

**BOARD OF SUPERVISORS
MEETING MINUTES**

May 6, 2015

7:00 P.M.

MEMBERS PRESENT:

Richard Scott-Harper, Chairman
David Connors, Vice Chairman
Robert Hittinger
Michael Pickel
Robert Weer

STAFF/OTHER PRESENT:

Steve Brown, Township Manager
Jacqui Guenther, Finance/HR Director
Shane Kinsey, Director of Public Works
Dawn Maciejczyk, Administrative Assistant
21 Audience Members

PLEDGE OF ALLEGIANCE

Mr. Scott-Harper led the audience in the pledge of allegiance.

I. CALL TO ORDER

Mr. Scott-Harper called the meeting to order at 7:00 p.m.

II. PUBLIC COMMENT

Mr. Scott-Harper called for any public comment. Mr. Lou Kaplan asked if the Township has followed up on the NutraSoils violations in London Grove and Penn Townships. Mr. Brown has been in contact with the DEP and will continue to stay in touch with them but, to date, they have not acted..

III. CORRECTION/APPROVAL OF MINUTES

The meeting minutes of April 1, 2015 were amended as follows:

Under New Business, Gourmet's Delight, paragraph 1 "Mr. Scott-Haper said the Township could not get involved in the Zoning Hearing Board matter."

A motion was made by Mr. Pickel to approve the meeting minutes of April 1, 2015 as amended above, seconded by Mr. Weer, and approved by a vote of 5-0.

IV. STAFF REPORTS

Code Department

Mr. Brown presented the Codes Department report as prepared by Mr. Kirk and Mrs. Zunino. There were no comments or questions.

Public Works

Mr. Kinsey presented the Public Works Department report. Mr. Connors asked if we are on schedule with the road program. Mr. Kinsey replied yes.

Finance Report

The Financial Report was reviewed with the Board by Ms. Guenther. Mr. Connors asked when the transfer of the \$ 674,000 from the Capital Reserve Fund was going to happen. Ms. Guether told him at anytime as the funds were available. A motion was made by Mr. Hittinger, seconded by Mr. Connors and approved as submitted by a vote of 5-0.

Odor Report

Mr. Brown reported that 3 email complaints and 3 call complaints were received by DEP in April.

State Police

The State Police report was presented to the Board showing 210 incidents opposed to 159 incidents in March.

Inniscrone Golf Course

Mr. Tom Bolko, General Manager, reported that the golf course revenues reflect better weather and they are within the percentage of last year's revenues. Mr. Bolko met with Mr. Kinsey on the Selective Insurance recommendation regarding pesticides storage. Mr. Weer thanked him. Mr. Bolko announced that they have started a limited lunch menu on Saturday, Sunday and Tuesdays. He also stated that they are pumping 500,000 gallons a night for the London Grove Township Municipal Authority. Mr. Bolko also stated that there was no winter damage. Mrs. Prange asked if the groundhogs could be trapped from the Merner Property. Mr. Scott-Harper said they will try to address the issue; he asked Mr. Brown to contact Jim Subach or other trappers.

V. FIRST BUSINESS

Deputy Tax Collector appointment

Mr. Brown asked that this be postponed until June because no one from the Township was able to meet with Mrs. Keene.

Chester County bridge #59 (Baker Station Road) superstructure replacement

Sandy Martin from McCormick Taylor presented the project and gave a brief background and overview of the project stating that the superstructure and deck need to be replaced. They plan to start on this project in early 2016, and it should take approximately 3 months to complete. Matt Hickson, TPD, described the detour route that would need to be followed. The traffic count showed there were approximately 529 vehicles per day, being mostly local traffic that would need to use the detour. Mr. Hickson stated that proper signage would be used and that they are in the final design phase now. Mr. Kinsey asked that there be additional signage, especially in Lowe's on Hepburn. There were no comments from the Board. Mr. Connors asked Ms. Martin about the State Street bridge in Avondale. She responded that it is well into design now and Matt Goudy will email Mr. Brown with an update, but that project is still a few years out due to State funds being used.

VI. OLD BUSINESS

Traditions streets restrictions

Mr. Brown described actions he has taken including contacting the Pennsylvania State Police, working with Traffic Planning and Design and reviewing PennDOT traffic calming policies. Mr. Scott-Harper asked a question about the traffic calming policy. Mr. Connors asked if truck restriction signs could just be put up? Mr. Scott-Harper said "no" because of liability and we cannot enforce them.

Mrs. Prange asked about basin issues. Mr. Scott-Harper asked Mr. Brown to follow up on the open space transfer to the Home Owners Association and the payment of Liquid Fuels monies by Mr. Rouse. Mr. Connors motioned for truck restriction study at \$2,500, seconded by Mr. Weer and approved with a vote of 4-1. Mr. Hittinger was a no.

Lamborn Hunt

Mr. Brown reviewed his recent meeting with Keystone and Mr. Ragan. Mr. Taglione thanked Mr. Connors for coming out and doing the walk-through with the residents and Mr. Ragan. Mr. Taglione reviewed the main issues. Mr. Connors suggested that a Keystone representative meet with the Home Owners Association and Mr. Ragan to walk-through and discuss the issues. Mr. Taglione said they are not kept in the loop about status and would like to be. He also said that work did begin this week. A resident at 615 Lamborn Ridge (lot 66) stated that his driveway does not drain and holds 2 feet of water. Another resident stated that the basin at the bottom of the development is more of a "pond," holding at least 5 feet of water and has algae growing on it. What is the final form for that pond? Mr. Connors suggested adding that to the list.

International Fire Code ordinance-hearing authorization

Mr Weer made a motion to authorize a hearing of the International Fire Code, seconded by Mr. Connors and approved with a vote of 5-0.

Regional Police Department discussion

Mr. Scott-Harper announced that there will be a public meeting/discussion on May 21, 2015 at 7 p.m. at Fred S. Engle Middle School cafeteria and that postcards were sent out inviting all the residents to attend. Mr. Connors asked should a representative from the State Police be there? Mr. Scott-Harper said "no" it is just a discussion. Mr. Connors suggested inviting the State Police as well as local police departments. Mr. Pickel disagrees with Mr. Connors.

Mr. Pickel shared that Kennett Square is having a similar meeting but not inviting the Kennett Square Police Department; however they can attend the meeting but not in uniform. The purpose of the meeting is for the residents to speak their mind and not be intimidated by a police presence.

Mr. Hittinger said the police should attend the meeting. Mr. Weer said if we invite the State Police then we should also invite the local police. We should give them all the same respect. Mr. Weer suggested having a work session with the State Police prior to the May 21, 2015

meeting. Mr. Scott-Harper said the Board of Supervisors is not dissatisfied with the Pennsylvania State Police at all. Mr. Weer said he would like to meet with the Pennsylvania State Police ahead of the May 21, 2015 meeting. Mr. Scott-Harper asked Mr. Brown to set up a meeting with the Pennsylvania State Police prior to the May 21st meeting.

Public Works Department building status

Mr. Kinsey said Mr. Ragan expects to have the land development plan presented in May to the Planning Commission. Mr. Kinsey went over the plan and the design of the building, which is still on-going. Mr. Kinsey also stated that they have formed a "Steering Committee" with Mr. Kinsey, Mr. Weer and Mr. Brown. Mr. Connors asked if there were other location options, for example across the street on Authority property. He is concerned with the lack of room to expand and the loss of the multi-purpose field. Mr. Scott-Harper said the problem is the London Grove Township Municipal Authority system may not be built for 10-15 plus years, the Township would not be able to build until then. The majority of the Board of Supervisors wants to proceed with the plan as is.

Credit card ordinance -establish fees/agreement with Imex

Mr. Scott-Harper asked why it is a sliding scale and not a flat fee. Mr. Connors said that was common. Mr. Hittinger said there are at least 25 typos which makes him uncomfortable with the company. Mr. Pickel said he spoke with Ms. Nau about Fulton Bank and Ms. Nau said they were more costly. But Mr. Pickel said maybe they were better and more responsive. The Board of Supervisors would like Mrs. Guenther to investigate other options.

Comcast ordinance and agreement

Mr. Brown reviewed his May 5, 2015 memo reviewing provisions of the agreement. Mr. Brown entered exhibits B-1- Ordinance, B-2- Proof of Publication and B-3- Memo. Mr. Brown stated that essentially this is an extension of the recently expired agreement.

Mr. Hittinger asked Mr. Kevin Broadhurst from Comcast why is there no franchise fee on internet service? Mr. Broadhurst said that is because of a court decision it is an information service.

The hearing closed.

Mr. Hittinger made a motion to approve Ordinance #194, seconded by Mr. Pickel and approved by a vote of 5-0.

Mr. Hittinger made a motion to approve the Comcast cable franchise agreement, seconded by Mr. Pickel and approved by a vote of 5-0

Mark Family Trust plan

Mr. Scott-Harper moved this up on the agenda since the family was waiting. Mr. Ken Crossan introduced the plan. Mr. Brown said it is simply lot lines for two existing houses to create two lots. A motion was made by Mr. Pickel for final subdivision approval per the April 15, 2015 Ragan Engineering Associates letter, seconded by Mr. Connors and

approved by a vote of 5-0.

Geren subdivision and module

Mr. Scott-Harper moved this up on the agenda since Mrs. Geren was waiting. Mr. Ken Crossan introduced the plan and stated that Mr. Ragan's only comment that was outstanding is regarding the basin easement and it has been addressed. Mr. Weer asked if the public sewer was available. Mr. Crossan said there is a pressure line and it is not down the hill near this property. Mr. Hittinger asked about the Planning Commission's comments and Mr. Brown reviewed them. Mr. Connors made a motion for approval condition upon satisfying the Ragan Engineering Associates letter, seconded by Mr. Pickel and approved by a vote of 5-0.

Selective Update

Pesticide storage at Inniscrone Golf Course was reviewed by Mr. Brown. Mr. Kinsey noted that installation and electric were not included in the price of the storage building. Mr. Connors was interested in using Capital Inniscrone Golf Course money. Mr. Kinsey and Mr. Brown are to help Mr. Bolko get quotes. In the meantime, a placard is to be placed on the building.

Lamotte conservation easement

Mr. Brown reviewed an email between him and Mr. David Shields regarding the Township being co-grantee. Mr. Weer and Mr. Pickel are not willing to take a risk of litigation as co-owner. Mr. Scott-Harper and Mr. Hittinger agree. Mr. Connors is fine with either being co-grantee or not. The Board of Supervisors agreed not to become co-grantee.

VII. NEW BUSINESS

Park Benches

Mr. Kinsey reviewed a memo to the Board about adding park benches to the dog park at Goddard Park as per the resident's request. Mr. Kinsey said it would be \$2,310.00 for two benches. A motion was made by Mr. Connors to purchase the benches, seconded by Mr. Pickel and approved by a vote of 5-0.

Ellicot Road and Hilton Road bridges- authorize bid for precast

Mr. Kinsey bid these two together to lower the cost. Construction is using the same concept as the Lloyd Road bridge. A motion was made by Mr. Connors to authorize the bid for the Ellicot Road and Hilton Road bridges, seconded by Mr. Pickel and approved by a vote of 5-0.

Goddard Park Storage Building

Mr. Kinsey stated that this was part of the original design but was not included in the bid award due to its high cost. Mr. Kinsey said the Public Word Department staff needs the storage and recommends Stoltzfus Structures install it at a cost of \$9,431. A motion was made by Mr. Connors to have Stoltzfus Structures install the shed, seconded by Mr. Hittinger and approved by a vote of 5-0.

Co-op bid for fuel and line painting

Mr. Kinsey reviewed the 4/22/15 memo. A motion was made by Mr. Connors to award the bid to

- Fuel – Superior Plus Energy, Exton, Pa
 - Diesel Fuel – Low sulfur w/additive - .1860 Rack Diff
 - 5000 gallons bid London Grove, 49,800 gallons bid total.
 - Diesel Fuel – Off Road Use - .3000 Rack Diff
 - 1500 gallons bid London Grove, 5,600 gallons bid total.
 - Gasoline – 87 Octane - .1588 Rack Diff
 - 3000 gallons bid London Grove, 55,000 gallons bid total.
- Line Painting – Alpha Space Control Co., Inc. Chambersburg, Pa
 - Double Yellow Center Line – \$0.098 per lineal foot
 - 90,000 lineal feet bid London Grove, 574,148' Bid total.
 - White Edge Line – \$0.049 per lineal foot
 - 40,000 lineal feet bid London Grove, 427,024 Bid total.

seconded by Mr. Pickel and approved by a vote of 5-0.

Miscellaneous ordinances

Mr. Brown introduced four items discussed at various times in the past. Mr. Scott-Harper said we need to address the recreational definitions and the deck setbacks. Mr. Scott-Harper said the deck setback problem seems to be with Inniscrone mostly. The Board of Supervisors would like to address and involve Wayne Graftan, Township planner, in the deck setback matter. The Board of Supervisors agreed to leave ecovillage standards in the Zoning Ordinance. Mr. Connors suggested reaching out to the State Police regarding communications towers to see if they still need the height; if they don't need a tall tower then the Board of Supervisors amend the ordinance back to the original.

Boddorf easement

The Board of Supervisors is concerned with the money paid to Natural Lands Trust in the past and asked can that money be deducted from the transaction cost? Otherwise the Board is fine with paying the transaction cost for a donated easement. Mr. Connors said we need some protection in the event the Boddorfs back out of the deal. Mr. Hittinger asked who decides if a survey is needed? Mr. Brown will follow up and ask.

Rose Hollow Road

Mr. Brown explained that the water line needs to be accessed. The question is do we want to allow a cut to the road or bore under it? Mr. Connors and Mr. Pickel are in favor of boring. Mr. Scott-Harper said the water line is in place and the developer could have planned better. The consensus of the Board was to bore under the road.

VIII. PLANS

Mark Family Trust

Mr. Scott-Harper moved this up on the agenda to Old Business since the family was waiting.

Geren subdivision plan

Mr. Scott-Harper moved this up on the agenda to Old Business since the family was waiting.

Adjournment

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Dawn Maciejczyk
Administrative Assistant