

**NEW GARDEN TOWNSHIP**  
**299 STARR ROAD**  
**LANDENBERG, PA 19350**  
**BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**AUGUST 31, 2015**

**Present:**

Stephen Allaband, Chairman  
 Richard Ayotte, Vice Chairman  
 Randy Geouque  
 Patrick Little  
 Michael Loftus

Tony Scheivert, Manager  
 Lew Gay, Secretary/Treasurer  
 Vince Pompo, Solicitor  
 Gerald Simpson, Police Chief  
 Tom Cahue, E & H Conveyors  
 Allan Andrade  
 Marion Wagoneer  
 Shane Lewis

**A. CALL TO ORDER**

Chairman Allaband called the meeting to order at 7:00 p.m.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag was recited.

**C. CONDITIONAL USE HEARINGS DECISIONS**

**1. Thomas Von Koch and the Estate of James Fallon, 1259 Newark Road-** Solicitor Pompo explained that relief requested is a conditional use under Section 200-53.3.D (1), which permits the property to be used for a cultural facility subject to the standards for conditional use as enumerated in the New Garden Township Zoning Ordinance.

Motion by Supervisor Little and second by Supervisor Geouque to permit the use of a garage structure to house a glass blowing art studio and teaching center subject to the conditions stated in the order. The vote was unanimous to approve the motion as presented.

**2. Ryan O'Conner, 9125 Gap Newport Pike-** Solicitor Pompo explained that relief requested is a conditional use under Section 200-137.C, which provides for a change from an existing non-conforming use to a similar non-conforming use, since a general contracting business is not permitted in the Highway Commercial District.

Motion by Supervisor Little and second by Supervisor Loftus to change the existing non-conforming use to a similar non-conforming use of the property to conduct general contracting

business, subject to the conditions stated in the order. The vote was unanimous to approve the motion as presented.

**D. 1. PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD**

a. **Allan Andrade** reviewed a press release about an upcoming book tour in which he will be participating and also that he will be making a presentation at the George H. W. Bush Library.

b. **Tom Cahue, E&H Conveyors-** Requested assistance from the Township as a partner to request grants for a green renewable energy project that involves the area's mushroom infrastructure in Toughkenamon.

c. **Shane Lewis** explained his plan to establish a delivery, take-out, drive-thru restaurant and requested an amendment to the zoning ordinance section C1, that would allow the operation of a restaurant with a drive-thru service located in the New Garden Center Shopping Plaza.

**2. PERSONS WHO WISH TO BE RECOGNIZED**

a. **Marion Wagoneer of Save Our Water** reminded the Board and the public that there will be a meeting next Tuesday, September 8<sup>th</sup>, 7pm at the Avondale Fire Company regarding Artesian Water Co. He provided the group's analysis of the DRBC proposed monitoring program.

**E. UNFINISHED BUSINESS**

1. **KCSD Hydrant Tax relief request-** Motion by Supervisor Ayotte and second by Supervisor Loftus to deny KCSD's request for relief from the Hydrant Tax. The vote was unanimous to adopt the motion as presented.

**F. NEW BUSINESS**

1. **Harlow Pointe Financial Security Release #5**, for subdivision on Southwood Road, in the amount of \$112,975.67, as recommended by Pennoni Associates, leaving a balance after this release of \$1,351,461.83.

Motion by Supervisor Geouque and second by Supervisor Little to approve Security Release #5, in the amount of \$112,975.67, was unanimously approved.

2. **Country Fresh Mushroom Co, Financial Security Release #1** for parking expansion at 934 W. Cypress Street, in the amount of \$379,676.00, as recommended by Pennoni Associates, leaving a balance after the release of \$123,351.17.

Motion by Supervisor Little and second by Supervisor Ayotte to approve release of \$379,676.00, was unanimously approved.

3. **Agreement with AUS Consultants for a Valuation Study of the Township Sewer System.** Price range of \$35,000 to \$40,000. Motion by Supervisor Geouque and second by

Supervisor Ayotte to approve agreement with AUS in an amount not to exceed \$40,000, was unanimously approved.

**4. Von Koch Zoning Hearing Board Application-** Applicant is requesting a variance to permit an additional use of the property (cultural facility) in the existing detached garage and relief from landscaping and buffer requirements, as well as off street parking design regulations.

Motion by Supervisor Geouque and second by Supervisor Loftus to support the application and add language to recommend a landscape covenant on existing landscaping and foliage as long as it meets aviation requirements. The vote was unanimous to adopt the motion as presented.

**5. Malchione Zoning Hearing Board Application-** Application is requesting relief from the side yard setback requirement of a 25' minimum to construct a proposed one story 440 sq. ft. addition in the existing dwelling unit for a physically challenged family member.

Motion by Supervisor Loftus and second by Supervisor Little to support the application was unanimously approved.

## G. FUNCTIONAL AREA UPDATES

### 1. ADMINISTRATION-

**a. Manager-** Steve Melton did not accept position of Roadmaster. Recommendation is that Jeffery Stewart be appointed as Roadmaster at rate of \$50,400.00.

Motion by Supervisor Ayotte and second by Supervisor Loftus to appoint Jeffery Stewart as Roadmaster was unanimously approved.

### b. POLICE CHIEF-

- Jeff Call resigned effective Friday, September 4, 2015. Officer Lindenlauf will run A Platoon with temporary promotion.
- Regional Policing Update- West Grove Borough is still interested in moving forward.
- Policy Change- No smoking while on duty.
- Outreach- DEA Take back Prescriptions Citizenship Program
- Training- Weapons Course

### 2. SOLICITOR- None

### 3. TREASURER

a. Motion by Supervisor Little and second by Supervisor Ayotte to approve list of the disbursements in the amount of \$582,728.04. The vote was unanimous to approve the motion as presented.

b. Motion by Supervisor Ayotte and second by Supervisor Loftus to ratify payment of the bills on the Paid Bills Report, totaling \$1,027.38 was unanimously approved.

**H. APPROVAL OF THE MINUTES**

1. Motion by Supervisor Little and second by Supervisor Loftus to approve the minutes of the Monday, August 10, 2015, meeting was unanimously approved.

**I. GENERAL DISCUSSION**

None

**J. EXECUTIVE SESSION(S) HELD OR SCHEDULED**

Chairman Allaband announced the Board met in executive session on August 24, 2015, jointly with the Sewer Authority regarding the potential sewer system sale.

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

The Board recessed at 8:58pm and reconvened at 9:44pm. Chairman Allaband announced that an executive session was held this evening to discuss legal matters.

Chairman Allaband announced that the next meeting of the Board of Supervisors will be Monday, September 28, 2015, starting at 7:00pm.

**K. ADJOURNMENT**

Motion by Supervisor Little and second by Supervisor Loftus to adjourn the meeting at 9:46pm, was unanimously approved.

Respectfully Submitted,



Lewis J. Gay,  
Township Secretary