

**NEW GARDEN TOWNSHIP
299 STARR ROAD
LANDENBERG, PA 19350
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
JULY 18th, 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

A. CALL TO ORDER

Chairman Ayotte called the meeting to order at 7:30pm.

B. PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

Chairman Ayotte announced that Executive Sessions were held on June 27, 2016 and July 18, 2016 to discuss legal and real estate matters.

D. RESOLUTIONS/ ORDINANCES TO BE CONSIDERED

1. Ordinance #218 – Intergovernmental Cooperation Agreement with the Borough of West Grove

Authorizes the Township to enter into an intergovernmental cooperation agreement with West Grove Borough establishing a regional police department under authority of the Pennsylvania Intergovernmental Cooperation Act.

Solicitor Pompo explained that the Ordinance sets forth an outline of what the agreement states. The initial period will be 3 years through December 31, 2019. Cost apportionment of operating cost eighty percent (80%) New Garden and twenty percent (20%) for West Grove Borough. New Garden Township will have sole responsibility to build new Police Facility.

Motion by Mr. Little and seconded by Mr. Allaband to approve ordinance #218 with change of duration to December 31st, 2019. Unanimously approved.

2. Resolution #754 – Multi-Modal Grant Application

Resolution for Baltimore Pike and Newark Road intersection improvement application. Township is seeking 3,000,000 grant from the Commonwealth Financing Authority to be used for multi-modal mobility and safety improvements and allows the Chairman and the Township Manager to sign documents associated with the grant.

Motion by Mr. Allaband and seconded by Mr. Geouque to approve resolution #754 as presented. Unanimously approved.

3. Resolution #755 Supporting Amendment to the Sterling Act

Requests the Commonwealth of Pennsylvania to amend the Sterling Act to require that an amount up to one percent of the non-resident Philadelphia Wage Tax paid by non-residents to the City of Philadelphia be remitted to the municipality where the taxpayer resides.

Motion by Mr. Allaband and seconded by Mr. Little to approve Resolution #755 as presented was approved unanimously.

E. 1. PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

A. James Diluzio

Mr. Diluzio requested a moment of silence for first responders as a result of recent tragic incidents involving first responders around the nation. A moment of silence was observed. Mr. DiLuzio had the following comments on the Sale of the Sewer System:

1. Recommends that the vacancies on the Sewer Authority be filled
2. Suggests any public meeting be rescheduled until after Labor Day.
3. Sale of system is a one time deal and Board should be focused on use of proceeds

Mr. Diluzio asked an update on Route 41 and Newark Road improvements. Mr. Scheivert stated that project is still scheduled but there has been little movement recently. Mr. DiLuzio then encouraged the public to visit the Kennett Library and use it.

B. Steve Allaband – Requested approval for a candlelight vigil to be held at the Township for National Overdose Awareness Day on August 31st at 7PM. Organizers have asked for either park or Township Building.

Motion by Mr. Little and seconded by Mr. Loftus to allow use of the Township Building and parking lot for a vigil ceremony on August 31st at 7PM was unanimously approved.

C. White Clay Soccer Club – Jason Osecki representing the club requested permission to use two (2) self-contained portable light units for the lower soccer fields at the Township Building complex. The lights will face east and be away from the road. Lights to be used for practices Monday through Friday up until 8:30PM. There was no objection from the Board of Supervisors. The consensus was use of lights was permitted up until 8:30PM.

2. PERSONS WHO WISH TO BE RECOGNIZED - None

F. UNFINISHED BUSINESS

1. Terms of Agreement for Regional Police Department with Borough of West Grove -

Motion was made by Mr. Loftus and seconded by Mr. Allaband to approve the agreement with the Borough of West Grove for the Southern Chester County Regional Police Department. Motion was unanimously approved.

2. Update on Thompson Road Bridge- Mr. Scheivert announced work should begin on bridge first or second week of August.

G. NEW BUSINESS

1. Regional Household Hazardous Waste Collection Commitment – Request from Chester County Solid Waste Authority for a commitment to participate in the 2017 – 2020 Regional Household Hazardous Waste Collection Program. The Township’s estimated cost share will be a proportionate share based on the 2010 census. .

Motion by Mr. Allaband and second by Mr. Loftus to approve the Township’s Commitment to the 2017-2020 Regional Household Hazardous Waste Collection Program. Motion was approved unanimously.

2. Pemberton Road Development (Formerly Hawks Glen) Developer Agreements-

a. Proposed Escrow – Section VII – Sanitary Sewer Construction – AECOM recommends approval of Sanitary Sewer items with the following exception – a unit price should be increased from \$950.00 to \$2,000.

b. Letter of Credit – Financial Security

Per Nathan Cline of Pennoni Associates the recommended security amount to be provided should be \$3,108,388.46 for sanitary sewer related items.

Motion by Mr. Ayotte and second by Mr. Allaband to approve development agreements contingent that the financial securities are in place. Motion approved unanimously.

H. FUNCTIONAL AREA UPDATES

1. Administration

a. Police Facility - An update was provided to review the Committee’s activities collecting information and potential costs of a new facility.

The Board recessed at 8:22PM for an executive session to discuss the Sewer System Sale and reconvened at 9:15PM.

b. Manager – Sewer System Sale Update - Manager Scheivert announced there will be a joint public meeting of the Board of Supervisors and the Sewer Authority on Monday July 25, 2016 at 7PM to discuss the potential sale of the sewer system and to receive input, questions and concerns from residents. Aqua will be present to make a presentation at the meeting and will also be available for questions. If needed, as a result of the first meeting, a second meeting will be held on August 11, 2016 at 7PM. Documents associated with the sale will be published tomorrow. An executive summary will be provided online and a complete copy of the APA (Asset Purchase Agreement) will be available at the Township Building for public review.

c. Public Works- None

d. Airport – There is one individual very interested in purchasing/leasing one of the available parcels at the Airport.

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 \$735,392.50 was unanimously approved. Mr. Allaband recused on Jenkins and McMahon invoices totaling \$1,160.50.

b. Motion by Mr. Little and second by Mr. Geouque to ratify payments of the bills on the Paid Bills report totaling \$27,625.82 was unanimously approved.

I. APPROVAL OF MINUTES

1. Motion by Mr. Geouque and second by Mr. Little to approve the minutes of the June 20, 2016, meeting was unanimously approved.

J. GENERAL DISCUSSION

Motion by Mr. Ayotte and second by Mr. Loftus to require PREIT to make the mushroom houses on its property safe. Motion was approved unanimously.

Mr. Geouque reminded everyone that the Ice Cream Social is tomorrow in the park.

K. OTHER BUSINESS

Chairman Ayotte announced the next Board of Supervisors meeting will be held on Monday, August 15, 2016 at 7:30pm.

L. ADJOURNMENT

Motion by Mr. Little and second by Mr. Loftus to adjourn the meeting at 9:27 pm was unanimously approved.

Respectfully Submitted,

Lewis J. Gay,
Secretary