

**LONDON GROVE TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
August 2, 2017 - 7:00 P.M.**

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**MEMBERS PRESENT:**

Richard Scott-Harper  
Michael Pickel  
Thomas Szakas  
David Connors  
Steve Zurl

**STAFF PRESENT:**

Ken Battin, Township Manager  
Jacqui Guenther, Finance Director  
Shane Kinsey, Director of Public Works  
Dawn Maciejczyk, Township Secretary  
15 Audience Members

**PLEDGE OF ALLEGIANCE**

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

**CALL TO ORDER:**

Mr. Scott-Harper called the meeting to order at 7:00 p.m. He announced that the next regular scheduled Board of Supervisors Meeting will take place on September 6, 2017. The deadline for that meeting will be August 30, 2017 by noon. Mr. Scott-Harper also announced that the Board of Supervisors had a meeting on July 26, 2017 with the State Road Property Owners and McMahon and Associates to discuss the State Road Sidewalk Project. He announced that the Board of Supervisors held an Executive Session on July 25, 2017 to discuss personnel issues and land issues. The Board of Supervisors will be holding a work session on August 8, August 24 and August 31, 2017 beginning at 6:00 p.m. to review the Zoning Ordinance.

**I. PUBLIC COMMENT**

Mr. Scott-Harper asked for public comment. There was no comment.

**II. CORRECTION/APPROVAL OF MINUTES**

The meeting minutes of July 5, 2017 were reviewed. A motion was made by Mr. Pickel to approve the minutes of July 5, 2017 as presented, seconded by Mr. Szakas and approved by a vote of 5-0.

**III. REPORTS FOR JULY 2017**

**Inniscrone Golf Course**

Mr. Tom Bolko, General Manager, was unable to make the meeting. The Board of Supervisors tabled his report till next month.

**Codes Department**

Mr. Scott-Harper presented the Codes Department report as prepared by Mr. Shock and Mrs. Zunino. There were no questions from the Board.

**Public Works Department**

Mr. Kinsey presented the Public Works Department report. Mr. Scott-Harper announced that Mr. Kinsey was appointed to the Delchester Public Works Board. He thanked Mr. Kinsey for all his hard work. Mr. Scott-Harper also asked Mr. Kinsey for

a bonus recommendation for Mr. Tome for receiving his Pesticides License. He asked Mr. Kinsey to thank Mr. Tome on behalf of the Board for his leadership and efforts.

Mr. Pickel thanked Mr. Kinsey for taking care of the issues on State Road. Mr. Battin announced that Mr. Annan called and asked him to thank Mr. Kinsey for the help of taking care of the sink hole out front of his house.

### **Finance Department**

The Financial Report was reviewed with the Board by Ms. Guenther. There were no questions for Ms. Guenther. Mr. Connors asked Mr. Battin has the Delchester been settled? Mr. Battin said yes, but we are still in the appeal process. Mr. Connors said if we do not receive the settlement soon after its closed then we should move right to liquidation. Mr. Pickel made a motion to approve the Financial Report, seconded by Mr. Connors and approved by a vote of 5-0.

### **DEP Odor Report**

Mr. Scott-Harper presented the Odor Report. There were no questions from the Board.

### **Pennsylvania State Police Report**

Mr. Scott-Harper reviewed the Pennsylvania State Police Report. There were no questions from the Board.

### **West Grove Fire Company Report**

Mr. Scott-Harper reviewed the West Grove Fire Company report. There were no questions from the Board.

### **Southern Chester County Emergency Medical Services Report**

Mr. Scott-Harper reviewed the Southern Chester County Emergency Medical Services report. There were no questions from the Board.

### **Right-to-know Request Report**

Mr. Scott-Harper explained to Mr. Connors that at the last two meetings the Board discussed posting this monthly Right-to-Know report on the Township website like we do with all the other monthly reports. Mr. Scott-Harper has discussed this with the Township Solicitor and the Township is not violating any privacy by posting this. Mr. Pickel said he agrees with posting it every report that we create we say we are going to post so how is this one any different. Mr. Zurl asked what's the purpose of putting this document out there? Mr. Scott-Harper said to hopefully defer some people for asking for the same documents over and over again. Mr. Pickel made a motion that the Township add the monthly Right-to-Know document to the website, seconded by Mr. Connors and approved by a vote of 4-1. Mr. Zurl voted nay.

## **IV. HEARING**

There were no hearings at this meeting.

## **V. FIRST BUSINESS**

### **PennDOT Chatham Gateway Improvement Contract Award**

Mr. Scott-Harper reviewed the PennDOT Chatham Gateway Improvement Contract Award for \$1,055,526 to Road-Con Inc., to construct a gateway on Route 41 at the north and south ends of the Village of Chatham. Construction is expected to begin in August 2017 and finish in late November 2017. Mr. Connors asked Mr. Scott-Harper if the Township can host a ribbon cutting ceremony for PennDOT when this is complete. Mr. Scott-Harper said we can surely do that. Mr. Zurl asked do we have a guess on how much the maintenance will cost the Township? Mr. Kinsey said it should be relatively low.

#### **Resolution No. 676 Chatham Gateway Project Maintenance Agreement**

Mr. Connors made a motion to approve Resolution No. 676 Chatham Gateway Project Maintenance Agreement as presented, seconded by Mr. Pickel and approved by a vote of 5-0.

#### **MS4 Plans- Public Announcement for Review Period**

Mr. Scott-Harper reviewed that the Total Maximum Daily Load (TMDL) Draft plan is open for public comment review. This review period will run from August 1, 2017 till August 31, 2017. A public meeting for the plan will be held on September 6, 2017 during the regular scheduled Board of Supervisors meeting.

#### **Avon Grove Library Annual Report- Walter Borys and Sue Geiger**

Mr. Walter Borys, Avon Grove Library, reviewed their annual report for 2016 with the Board of Supervisors. He reviewed that the Avon Grove Library is part of the Chester County Library system. Avon Grove library has seven (7) Township/Boroughs that contribute to the livelihood of the Library; Avondale, West Grove, London Grove, London Britain, Franklin, New London and Penn Township. We would like to request an increase to \$6,000 to the budget for 2018 to get to the magic number of \$5 per resident for London Grove Township. Mr. Borys said that the Library Board would like to thank you for your support. It is greatly appreciated.

## **VI. OLD BUISNESS**

#### **Simpson Zoning Hearing Board Decision**

Mr. Scott-Harper reviewed the Simpson Zoning Hearing Board decision as prepared by Mr. Tim Knauer, esquire. There were no questions from the Board of Supervisors.

#### **State Road Sidewalk Project Update**

Mr. Scott-Harper reviewed where the Township is at with the State Road Sidewalk Project. He explained that this project is still in the planning phase. He announced that the Board did meet with the homeowners along State Road to have an open discussion about the project and to get feedback on the project. Most of the feedback was positive. The Board now has to decide if the Township would like the consultants to move forward with applying for grants.

Mr. Connors said we should request letters of support from Avon Grove School District, ABVM Pastor, Senator Dinnamin, Representative Smucker and even possibly neighboring Townships. Mr. Pickel likes the idea of requesting letters from the schools and church, but does not feel we need them from neighboring

Townships. Mr. Pickel said he spoke with Mr. Scott-Harper on Wednesday and he would like to see this project complete in the next three (3) to four (4) years. Mr. Pickel said even after I am off the Board I will still try to help find funding to make this project happen. Mr. Connors said I cannot take seeing these children walking down the yellow line. It's just not safe. Mr. Zurl said this project is going to cost approximately \$1.6 million.

Mr. Pickel made a motion approving McMahon and Associates to move forward with securing funding and applying for grants, seconded by Mr. Connors and approved by a vote of 5-0.

## VII. NEW BUISNESS

### **Tar Kettle Purchase thru Co-Op**

Mr. Kinsey reviewed a memo to the Board regarding the purchase of a Tar Kettle through the Co-Op. The Township would be participating in the shared purchase of an oil jacket Kettle for crack sealing. Currently, West Grove Borough and Kennett Township are committed for 2017; if London Grove participates for the remainder of 2017 the cost would be \$12,689.97. Pocopson Township, East Marlboro Township and Kennett Borough have committed to "buy-in" in 2018. Each "buy-in" Township would reimburse London Grove \$2,114.94, bringing down London Grove's cost to \$6,344.83.

Mr. Kinsey said while this was not included in the Budget for 2017 London Grove Township has allocated funds in the equipment replacement fund and rental line item which will not be used for 2017 due to lack of available rentals as well as current workload and employee shortage. These funds exceed the \$12,689.67 "buy-in."

Mr. Connors asked who would be carrying the insurance, where would this item be housed, what if it becomes damaged, who is responsible for fixing it then. Mr. Kinsey said these are all items that need to be worked out in the agreement.

Mr. Pickel made a motion to approve the "buy-in" for the shared equipment purchase, provided an agreement meeting the approval of the Director of Public Works and the Township Manager is executed. Such agreement should include but is not limited to, availability, insurance, maintenance, maintenance funds, storage and future buy-in's, seconded by Mr. Connors and approved by a vote of 5-0.

### **State Road Curves**

Mr. Kinsey reviewed the State Road curves memo that was presented to the Board of Supervisors. He said earlier this year London Grove Township requested assistance through the PennDOT Local Technical Assistance Program (LTAP), to evaluate the curves on State Road in the area of Goddard Park. This assistance was requested due to an increasing number of accidents in the area.

Mr. Kinsey said at this time the Public Works Department is currently working to address the recommendations made in the report and the recommended signage modifications should be completed in the immediate future. State Road is scheduled to be paved the week of August 7<sup>th</sup> as part of the Township's ongoing road maintenance program. Once the pavement work is complete the Township will be addressing road edges as well as installing both advanced curve warning and optical speed bar pavement markings.

The Public Works Department have also put out a request for proposals (RFP's) for the upgrade of the guiderail in this area. Mr. Connors said thank you Mr. Kinsey we really need to slow traffic around that curve.

### **Route 41 Facility Sale & Environmental Study**

Mr. Kinsey reviewed that the Environmental Study has been completed on the Route 41 Facility. He asked the Board what would you like to do with the property? Mr. Scott-Harper said are there any issues? Mr. Kinsey said there is nothing outstanding. Mr. Battin said we need to have the property appraised for fair market value. Mr. Connors said can we put this out to bid and not accept any bids if they don't meet our number? Mr. Battin said yes that is correct. Mr. Pickel made a motion to approve getting the property appraised as well as look at how much it would cost the Township to get water and sewer ran down there, seconded by Mr. Szakas and approved by a vote of 5-0.

### **Ewing Road Bridge Status Update**

Mr. Kinsey reviewed that PennDOT will be starting construction on the Ewing Road Bridge tentatively scheduled to begin early September 2017 and be completed mid- November 2017. This would be an approximate 10-week closure with a 4.5 mile detour along West Woodview Road, Route 796 and Baltimore Pike.

### **Thank Joseph Nash for Medical Service**

Mr. Scott-Harper would like to thank Mr. Joseph Nash, currently employed with the Municipal Authority and past employee of the Township, for his medical service. Mr. Nash saved a life while on duty with the West Grove Fire Company. The Board of Supervisors would like to present Mr. Nash with a Resolution for his efforts.

Mr. Pickel made a motion approving Mr. Battin to construct a Resolution thanking Mr. Nash, seconded by Mr. Connors and approved by a vote of 5-0.

### **Recycling Containers**

Mr. Scott-Harper asked Mr. Battin what happened to the Township Recycling Containers that used to be in the rear of the parking-lot at the Township Building. Mr. Kinsey explained that these containers were put in place when Ms. Kline worked for the Township. The purpose of those containers was to recycle plastics numbered 5, 6, 7. This cost the Township \$163 a month. The Board discussed this a while ago and gave Mr. Kinsey direction to pull the recycling since the Township now offers Brush Permits and SECCRA Days. Mr. Kinsey said the Township has approached SECCRA and asked them to provide a can for free and they will not. Mr. Kinsey also stated that all the trash companies that are registered haulers for London Grove Township provide recycling cans for the homeowner and is picked up right at their home.

Mr. Kinsey said he can look at getting a dumpster that is split ½ recycling ½ trash and the Public Works Department would take to SECCRA. This would eliminate the haulers as we would haul our self. Mr. Battin explained that there is some abuse of the cans in the parking-lot, people using it to drop off their trash, large bulk items, such as basketball nets and t.v's etc. Mr. Kinsey said not to long ago the can was overflowing and the trash was spread all over the back-lot and had to be picked up.

Mr. Kinsey asked to keep the cans off the new blacktop for approximately one

month so that they do not destroy it. Mr. Scott-Harper agreed.

### **Hilton Road Bridge Update**

Mr. Kinsey explained that the bridge is rated for 80,000lbs and there is no need for 1 way. The bridge is plenty wide enough for two lanes. Mr. Scott-Harper thanked Mr. Kinsey for looking into that.

## **VIII. LAND DEVELOPMENT**

### **PLANS:**

#### **Shirley Dowdy- Reverse Subdivision**

Mr. Battin explained that Ms. Dowdy is looking to combine her two parcels of land to create one parcel. It has been presented to the Planning Commission and they recommended it for approval. The Planning Commission also recommended any fees paid to be returned as that has been past practice. Mr. Scott-Harper asked how much the fees paid were? Mr. Battin said \$1,500. Mr. Scott-Harper asked how much this cost the Township? Mr. Battin said \$0.

Mr. Pickel made a motion to approve combining the two lots as well as to return any unused money to Ms. Dowdy once all expenses are paid, seconded by Mr. Connors and approved by a vote of 5-0.

Mr. Pickel also suggested that the Board craft a policy so going forward this is not an issue with fees.

#### **Hy-Tech Sketch Plans- Planning Commission Review**

Hy-Tech Mushrooms presented an overview of their sketch plan to the Board of Supervisors. Mr. Needham reviewed that they presented the sketch to the Planning Commission last month and the plan is to keep moving forward with the project. The Board wished them luck and thanked Mr. Needham for keeping them informed.

#### **Eco-Village Sketch Overview**

Mr. Peter Kjellerup reviewed the Eco-Village plan from the past till current. The Eco-Village would be across State Road from Goddard Park. Mr. Kjellerup said the one requirement he had was if they are going to build there then it has to be green. Jen with Eco-Village explained the previous plan and co-housing has been disbanded, the parking needed to be outside the complex and that does not work since people want to drive up to their unit. This would now be cluster buildings single level flats stacked six per unit. Mr. Connors was unsure if this meets the needs of an Eco-Village. He was also unsure if this meets the needs of the zoning. He wanted to make sure that the Township is not getting into spot zoning. Jen assured Mr. Connors that it meets all these needs. Mr. Scott-Harper and Mr. Battin explained that this needs to go in front of the Zoning Hearing Board for approval before it can even begin the land development process.

#### **Ward Stormwater Management Escrow Approval**

Mr. Battin reviewed the Ward Stormwater Management Escrow Agreement as being a routine Township Agreement. Mr. Connors said can we make them test for water and such first? MR. Scott-Harper said no this is a routine form.

Mr. Pickel made a motion to approve the Ward Stormwater Management

Agreement, seconded by Mr. Zurl and approved by a vote of 4-1. Mr. Connors voted nay.

#### **SECCRA Financial Documents**

Mr. Battin reviewed that these are the Township's routine forms. Mr. Connors made a motion to approve the SECCRA financial agreements, seconded by Mr. Pickel and approved by a vote of 5-0.

#### **Petrella 13 Greenfield Lane**

Mr. Battin reviewed that Mr. Petrella at 13 Greenfield Lane is asking the Township for no enforcement fines for a short period of time. He is attempting to purchase land off the neighboring property to help him meet his setbacks. The Board agreed to not ticket for a short period of time.

### **IX. EXTENSIONS**

#### **ACTION:**

#### **NON-ACTION:**

**Needham Farms- September 27, 2017**

**Coventry Reserves- September 2, 2017**

**Hy-Tech Mushrooms- October 10, 2017**

**Shirley Dowdy- October 12, 2017**

### **X. PUBLIC COMMENT: (NON-ACTION ITEMS)**

Mr. Scott-Harper called for public comment. There was no public comment.

#### **ADJOURNMENT**

A motion was made by Mr. Pickel to adjourn the meeting at 9:02 p.m., seconded by Mr. Szakas and approved by a vote of 5-0.

Respectfully submitted,

Dawn Maciejczyk  
Township Secretary