

NEW GARDEN TOWNSHIP
299 STARR ROAD
LANDENBERG, PA 19350
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
SEPTEMBER 22, 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
 Ken Reed, Public Works Director
 Gerald Simpson, Police Chief
 Ted Christie
 Don Peters
 Peg Jones
 Mary Ann Rossi, Esquire
 Andrew D'Fonzo
 Andrea Martin
 Bob Perrotti

A. CALL TO ORDER

Chairperson Gordon called the meeting to order at 6:30 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. Chris Mrozinski / PRIET – Project Status Update. Was not able to attend.
- b. Don Peters - Update on PECO Growing Greener Grant status. Close to winding up the program and finalizing the grant conditions. Made a PowerPoint presentation of various work tasks.
- c. Ted Christie – Presented an update on Tri-Centennial Celebration to be held on Saturday, September 27, 2014.

d. Mary Ann Rossi, Esquire and Andrew D'Fonzo gave an update on the status of the Hawks Glen subdivision. The original plan proposed 86 Townhouse units on 21 acres. Under the new ordinance, there would be a loss of 28-42 units. Ms. Rossi proposed having a third land use attorney review the project and mediate the difference; both sides agreed to pursue that approach. Mr. Allaband asked who pays and who chooses the mediator. Ms. Rossi stated ideally the cost is shared and both parties would choose the mediator.

Mr. Ayotte asked why did the developer give up sewer capacity. Ms. Rossi said land owner did not want to pay the tapping fee and would risk having capacity later. Solicitor Pompo asked Ms. Rossi about the Release and Hold Harmless Agreement.

2. PERSONS WHO WISH TO BE RECOGNIZED

a. Peg Jones – Gave an update on the Lamborn house improvement progress: Walls repaired, windows and gutters installed and roof and porch repaired. Downstairs will be finished in time for the Tri-Centennial Celebration. The following items were noted: No insulation in roof, fire place repairs, kitchen floor, resurface porch and add railing (\$2,000), remove broken concrete and stucco remaining walls (\$1,300). Historical Commission did total cleanup; 430 hours of volunteer time.

b. Andrea Martin – Intersection of Route 41 and Sunnyside Road traffic problems. More problems because of school and St Rocco's. Parking at school is a problem. Church and school should hire traffic control officers when events are held.

D. UNFINISHED BUSINESS

1. Harrogate South – Request to Remove the "Tot Lot". Solicitor Pompo gave an explanation of issues and agreements related to this development. Referred to all of the writings. The ordinance says Board of Supervisors can decide the mix of active and passive recreation. Mr. Ayotte asked what is the definition of active and passive recreation. Mr. Perrotti noted the original approval because of the cluster approach should have active recreation. No trail so a tot lot instead. Homeowners Organization (HOA) should pay Township legal fees.

Motion by Mr. Allaband and second by Mr. Little to accept the Harrogate South request to eliminate the "Tot Lot" and amend the plans to provide for passive recreation. The vote was approved 4-0-1 to adopt the motion as presented; Mr. Ayotte abstained from voting.

E. NEW BUSINESS

1. Fire Hydrant Tax – Requests for Exemption. Interim Manager Andress provided background information. Solicitor Pompo spoke to the Kennett Consolidated School District (KCSO) regarding exoneration. Solicitor Pompo spoke about the second request regarding topography, etc.

Mr. Allaband asked if Kennett Township and Kennett Borough give relief. Mr. Geouque asked how much is the total tax on all buildings? Mr. Ayotte said the KCSD will raise taxes to cover the hydrant tax.

Motion by Mr. Allaband and second by Mr. Geouque to table this item and request Kennett Consolidated School District have a representative present if it desires to be exonerated. The vote was unanimous to adopt the motion as presented.

F. FUNCTIONAL AREA UPDATES

1. Administration.

a. Township Road Projects. Public Works Director Ken Reed gave an update on projects completed this year. The crew laid 235 tons of blacktop by hand and paid \$3,000 for roller rental. The department has done inlet work. Performed MS4 inspections and cleaned out 300 inlets. The Township receives approximately 20 PA One Calls a week. Need to add "at least" one full-time person (holidays – sick time – vacations).

b. Ms. Gordon explained the Library Tax Referendum will be on the November election ballot for consideration.

c. Firing Range Access Request and Recommendations. Chief Simpson gave an update on the New Castle, DE / Newark, DE / CC Department of Corrections requests.

Mr. Ayotte asked if the additional use will create a noise problem with the neighbors.

Mr. Ayotte asked if \$1,000 is "fair" and appropriate.

Mr. Little asked if budget will increase as a result.

Mr. Geouque asked how much has it been used so far; Chief Simpson responded not since July.

Mr. Geouque asked how much is enough; Chief Simpson responded getting close.

Motion by Mr. Geouque and second by Mr. Little to approve the City of New Castle, DE request to use the firing range with \$1,000 annual fee and in-kind service. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Geouque to approve the City of Newark, DE request to use the firing range with \$1,000 annual fee and in-kind service. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Ayotte and second by Mr. Allaband to deny the Chester County Department of Corrections request to use the firing range. The vote was unanimous to adopt the motion as presented.

d. Disorderly Premises – Chief Simpson presented a sample Draft Ordinance pertaining to Disorderly Premises and explained the Police Department’s reasons and concerns regarding this matter. Chief Simpson to work with Solicitor Pompo to prepare a draft ordinance. No objections.

e. Noise – Draft Ordinance Language. Chief Simpson explained the Police Department’s reasons for requesting an ordinance pertaining to noise levels and provided a sample draft ordinance to consider. Chief Simpson to work with Solicitor Pompo to prepare a draft ordinance. No objections.

f. Alarms - Draft Ordinance Language. Chief Simpson explained the Police Department’s concerns and reasons for development of rules and regulations pertaining to this subject.

Motion by Mr. Little and second by Mr. Allaband to have Chief Simpson and Solicitor Pompo prepare an Alarm Ordinance for the Board’s consideration. The vote was unanimous to adopt the motion as presented.

g. Regional Police Study. Chief Simpson provided an update on the study being conducted by DCED. Study is expected to be completed early November.

h. Vive tu Vida. Chief Simpson explained this community outreach program.

i. Chief Simpson announced that the Police Department was honored with special recognition by the Domestic Violence Center of Chester County (DVCCC) for their “initiative and dedication” to DVCCC’s mission to provide intervention, education, outreach, advocacy and programs to prevent, reduce and remedy domestic violence in Chester County. Reminder about 10/7/14 event at 6:30 p.m. at which the New Garden Township Police Department will be recognized.

Bob Perrotti asked what the New Garden Township police are doing proactively to address the heroin epidemic. Chief Simpson responded that with limited resources it is difficult to be proactive. Chief Simpson supports After Bell Program.

2. Solicitor Updates.

a. None

3. Treasurer.

a. Motion by Mr. Little and second by Mr. Geouque to approve the list of disbursements in the amount of \$240,256.86. The vote was unanimous to adopt the motion as presented.

b. Ratify Payment of the Bills - None

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