

**NEW GARDEN TOWNSHIP**  
**299 STARR ROAD**  
**LANDENBERG, PA 19350**  
**BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**JUNE 20, 2016**

**Present:**

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

Tony Scheivert  
 Lewis Gay, Secretary/ Treasurer  
 Vince Pompo, Solicitor  
 Kenneth Reed, Public Works Director  
 Gerald Simpson, Police Chief  
 John Jaros, Represents F&M/ Diego Jacome

**A. CALL TO ORDER**

Chairman Ayotte called the meeting to order at 7:37pm.

**B. PLEDGE OF ALLEGIANCE**

**C. ANNOUNCEMENTS**

Chairman Ayotte announced that Executive Sessions were held on May 23, 2016 and June 20, 2016 to discuss legal and real estate matters.

**D. RESOLUTIONS/ ORDINANCES TO BE CONSIDERED**

None

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

None

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

a. Ken Pratt, 611 Hillendale Road, Avondale- asked what is the latest on Newark Road and Hillendale Road project? Manager Scheivert explained this is a PennDot project and they are working on easements and right-of-ways. He will contact PennDot and report back with the latest update.

**F. UNFINISHED BUSINESS**

1. John Jaros- F & M Supply- Land Development Approval- Mr. Jaros requested approval of F & M Supply plan.

Motion by Mr. Allaband and second by Mr. Little to approve preliminary/ final plan with conditions listed on ARRO review:

21. The applicant should provide financial security in accordance with Section 165-10

34. The Township Solicitor should review and comment on the Stormwater Best Management Practices Operations and Maintenance Agreement submitted by the applicant (Sections 165-27.F, 165-36, 165-38 and 165-39).

35. Financial Security shall be provided to the municipality to ensure the proper installation of/ for the timely installation of proper construction of stormwater facilities (Section 165-28.G).

39. A payment to the Municipal Stormwater Control Board and BMP Operation and Maintenance Fund is required (Section 165-41).

The vote was unanimous to approve the motion as presented.

2. Terms of Agreement with West Grove Borough for Southern Chester County Regional Police Department- Intergovernmental Cooperation Agreement establishing a Regional Police Department.

Motion by Mr. Loftus and second by Mr. Little to advertise an ordinance for terms of agreement to be considered at the July 18, 2016 meeting was unanimously approved.

3. Green Valley Farm Conservation Easement- Consider motion to rescind the Conservation Easement agreement for 178 +/- acres known as the Green Valley Farm.

Solicitor Pompo stated that the petition has been filed with Orphans Court this afternoon. Could take from a couple of weeks to a couple of months for the Orphans Court Decision.

Since the petition has been filed and the agreement is now progressing, there was no motion made to rescind the agreement.

#### **G. NEW BUSINESS**

1. Harlow Point Escrow Release #13- Request to release \$10,484.36 for earthwork, pump station and force mains, and curb and concrete. Escrow balance after this release of \$517,485.53 as recommended by Nathan Cline from Pennoni Associates.

Motion by Mr. Allaband and second by Mr. Geouque to release \$10,484.36 in escrow funds as recommended by the Township Engineers was unanimously approved.

2. Jason and Sarah Maietta permit refund request- Request for refund of permit fee costs of \$696 due to formally withdrawing the permit to build a deck on their property located at 320 Pemberton Road, Kennett Square.

Motion by Mr. Little and second by Mr. Allaband to refund \$696 less \$100 for Township costs (\$596 net refund) was unanimously approved.

3. ZHB Application- Diego Jacome, 921 Penn Green Road, Parcel #60-3-38 represented by John Jaros.

Applicant is appealing the Notice of Violation/ Cease & Desist order issued by the Zoning Officer regarding the alleged illegal use of the garage attached to the mushroom doubles for the purpose

of a commercial automotive repair facility. In the event the ZHB upholds the Notice of Violation, the applicant is in the alternative seeking a variance to use 3 bay garage attached to the mushroom house to operate an automotive repair facility.

1. Enforcement Notice- Motion by Mr. Allaband and second by Mr. Little to have Solicitor Pompo represent Township Zoning Officer regarding enforcement was unanimously approved.
  2. Variance- Motion by Mr. Little and second by Mr. Geouque to take no position on the variance request was unanimously approved.
4. Review Thompson Road Bridge Bid  
Township received three bids for the project:
- |                                 |           |
|---------------------------------|-----------|
| A. Out of Site Infrastructure   | \$90,890  |
| B. Stephens Excavating, LLC     | \$115,750 |
| C. Workforce Construction, Inc. | \$43,710  |

After review of the bids, confirming their accuracy and checking references, Darrell Becker from ARRO recommends the Thompson Road Culvert Replacement project be awarded to Workforce Construction, Inc. in the amount of \$43,710. The project is supposed to be completed before school begins.

Motion by Mr. Allaband and second by Mr. Loftus to award bid for Thompson Road Culvert Replacement to Workforce Construction, Inc. for \$43,710 was unanimously approved.

## H. FUNCTIONAL AREA UPDATES

1. Administration
  - a. Manager- Sewer Sale Update/ Upcoming Meetings. Solicitor Pompo is hopeful to report back to the Board within two weeks. He wants to have an agreement available for the July meetings.
  - b. (1) Police Facility Update- Committee will meet with a firm soon.  
(2) Resignation of Officer Reyes  
Motion by Mr. Allaband and second by Mr. Loftus to accept Officer Reyes' resignation effective June 20, 2016 was unanimously approved.  
(3) Promotion of Jeremy O'Neil to full time officer.  
Motion by Mr. Geouque and second by Mr. Allaband to promote Officer O'Neil to fulltime effective June 20, 2016 was unanimously approved.
  - (4) June 13, 2016 Arrest- Chief Simpson reviewed the apprehension and arrest of a murder suspect from West Virginia on June 13, 2016 by Corporal Greenwalt, Officer Kushner and Officer Brown.
  - (5) Avondale Borough Contract Policing- Chief Simpson stated there was a meeting last week with Avondale regarding contract policing in the Borough. Township should know by the end of June if they want to move forward with this matter.
  - c. Public Works- Director Kenny Reed  
Truck Purchase- Request to purchase (a) new 2017 Freightliner 108SD chasis on Co-stars Contract from Freightliner of Lancaster for \$84,411 (b) new dump body, plow, spreader and all associated uplifting costs on Co-Star Contract from EM Kutz for \$62,695 and (c) additional \$3,000 for lettering, replacement tire chains, two way radio, etc.

Motion by Mr. Loftus and second by Mr. Little to purchase a new Freightliner dump truck for the amount of \$150,106 was unanimously approved.

d. Airport

- (1) Trees are mostly down
- (2) Balloon Festival is this week
- (3) Next week contractors will be running pipe across the runway
- (4) Sale of ground- Having an appraisal performed on the properties

2. Solicitor- None

3. Treasurer

a. Motion by Mr. Little and second by Mr. Loftus to approve list of the disbursements in the amount of \$878,063.35 was unanimously approved. Mr. Allaband recused on RM Crossan and Jenkins and McMahon invoices.

b. Motion by Mr. Allaband and second by Mr. Loftus to ratify payments of the bills on the Paid Bills report totaling \$112,653.29 was unanimously approved.

**I. APPROVAL OF MINUTES**

1. Motion by Mr. Little and second by Mr. Loftus to approve the minutes of the April 25, 2016, meeting was unanimously approved.

2. Motion by Mr. Loftus and second by Mr. Allaband to approve the minutes of the May 16, 2016 meeting was unanimously approved.

**J. GENERAL DISCUSSION**

Manager Scheivert- The lease agreement for the Lambourn House has been changed to include electric.

Robert Perrotti- Trees at Landenberg Road and Newark Road need to be trimmed. It is two Penn Dot Roads. He requests the Township contact PennDot to correct the problem.

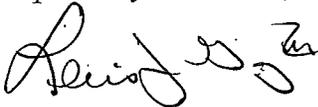
**K. OTHER BUSINESS**

Chairman Ayotte announced the next Board of Supervisors meeting will be held on Monday, July 18, 2016 at 7:30pm.

**L. ADJOURNMENT**

Motion by Mr. Little and second by Mr. Loftus to adjourn the meeting at 8:17 pm was unanimously approved.

Respectfully Submitted,



Lewis J. Gay,  
Secretary