the Baltimore Pike I&I it was reported that this is a serious issue because Avondale bills the township on the gallons going to their plant. This means that the township is paying for the treatment of clear ground water. A memo from URS Engineers listed three manholes that are in need of immediate repairs. *Supervisor Reynolds made a motion to authorize the Public Works Director to have emergency repairs made to the three manholes at a cost not to exceed \$15,000 per manhole. Chairman Norris seconded the motion. Carried by unanimous vote.*

*(Chairman Norris entered meeting at 7:18 p.m.)*

3. Consideration of URS Invoices

Vice Chairman Perrotti reviewed the URS invoices with Board and noted that Mr. Andress has approved the bills. *Chairman Norris made a motion to pay nine (9) URS invoices in the total amount of \$25,733.80. Supervisor Gordon seconded the motion. Carried by unanimous vote.*

4. DiBello Subdivision

Vice Chairman reported that they met with Pennoni Associates about the subdivision of the farm for spray fields at the DiBello property. Supervisor Reynolds stated that they needed to do the subdivision for tax purposes, however, thought they did not agree exactly where subdivision lines would be drawn. Supervisor Reynolds thinks all the non-sprayable land should be on the farmhouse parcel. Vice Chairman Perrotti stated that the majority of good sprayfields is the open area on the top. Supervisor Hoopes stated that a topographic survey should be performed. Supervisor Hoopes is concerned about the stormwater easement and the possible future widening of Bancroft Road. Vice Chairman Perrotti stated that the easement should go on plan at time of subdivision. Manager Hill said Township would maintain piece of property on west side (50' strip) in case they wanted to install road at later date. Supervisor Reynolds stated and Chairman Norris agreed that we should have conservation easement from the very beginning and asked Pennoni to make the submission. *Chairman Norris made a motion to approve the proposal by Pennoni for surveying services for the DiBello tract including consideration for conservation easement on the property as well as potential road easement through the west side of the property at a cost not to exceed \$7,500.00. Supervisor Gordon seconded the motion. Carried by unanimous vote.*

Mr. Guizzetti praised the staff for commitment and vision toward future.

**D. RECESS at 7:40 p.m.**

**WORK SESSION**  
**BOARD OF SUPERVISORS**  
**7:30 p.m.**

**E. NEW BUSINESS**

1. Quarterly Financial Report (Mr. Gay)

Mr. Gay presented financial report. Mr. Gay provided the following reports:

- A. First Quarter Fund Summary
- B. First Quarter Revenue with Budget Comparison
- C. Schedule of Cash Accounts
- D1 Cash Flow Analysis – Expenditures/New Garden Township
- D2. Cash Flow Analysis – Revenues/New Garden Township
- E. Cash Flow Analysis – Airport Fund
- F. Cash Flow Analysis – Sewer Fund

Mr. Gay stated that State tax revenues went down approximately \$19,000. Transfer fees are up \$1400. EIT is down \$19,000 which means reported wages have been reduced by \$3.8 million. Occupational tax is down \$5200. He stated that we are feeling the effects of a shaky economy.

Overtime for Public Works increased budget demand. Mr. Gay stated that taxes on DiBello property were not paid and noted the amount shown represented the tax assessment for two years.

Mr. Gay noted that the majority of Parks & Rec budget was earmarked for Wollaston Park. Supervisor Reynolds discussed options for increasing interest income on investments. Chairman Norris asked Mr. Gay to find out when the pre-payment penalty clause expired for the Open Space loan. Supervisor Reynolds stated that in accordance with the Open Space Priority they want to use the loan.

Township is doing well in terms of budget issues. Chairman Norris thanked Mr. Gay for his synopsis and asked him to return at the end of each quarter with the same kind of report.

2. Acceptance of 2008 Audit Report

Manager Hill asked for questions about 2008 audit report for township and sewer authority. Motion to accept 2008 audit as submitted. *Chairman Norris made a motion to accept the 2008 audit as submitted. Vice Chairman Perrotti seconded the motion. Carried by unanimous vote. .*

**F. OLD BUSINESS**

1. Review Resolution for Amended Fees (Suckstorf)

Chairman Norris asked for questions about recommended fees. Supervisor Reynolds stated that the fees in Section D, Subdivision Residential,

should be on a sliding scale according to size. Manager Hill stated that fees should not be penal but rather adequate to cover the cost of administration.

Chairman Norris stated that the escrow changes make sense and asked if they should be included in the fee schedule or be a separate document. Mr. Suckstorf stated they could be administered either way, but all language needs to be included in a resolution. Mr. Suckstorf stated that the escrow fees currently outlined in Section VI.B.(1) should be changed from \$800.00 for an initial deposit to \$2,700 and \$400.00 for a minimum balance should be changed to \$900.00. Mr. Suckstorf stated that the escrow fees currently outlined in Section VI.B.(2) should be changed from \$1,200 for an initial deposit to \$3,000 and \$600.00 for a minimum balance should be changed to \$1,000. . Mr. Suckstorf stated that the escrow fees currently outlined in Section VI.C.(2) should be changed from \$3,000 for an initial deposit to \$18,000 and \$1,000 for a minimum balance should be changed to \$6,000.

Chairman Norris and Vice Chairman Perrotti had a discussion about the structure, purpose and fairness of fees. Supervisor Reynolds agrees that fees for simple lot line changes should not be cost prohibitive. *Chairman Norris made a motion to accept the fee structure dated 3/29/10 with no edits. Supervisor Reynolds seconded the motion. Carried by unanimous vote.*

## 2. Discussion of Revised Sign Ordinance (Suckstorf)

Mr. Suckstorf stated that the ordinance only affects wall signs. The changes are underlined and believe them to be necessary to assist businesses in attracting customers. Mr. Suckstorf stated that the revised sign ordinance was in line with the surrounding townships. Mr. Suckstorf pointed out that the airport zone and the business development zone were not included in §200-112 Industrial Commercial Zone. Manager Hill stated that the Township needs to consult with the Planning Commission, advertise the proposed changes to the Ordinance and take action. Manager Hill stated that the Ordinance must first be rewritten and submitted to the Chester County Planning Commission. Chairman Norris stated that the Board authorized Solicitor Land to amend the Ordinance according to Mr. Suckstorf's recommendations. Manager Hill stated that the Planning Commission should look at it while Board reviews it.

## 3. Discussion of Utility Easements on Airport Property (Land)

Solicitor Land says no ultimate decision has been made. Solicitor Land wants to hold a meeting with the cell tower company, Kimball and the Township to clarify the issue of the easements and determine where the location should be and who is responsible for moving them for the construction of the pad site. Chairman Norris asked for recommendations from Solicitor Land at next month's meeting.

Supervisor Reynolds questions how mistake will impact 2 acres already disturbed. Solicitor Land stated that that has not been discussed. Chairman Norris stated that he has meeting with Mr. Bernardon tomorrow afternoon to look at master plan of airport. Solicitor Land noted that the cable must be moved to comply with original design and location of pad site.

Chairman Norris noted that there is a conference call scheduled on Wednesday, April 14<sup>th</sup> related to the state police at the airport. The call is exploratory in nature. Manager Hill said they may be asked about constructing building.

4. Report on Cell Phone Service Providers and Allocation of Cell Phones

Manager Hill stated that the test phones would be delivered tomorrow. Once the phones have been distributed and tested, he will give a recommendation regarding the service provider. Manager Hill stated that he outlined who should have phones in his memorandum dated March 12<sup>th</sup>. The Board of Supervisors agreed that the policy, as written in the March 12, 2010 Memorandum should be put into place and advised Manager Hill to do so.

EXCERPT from 3-12-10 Memorandum (not recited, but referred to in the Minutes.

Cell Phones: After considering the department head's requests, my recommendation for cell phone distribution is as follows. My position is that cell phones should be issued to those who have a normal work area not near a landline phone:

Police Department: 12 (11 for officers and one at the station) Dampman, Greenwalt, Call, Sabillion, Lindenlauf, Gibson, Cooper, Raimato, Massey, Nangle, Cowdright and Station.

Public Works: 9 (3 for sewer and 6 for Roads) Yakscoe, McCann, DiFilipio, J. Stewart, Clements, Gantt, M. Stewart, Reed and Nunn.

Airport: 1 Martin

Parks: 1 Underwood

Administration: 2 Hafner and Suckstorf (to be shared with staff as needed.

5. Supervisors' updates on Priority Initiatives

#	Priority	Weighting	Supervisor
1	Open Space Plan/Land Plan	20.3	Reynolds
2	Comprehensive Road Plan	15	Hoopes; Norris
3	Improve Toughkenamon	6	Perrotti
4	Zoning Oversight/Review/Enforcement	5	Reynolds; Gordon
5	Airport Comprehensive Development Plan	4	Hoopes; Norris
6	Business Economic Development	3.3	Perrotti

Chairman Norris asked for any relevant updates or developments on the Supervisors' Priority Initiatives.

Supervisor Reynolds stated that he has met with a property owner. The individual is now interested in selling development rights to the Township for Open Space Preservation. He is amenable to the price offered. Supervisor Reynolds will keep the Board apprised of his progress

Supervisor Hoopes asked if the Township should be involved in the design of the Old Baltimore Pike detour.

Vice Chairman Perrotti stated that Toughkenamon will be part of the Baltimore Pike Traffic Study. Manager Hill noted that PennDOT approved McCormick Taylor who will provide 7 copies of technical and cost reports.

Supervisor Reynolds said there was no report on Item #4.

Chairman Norris stated that he has meeting with Mr. Bernardon to look at the first draft of the overall plan. Chairman Norris will report his findings at the Board's next work session.

## **G. OTHER BUSINESS**

### 1. PSATS Resolutions

Chairman Norris said Supervisor Reynolds is the voting member on behalf of the Board and Township. Chairman Norris stated that Supervisor Reynolds should vote according to his conscience. Supervisor Reynolds stated that most of the issues are complex legislative initiatives and asked for any input or opinions from the Board.

### 2. Update/status on location of police department

Supervisor Gordon stated that she has been speaking with different individuals and looking at Township property on Route 41. She feels strongly that the police department should be located on Route 41 and suggested improving the entrance to the park at the same time the police location is improved. Supervisor Gordon feels that the existing space in the lower level of the Township building is better suited for a Community Center and does not feel it would adequately house and service the police department. Chairman Norris suggested a special work session with the proper individuals to be held in late May.

### 3. Stormwater Best Management Practices

Chairman Norris asked for comment on the Stormwater Best Management Practices. *Chairman Norris made a motion to approve the proposed plan, approved by Solicitor Land, for CREI. Vice Chairman Perrotti seconded the motion. Carried by unanimous vote.*

### 4. Airport Mowing

Mr. Yakscoe submitted his memorandum in support of retaining an outside company to perform mowing at the Airport. Mr. Yakscoe feels the price is reasonable as it is \$300 per mowing less than last year and believes a 2 year contract would be best. Mr. Yakscoe reminded the Board that this is a big chunk of time for the Public Works Department and feels the time would be better spent serving the residents. *Vice Chairman Perrotti made a motion to approve Deerfield Mowing & Property Maintenance for the contract for grass mowing for the 2010 and 2011 season at \$550.00 per week. Supervisor Hoopes seconded the motion. Carried by unanimous vote.*

5. Mushroom Festival Contribution

Perrotti provided list of local entities that have benefited from contributions from the Mushroom Festival. *Vice Chairman Perrotti made a motion to approve the donation of \$3,000 to the 2010 Mushroom Festival. Supervisor Hoopes seconded the motion. Carried by unanimous vote. .*

Supervisor Gordon stated that she has received complaints about speeding on Buttonwood Road through Somerset Lake. Supervisor Hoopes has heard similar complaints. Manager Hill will ask the police to put the speed board on Buttonwood Road and will have recommendations next month about Buttonwood Road.

**H. ADJOURNMENT to Executive Session at 9:34 p.m.**

Respectfully submitted,

Pam Willis  
Township Secretary