

**NEW GARDEN TOWNSHIP**  
**299 STARR ROAD**  
**LANDENBERG, PA 19350**  
**BOARD OF SUPERVISORS**  
**ORGANIZATION MEETING MINUTES**  
**JANUARY 4, 2016**

Present:

Michael Loftus  
 J. Patrick Little  
 Stephen Allaband  
 Randy Geouque  
 Richard Ayotte

Tony Scheivert, Manager  
 Lewis Gay, Secretary/Treasurer  
 Gerald Simpson, Police Chief

A. CALL TO ORDER

Chairperson 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. ORGANIZATION OF THE BOARD OF SUPERVISORS

1. Elect Chairperson

Motion by Mr. Little and second by Mr. Loftus to elect **Mr. Ayotte**, to serve as Chairperson. The vote was unanimous to adopt the motion as presented.

2. Elect Vice Chairperson

Motion by Mr. Loftus and second by Mr. Geouque to elect **Mr. Little** to serve as Vice Chairperson. The vote was unanimous to adopt the motion as presented.

3. Appointment of Township Secretary

Motion by Mr. Allaband and second by Mr. Loftus to appoint **Lewis Gay** to serve as Township Secretary. The vote was unanimous to adopt the motion as presented.

4. Appointment of Assistant Township Secretary

Motion by Mr. Loftus and second by Mr. Allaband to appoint **Tony Scheivert** to serve as Assistant Township Secretary. The vote was unanimous to adopt the motion as presented.

5. Appointment of Township Treasurer

Motion by Mr. Allaband and second by Mr. Loftus to appoint **Lewis Gay** to serve as Township Treasurer. The vote was unanimous to adopt the motion as presented.

6. Appointment of Assistant Township Treasurer

Motion by Mr. Loftus and second by Mr. Allaband to appoint **Tony Scheivert** to serve as Assistant Township Treasurer. The vote was unanimous to adopt the motion as presented.

7. Bond

Motion by Mr. Geouque and second by Mr. Loftus to set the amount of the Treasurer's, Assistant Treasurer's and Manager's Bond at \$ 1,000,000 each. The vote was unanimous to adopt the motion as presented.

D. VOLUNTEER OF THE YEAR

Postponed to January 19<sup>th</sup> meeting.

E. APPOINTMENT OF LOCAL GOVERNMENT OFFICIALS

1. Appointment of Township Manager

Motion by Mr. Little and second by Mr. Allaband to appoint **Tony Scheivert** as Township Manager. The vote was unanimous to adopt the motion as presented.

2. Appointment of Public Works Director

Motion by Mr. Geouque and second by Mr. Little to appoint **Ken Reed** as Public Works Director. The vote was unanimous to adopt the motion as presented.

3. Appointment of Roadmaster

Motion by Mr. Geouque and second by Mr. Loftus to appoint **Jeff Stewart** as Roadmaster. The vote was unanimous to adopt the motion as presented.

4. Appointment of Director of Finance

Motion by Mr. Geouque and second by Mr. Allaband to appoint **Lewis Gay** as the Director of Finance. The vote was unanimous to adopt the motion as presented.

5. Appointment of Tax Collector

a. Motion by Mr. Allaband and second by Mr. Loftus to designate the **Chester County Treasurer** as Tax Collector for real estate taxes. The vote was unanimous to adopt the motion as presented.

b. Motion by Mr. Geouque and second by Mr. Loftus to appoint to designate **Keystone Collections Group** as Tax Collector for the Earned Income Tax and Local Services Tax (formerly the Occupational Privilege Tax). The vote was unanimous to adopt the motion as presented.

c. Motion by Mr. Loftus and second by Mr. Allaband to designate **Berkheimer Associates** as Tax Collector for the Amusement Tax. The vote was unanimous to adopt the motion as presented.

- d. Motion by Mr. Little and second by Mr. Loftus to designate **Keystone Collections Group** as the Tax Collector for the Hydrant Tax. The vote was unanimous to adopt the motion as presented.
6. Appointment of Independent Auditor  
Motion by Mr. Allaband and second by Mr. Loftus to appoint **Briggs Bunting Dougherty LLP (BBD LLP)** as the appointed Independent Auditor for the 2014 audit subject to the terms contained in their Proposal for Services. The vote was unanimous to adopt the motion as presented.
7. Approval of Depository  
Motion by Mr. Geouque and second by Mr. Loftus to appoint **National Penn Bank** as the Depository for all New Garden Township Funds. The vote was unanimous to adopt the motion as presented.
8. Appointment of Right-to-Know Officer  
Motion by Mr. Little and second by Mr. Loftus to appoint **Tony Scheivert** as the Right-to-Know Officer. The vote was unanimous to adopt the motion as presented.
9. Appointment of Assistant Right-to-Know Officer  
Motion by Mr. Geouque and second by Mr. Loftus to appoint **Lewis Gay** as the Assistant Right-to-Know Officer. The vote was unanimous to adopt the motion as presented.
10. Appointment of Township Solicitor  
Motion by Mr. Loftus and second by Mr. Allaband to appoint **Vincent Pompo, Esquire** and the firm of Lamb McErlane PC as Township Solicitor. The vote was unanimous to adopt the motion as presented.
11. Appointment of Zoning Hearing Board Solicitor  
Motion by Mr. Geouque and second by Mr. Loftus to appoint **Winifred Sebastian, Esquire** and the firm of McMichael, Heiney & Sebastian, LLC as the Zoning Hearing Board Solicitor subject to ratification by the Zoning Hearing Board. The vote was unanimous to adopt the motion as presented.
12. Appointment of Sewer Authority Solicitor  
Motion by Mr. Little and second by Mr. Loftus to appoint **Vince Pompo, Esquire** and the firm of Lamb McErlane PC as the Sewer Authority Solicitor subject to ratification by the Sewer Authority. The vote was unanimous to adopt the motion as presented.
13. Appointment of Building Appeals Board Solicitor  
Motion by Mr. Allaband and second by Mr. Loftus to appoint **Ken Werner, Esquire** and the firm of Werner & Wood as the Building Appeals Board Solicitor

subject to ratification by the Building Appeals Board. The vote was unanimous to adopt the motion as presented.

14. Appointment of Labor Counsel  
Motion by Mr. Loftus and second by Mr. Allaband to appoint **Neil A. Morris, Esquire** and the firm of Offit Kurman, P.A. as Labor Counsel. The vote was unanimous to adopt the motion as presented.
15. Appointment of Zoning Officer  
Motion by Mr. Little and second by Mr. Loftus to appoint **Don Suckstorf** as the Township Zoning Officer. The vote was unanimous to adopt the motion as presented.
16. Appointment of Director of Code Compliance  
Motion by Mr. Geouque and second by Mr. Loftus to appoint **Don Suckstorf** as the Township Director of Code Compliance. The vote was unanimous to adopt the motion as presented.
17. Appointment of Building Code Official  
Motion by Mr. Allaband and second by Mr. Loftus to appoint **Kyle Bendler** and the firm of Building Inspection Underwriters, Inc. as the Township Building Code Official for a three-month term. The vote was unanimous to adopt the motion as presented.
18. Appointment of MS4 Program Coordinator  
Motion by Mr. Allaband and second by Mr. Loftus to appoint **Don Suckstorf** as the Township MS4 Program Coordinator. The vote was unanimous to adopt the motion as presented.
19. Appointment of Flood Plain Coordinator  
Motion by Mr. Little and second by Mr. Loftus to appoint **Don Suckstorf** as the Township Flood Plain Coordinator. The vote was unanimous to adopt the motion as presented.
20. Appointment of Township Engineer  
Motion by Mr. Geouque and second by Mr. Allaband to appoint **ARRO Engineers & Environmental Consultants** as Township Engineer. The vote was unanimous to adopt the motion as presented.
21. Appointment of Alternate Township Engineer  
Motion by Mr. Allaband and second by Mr. Loftus to appoint **Pennoni Associates** as Alternate Township Engineer. The vote was unanimous to adopt the motion as presented.
22. Appointment of Township Traffic Engineer

Motion by Mr. Loftus and second by Mr. Little to appoint the firm of **McMahon Associates, Inc.** as Township Traffic Engineer. The vote was unanimous to adopt the motion as presented.

23. Appointment of Township Consulting Engineer for Sewer Matters  
Motion by Mr. Little and second by Mr. Loftus to appoint the firm of **AECOM** as the Township Consulting Engineer for sewer matters. The vote was unanimous to adopt the motion as presented.
24. Appointment of Township Consulting Engineer for Airport and Aviation Matters  
Motion by Mr. Geouque and second by Mr. Allaband to appoint the firm of **L. R. Kimball & Associates** as the Township Consulting Engineer for airport and aviation matters. The vote was unanimous to adopt the motion as presented.
25. Appointment of Director of Aviation  
Motion by Mr. Allaband and second by Mr. Geouque to appoint **Jon Martin** as the Director of Aviation. The vote was unanimous to adopt the motion as presented.
26. Appointment of Director of Planning & Projects  
Motion by Mr. Loftus and second by Mr. Geouque to appoint **Spencer J. Address, AICP** and the firm of Government Specialists, Inc. as Director of Planning & Projects. The vote was unanimous to adopt the motion as presented.
27. Appointment of Park & Recreation Coordinator  
Motion by Mr. Little and second by Mr. Allaband to appoint **Barbara Underwood**, for 90 days as the Park & Recreation Coordinator. The vote was unanimous to adopt the motion as presented.
28. Appointment of Emergency Management Coordinator  
Motion by Mr. Geouque and second by Mr. Loftus to appoint **Charles Owens** as the Emergency Management Coordinator. The vote was unanimous to adopt the motion as presented.
29. Appointment of Township Fire Marshall  
Motion by Mr. Allaband and second by Mr. Loftus to appoint **Russ Kilmer** as the Township Fire Marshall. The vote was unanimous to adopt the motion as presented.
30. Appointment of Assistant Township Fire Marshall  
Motion by Mr. Geouque and second by Mr. Loftus to appoint **Charles Owens** as the Assistant Township Fire Marshall. The vote was unanimous to adopt the motion as presented.

110128

31. Appointment of Vacancy Board Chairman  
 Motion by Mr. Little and second by Mr. Loftus to appoint **Allan Andrade** for a one-year term (ending January 1, 2017) as the Vacancy Board Chairman. The vote was unanimous to adopt the motion as presented.
32. Appointment of Volunteer Coordinator  
 Motion by Mr. Loftus and second by Mr. Little to appoint **Tony Scheivert** for a one-year term (ending January 1, 2017) as the Volunteer Coordinator. The vote was unanimous to adopt the motion as presented.
33. Appointment of Township Representatives to the Kennett Area Regional Planning Commission  
 Motion by Mr. Little and second by Mr. Allaband to appoint **Tony Scheivert** as the Township's primary representative to the Kennett Area Regional Planning Commission. The vote was unanimous to adopt the motion as presented.
34. Appointment of Township Representatives to the Chester County Tax Collection Committee  
 Motion by Mr. Allaband and second by Mr. Loftus to appoint **Lewis Gay** as the Township's primary voting delegate on the Chester County Tax Collection Committee. The vote was unanimous to adopt the motion as presented.
- Motion by Mr. Loftus and second by Mr. Allaband to appoint **Tony Scheivert** as the Township's alternate voting delegate on the Chester County Tax Collection Committee. The vote was unanimous to adopt the motion as presented.
35. Appointments to the Planning Commission  
 Motion by Mr. Allaband and second by Mr. Loftus to appoint **William Cummings** for a four-year term (ending January 1, 2020) as a member of the Planning Commission. The vote was unanimous to adopt the motion as presented.
- There was no motion to appoint a four-year term (ending January 1, 2020) member to the Planning Commission. This position remains vacant.
36. Appointments to the Zoning Hearing Board  
 Motion by Mr. Allaband and second by Mr. Loftus to appoint **Richard Zimny** for a three-year term (ending in January 1, 2019) as a member of the Zoning Hearing Board. The vote was unanimous to adopt the motion as presented.
- Motion by Mr. Geouque and second by Mr. Allaband to appoint **Henry Silbernagel** for a one-year term (ending in January 1, 2017) as an alternate member of the Zoning Hearing Board. The vote was unanimous to adopt the motion as presented.

## 37. Appointment to the Sewer Authority

There was no motion to appoint a two-year term (ending in January 1, 2018) member to the Sewer Authority. This position remains vacant.

There was no motion to appoint an additional two-year term (ending in January 1, 2018) member to the Sewer Authority. This position also remains vacant.

## 38. Appointments to the Historical Commission

Motion by Mr. Geouque and second by Mr. Loftus to appoint **Brian Roberts** for a three-year term (ending in January 1, 2019) as a member of the Historical Commission. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to appoint **Margaret Jones** for a three-year term (ending in January 1, 2019) as a member of the Historical Commission. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Little and second by Mr. Loftus to appoint **David Hawk** for a three-year term (ending in January 1, 2019) as a member of the Historical Commission. The vote was unanimous to adopt the motion as presented.

## 39. Appointment to the General Authority

Motion by Mr. Allaband and second by Mr. Loftus to appoint **Zachary Bowen** for a five-year term (ending in January 1, 2021) as a member of the General Authority. The vote was unanimous to adopt the motion as presented.

## 40. Appointments to the Open Space Review Board

Motion by Mr. Allaband and second by Mr. Loftus to appoint **Randall Lieberman** for a three-year term (ending in January 1, 2019) as a member of the Open Space Review Board. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to reappoint **Chris Robinson** for a three-year term (ending in January 1, 2019) as a member of the Open Space Review Board. The vote was unanimous to adopt the motion as presented.

No motion was made to appoint a three-year term (ending in January 1, 2019) member to the Open Space Review Board. This position remains a vacancy.

Motion by Mr. Little and second by Mr. Allaband to appoint **Erin McCormick** and the firm of Natural Land Trust as the Open Space Review Board Consultant for 2016. The vote was unanimous to adopt the motion as presented.

## 41. Appointments to the Park &amp; Recreation Commission

No motion was made to appoint a three-year term (ending in January 1, 2019) member to the Park & Recreation Commission. The position remains a vacancy.

No motion was made to appoint a three-year term (ending in January1, 2019) member to the Park & Recreation Commission. The position remains a vacancy.

No motion was made to appoint a three-year term (ending in January1, 2018) member to the Park & Recreation Commission. The position remains a vacancy.

42. Appointment of Recycling Coordination

Motion by Mr. Loftus and second by Mr. Little to appoint **Tony Scheivert** as the recycling coordinator. The vote was unanimous to adopt the motion as presented.

**F. ESTABLISH MEETINGS DATES, TIME AND LOCATION**

Motion by Mr. Geouque and second by Mr. Little to establish the Board of Supervisors regular meeting dates for 2015 as follows: 1/19, 2/16, 3/21, 4/25, 5/16, 6/20, 7/18, 8/15, 9/19, 10/3, 10/17, 10/24, 11/14, 11/21, 12/5, 12/19. All meetings will be held at the Township Administration Building beginning at 7:00 pm prevailing time. The vote was unanimous to adopt the motion as presented.

**G. CERTIFICATION OF DELEGATES TO THE PSATS CONVENTION**

Motion by Mr. Little and second by Mr. Loftus to designate **Michael Loftus, Pat Little, Steve Allaband, Randy Geouque** and **Richard Ayotte** as delegates to the PSATS Convention. The vote was unanimous to adopt the motion as presented.

**H. CERTIFICATION OF VOTING DELEGATE TO THE PSATS CONVENTION**

Motion by Mr. Allaband and second by Mr. Little to designate **Mr. Loftus** as the Voting Delegate to the PSATS Convention. The vote was unanimous to adopt the motion as presented.

**I. HOLIDAYS FOR NON-UNIFORMED EMPLOYEES FOR 2015**

Motion by Mr. Allaband and second by Mr. Little to designate the following days as the official holidays for non-uniformed Township employees:

New Year's Day	01/01/16
Martin Luther King Day	01/18/16
President's Day	02/15/16
Good Friday	03/25/16
Memorial Day	05/30/16
Independence Day	07/04/16
Labor Day	09/05/16
Thanksgiving Day	11/24/16
Day after Thanksgiving Day	11/25/16
Christmas Day	12/25/16

The vote was unanimous to adopt the motion as presented.

**K. EARNED VACATION TIME FOR NON-UNIFORMED EMPLOYEES (pursuant to the terms & conditions stated in the Township's Vacation Policy)**

Motion by Mr. Loftus and second by Mr. Allaband to approve the following earned vacation time schedule for non-uniformed employees:

- 1 week after 1<sup>st</sup> full year of service
- 2 weeks after 2<sup>nd</sup> year of full-time service
- 3 weeks after 5<sup>th</sup> year of full-time service
- 4 weeks after 10<sup>th</sup> year of full-time service

The vote was unanimous to adopt the motion as presented

**K. EARNED PERSONAL DAYS FOR NON-UNIFORMED EMPLOYEES**

Motion by Mr. Geouque and second by Mr. Loftus to approve the allocation of three earned personal days (time off) annually for each non-uniformed employee (pursuant to the terms and conditions stated in the Township's use of Personal Days Policy). The vote was unanimous to adopt the motion as presented.

**L. EARNED SICK DAYS FOR NON-UNIFORMED EMPLOYEES**

Motion by Mr. Loftus and second by Mr. Allaband to approve the allocation of one earned sick day per month for each non-uniformed employee (pursuant to the terms and conditions stated in the Township's use of Sick Days Policy). The vote was unanimous to adopt the motion as presented.

**M. AUTHORIZED BANK ACCOUNT SIGNERS**

Motion by Mr. Allaband and second by Mr. Loftus to require that all transactions have two signatures and to approve the following persons as authorized signers on all bank accounts:

Michael Loftus	Randy Geouque	Lewis Gay
Steve Allaband	Richard Ayotte	Tony Scheivert
J. Patrick Little		

The vote was unanimous to adopt the motion as presented.

**N. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

None

**O. APPROVAL OF MINUTES**

Motion by Mr. Little and second by Mr. Loftus to approve the December 21, 2015 meeting minutes. The vote was unanimous to adopt the motion as presented.

**P. TREASURER**

1. Approval of Disbursements.

Motion by Mr. Little and second by Mr. Loftus to approve the list of disbursements in the amount of \$80,877.58. The vote was unanimous to adopt the motion as presented.

2. Approval of Paid Bills.

Motion by Mr. Little and second by Mr. Loftus to ratify the list of Paid Bills on the amount of \$35.00. The vote was unanimous to adopt the motion as presented.

**Q. NEW BUSINESS**

1. Fees and Charges

Motion by Mr. Allaband and second by Mr. Loftus to approve the **Lamb McErlane** 2016 Fee Schedule as Township Solicitor at \$205/hr and \$125/hr for paralegal. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to approve the **Lamb McErlane** PC 2016 Fee Schedule as Township Sewer Authority Solicitor. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Little and second by Mr. Geouque to approve the **McMichael, Heiney & Sebastian, LLC** 2016 Fee Schedule at \$150/hr. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Little and second by Mr. Allaband to approve the **Offit Kurman, P.A.** 2016 Fee Schedule at \$315/ hr- Morris, Esq., \$295/ hr- Celi, Esq. and \$170-\$190/ hr for Paralegals. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to approve the **Werner & Wood** 2016 Fee Schedule at \$165/ hr for 90 days. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to approve the **Building Inspection Underwriters, Inc.** 2016 Fee Schedule at the same rates. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Loftus and second by Mr. Allaband to approve the **ARRO Engineering & Environmental Consultants** 2016 Fee Schedule. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Loftus and second by Mr. Little to approve the **Pennoni** 2016 Fee Schedule, as alternate Township Engineer. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to approve the **McMahon Associates, Inc.** 2015 Fee Schedule with no increase. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Little and second by Mr. Allaband to approve the **AECOM** 2016 Fee Schedule. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Geouque and second by Mr. Little to approve the **Government Specialists, Inc.** 2016 Fee Schedule at the same rates. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Little and second by Mr. Loftus to approve the **Natural Lands Trust** 2016 Fee Schedule at \$80/ hr for Erin McCormick. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Little and second by Mr. Loftus to approve the **Brandywine Conservancy** 2016 Fee Schedule. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Geouque and second by Mr. Allaband to approve the **L. R. Kimball & Associates** 2016 Fee Schedule. The vote was unanimous to adopt the motion as presented.

Motion by Mr. Allaband and second by Mr. Loftus to approve the **BBD, LLP** 2016 Fee Schedule for the 2015 Audit. The vote was unanimous to adopt the motion as presented.

2. Motion by Mr. Allaband and second by Mr. Loftus to adopt **Resolution No. 743 – Fee for Services and Permits**. The vote was unanimous to adopt the motion as presented.
3. Motion by Mr. Little and second by Mr. Allaband to approve the **Advanced Life Support Services Agreement** with Medic 94 Southern Chester County EMS for 2015 in the amount of \$.1 mil. The vote was unanimous to adopt the motion as presented.
5. Motion by Mr. Little and second by Mr. Allaband to adopt **Resolution No. 744** appointing the Township's primary and alternate delegates to the Chester County Tax Collection Committee. The vote was unanimous to adopt the motion as presented.
6. Motion by Mr. Allaband and second by Mr. Little to approve **Agreement with Virtual Towns and Schools for Township and Police Department Website**. The vote was unanimous to adopt the motion as presented.
7. Motion by Mr. Geouque and second by Mr. Loftus to adopt **Resolution No. 745**, adopting the Multi-Jurisdictional Hazard Mitigation Plan. The vote was unanimous to adopt the motion as presented.
8. **Candlewyck Agreement**- change of wording is being reviewed and will be on the January 19<sup>th</sup> agenda.

**R. ADJOURNMENT**

Motion made by Mr. Allaband and second by Mr. Loftus to adjourn the meeting. The vote was unanimous to adopt the motion as presented.

Chairperson Ayotte announced that the next meetings of the Board will be Tuesday, January 19, 2016 starting at 7:00 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lewis Gay", written in a cursive style.

Lewis Gay,  
Township Secretary