

New Garden Township

Board of Supervisors

Work Session

June 15, 2010

7:30 p.m.

Minutes

Supervisors:

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

Others:

Ed Hill, Interim Manager
Pam Willis, Secretary
Neil Land, Esq. (Solicitor)
Jack Wuerstle, Esq.
Todd Fenstermaker
Bernie McKay
Gary Bell
Debbie DuBoise
Don Suckstorf
Spence Address
Dan Fox

A. Call to Order and Pledge of Allegiance

The meeting was called to order at 7:30 p.m. and a pledge to the flag was recited.

B. Opportunity for Residents to Address the Board

John Weidemann, a resident of Candlewyck, presented the Board with a list of questions regarding the punchlist items and the bonding company. The Board authorized Solicitor Land to dedicate up to four hours of research time to answer the questions/issues provided by Mr. Weidemann.

C. New Business

1. Exelon Electric Presentation (Todd Fenstermaker): Hill explained with deregulation quickly approaching, it was important to actively seek the most competitive prices. Mr. Fenstermaker gave a presentation which outlined billing, competitive transition, fixed pricing, managed index buying and load factors. Fenstermaker and Perrotti discussed billing options and peak shaving. Fenstermaker gave a brief overview of bundling and peak pricing.

2. SBA Tower Lease: Hill made the recommendation, based on calculations provided by Mr. Gay, to continue the lease under the present terms and reject the 99year lease buyout. The Board agreed with Hill's recommendation.

3. Township Property Master Plan: Hill reported that he solicited 3 firms and received 2 proposals. Based on cost, Hill recommends Buchart Horn at a price of \$9,600.00. Hill reported there is money in the budget to cover the cost. *On Motion by Hoopes and second by Gordon, the Board voted 4-1 (Perrotti opposed) to accept the recommendation of Hill and engage Buchart Horn to develop a Township Campus Master Plan at a cost not to exceed \$9,600.00.*

4. Ridge Service Contract: Hill and Willis supported the Service Contract. The Board requested that at least two competing bids be submitted for comparison. *On Motion by Norris, and second by Reynolds, the Board voted unanimously to get at least two other bids for IT Maintenance and Support.*

5. Township Appointment: Manager: Norris introduced Daniel C. Fox, who addressed the Board. *On Motion by Perrotti, and second by Hoopes, the Board unanimously voted to adopt Resolution #643 appointing Daniel C. Fox as Township Manager of New Garden Township.*

6. Budget Amendment: Manager Hill stated that this amendment would move funds to correct some deficient and excess funding issues and would balance the budget. Discussions were held regarding anticipated receipt of FEMA reimbursement funds, Verizon FIOS permit fees windfall, reimbursement of 50% of the cost of the traffic signal battery back-up, inspection fees for KCSD and additional funds for snow removal. *On Motion by Gordon, and second by Norris, the Board voted unanimously to adopt Resolution #644 to adjust the 2010 New Garden Township budget.*

D. OTHER BUSINESS

1. Countywide Stormwater Management Act 167: Don Suckstorf explained Act 167. He stated it was enacted in 1978 and required the County to implement Stormwater management plans for each watershed and provided an additional packet of information. He stated that by complying with the requirements of Act 167, we would comply with all MS4 requirements as well. Norris asked Mr. Suckstorf to work with Mr. Cline and the Planning Commission and make recommendations regarding current ordinances and future adoption/incorporation of issues.

2. Escrow Fees: Mr. Suckstorf provided the Board with a packet of historical information on escrow fees and answered questions from the Board. *On Motion by Perrotti, and second by Gordon, the Board voted unanimously to approve Resolution #645 to reset fees charged for various services and permits in New Garden Township.*

3. Open Space Review Board: Mr. McKay presented the Open Space Review Board's 2010 priorities as follows:
 - a. Preserve roadside rural vistas
 - b. Preserve natural resource areas
 - c. Preserve working farms
 - d. Preserve historic land
 - e. Give priority to lands abutting current protected lands to maximize effectiveness of greenway corridors
 - f. Support the "Friends of New Garden Trails" organization in their effort to build a trail network

Mr. McKay also reviewed the status of obtaining land and/or conservation easements. Each Board member shared their thoughts and agreed that the acquisition of land for open space needs to be pursued aggressively, and economically, in order to preserve the land in New Garden Township. Norris thanked McKay, on behalf of the Board, for his hard work and dedication to the Open Space Review Board.

4. Airport Taxiway Change Order: Hill stated that \$77,450.87 was due Technivate, which the BOA agreed with. He suggested authorizing the Chairman to sign it so it can be forwarded to the funding agency. *On Motion by Perrotti, and second by Reynolds, the Board voted 4 – 1 (recusal by Hoopes) to authorize the Chairman to sign Change Order #1 in the amount of \$77,450.87.*

5. Kimball Supplement: Tabled at the request of Hill.

6. Sewer Pump Station Easement: The Studinzkis are seeking payment of \$7,500.00 for 373 square feet of property encroached on by construction of the pump station in Bancroft Woods. Perrotti noted the error was made by the developer, which was discovered during exploration of expanding the pump station. Perrotti feels \$5,450.00 is a fair offer and that the Township should not incur any additional costs. *On Motion by Perrotti, and second by Gordon, the Board unanimously voted to make a counter offer in the amount of \$5,450.00 to the Studinzkis in full payment for the encroachment of the Bancroft Woods pump station.*

E. OLD BUSINESS

1. CRC/Bowling Green: Jack Wuerstle, Esq. appeared on behalf of CRC, seeking input from the Board regarding revision of the conditions now in place regarding sewer tie-in. Mr. Wuerstle stated it was unfair to expect CRC to bear the entire cost of the sewer-tie and suggested improvement of the existing plant, which is capable of handling current and planned future capacity. Perrotti stated he is concerned because the existing plant is in the watershed and feels as a preventative measure, it would be prudent to set a date by which CRC would be required to tie into the sewer and decommission the existing plant. Address stated there needs to be some kind of mechanism in place that revisits the issue once another party is involved or if the plant fails to work sufficiently. Norris stated that there are two separate issues: capital costs to get sewer issues rectified and the problematic history of the existing plant and reminded the Board that CRC is a for-profit organization. Perrotti stated it would be unfair for someone to have to wait 5

years for CRC to reimburse them for their share of the sewer tie-in. A majority of the Board agree that an Escrow Bond or other measure be in place to allow the Township to quickly remedy any problems that arise. A majority of the Board agreed that CRC would have three (3) years to tie in once a partner is found. A majority of the Board agree that after ten (10) years, CRC should be absolved of any obligation to tie into the sewer. Norris asked Mr. Wuerstle/CRC to honor the results of the straw poll and follow the general guidance of the Board.

2. PREIT Clean-up: Reynolds reported they met with PREIT representatives and presented them with a list of options regarding clean-up, payment options and other issues related to the site. PREIT does not feel they are responsible for the Somerset Lake issues, however, they agrees to have engineers look at the situation.

AIRPORT TECHNOLOGY REPORT:

Norris gave a presentation regarding Bernardon's revised plan. The major change is the location of the roadway. Norris reviewed the benefits and detriments of placement of the roadway including losing existing woodlands. He asked for comments. Andress stated the project should be phased and evaluated for economic feasibility. Perrotti felt the cost of the road was the most prohibitive factor and stated that the purpose of the airport purchase was to increase revenues. Reynolds and Gordon stated there should be less density in the development of buildings. Hoopes was concerned that the impact of traffic could destroy the rural nature of Polo Road and surrounding properties. Martin pointed out that creeks and wetlands prevented the road from going through the Cardile property. He also stated that this plan would be used for funding request submitted to the BOA. Norris stated the following action items were the next step:

- * Remove road at top of existing plan
- * Investigate potential road through Geist or Schroeder properties

On Motion by Norris, and seconded by Perrotti, the Board of Supervisors voted 3-2 (Norris, Perrotti and Hoopes, aye and Reynolds and Gordon no) to approve and proceed with the plan prepared by Bernardon and presented to the Board through the development of a Land Development Plan.

Norris motioned to adjourn the meeting at 11:55 p.m.

Respectfully submitted,

Pam Willis
Township Secretary