

**New Garden Township  
Board of Supervisors  
Work Session  
December 8, 2009**

**Supervisors Present**

James Neal, Chairman  
Stephen Allaband, Vice Chair  
Robert Perrotti  
Barclay Hoopes  
Bob Norris

**Others Present**

Spencer Andress  
Carmen Raddi, Manager  
Warren Reynolds  
Betty Gordon

**I. CALL TO ORDER**

Chairman Neal called the meeting to order at 7:30pm with a pledge to the flag.

**II. NEW BUSINESS**

**A. PREIT/ Sewer Issues-** Mr. Andress stated that he intended on having a detailed discussion of the East End planning but is not prepared due to a meeting last week with PREIT who is a major contributor to improvements. Mr. Andress stated that after a detailed timeline review it seems that there is an 18 month delay but they are still moving forward. Vice Chairman Allaband stated that there are significant road improvements to be done and Mr. Andress stated that they have an issue with their PennDot permit and signing leases. Wawa is adamant that the intersection be signalized prior to commitment. The lease agreement with Kohl's and Walmart are gone. Supervisor Norris stated that in speaking with Joy DeJesus of PREIT, Walmart is to expire in January but that there are attempts to revive. Mr. Andress stated that they are trying different sale/ leasing attempts but the zoning may be an issue. Supervisor Perrotti stated that they are hopeful for an opening at the end of 2012.

**B. Sewer Transition-** Mr. Andress stated that he is working with Scott Gantt and others on the transition and it is going well considering a few challenges. Mr. Andress stated that the violations are cleared and DEP has been contacted to attempt to resolve penalties. Supervisor Norris stated that there is a need for an operating procedure. Supervisor Perrotti stated that Michael Stewart has been very helpful to Mr. Gantt and offered that he gets a permit to operate the plant as a back up.

Supervisor Perrotti stated a decision needs to be made as to how to handle the MS4 in that Mr. Gantt does not have the time to acquaint Mr. Suckstorf. Supervisor Perrotti suggested that Pennoni handle the MS4 for now in that it is no more than filing proper reports. He also suggested the possibility of working

with other Townships. Vice Chairman Allaband and Supervisor Perrotti agreed that Mr. Gantt should do nothing other than sewer.

Vice Chairman Allaband motioned that Mr. Andress put out a Request for Proposals for the MS4 program. After further discussion Supervisor Norris suggested that an engineer handle compliance and public questions and education being handled in house. Mr. Andress stated that the Township Engineer reviews the SLDL plans and sees added value if they are involved in stormwater and MS4 which would avoid any overlap if more than one engineer were to be involved.

**C. Commonwealth Real Estate Investors Final Land Development-** Mr.

Andress stated that the plan is showing a gravity sewer system throughout the project. There were questions from the DEP and URS reviews which caused them to abandon the gravity system and go with a low pressure grinder pump. This could cause some effect on open space or roads. They have requested an additional 30 days to work out the matter further. Supervisor Norris stated that he is inclined to not approve the plan for the reasons stated in Mr. Andress's letter and they should be notified of the same. The Board concurred and Mr. Andress is to contact them.

**D. Bowling Green Preliminary Land Development Approval-** Mr. Andress

stated that a year ago Medical Ventures wanted to be in the lead of sewer and water, therefore Bowling Green was waiting for Medical Ventures which has caused them to be behind. Mr. Andress stated that after a meeting with their attorney they were advised to make a commitment and draft an agreement of how the extension is to be handled. They have not paid the first 20%. Once they have preliminary plan approval they have a vested right of final approval and believes it critical until something is in place for sewer. Mr. Andress suggested that the Solicitor ask them for an extension until they have a resolution. Supervisor Norris stated that he would be inclined to deny the plan next week. Solcitor Land is to contact Bowling Green to explain the situation.

**E. Planning Commission Meeting attendance-** Supervisor Norris stated that the

Planning Commission has found a great benefit to Manager Raddi attending the PC meetings and questioned if Mr. Andress should attend with Mr. Suckstorf for a quarter until Mr. Suckstorf can take over. Chairman Neal and Vice Chairman Allaband expressed their mixed feelings of how many roles Mr. Suckstorf should play. Manager Raddi stated that there is not much before the Planning Commission and does not see a problem with him joining Mr. Andress for a quarter and then take over. The board concurred.

**F. Consideration of planning and engineering services contract for URS-** Mr. Address stated that it is the standard form of the yearly retainer. Chairman Neal requested that the “ownership of documents” be removed. He questioned what exactly is being paid for with the hourly rates of \$150-\$215. Mr. Address stated that is standard with professional agreements. Chairman Neal suggested that a specific number be given. Supervisor Norris stated that the number is a 40% difference in rate and suggested a specific rate list. He also requested that since they cannot keep the same previous rates that the increase be outlined for the specific top individuals. Mr. Address stated that this is a broad contract and that URS provides a job specific proposal that is reviewed further by the Board for each project. Mr. Address is to detail the rates of the most involved individuals and compare them to the previous rates.

**G. Bancroft Woods upgrade-** Supervisor Perrotti questioned the status of the Bancroft woods upgrade which was supposed to be reimbursed by the developer. Mr. Address stated that one project is the Hawks Glen project which is non-active and one is realigning the main.

**H. Engineering Billings-** Supervisor Norris questioned if a consultant is doing work on behalf of a developer if they can be billed individually and the Manager informed that the engineering billings have to go through the Township.

**I. Approval of URS bills-** Mr. Address stated that he reviewed the URS invoices and recommended approval. Supervisor Perrotti motioned to approve the URS bills. Vice Chairman Allaband seconded to a four to one vote as Supervisor Norris recused as he had not reviewed the bills.

**J. Kershaw-** Mr. Romanelli of Wilkinson Builders stated that due to the Board approving the rezoning last month he requested discussion of sewer options for the newly submitted preliminary plan of Harlow Point. He stated that there is an existing declaration of Southwood which would require an amendment be made to add an age restricted community. Mr. Romanelli requested that the amendment be reviewed and considered by the Board. The other lot owners were agreeable. Vice Chairman Allaband questioned if Wilkinson would pay for the Solicitor’s review and Mr. Romanelli stated that they would as long as the Board approved the amendment contingent on the Solicitor’s review. Vice Chairman Allaband motioned to approve the amendment contingent on the Solicitor’s review which Wilkinson Builders will pay for and that Manager Raddi be authorized to sign. Supervisor Norris amended the motion to also authorize that the Secretary sign in Mr. Raddi’s absence. Supervisor Norris seconded to a unanimous vote.

### **III. OTHER BUSINESS**

**A. Property Acquisition-** The Board discussed property acquisition of the Seitz property and that the OSRB would definitely approve the purchase of property that is contiguous to the Township park. He question if it would be worth while to look at buying all of the property and Manager Raddi stated that it would not be. Vice Chairman Allaband stated that part of the property will be impacted by PennDot improvements and recent Verizon easements. Supervisor Perrotti stated that for the Township to acquire the property it will have to be subdivided. Supervisor Perrotti suggested purchasing the entire property and subdivide a portion for commercial sale. Manager Raddi stated that the Township cannot acquire the property with open space funds that will not be open space and the Township should not be speculating.

Manager Raddi stated that the OSRB is working on purchasing the Wollaston property for the purpose of trails. Supervisor Perrotti stated the Board needs to make a decision on the Seitz property. Vice Chairman Allaband stated that it would be a simple lot line change and subdivision. Supervisor Perrotti stated that the bottom part of the park is useless unless more can be extended on the Seitz property. Chairman Neal agreed to move forward with the price. Manager Raddi stated that the appraisal of the Sietz nonresidential was \$200,000 but that the last negotiation was done through the Solicitor. Supervisor Norris stated that the properties are zoned as two different uses and would need to give fair market value. Supervisor Perrotti stated that the lot line should be where the use changes and that the matter should be handled by the OSRB. Supervisor Perrotti requested that the Solicitor research further. He suggested taking the 5 acres and adding it to the park. Mr. Reynolds questioned if a field can be put on the property and still be considered open space and Manager Raddi informed that it could be.

Mr. Andress suggested that the environmental issues also be looked at. Supervisor Perrotti is to contact the OSRB.

**B. Township Fees-** Supervisor Norris requested the recommended fee increases for 2010. Manager Raddi is to provide to the Board.

### **IV. ADJOURNMENT**

By a unanimous vote the meeting was adjourned at 8:50pm.

Respectfully Submitted,

Kathryn Parlier,  
Township Secretary