

NEW GARDEN TOWNSHIP
299 STARR ROAD
LANDENBERG, PA 19350
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
FEBRUARY 23, 2015

110128

Present:

Stephen Allaband, Chairman

Betty Gordon

Richard Ayotte, Vice Chair

Randy Geouque

Patrick Little

Tony Scheivert, Manager

Mark Thompson, Solicitor

Spence Andress

Chief Gerald Simpson

Lew Gay, Secretary/ Treasurer

Ken Reed, Public Works Director

Jon Martin, Airport Manager

Erin McCormick, Natural Lands Trust

Chris Robinson

Ken Crossan

A. CALL TO ORDER

Chairperson Allaband called the meeting to order at 7:03 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was recited.

C. PUBLIC HEARING

1. RESOLUTION NO. 733- Mark Thompson presided on the Public Hearing regarding New Garden Township acquiring a Conservation Easement on Green Valley Farm.

Solicitor Thompson announced that a Notice of the Hearing had been properly placed.

Chris Robinson from the Open Space Committee and Erin McCormick from Natural Lands Trust prepared a power point presentation describing the property in consideration and explaining the proposed easement.

Several questions and concerns from the public and the Board of Supervisors were addressed.

Mr. Geouque stated his opposition to the resolution and concern of a conflict of interest in the purchase of the easement. Mr. Ayotte stated his support of the purchase of the easement for the benefit of open space. Ms. Gordon stated her support of the easement as a way of preserving open space and staying consistent with the wishes of the Reynolds family. Mr. Allaband also stated his support of the purchase. Mr. Little stated his opposition due to the cost and consideration of whether the funds could be spent elsewhere.

D. EXECUTIVE SESSION- The Board moved into Executive Session at 7:58 pm to discuss the acquisition of a conservation easement and reconvened at 8:22pm.

There was a motion by Mr. Ayotte to adopt Resolution No. 733 to acquire a conservation easement on Green Valley Farms. Ms. Gordon seconded to adopt Resolution No. 733. The vote was carried with a 3-2 vote, as Mr. Geouque and Mr. Little opposed adopting the resolution as presented.

The Hearing was closed at 8:36pm.

E. PROCLAMATION PRESENTATION- Chief Gerald Simpson was presented with a Proclamation of congratulations and gratitude for being chosen as Chester County Police Officer of the Year in 2014 by District Attorney Hogan.

F. PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD- Brian Roberts, New Garden Historical Commission Chairman, invited the public to an Open House on March 22, 2015, at the Lamborn House from 2pm to 4pm.

G. UNFINISHED BUSINESS

1. OPY PROPERTY EXTENSION- Opy Property, LP granted the Township an extension of time for review of its pending land development plan for property along Baltimore Pike until March 31, 2015. A motion by Mr. Geouque and second by Mr. Ayotte was made to approve the extension. The vote was unanimous.

2. COUNTRY FRESH FARMS AGREEMENTS (PARKING LOT EXPANSION)-

a. A motion was made by Mr. Little and second by Mr. Geouque to approve the Land Development Agreement as presented. The vote was unanimous.

b. A motion was made by Mr. Ayotte and a second by Mr. Little to accept a Letter of Credit in the amount of \$503,027.17 for Financial Security. The vote was unanimous to adopt the motion.

c. A motion was made Ms. Gordon and second by Mr. Ayotte to approve the Stormwater BMPs and Conveyances Operation and Maintenance Agreement. The vote was unanimous to adopt the motion.

H. NEW BUSINESS

1. 382 PEMBERTON ROAD CONDITIONAL APPROVAL- Tom Schrier was present representing the property owner in requesting 8 waivers.

A motion was made by Mr. Little and second by Ms. Gordon to grant conditional Land Development approval, including the requested eight (8) waivers as listed on the Final Land Development Plan. The vote was unanimous.

2. BEDOLLA- 151 MAIN STREET, TOUGHKENAMON ZHB APPLICATION- Mr. Little motioned with a second from Mr. Ayotte to take no action on the application to the ZHB. The vote was unanimous.

3. S & P CONVEYORS- 1620 BALTIMORE PIKE ZHB APPLICATION- Mr. Ayotte motioned with a second from Ms. Gordon to take no position on the ZHB application. The vote was unanimous.

4. HARLOW POINTE SUBDIVISION LAND DEVELOPMENT AGREEMENT- Mr. Geouque motioned with a second from Mr. Little to approve the presented Subdivision Land Development Agreement. The motion was passed with a 3-2 vote as Ms. Gordon and Mr. Ayotte opposed.

4. HARLOW POINTE FINANCIAL SECURITY AGREEMENT- A motion was made by Mr. Little and second by Mr. Geouque to approve Financial Security Agreement of \$2,124,740.00 loan set aside, with a Letter of Credit in the amount of \$357,000 for EDUs. The motion was passed with a 3-2 vote as Ms. Gordon and Mr. Ayotte opposed.

5. NEW GARDEN FLYING FIELD HANGAR EXPANSION- Jon Martin and Ken Crossan provided an overview of requested waivers. A motion was made by Mr. Little and a second by Mr. Geouque to approve Preliminary/ Final Land Development including the ten (10) waivers as listed on the Preliminary/ Final Land Development Plan. The vote was unanimous.

6. PUBLIC WORKS F550 PURCHASE-

Quotes received were from Hondru Ford in the amount of \$42,800 for the chassis and E.M. Kutz, Inc., in the amount of \$33,421 for upfitting body using Costars Contract 25-006. Mr. Allaband motioned with a second from Mr. Little to approve the purchase of the requested Ford F550 for an amount not to exceed \$80,000. The vote was unanimous.

7. POLICE PURCHASE OF 2 NEW PATROL VEHICLES-

A request for the purchase of 2 new patrol vehicles was made for two 2015 Dodge Chargers AWD by PA State Contract in the amount of \$27,210, each, and Metropolitan installation of \$8,933, each. Mr. Geouque motioned with a second from Mr. Ayotte to approve the purchase of 2 police vehicles for an amount not to exceed \$75,000. The vote was unanimous.

I. FUNCTIONAL AREA UPDATES

1. Administration.

a. Chief Simpson provided an update on Regional Policing project and upcoming public events.

2. Manager

a. Manager Scheivert provided an update on the Road Survey and Park Study performed by ARRO.

b. Manager Scheivert requested permission to bid the 2015 Lawn Maintenance. Mr. Geouque motioned with a second from Mr. Ayotte to advertise for 2015 Lawn Maintenance. The vote was unanimous.

c. Manager Scheivert presented a request from Chester County Tax Claim Bureau to exonerate a property tax lien on Parcel 60-3-183.20T totaling \$32.23. Mr. Little motioned with a second from Ms. Gordon to approve the exoneration of the tax lien. The vote was unanimous.

3. Public Works

a. Public Works Director Reed requested approval of dates for the Spring Clean Up being Friday, April 17 thru Sunday, April 19, 2015, 7-5 Friday, 9-5 Saturday, 9-3 Sunday. Mr. Little motioned with a second from Mr. Geouque to approve dates and times for the Spring Clean Up. The vote was unanimous.

b. Public Works Director Reed presented a proposal for the purchase and installation of security cameras for the garage, with a projected cost of \$3,482.85, which is not a

budgeted item. Mr. Ayotte motioned with a second by Mr. Geouque to table the request and take no action at this time. The vote was unanimous.

4. Treasurer

a. Motion by Mr. Little and second by Mr. Ayotte to approve the listed disbursements dated January 22, 2015, in the amount of \$232,233.72. The vote was unanimous.

b. Motion by Mr. Ayotte and second by Mr. Little to approve the list of disbursements dated February 19, 2015, in the amount of \$404,161.16. The vote was unanimous.

c. Motion by Ms. Gordon and second by Mr. Little to ratify payment of the bills on the January 22, 2015 Paid Bills Report totaling \$64.16. The vote was unanimous.

d. Motion by Mr. Little and second by Ms. Gordon to ratify payment of the bills on the February 19, 2015 Paid Bills report totaling \$869.54. The vote was unanimous.

e. RESOLUTION NO. 734- Motion made by Mr. Geouque and second by Ms. Gordon to adopt Resolution No. 734, authorizing the transfer of funds and to change revenues and expenditures in the 2014 Budget. The vote was unanimous to adopt the Resolution.

f. RESOLUTION NO. 735- Motion by Mr. Little and second by Mr. Geouque to adopt Resolution No. 735, authorizing the transfer of funds and to change revenues and expenditures in the 2014 Budget. The vote was unanimous to adopt the Resolution.

J. APPROVAL OF THE MINUTES

1. Motion by Mr. Little and second by Mr. Ayotte to approve the minutes of the January 5, 2015, meeting. The vote was unanimous.

2. Motion by Mr. Little and second by Ms. Gordon to approve the minutes of the January 7, 2015 Special meeting. The vote was unanimous.

K. GENERAL DISCUSSION

1. Mr. Geouque thanked Mr. Spencer Andress for the 2015 Budget Analysis that was presented to the Board.

L. EXECUTIVE SESSION(S) HELD OR SCHEDULED

Chairman Allaband announced the Board will recess to hold an executive session to discuss personnel.

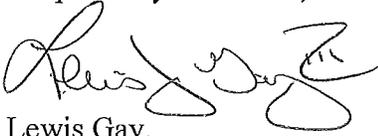
The Board recessed at 9:25 pm and reconvened at 9:51pm.

Chairman Allaband announced that an executive session was held this evening to discuss personnel matters.

M. ADJOURNMENT

Motion by Mr. Little and second by Mr. Geouque to adjourn the meeting at 9:53pm. The vote was unanimous.

Respectfully submitted,



Lewis Gay,
Township Secretary