

NEW GARDEN TOWNSHIP
299 STARR ROAD
LANDENBERG, PA 19350
BOARD OF SUPERVISORS
REGULAR MEETING
DECEMBER 21, 2015

Present:

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

Tony Scheivert, Manager
 Lewis Gay, Secretary/Treasurer
 Spencer Andress, AICP
 Vince Pompo, Solicitor
 Gerald Simpson, Police Chief
 Ken Reed, Public Works Director
 John Jaros
 Chris Robinson
 Stan Lukoff
 Bill Romanelli
 Dominick Peronti
 Dr. Herbert Casalena
 Shane Lewis
 Marion Wagonner

A. CALL TO ORDER

Chairman Allaband called the meeting to order at 6:31 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was recited.

C. PUBLIC HEARING- To consider entering into a Conservation Easement with St. Anthony in the Hills, 6742 Limestone Road, Avondale, PA.

Hearing was opened at 6:38pm with Solicitor Pompo presiding.

Chris Robinson and Stan Lukoff from the Open Space Review Board made a presentation regarding the property and the benefits of the conservation easement to the property owners and to New Garden Township.

Dominick Peronti and Dr. Herbert Casalena spoke on behalf of St. Anthony's.

Several questions and comments from the Supervisors and the audience were addressed.

Motion by Mr. Little and second by Mr. Allaband to consider entering into a conservation easement agreement with St. Anthony's in the Hills including 137.6 acres for \$1,307,200 was unanimously approved by the Board.

Motion to close the Hearing at 7:12pm by Mr. Allaband and second by Mr. Geouque was unanimously approved.

The Board recessed at 7:13pm and reconvened at 7:22pm.

D. ANNOUNCEMENTS- None

E. RESOLUTIONS/ ORDINANCES TO BE CONSIDERED

1. Resolution #739- PIB Loan Agreement Resolution for improvement at the airport. \$702,906 loan at 1.625% for construction of hangars.

Motion by Mr. Geouque and second by Mr. Loftus to adopt Resolution #739 was unanimously approved.

2. Resolution #740- Setting the Real Estate Tax Rate for 2016 at 1.62, the same total rate as in 2015.

Motion by Mr. Ayotte and second by Mr. Loftus to adopt Resolution #740 was unanimously approved.

3. Resolution #741- Re-enact Taxes and Tax Rates for Real Estate Transfer Tax, Earned Income Tax, Earned Income Tax for Open Space and Local Services Tax, Rates for 2016 all remain as in 2015.

Motion by Mr. Little and second by Mr. Loftus to adopt Resolution #741 was unanimously approved.

4. Resolution #742- Pump and Haul treated effluent from the South End WWTF for spray zones 3 & 4.

Motion by Mr. Little and second by Mr. Loftus to adopt Resolution #742 was unanimously approved.

F. 1. PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

John Jaros on behalf of Todd McKenna- 5.05 acres SS of Line Road. Property already has automotive business and is limited to single use. Owner wants to add a storage business building for dry cleaning business.

Motion by Mr. Geouque and second by Mr. Allaband to support the project provided it can meet all building and stormwater requirements to improve stormwater run-off concerns, was unanimously approved.

2. PERSONS WHO WISH TO BE RECOGNIZED

a. Shane Lewis provided an update on his project to renovate a bank to a take-out restaurant located in the New Garden Center Shopping Plaza.

b. Marion Wagoneer from Save Our Water provided a summary of the Artesian decision by DRBC explaining various requirements and stipulations.

G. UNFINISHED BUSINESS

1. Candlewyck Agreement- Candlewyck Home Owners Association has reviewed the agreement and has proposed minor wording changes.

2. 2016 Budget Approval- Approve 2016 New Garden Township Budget with expenditures totaling \$21,565,300 and the same Real Estate Tax Rate as in 2015 (1.62 mils)

Motion by Mr. Little and second by Mr. Loftus to adopt the 2016 Township Budget with stated revisions to reduce sequestered funds and provides \$6,000 for the website development was unanimously approved.

H. NEW BUSINESS

1. South Plant Pump and Haul Proposals- Township received two proposals to pump and haul effluent from the South Plant.

- a. Wm. P. McGovern, Inc. \$.075 per gallon
- b. Aqua \$.032 per gallon

Spence Andress explained that the Sewer Authority approved both proposals earlier today to provide greater flexibility.

Motion by Mr. Little and second by Mr. Loftus to approve both proposals to pump and haul effluent was unanimously approved by the Board.

2. Country Fresh Farms Request- Request to pay for additional sewage capacity over one year with quarterly payments of \$75,041.50 for a total of \$300,165.83.

Motion by Mr. Little and second by Mr. Loftus to phase in the capacity fee quarterly was unanimously approved.

3. Middleton Property- Bill Romanelli- Wilkinson Builders proposed an eight new lot subdivision on the Middleton Property and keeping another lot with an existing home. He provided a sketch plan of proposal and accepted comments and questions from the Board.

4. White Clay Soccer Agreement- Renew Agreement to use soccer fields for an additional two-year period.

Motion by Mr. Allaband and second by Mr. Geouque to make an addendum to the current agreement to extend it through 2020 was unanimously approved.

5. Chester County SPCA Annual Agreement for 2016-2018. Full contract is \$1,500 and Limited contract is \$1,000 for 2016. There is a three (3%) increase per contract year for 2017 and 2018.

Motion by Mr. Ayotte and second by Mr. Loftus to accept the full contract with the SPCA was unanimously approved.

6. Avondale Fire Company Agreement for 2016-Fire Agreement is \$171,500 and EMS division agreement is \$110,500 for 2016.

Motion by Mr. Little and second by Mr. Geouque to accept the agreements with Avondale Fire Company. The vote was unanimous to approve the motion as presented.

7. Hernandez ZHB Application was removed from the agenda.

8. M & V Enterprises, Inc. ZHB Application- Seeking variances to permit an additional agricultural use on the property and to encroach the rear and side yard setbacks. Planning Commission was non-supportive.

Motion by Mr. Ayotte and second by Mr. Loftus to take no position was unanimously approved.

9. Harlow Pointe Escrow Release No. 9 in the amount of \$92,071.25- leaving a balance after the release of \$620,727.68, as recommended by Pennoni Associates, Inc.

Motion by Mr. Geouque and second by Mr. Ayotte to approve Release No. 9, was unanimously approved.

I. FUNCTIONAL AREA UPDATES:

1. Administration-

a. Manager Scheivert had Solicitor Pompo provided an update on the potential sewer system sale.

b. Public Works- None

c. Police- Chief Simpson

(1) Provided an update on:

- Regional Policing is still moving forward with West Grove
- Hiring Process- doing background checks on 8 applications for part-time positions
- Training- Hosting a training session on January 6th
- Promotion Process- Testing is complete for Corporal

(2) Needs Assessment Update is done and will be available soon.

(3) Sgt. Cowdright recently completed leadership school and will graduate in January.

2. Solicitor- None

3. Treasurer-

a. Motion by Mr. Loftus and second by Mr. Ayotte to approve list of the disbursements in the amount of \$502,584.35. The vote was unanimous to approve the motion. Mr. Little recused on his invoice for sale of saws to the Township. Mr. Allaband recused on Richard Crossan and Jenkins and McMahon invoices.

b. Motion by Mr. Little and second by Mr. Loftus to ratify payment of the bills on the Paid Bills Report totaling \$4,438.60 was unanimously approved by the Board.

J. Approval of Minutes

1. Motion by Mr. Geouque and second by Mr. Loftus to approve the minutes of the November 16, 2015 meeting. The vote was unanimous to approve the motion as presented.

2. Motion by Mr. Little and second by Mr. Loftus to approve the minutes of the November 23, 2015 Budget Meeting was unanimously approved by the Board.

K. GENERAL DISCUSSION

Mr. Little stated that he will make a motion at the January meeting to rescind the conservation agreement on the Reynolds property if the Reynolds family does not come to agreement by that time. The Reynolds family has not yet filed a petition with the Orphans Court.

Mr. Geouque wished to publicly thank the Public Works Department for the Christmas Tree.

L. EXECUTIVE SESSION(S) HELD OR SCHEDULED

Chairman Allaband announced the Board will recess to hold an executive session to discuss Real Estate and Legal Matters.

The Board recessed at 9:03pm and reconvened at 9:54pm. Chairman Allaband announced that an executive session was held this evening to discuss Real Estate and Legal Matters.

Chairman Allaband announced that the next meeting of the Board of Supervisors will be the Annual Reorganization Meeting on Monday, January 4, 2016 starting at 7:00pm.

J. ADJOURNMENT

Motion by Mr. Little and second by Mr. Ayotte to adjourn the meeting at 9:57pm was unanimously approved by the Board.

Respectfully Submitted,



Lewis J. Gay,
Township Secretary