

**NEW GARDEN TOWNSHIP  
299 STARR ROAD  
LANDENBERG, PA 19350  
BOARD OF SUPERVISORS  
REGULAR MEETING  
APRIL 25, 2016**

**Present:**

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

Tony Scheivert, Township Manager  
Lewis Gay, Secretary/ Treasurer  
Matt O'Keefe, Solicitor  
Gerald Simpson, Police Chief  
Ken Reed, Public Works Director  
Daniel Redstone- Redstone Architects  
Wyatt Anderson- Boy Scout Troop 53  
Guy Swift- Avondale Fire Company

**A. CALL TO ORDER**

Chairman Ayotte called the meeting to order at 7:35 p.m.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag was recited.

**C. ANNOUNCEMENTS**

Chairman Ayotte announced that an executive session was held Monday, April 25, 2016, regarding legal matters and real estate acquisition.

**D. RESOLUTIONS/ ORDINANCES TO BE CONSIDERED****1. Zoning Amendments**

a. Public Hearing on Amending Chapter 200 of the New Garden Township Code by adding new definitions; amending references to standards for agricultural use and commercial composting use in the R-1 zoning district; amending the set-back from residences within the highway commercial zoning district; amending the use provisions for restaurants and correcting references to towers within the C/I commercial-industrial zoning district; and by amending composting standards consistent with best practices for environmental protection in the mushroom farm community published by the Pennsylvania Department of Environmental Protection and to regulate maximum impervious coverage. Effective five (5) days from enactments.

Public hearing was opened at 7:37 pm and presided over by Solicitor O'Keefe who explained the proposed amendments. He stated that the hearing was properly advertised and entered exhibits for the proposed changes.

The floor was opened for public comments and questions. There were none.

The Board of Supervisors then asked questions and made comments pertaining to the proposed ordinance.

Motion by Mr. Allaband and second by Mr. Loftus to adopt the proposed ordinance amending Chapter 200 of the New Garden Township Code, as explained during the hearing, was unanimously approved.

The hearing was closed at 8:40pm.

#### E. PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

a. Daniel Redstone- Police Facility Needs Assessment- Mr. Redstone made a power point presentation of the space needs assessment he prepared for a police facility, including present requirements and projected needs for the future. The life span of the building is projected to be 30 to 40 years. Initial cost projections are 6.5 to 7.5 million dollars at about \$300/ sq. ft. Questions and comments from the Board and the Public were addressed by Mr. Redstone and Chief Simpson.

b. Wyatt Anderson- Eagle Scout Report- For his Eagle Scout Project he built a platform interpretive kiosk and bench for the Landenberg Junction Trailhead. He requested additional funding for the project.

Motion by Mr. Allaband and second by Mr. Geouque to have Manager Scheivert look for additional funds for the project was unanimously approved.

c. Guy Swift- Avondale Volunteer Fire Company- provided a year-end report and update in company activities, costs and funding for the first quarter of 2016. He also explained the company's goals for this year. Adding a fourth person would cost \$41,600 in wages. The company needs approximately \$7500 to \$8000 more this year.

Motion by Mr. Allaband and second by Mr. Geouque to increase Fire Company allocation by \$7000 for 2016 was unanimously approved.

d. Bob Perzel- KCSD- Waiver request for Land Development Plan for property on Sunnydell Road.

Motion by Mr. Allaband and second by Mr. Loftus to waive land development as built plan with following conditions:

1. No parking on the plan in Newark Road and Sunnydell Road
2. Plan will be as built to Township
3. There will be a landscape buffer and rain garden with agreements to maintain
4. NPDS permit is required
5. Earth disturbance is required

Motion was unanimously approved as presented.

## E.2. PERSONS WHO WISH TO BE RECOGNIZED

a. Bill Romanelli and Mike Quinn re: In-law suite. Desire to add an In-law suite in current building. The in-law is included on the deed.

Motion by Mr. Ayotte and second by Mr. Loftus to approve with restrictions was unanimously approved.

Township Manager Scheivert made a statement regarding the recent trash and recycling survey that was included in the newsletter.

The Board recessed and reconvened at 9:47pm.

b. Al Fortuna requested an update on Modern Mushroom's planned expansion. Manager Scheivert stated this still has not gone to the Planning Commission.

c. Dave Bartlett re: Waste and Recycling services. He was no longer in attendance.

d. Pete D'Angelo- Requested KACS be given permission to use the Route 41 facility for its annual Christmas Distribution (Food and Toys) project between December 14-17, 2016.

Motion by Mr. Geouque and second by Mr. Allaband to grant permission for use of the Route 41 facility by KACS Dec 14-17, 2016, was unanimously approved.

e. Gary Gredell- 1550 Yeatmans Station Road (2 ½ approx. acres) requested relief from the 15% of woodlands (200-179). Probably needs a variance. Township needs a plan for the property.

Mr. Little stated that he will address the Green Valley Conservation agreement at the May 16, 2016 Board of Supervisors meeting.

## F. UNFINISHED BUSINESS

1. Vacancy Ordinance and UDZ Review update- Amend Chapter 200. There was no action taken.

## G. NEW BUSINESS

1. Thompson Road Culvert Bid Specifications

Motion by Mr. Geouque and second by Mr. Loftus to advertise Bid Specifications for the Thompson Road Culvert project was unanimously approved.

2. Sinclair/ Morris (Formerly Cotton-Orlando) 480 Church Road Conservation Easement. Possibly modify the easement and change the trail configuration.

Motion by Mr. Little and second by Mr. Loftus to have a hearing pertaining to a conservation easement on Sinclair/ Morris property located at 480 Church Road, at the May 16, 2106 Board meeting was unanimously approved.

3. Appoint Dr. Barry Tomasetti as New Garden Township representative to Kennett Library Board.

Motion by Mr. Little and second by Mr. Loftus to table this item until the next Board meeting was unanimously approved.

4. Harlow Pointe Escrow Release #12. Release \$38,329.85 leaving a balance after release of \$527,969.89, as recommended by Nathan Cline, P.E. of Pennoni Associates.

Motion by Mr. Little and second by Mr. Allaband to release \$38,329.85, from Harlow Pointe escrow contingent upon the pumps working properly, was unanimously approved.

## H. FUNCTIONAL AREA UPDATES

### 1. Administration

#### a. Manager-

- Sewer Sale Update- Have begun negotiations with Aqua. Having rates evaluated two ways  
1. Sell system; 2. Keep system.
- Regional Policing- Moving forward. There were two meetings last week.
- Airport Update- Meeting with two parties interested in the available property. Will be getting an appraisal on the property.
- Police Department Server- item tabled
- Grants- Township will be receiving grants to assist with updating the Comprehensive Plan and for assistance in obtaining a conservation easement in the St. Anthony property.
- Township Map- Request approval to update the official map.

Motion by Mr. Allaband and second by Mr. Little to approve updating the official Township map was unanimously approved.

b. Public Works- 2016 COG Bid Awards for paving \$6.50/ Sq. yd. for wearing course and \$68/ton in place leveling.

Motion by Mr. Little and second by Mr. Loftus to approve \$344,100 for paving was unanimously approved.

Motion by Mr. Allaband and second by Mr. Loftus to approve \$76,064.80 plus additional \$30,000 for Tar and Chip was unanimously approved.

#### 2. Solicitor Updates- None

#### 3. Treasurer

a. Motion by Mr. Little and second by Mr. Loftus to approve list of distributions in the amount of \$760,585.60 less \$83.00 net total of \$760,502.60 was unanimously approved. Mr. Allaband recused on Jenkins and McMahan and RM Crossan invoices.

b. Motion by Mr. Allaband and second by Mr. Loftus to ratify payment of the bills on the Paid Bills reports totaling \$44,197.50 was unanimously approved.

I. APPROVAL OF THE MINUTES

Motion by Mr. Little and second by Mr. Loftus to approve the minutes of the March 21, 2016 regular meeting was unanimously approved.

J. GENERAL DISCUSSION- None

K. OTHER BUSINESS- None

Chairman Ayotte announced that the next meeting of the Board of Supervisors will be held on Monday, May 16, 2016 at 7:30pm.

L. ADJOURNMENT

Motion by Mr. Allaband and second by Mr. Loftus to adjourn the meeting at 10:21pm was unanimously approved.

Respectfully submitted,

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

Lewis J. Gay,  
Township Secretary