

**BOARD OF SUPERVISORS
MEETING MINUTES**

June 3, 2015

7:00 P.M.

MEMBERS PRESENT:

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

STAFF/OTHER PRESENT:

Steven Brown, Township Manager
Jacqui Guenther, Finance/HR Director
Shane Kinsey, Director of Public Works
Dawn Maciejczyk, Administrative Assistant
19 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 7:05 p.m.

II. PUBLIC COMMENT

Mr. Scott-Harper announced that the Board had an Executive Meeting at 6:30 p.m. before the scheduled Board meeting to discuss a legal matter. Mr. Scott-Harper called for any public comment, there was no comment.

III. CORRECTION/APPROVAL OF MINUTES

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

Under Finance Report Mr. Hittingers' name was spelled incorrectly.

A motion was made by Mr. Connors to approve the meeting minutes of May 6, 2015 as amended above, seconded by Mr. Pickel, 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. Scott-Harper complimented Mr. Kinsey and his crew on a recent call he received from a resident regarding post-storm clean-up. Mr. Connors asked Mr. Kinsey to meet with the local farmers to determine where tree branches along roads should be trimmed.

Finance Report

The Financial Report was reviewed with the Board by Ms. Guenther. Mr. Connors asked that the transfer of the \$ 674,000 from the Capital Reserve Fund happen before the end of June. Mr. Connors also pointed out that the park maintenance is higher than the budget and we need to look at that for next year. He also asked Mr. Kinsey to explain why vehicle parts costs are up. Mr. Kinsey stated that they had three unexpected issues with the same vehicle, but it is not a "bad" vehicle. A motion was made by Mr. Connors, seconded by Mr. Pickel and approved as submitted by a vote of 5-0.

Odor Report

Mr. Scott-Harper reported that there were 4 email complaints. There were no comments or questions.

State Police

The State Police report was presented to the Board showing 205 incidents opposed to 210 incidents in April.

Inniscrone Golf Course

Mr. Tom Bolko, General Manager, reported that the golf course revenues for May overall are up fifteen percent (15%) over May 2014, this makes it their second best month. He also reported that revenues are up four percent (4%) over 2014. Mr. Brown advised the Board of the status of pesticide storage; Mr. Bolko will follow up with getting a secure, steel cabinet.

V. HEARING

International Fire Code Ordinance No. 195

Mr. Scott-Harper opened the hearing. Mr. Brown entered exhibits B-1 and B-2. These were reviewed by Mr. Brown and Mr. Kinsey regarding operational permits (approximately 20 are proposed), the regulation is still in the ordinance even if a permit is not required and the hearing was closed. The ordinance was drafted so as not to conflict with UCC.

International Fire Code Discussion

Mr. Tom Glass, a resident, spoke in favor of having the Fire Code; it helps the residents and the fire fighters. Mr. Hittinger asked if the Board of Supervisors read all five hundred (500) plus pages. Mr. Weer said he has. Mr. Connors agrees with Mr. Glass that we should have. Mr. Weer made a motion to adopt the International Fire Code Ordinance No. 195, seconded by Mr. Pickel and approved with a vote of 4-1, Mr. Hittinger voted against it. Mr. Brown was asked how the township would proceed. He said public education would be first; next we would work with schools and institutions.

VI. FIRST BUSINESS

Deputy Tax Collector appointment

Mr. Brown stated that he met with Ms. Clara Keene and Mr. Engleman and recommends that the Board appoint Ms. Clara Keene as the Deputy Tax Collector. A motion was made by Mr. Pickel to appoint Ms. Keene, seconded by Mr. Weer and approved with a vote of 5-0.

Codes Mutual Assistance appointment

Mr. Brown reviewed an arrangement Mr. Kinsey had in the past with Kennett Township. Their Codes Administration Officer would come and help out if Mr. Kinsey was out for an extended period of time and Mr. Kinsey would go their and help out if there Codes Administration Officer was out for an extended period of time. Mr. Kirk has already been appointed to Kennett Township's assistant for this purpose. A motion was made by Mr. Connors to appoint Mr. Richard Hicks as the Assistant Codes Administration Officer for "back-up" purposes seconded by Mr. Pickel and approved with a vote of 5-0.

Quarry Use

Mr. Brown announced that the Delaware State Police dive team would like to use our quarry for dive instruction. Mr. BJ Barkley an instructor with the Delaware State Police and Avondale Fire Company explained that the quarry was a perfect location to train. Mr. Barkley stated that he will provide a certificate of insurance and a hold harmless agreement from both the Delaware State Police as well as the Avondale Fire Company. A motion was made by Mr. Connors to approve the use of the quarry for the dive training by Delaware State Police and Avondale Fire Company, seconded by Mr. Pickel and approved with a vote of 5-0.

Klotzbach ASA application acknowledgement

Mr. Brown explained the ASA application review process and announced that we have received such an application from Mr. Klotzbach, which is the first step.

Boy Scout Trailer

Mr. Weer explained that the Boy Scout Troop out of Assumption BVM had requested the use of the Township back parking lot to store a trailer. Mr. Scott-Harper asked if we could get a hold harmless agreement from them? Mr. Connors asked for up-to-date registration for the trailer as well. Mr. Pickel asked if they would be willing to help at the park one Saturday during the year? A motion was made by Mr. Hittinger to approve the use of the parking lot for the trailer and to review this request annually, seconded by Mr. Pickel and approved with a vote of 5-0.

VII. OLD BUSINESS

Regional Police Department decision

Mr. Scott-Harper reviewed the discussion that the Board had with the residents last month. A motion was made by Mr. Hittinger to not participate any further in the Regional Police Department and to notify the other Municipalities, seconded by Mr. Pickel and approved by a vote of 5-0.

Public Works buildings update, financing discussion, Merner easement and E. London Grove Road Improvements

Ms. Guenther reviewed memos from herself to the Board regarding the financing of the Public Works building and paying for Merner and E. London Grove Road. Mr. Brown summarized the Capital Improvements Plan. Mr. Connors asked about the Public Works

buildings cost? Mr. Kinsey said we do not have any hard numbers yet he is hoping it is in the \$2.5 million dollar range; he should have estimates with in thirty (30) days from the design engineer. Mr. Connors asked for a separate meeting to discuss the buildings and the CIP once the estimates are in.

The Board of Supervisors is fine with making the East London Grove Road improvements in 2015 and with cost of the Merner easement. A motion was made by Mr. Pickel to approve the two (2) payments, seconded by Mr. Connors and approved with a vote of 5-0.

Permit Fees Resolution #639

Mr. Brown reviewed the Resolution stating it contained International Fire Code permit fees and other updates from Mr. Kirk. Mr. Hittinger asked the question about someone building on their own? Mr. Kinsey explained the cost to the Township is still the same. A motion was made by Mr. Weer at adopt the Resolution #639, seconded by Mr. Pickel and approved with a vote of 5-0.

Rose Hollow road cut/bore

Mr. Brown reviewed a memo regarding cutting the road or boring under it for the water line to serve the development. Mr. Kinsey reviewed the plans; it is not one hundred percent (100%) clear on the plans but there are details for an open cut. A motion was made by Mr. Connors to bore under the road, no second was made. Mr. Hittinger made a motion to cut the road to get the water line across, seconded by Mr. Pickel and approved with a vote of 4-1. Mr. Connors voted against cutting the road.

Traditions traffic calming

Mr. Brown reviewed the process and the recommendation to wait for speed data from the truck study. Mr. Brown is to advise the Pennsylvania State Police of the truck study and possible restrictions. Mr. Connors made a motion to move ahead with the traffic calming study if the hose data shows there is a speeding problem, seconded by Mr. Weer and approved with a vote of 5-0.

Lamborn Hunt Status

Mr. Brown reviewed a chain of emails between himself and Keystone. Keystone is working with an engineer to design modifications to some of the basins in Lamborn Hunt so they drain. Mr. Scott-Harper asked the question should we test the ground before just piping the water out? Mr. Connors said that a lot of the grading work is sub-par; there is no topsoil, etc. He wants to take the security when the ninety (90) day notice period runs out. One resident discussed the basin behind her house, she said it is holding six (6) feet of water in the middle and has algae growing. She is scared that kids are going to get hurt. She asked if the Township can pump all the basins holding water? Mr. Brown is to ask Ms. Kushto, township solicitor, what we can do to address these safety issues immediately and get back to the Board. Mr. Connors asked that we add a median cut for the trail to the punch list, so it is not an ADA compliance issue.

VIII. NEW BUISNESS

Surface Treatment Award

Mr. Kinsey recommends the award of the Bid to the Asphalt Industries of Chester, PA.

This is a unit price bid with the following costs;

- Double Chip Seal - \$2.85 per square foot – Approximately 23,990 s.f.

These quantities cover the following General Fund / Liquid Fuels Projects:

- Walter Road – Full length
- Hilton Road – Full length (except area of bridge construction)
- Howell Moore Road – Full length.

Total value of the contract is approximately \$68,371.50.

A motion was made by Mr. Hittinger to award the Surface treatment bid to Asphalt Industries of Chester, PA, seconded by Mr. Weer and approved with a vote of 5-0.

Paving Award

Mr. Kinsey recommends the award of the bid to the low bidder, Long's Asphalt of Quarryville, PA. Long's has been the low bidder for several years and we have been happy with their work.

This is a unit price bid with the following costs;

- 9.5 mm 1.5" overlay - \$6.50 per square foot – approx 21,247 square feet
- 9.5 mm leveling @ 1" +/- - \$77.00 per ton – approx 1100 tons
- 25 mm 5" Mill & Fill Base repair - \$24.20 per square foot – approx 5300 square feet
- 19 mm leveling @ 3" - \$65.45 per ton – approx 4680 tons
- 1 ½" milling prior to paving - \$1.85 per square foot – approx 5270 square feet

These quantities cover the following General Fund / Liquid Fuels Projects;

- State Road from the Avondale Borough line to approximately Inniscrone Drive – mill & overlay
- Rose Hill Road & State Road in area of Intersection – selective base repair
- Meetinghouse Road – West Grove line to dead end – Leveling
- Hannum Mill Road – Route 841 to Dead End – Leveling
- W. Avondale Road – Route 841 to N. Guernsey Road

In addition to these EIT Projects;

- Ellicott Road – Full West London Grove Road length – Base repair, level, & overlay
- Lamborntown Road – Leveling

The total value of the contract is approximately \$486,936.25 with approximately \$230,000.00 for General Fund / Liquid Fuels projects and \$257,000.00 for EIT Projects.

A motion was made by Mr. Weer to approve the paving bid to Longs Asphalt of Quarryville, Pa., seconded by Mr. Connors and approved by a vote of 5-0.

Hilton and Ellicott Road Bridges Award

Mr. Kinsey reviewed that one (1) bid was received for the projects from Contech Engineered Solutions. This is the company that provided the precast for the Garden Station and Lloyd Road bridges.

The bid for Hilton Road came in at the expected \$80,000.00, and the bid for Ellicott Road was slightly higher than anticipated at \$82,000.00. All bid bonds and paperwork is in place.

Mr. Kinsey recommends the awarding of these bids.

A motion was made by Mr. Connors to approve the Hilton and Ellicott Road bridges bid to Contech Engineered Solutions, seconded by Mr. Pickel and approved with a vote of 5-0.

E. London Grove bid authorization

Mr. Scott-Harper stepped out. Mr. Kinsey reviewed that they will be completing mill and fill, base repair, level and overlay of the road. A motion was made by Mr. Pickel to authorize the bid of this work, seconded by Mr. Hittinger and approved with a vote of 4-0.

UCC appeals board appointment- Frank Scarpato

Mr. Brown reviewed that there are three or four (3 or 4) members still needed for this Board and that he would recommend Mr. Scarpato be appointed. A motion was made by Mr. Weer to appoint Mr. Scarpato, seconded by Mr. Connors and approved by a vote of 5-0.

Model Riparian buffer ordinance

Ms. Ann Hutchinson from National Lands Trust reviewed to facts regarding removal of pollutants from streams to improve water quality. The stream buffers have to be 100 feet to remove fine silt and clay, 120 feet to address nitrogen. Ms. Byun, from the Brandywine Conservancy, Ms. Hutchinson also stated that we are not going to get absolutes from the Department of Environmental Protection regarding target TMDL reduction numbers. Mr. Hittinger would rather table the matter until we hear from the Department of Environmental Protection. Mr. DeFransico said 100 feet is a lot, he would lose 8-10 acres on his property and that is a loss he cannot take. Mr. Connors said he would like to move forward to improve the waterways, but is sensitive of the cost to farmers and would like to address that. Mr. Brown explained the idea of a 35 foot buffer for farms with conservation plans. Mr. Pickel and Mr. Weer also want to continue to work on an ordinance. Ms. Hutchinson and Ms. Byun understand the sensitivity to the acreage loss on farms. A motion was made by Mr. Weer to continue working on the ordinance, seconded by Mr. Connors and approved with a vote of 5-0.

Spohn (Johnson) Zoning Hearing Board application

The Board does not want to take action.

Chong Zoning Hearing Board application

The Board does not want to take action.

3 Zoning Hearing Board applications appealing R. Toto decision

The Board of Supervisors wants to defend the Zoning Officer's decision and be a party. The Board instructed Mr. Brown to utilize Dwight Yoder in this matter. A motion was made by Mr. Connors, seconded by Mr. Pickel and approved with a vote of 5-0.

Wise Guys Farm financial security and stormwater agreements

Mr. Brown reviewed the agreements. A motion was made by Mr. Pickel to approve the two agreements, seconded by Mr. Connors and approved by a vote of 5-0.

Geren Stormwater agreement/financial security waiver

Mr. Brown reviewed the agreements. He said Mrs. Geren asked that she not be required to post security or enter into the agreement. A motion was made by Mr. Hittinger to approve the stormwater agreement and not require security or the financial security agreement, seconded by Mr. Pickel and approved with a vote of 5-0.

Rose Hollow financial security and stormwater agreement

Mr. Brown reviewed the agreements. A motion was made by Mr. Pickel to approve the two agreements, seconded by Mr. Weer and approved with a vote of 3-2. Mr. Connors and Mr. Hittinger voted against the approval.

IX. PLANS

There were no plans this month.

X. EXTENSIONS

Needham Farms- September 1, 2015

Powers/Dutton- August 12, 2015

A motion was made by Mr. Connors to accept the ninety (90) day extensions, seconded by Mr. Pickel and approved with a vote of 5-0.

Alegranti basin and erosion repair

Mr. Scott-Harper asked for an update. Mr. Brown explained the status. He will ask Mr. Ragan about the as built plan review as well as plans to fix.

Merner Subdivision

Mr. Scott-Harper explained the Act 319 issue the Authority will propose three (3) lots to solve the problem. Two (2) would be for London Grove Township Municipal Authority and one (1) lot to sell. The easement change would have to be approved by the Board of Supervisors.

XII. ADJOURMENT

A motion was made to adjourn the meeting by Mr. Pickel, seconded by Mr. Connors and approved with a vote of 5-0. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Dawn Maciejczyk
Administrative Assistant