

NEW GARDEN TOWNSHIP
299 STARR ROAD
LANDENBERG, PA 19350
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
AUGUST 18, 2014

Present:

Betty Gordon, Chairman
 Stephen Allaband
 Richard Ayotte
 Randy Geouque
 Patrick Little

Spencer J. Address, AICP, Interim Manager
 Lew Gay, Secretary/Treasurer
 Vince Pompo, Solicitor
 Jon Martin, Airport Manager
 Ken Reed, Public Works Director
 Chief Simpson
 Mirlene Saintval, PennDOT
 John Maloney
 Donna Murray
 Karen Amman
 Michael Horrack
 Barry Crozier, Historical Commission
 Ted Christie
 Mike Hagerty, Court Reporter

120112

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

a. Mirlene Saintval / John Maloney (PennDOT) – Route 41 & Newark Road Updated. Provided an update on the Route 41 & Newark Road project. Improvements will include left turn lane, curbs, drainage and stormwater management. The project is Federally funded. Tentative schedule is for preliminary design this fall. Final construction to take between one and one and half years. Mr. Maloney will email the drawing.

b. Donna Murray / Michael Horrack – Bayard Taylor Memorial Library Municipal Funding. Discussed a request for \$75,000 annual funding; funding is for operations only – not capital. Answered questions from the Supervisors and public. Suggested dedicated tax referendum for the library. Also need to prepare a plain English version of Resolution #721.

Motion by Mr. Allaband and second by Mr. Geouque to adopt Resolution #721 as presented with the following additions: 1) the amount of tax is to be 0.0927 MILS; 2) the current real estate millage is 1.62; and 3) reference to the library changed to read Bayard Taylor Memorial Library also-known-as the Kennett Library. The vote was unanimous to adopt the motion as presented.

2. PERSONS WHO WISH TO BE RECOGNIZED

a. Save Our Water Committee. Barry Crozier gave a status report of the activities of the committee. They have organized into subgroups - Membership, Water Science, Government Communications and Public Communications.

b. Ted Christie – Historical Commission. Provided an update on the Township's Tri-Centennial Celebration in the park scheduled for September 27, 2014. Ted Christie and Barb Underwood will produce a detailed timeline.

D. UNFINISHED BUSINESS

None.

E. NEW BUSINESS

1. 8:37 p.m. Public Hearing, chaired by Solicitor Pompo, related to adoption of Ordinance #2014-212 regarding zoning amendments to add definitions of accessory structures and changes/expansion of uses and other changes. Public input was requested. There were comments from Zoning Hearing Board member Richard Zimney. Hearing was closed at 8:47 p.m.

2. Adopt Ordinance #2014-212 – Zoning Amendments.

Motion by Mr. Little and second by Mr. Ayotte to adopt Ordinance #212. The vote was unanimous to adopt the motion as presented.

3. 8:48 p.m. Public Hearing, chaired by Solicitor Pompo, related to adoption of Ordinance #2014-213 regarding zoning amendments clarifying applicability to new uses; revising definitions, revising designs, permitting museums in the H/C Zoning District and other changes. Mr. Geouque asked questions. Hearing was closed at 8:55 p.m.

4. Adopt Ordinance #2014-213 – Zoning Amendments.

Motion by Mr. Allaband and second by Mr. Little to adopt Ordinance #2014-213. The vote was unanimous to adopt the motion as presented.

F. FUNCTIONAL AREA UPDATES

1. Administration.

a. Airport Operations & Programs. Airport Manager Jon Martin made a PowerPoint presentation regarding painting the hangars, the Oshkosh airshow, the future aviators summer camps, the upcoming airshow, next month's remote control airplanes event and the Multimodal grant status.

b. Permit Fee Refund – Medix Companies. Interim Manager Andress reviewed the request for a permit fee refund that will be made "less expenditures".

c. PECO Green Region Open Space Program Grant. Interim Manager Andress announced the Township will consider participating in the application process for a PECO Green Program Open Space Program Grant if an appropriate project is identified.

d. Health Insurance Replacement. Interim Manager Andress provided an update on replacement of the Township's Health Insurance plan. The new plan will be with Independence Blue Cross and will use a third party administrator to handle the self-insurance component effective August 15, 2014. Dental coverage will stay with Aetna.

e. Intermunicipal Sidewalk Project. Interim Manager Andress provided an update and reviewed the highlights of a meeting pertaining to the project.

f. Sewer Systems Operations. Interim Manager Andress provided an update; one operator is out sick and the second operator has resigned. The Township presently has an agreement with Walton Water Services to operate the system.

g. Sewer Systems Potential Sale. Interim Manager Andress gave an update regarding site inspections by prospective buyers. An RFP is being prepared and will be sent to the interested parties in the near future.

h. Pension Plan Audit – Report of Findings. Finance Director Gay explained that the State Auditor General's office has recently performed 3-year audits of both the Police Pension Plan and the Non-Uniform Pension Plan; no findings or written observations on either plan. The department recommended that the Township implement a written policy to provide procedures on how professional services are chosen. Solicitor Pompo has already prepared a first draft and this is expected to be ready for the September meeting.

i. Police Operations. Update by Chief Simpson.

(1) Two new vehicles were ordered; one is already in service and the second car will be available in approximately two weeks.

(2) On September 21, 2014 the department will be participating with Kennett Square Borough in an event for youth at the park in Kennett Square.

(3) London Grove Township requested to join the DCED study process related to the viability of forming a regional police department. The first meeting regarding regional policing was very positive.

(4) The next edition of *Landenberg Today* will include an article about the New Garden Township Police Department.

j. Burglary and Robbery Alarm Systems Ordinance. Chief Simpson spoke regarding the purpose and scope of regulations.

(1) Believes **both** Chapter 46 & 47 were in effect.

(2) 2013 started to enforce the Ordinances.

(3) 2014 started to charge a registration fee.

(4) Need to know responsible parties.

(5) A lot of advanced notice was given prior to beginning enforcement.

(6) 2014 started to enforce Chapter 47.

(7) Discussed proposed Ordinance.

(8) Cost to respond to false alarms.

(9) Registration fee to help defray administrative efforts.

2. Solicitor Updates.

a. Harrogate South Proposed Plan Amendment Request to delete the tot lot and playground from the agreement. Solicitor Pompo reviewed the legal issues. What about an alternative recreation use at the location?

Motion by Mr. Allaband and second by Mr. Little to table action on this proposal and to have Solicitor Pompo look into Subdivision and Land Development Ordinance requirements and compliance. The vote was unanimous to adopt the motion as presented.

b. Worrell Zoning Hearing Application. Solicitor Pompo reviewed the Zoning Hearing Board decision and stated that no action is needed.

c. Roger Summers Lawn Care, Inc. Conditional Use Hearing. Board of Supervisors need to schedule a hearing date.

Motion by Mr. Ayotte and second by Mr. Allaband to schedule a public hearing for September 15, 2014 at 6:30 p.m. The vote was unanimous to adopt the motion as presented.

3. Treasurer.

a. Motion by Mr. Little and second by Mr. Ayotte to approve the list of disbursements in the amount of \$265,082.01. The vote was unanimous to adopt the motion as presented.

b. Motion by Mr. Little and second by Mr. Allaband to ratify payment of the bills on the Paid Bills Report totaling \$321,097.70. The vote was unanimous to adopt the motion as presented.

G. APPROVAL OF THE MINUTES

1. Motion by Mr. Geouque and second by Mr. Allaband to approve the minutes of the July 21, 2014 meeting. The vote was unanimous to adopt the motion as presented.

H. GENERAL DISCUSSION

Public Works Director Reed provided an update on this year's street improvement projects. Penn Green Road and New Garden Road are completed. Bucktoe Road and Sharp Road work will be done within two weeks. The State did the improvements to the intersection of Baltimore Pike and Newark Road.

Mr. Reed also discussed the fuel tank repairs. Quotes to repair differ by over \$10,000; he is researching the difference.

Interim Manager Andress talked about budget and repair of roads.

PREIT update is scheduled for September 15, 2014.

I. EXECUTIVE SESSION(S) HELD OR SCHEDULED

Chairperson Gordon announced the Board will hold an executive session tonight to discuss Acquisition of Development Rights; Property Acquisition and Litigation.

The Board recessed at 9:38 p.m. and reconvened at 11:04 p.m.

Chairperson Gordon announced that an executive session was held this evening to discuss Acquisition of Development Rights, Property Acquisition and Litigation.

Chairperson Gordon announced that the next meeting of the Board of Supervisors will be Monday, September 15, 2014 starting at 6:30 p.m.

J. ADJOURNMENT

Motion by Mr. Allaband and second by Mr. Ayotte to adjourn the meeting at 11:06 p.m. The vote was unanimous to adopt the motion as presented.

Respectfully submitted,



Lewis J. Gay

Township Secretary

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