

**LONDON GROVE TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
November 2, 2016 – 7:00 P.M.**

MEMBERS PRESENT:

Richard Scott Harper
David Connors
Robert Weer
Michael Pickel

STAFF PRESENT:

Steven Brown, Township Manager
Shane Kinsey, Public Works Director
Jacqui Guenther, Finance Director
Tom Bolko, Inniscrone Golf Club
18 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 7:02 p.m. He announced that the Board of Supervisors did have an executive session prior to this meeting to discuss personnel items with the Township Solicitor.

AGENDA POLICIES:

Mr. Scott Harper described the purpose of the agenda policy regarding public comment. Mr. Scott Harper read aloud policy number 1. "It is the policy of the London Grove Township Board of Supervisors ("Board") to permit comments by the public at open meetings of the Board or any committee on current agenda items and other matters of public concern. The Board shall permit comments by members of the public at regular Board and committee meetings at a time specified on the agenda for "Public Comment." There shall be two separate Public Comment periods, one for items on the current agenda and one for non-action items."

Mr. Connors did not think that total comment time needs to be added. Mr. Pickel disagreed stating that the policy is to allow the Board of Supervisors to comment all Township business.

Mr. Connors and Mr. Scott Harper discussed policy number 2. Mr. Pickel said this is where he is concerned. Mr. Pickel suggested a five (5) minute limit and the Board of Supervisors found that acceptable. The Board of Supervisors agreed to strike the first sentence under policy number 3. Policy numbers 4, 5, 6, 7, 8, 9, 10, 11 where reviewed by the Board of Supervisors and audience.

Mr. Pickel made a motion to implement this meeting policy starting with the next Board of Supervisors meeting, seconded by Mr. Connors and approved by a vote of 4-0.

RECORDING DEVICES:

Mr. Scott Harper read aloud numbers 1-4. Mr. Richard Gaw, Chester County Press, stated that he will always use/have a recording device with him. The Board of Supervisors gave him a "blanket" ok.

Mr. Connors made a motion to approve the recording device policy, seconded by Mr. Pickel and approved by a vote of 4-0.

II. PUBLIC COMMENT

Mr. Scott Harper asked for public comment. Mr. Stephen Annan asked if the Board of Supervisors has met with the Avon Grove School Board? Mr. Scott Harper responded no, he has tried multiple times and the Board will need to meet with the School Board before they hold a Township Public Meeting on the parking issues in London Grove Township.

Mr. Stephen Annan asked about the State Road Sidewalk Project. He stated that he had spoken with some residents/owners and some have concerns. Mr. Annan would like to know how the Township came up with the idea? Mr. Scott Harper believes overall the trail map for the Township helped to aid in the sidewalk idea as well as the students walking to school. Per Mr. Annan the Township has not been granted any funds.

Mr. Robert Gillespie asked when the Township will address weeds between his neighbor's property and his? Mr. Brown said that this concern needs to be discussed with the Board of Supervisors and the Township Solicitor. Mr. Scott Harper stated that discussing neighbor to neighbor might be faster. Mr. Gillespie further discussed his stormwater management concerns. Mr. Scott Harper stated that the Board would have to get back to him. Mr. Gillespie also brought up that his neighbor is running a dog kennel on the property. He is disappointed with the lack of response.

Mr. Robert Weisner discussed the issue of phorid flies and shared that he hopes the Township will be included in the solution.

Mr. Richard Gaw, Chester County Press, asked what action the Township will be taking if Board of Supervisor Raymond Schoen is sentenced? What is the Township's plan? Mr. Scott Harper stated that the Board of Supervisors has thirty (30) days to replace a board member when the vacancy occurs, then the Vacancy Committee has thirty (30) days and then the Court.

WATER MONITORS

Mr. David Arscott, Stroud Water Research, described the monitors, data and contract to process samples. He stated that the late July samples have been analyzed. These compounds are not necessarily regulated but give an idea of stream health. The baseflow is what is coming from the ground and the storm flow is what is coming from the surface. These describe what was measured. The total Coliform was high but not unusual, E. coli is of more interest.

The general interpretation is that the same changes in the water quality downstream for many but not all measures. One small storm gives us limited data. Mr. Scott Harper asked about "fingerprinting." Mr. Arscott said it is a problem because two of the 6 vials broke. He stated that conditions are indicative of much of our landscape. Mr. Scott Harper asked if it is worth it to sample again. Mr. Arscott said possibly, but difficult to separate from all else in the water. Mr. Scott Harper asked for a contract update for the second sampling. Mr. Scott Harper asked if this form is acceptable to the DEP. Mr. Arscott explained that chain of custody needs to be added. Mr. Connors explained that the Board of Supervisors met with the Department of Environmental Protection (DEP) nine months ago, he asked Mr. Arscott if we are ready to go back to the DEP? Mr. Arscott believes so, he stated that issues will resolve around where it comes from, but data shows degradation.

Mr. Scott Harper said the Township should ask the DEP to investigate. Mr.

Connors asked generically is the CW Act violated? Mr. Arscott stated that nothing egregious other than E. Coli. The state is changing its standards. Primarily for lakes in coastal areas. Mr. Connors asked if the Township should do the second sample and then go to the DEP? Mr. Arscott suggested going to the DEP first and then deciding.

Mr. Annan stated that he is concerned with the pathogens. What is the Township doing to notify the residents/people in the community? Is this a health issue? Mr. Scott Harper said that the Township is monitoring the streams. Mr. Connors said the riparian buffer ordinance is being worked on. Mr. Connors asked if Mr. Arscott could go to the DEP with the Board of Supervisors? Mr. Arscott said yes.

III. CORRECTION/APPROVAL OF MINUTES

The meeting minutes of October 5, 2016 were reviewed and amended as follows.

Mr. Pickel made a motion to approve the Heathland contract amendment as presented, seconded by Mr. Connors and approved by a vote of 4-0.

A motion was made by Mr. Pickel to approve the meeting minutes of October 5, 2016, seconded by Mr. Weer and approved by a vote of 4-0.

IV. REPORTS FOR AUGUST/SEPTEMBER 2016

Inniscrone Golf Course

Mr. Tom Bolko, General Manager, reported the golf course revenues for October 2016. The Golf Course is up 14% this October compared to 2015. This is the first time that Inniscrone has seen a profit in the month of October. As of now the profit is \$30,000. Inniscrone has had 8 non-golf events.

Codes Department

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

Public Works Department

Mr. Kinsey presented the Public Works Department report. The Board of Supervisors thanked Mr. Michael Tome for receiving his Roadway and R.O.W. Pesticides license. They would like to re-visit issuing him a bonus.

Finance Department

The Financial Report was reviewed with the Board by Ms. Guenther. There were no questions. Mr. Connors made a motion to approve the Financial Report, seconded by Mr. Pickel and approved by a vote of 4-0.

Odor Report

Mr. Scott Harper presented the Odor Report. Ms. Audrey Morrison spoke regarding the bad odors. Mr. Connors asked if the DEP has been asked to inspect? Mr. Brown said he spoke to Mr. Horan today (November 2, 2016) and he said they will inspect in early December. Mr. Connors said the issue really is not the odor but it is hydrogen sulfide.

The Board of Supervisors has discussed purchasing air monitors, but would like to wait and see how the water monitors play out first. Mr. Bob Wiesner asked didn't the DEP study air? Mr. Connors said no and referred to the 1999 study. Mr. Curtis Parchment asked if this is unique to London Grove Township? Mr. Scott Harper said no. Mr. Parchment asked if the Townships could band together? Mr. Scott Harper said state legislative enacts laws that created this situation.

State Police Report

Mr. Scott Harper reviewed the Pennsylvania State Police Report. He noted that patrol checks have increased significantly.

V. OLD BUSINESS

Fertilizer ordinance

Mr. Scott Harper had a question on enforcement. Residents could not buy the fertilizer if it did not comply? Mr. Neilson said yes. Mr. Scott harper said it is a good idea. Mr. Pickel agrees but if it is an ordinance, it will not be actively enforced. Mr. Scott Harper asked how others enforce it? Mr. Neilson said having a certificate of proof applicator is a good start. Mr. Pickel and Mr. Connors said it is the law now.

The Board of Supervisors would like to pursue investigating the ordinance. Mr. Wiesner asked how is this any different than state? Mr. Connors answered that it would be similar.

Powers/Dutton extension

Mr. Scott Harper said it is not to force a start if the homes, just to get the plan moving in a forward motion. He suggested a 60-day extension. Mr. Don Urban, said it would be tight. Mr. Scott Harper said they need to show movement and they can always come back for another extension. Mr. Pickel made a motion to approve the 60-day extension, seconded by Mr. Weer and approved by a vote of 4-0.

Lamborn Hunt Phase B dedication

Mr. Scott Harper reviewed Mr. Brown's memo. Mr. Brown explained the two (2) bond idea. Mr. Ragan explained the plan is also being required by the Chester County Conservation District (CCCD). Mr. Connors asked where the Township stands with the punch list? Mr. Ragan said the he is working on getting Keystone to fix a couple of items. He said that the punch list is complete except for utility boxes, swales are per plan and some hold water/ flow during rainstorms.

The Board of Supervisors discussed the HOA concerns and the 18-month period. Mr. Ragan explained how this all works, ex. Concrete will be fixed at once. A resident said her concern is with the junk car in the woods, Mr. Ragan said he could not find it. Her main concern is with the basins and understands the 24-month maintenance period. She asked what is the plan for the basins? Mr. Bill Briegel and Ms. Sarah Young summarized the plan. Mr. Tony Taglione said he reviewed the plans and shared his concerns with the use of valves/drains and clay. The plan only addresses the species, is there enough money for the basins? Mr. Briegel said \$17,000 is only for plants and other. Stormwater is in the 18-month bond.

Mr. Taglione thanked the Board of Supervisors and Keystone Custom Homes for their efforts. Mr. Briegel said the basin at the bottom will be changed from a wet

basin. Mr. Connors thanked Keystone Custom Homes for the change to the island. A resident thanked the Township for the crosswalk. Mr. Briegel said Stone Croft approved the trail fix. Mr. Connors made a motion to dedicate Lamborn Hunt Phase B, seconded by Mr. Pickel and approved by a vote of 4-0.

Resolution No. 663 Lamborn Hunt Phase B Road dedication

Mr. Connors made a motion to approve Resolution No. 663, seconded by Mr. Pickel and approved by a vote of 4-0.

FIRM update

Mr. Brown summarized FEMA’s response to the two (2) comments. Mr. Ragan does not recommend any further comment or argument to FEMA. Mr. Wayne DiFrancesco said he sent a direct letter to FEMA, did they respond? Mr. Brown said no, the letter should have been sent to the Township to pass on. Mr. Scott Harper gave the LOMA flyer to Mr. DiFrancesco.

Penwyck basin

Mr. Ragan reported and gave the Board of Supervisors photos. 30” pipe at exit and one with a grid on upstream side. Mr. Ragan does not believe anything has changed from natural flow or recently. The Board of Supervisors said Lew Wilkinson’s concern is that something is on the downstream pipe. Mr. Ragan is to check the plans, he believes it was a temporary E & S measure. Nothing major in terms of erosion gully on Lew’s property, but is where he farms. Could put a plate to “throttle” it down? The Board of Supervisors likes that suggestion.

VI. OLD BUISNESS

Public Works buildings update

Mr. Kinsey provided an update on the Public Works department buildings. Mr. Scott Harper asked if the landscape plan can be changed to move two (2) trees off the hill. Mr. Kinsey said that the plan can be amended, but the bushes are more of an issue than the trees.

Resolution No. 662- Schedule of Fees

Mr. Pickel made a motion to approve Resolution No. 662- Schedule of Fees, seconded by Mr. Weer and approved by a vote of 4-0.

Chain Link Fence bid award

Mr. Kinsey stated that the bid is specified in 2 phases, the first which will provide the fence around the majority of the material area and along the school area and the second the portion around the new buildings.

At the Public Bid Opening on October, 26th, 4 bids were received:

- New Holland Chain Link \$62,510.00
- Able Fence \$87,450.00
- Amechi Fence \$89,680.00

- Accent Inc. \$97,615.00

The Engineering estimate included in the Land Development Estimates for this work is \$72,065.00.

The Public Works Department is recommending a motion to award the contract to New Holland Chain Link for \$62,510.00

Mr. Pickel made a motion to accept New Holland Chain Link's bid of \$62,510.00, seconded by Mr. Weer and approved by a vote of 4-0.

VII. NEW BUISNESS

Hutchinson conservation easement- Brandywine Conservancy proposal

Mr. Brown summarized the Hutchinson conservation easement. Mr. Pickel made a motion to approve the easement, seconded by Mr. Weer and approved by a vote of 4-0.

ABI appointment

Mr. Weer made a motion to appoint ABI as the Building Code Official for London Grove Township, seconded by Mr. Pickel and approved by a vote of 4-0.

Zoning Ordinance update process

The Board of Supervisors stated that they would like a few workshops prior to going into formal process and to advertise specifically what will be discussed.

Whyte property license agreement

Mr. Brown explained the agreement. Mr. Weer made a motion to accept the license agreement, seconded by Mr. Pickel and approved by a vote of 4-0.

IX. PLANS

Hills of London Grove escrow releases

Mr. Pickel made a motion to approve escrow release #1 for Phase 3A, seconded by Mr. Weer and approved by a vote of 4-0.

Mr. Connors made a motion to approve escrow release #1 for Phase #B, seconded by Mr. Pickel and approved by a vote of 4-0.

Boyle escrow release

Mr. Pickel made a motion to approve the escrow release for the Boyle Land Development Project, seconded by Mr. Connors and approved by a vote of 4-0.

X. EXTENSIONS

Mr. Pickel made a motion to accept the following extensions:

- Needham Farms- March 29, 2017 and
- Coventry Reserve- March 1, 2017,

Seconded by Mr. Weer and approved by a vote of 4-0.

XI. FUTURE MEETING ANNOUNCEMENTS

The Board of Supervisors will be holding a 2017 Budget meeting on November 15, 2016 beginning at 6:30 p.m.

XII. ADJOURNMENT

A motion was made by Mr. Pickel to adjourn the meeting at 9:20 p.m., seconded by Mr. Connors and approved by a vote of 4-0.

Respectfully submitted,

Dawn Maciejczyk
Administrative Assistant