

**NEW GARDEN TOWNSHIP  
299 STARR ROAD  
LANDENBERG, PA 19350  
BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
MARCH 17, 2014**

Present:

Betty Gordon, Chairman

J. Patrick Little, Vice-Chairman

Stephen Allaband

Richard Ayotte

Randy Geouque

Spencer J. Andress, AICP, Interim Manager

Lewis Gay, Secretary/Treasurer

Vince Pompo, Solicitor

Kenneth Reed, Public Works Director

Sgt. Keith Cowdright

Pete Scilla

Chris Robinson

Mike Donovan

Jane Waggoner

Richard Gaw

A. CALL TO ORDER

Chairperson Gordon called the meeting to order at 6:33 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was recited.

C. 1. PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

None

2. PERSONS WHO WISH TO BE RECOGNIZED

Jane Waggoner commented that she has signs, regarding Artesian, available for the public in support of the effort to stop Artesian from removing water from the Township.

D. UNFINISHED BUSINESS

1. Motion by Mr. Ayotte and second by Mr. Allaband to prepare an ordinance to increase sewer rates as presented. The vote was unanimous to adopt the motion as presented.

2. Motion by Mr. Little and second by Mr. Allaband to approve the revised definition of “Museum” and preparation of an ordinance to amend the Zoning Ordinance to incorporate the definition. The vote was unanimous to adopt the motion as presented.

3. Motion by Mr. Little and second by Mr. Allaband to table approval of a new definition of “Cultural Facility” and preparation of an ordinance to amend the Zoning Ordinance to incorporate the definition. The vote was unanimous to adopt the motion as presented.

4. Motion by Mr. Geouque and second by Mr. Ayotte to authorize the Solicitor to determine the appropriate next steps with regard to the Zoning Hearing Board decision related to the Jeannette J. Zebley Residuary Trust. The vote was approved four in favor to adopt the motion as presented; Mr. Allaband recused himself because he was on the Zoning Hearing Board for the hearing.

5. Motion by Mr. Allaband and second by Mr. Little to approve the Memorandum of Understanding with Kennett Township related to the Cypress Street Sidewalk Project and to apply for a State grant. The vote was unanimous to adopt the motion as presented.

6. Motion by Mr. Allaband and second by Mr. Ayotte to approve advertising an ordinance related to the Intergovernmental Agreement with Kennett Township relating to the Sidewalk Project. The vote was unanimous to adopt the motion as presented.

#### E. NEW BUSINESS

1. Motion by Mr. Geouque and second by Mr. Allaband to table endorsement of the 2014 Park and Recreation Board Events Proposal. The vote was unanimous to adopt the motion as presented.

Recreation Director Barbara Underwood will be requested to attend the next Board meeting to address the proposal, celebration of Township’s 300<sup>th</sup> Anniversary, KAU concerns, previous programs not included in this year’s proposal and other items of interest.

2. Motion by Mr. Little and second by Mr. Allaband to proceed with Sharp Road/Sheehan Road/Route 41 Intersection Project (Alternate #3) as presented by McMahon Associates estimated to cost \$225,000. The vote was unanimous to adopt the motion as presented.

3. Motion by Mr. Allaband and second by Mr. Geouque to approve McMahon Associates Proposal for Engineering Services related to the Sharp Road/Sheehan Road/Route 41 Intersection Project. The vote was unanimous to adopt the motion as presented.

4. Mr. Little gave a presentation explaining the formation of a “Communications Committee” to enable and enhance information sharing for the residents and businesses in the Township.

Motion by Mr. Allaband and second by Mr. Geouque to authorize the formation of a “Communications Committee” and fund its startup in an amount not to exceed \$5,000. The vote was approved four in favor to adopt the motion as presented; Mr. Little abstained from the vote.

5. Motion by Mr. Allaband and second by Mr. Little to table action on the formation of an “Airport Lands Development Exploratory Committee”. The vote was unanimous to adopt the motion as presented.

## F. FUNCTIONAL AREA UPDATES

### 1. Administration.

a. Motion by Mr. Allaband and second by Mr. Ayotte to ratify hiring Jose G. Reyes and Ryan D. Kushner as part-time police officers effective as of the February 24, 2014 Board meeting. The vote was unanimous to adopt the motion as presented.

b. Motion by Mr. Allaband and second by Mr. Little to approve Keystone Collections Group’s proposal for billing and collection of the “Fire Hydrant Tax”. The vote was unanimous to adopt the motion as presented.

c. Motion by Mr. Geouque and second by Mr. Allaband to approve advertising an ordinance and required documentation related to the \$186,000 Capital Projects loan. The vote was unanimous to adopt the motion as presented.

d. Chairperson Gordon announced vacancies exist for two (2) Auditors, a Volunteer Coordinator, a Sewer Authority member and a Zoning Hearing Board Alternate member.

e. Chairperson Gordon announced the dates of the Spring “Clean-Up”. The dates are April 11 (7 a.m. – 5 p.m.), April 12 (9 a.m. – 5 p.m.) and April 13 (9 a.m. – 3 p.m.).

### 2. Solicitor Updates.

a. PREIT - On February 27, 2014 Commonwealth Court denied re-argument. Next step in litigation – PREIT can petition Supreme Court within 30 days.

b. Artesian Matter – Senator Dinniman sent a letter to the DEP regional office voicing disappointment with its decision to allow testing.

c. Recent Zoning Hearing Board Decisions – OPPY property appeal was approved. Chase and Kimmel appeals were denied. Applicants have 30 days to appeal the Zoning Hearing Board’s decision.

d. Special Events Ordinance – The Solicitor has prepared a draft ordinance for Board of Supervisors to review and get back to him with comments prior to March 24, 2014.

3. Treasurer.

a. Motion by Mr. Little and second by Mr. Ayotte to approve the list of disbursements in the amount of \$398,129.85. The vote was approved four in favor to adopt the motion as presented; Mr. Allaband abstained from voting on the Richard Crossan and Jenkins & McMahon invoices.

b. Motion by Mr. Little and second by Mr. Allaband to ratify payment of the bills listed on the Paid Bills Report totaling \$173,341.56. The vote was unanimous to adopt the motion as presented.

G. APPROVAL OF THE MINUTES

1. There were no minutes to approve.

H. GENERAL DISCUSSION

Mr. Michael Donovan asked if there has been any discussion with PREIT. There has been none.

I. EXECUTIVE SESSION(S) HELD OR SCHEDULED

Chairperson Gordon announced there will be an executive session this evening to discuss various legal, personnel and real estate matters.

Chairperson Gordon also announced that the next meeting of the Board of Supervisors will be Monday, March 24, 2014 starting at 6:30 p.m.

The Board recessed at 9:02 p.m. and reconvened at 10:47 p.m.

J. ADJOURNMENT

Motion by Mr. Little and second by Mr. Geouque to adjourn the meeting at 10:50 p.m. The vote was unanimous to adopt the motion as presented.

Respectfully submitted,

Lewis J. Gay  
Secretary