

**BOARD OF SUPERVISORS
MEETING MINUTES**

April 1, 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
Natasha Nau, Finance/HR Director
Shane Kinsey, Director of Public Works
Dawn Maciejczyk, Administrative Assistant
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 7:00 p.m.

II. PUBLIC COMMENT

Mr. Scott-Harper called for any public comment. Mr. Jim McLimans thanked Shane Kinsey and the Public Works Department for their snow and ice removal efforts over the winter.

III. CORRECTION/APPROVAL OF MINUTES

The March 4, 2015 meeting minutes of the Board of Supervisors were reviewed. Mr. Connors made a motion to approve the minutes, which was seconded by Mr. Pickel. The motion carried by a vote of 5-0.

IV. STAFF REPORTS

Code Department

Mr. Brown presented the Codes Department Report. There were no comments or questions.

Public Works

Mr. Kinsey presented the Public Works Department Report.

Finance Report

The Financial Report was reviewed with the Board by Ms. Nau. Ms. Nau announced that this was her last public meeting as Finance Director for the Township as she was taking a position of Town Administrator in Columbia, CT. The Board thanked her for her efforts on behalf of the Township. A motion was made by Mr. Pickel, seconded by Mr. Hittinger and approved as submitted by a vote of 5-0.

Odor Report

Mr. Brown reported that 6 email complaints were received by DEP in March.

State Police

The State Police report was presented to the Board showing 159 incidents opposed to 186 incidents in February.

Inniscrone Golf Course

Mr. Tom Bolko, General Manager, reported that the golf course had only three nights with a low above freezing. The course is ready; they are just waiting for the weather to break.

V. FIRST BUSINESS

Appoint Jacqui Guenther as Township Treasurer

Mr. Brown reviewed that Ms. Guenther would be replacing Ms. Nau as of April 9, 2015. She is working with Ms. Nau as of now. A motion was made by Mr. Hittinger, seconded by Mr. Connors. The motion carried by a vote of 5-0.

VI. OLD BUSINESS

Water Monitors

Mr. Brown reviewed an email from Stroud Water that discussed their recommendation not to place the water monitors behind the Township garage. They said the operation was small and that would make it difficult to determine its impacts on the stream. Stroud also noted the cost to move the monitors, \$3,000, was not in the agreement. Mr. Weer commented that he is not opposed to moving the location away from the garage back to the originally discussed location.. Mr. Hittinger commented he thought that moving the monitors was incorporated in the original cost. He is surprised at the additional fee. Ms. Nau commented that the purchase is in the budget but the additional cost of moving the monitors is not in the budget. Mr. Scott- Harper suggested the monitors are put where the Township wants to see the data, above and below stream behind Nutra Soils. A motion was made by Mr. Connors, seconded by Mr. Pickel and approved with a 4-1 vote. Mr. Hittinger voted nay.

Goddard Park Payment Release #5

Mr. Brown stated that the Board discussed this last month and they were not comfortable releasing all of the remaining funds until the punch list was complete. He also said that Mr. Ragan, Township Engineer, recommended a release of the funds but retain enough for the punchlist. The punchlist added up to be \$3,000 and the release would be \$29,974.03. A motion was made by Mr. Hittinger, seconded by Mr. Pickel and approved with a vote of 5-0.

Lamborn Hunt residents

Mr. Brown reviewed the residents punchlist from last month's meeting:

1. Sidewalks “flooding”
2. IB’s holding water
3. Rebar sticking up in the center island
4. Plywood with screws and bolts sticking up over inlet
5. No ADA ramps at intersections
6. No backfill along edge of sidewalk near wet pond adjacent to Stonecroft
7. No backfill along road edges
8. Drainage issues over driveway on Conrey Trail
9. No lighting near wet pond

Mr. McGough from Keystone Custom Homes as well as Mr. Ragan went out to review the list. The rebar issue was taken care of and the plywood issue was not found. Keystone plans to start work mid-April. Mr. Ragan is meeting with the residents on April 4, 2015 at 8 a.m. in the cul-de-sac on Conrey Trail.

Mr. Taglione, 702 Conrey Trail, commented that the residents have a lack of trust in Keystone. The final plans with how things should look is not how they actually look. The drains are not in the correct spots, houses are built too high, driveways are on the wrong side of some of the houses, there are steep drop offs from properties to retaining ponds because they were put too close to the property line, etc.

Mr. Taglione is looking forward to Mr. Ragan coming to meet on Saturday. He does not recommend the bond be given back to Keystone. Mr. Brown commented that Keystone is very slow and the Township would give them a “short leash” to get the work done, he also recommended putting them on a 90 day notice. It was the consensus of the Board to send Keystone a letter declaring them in default and put on 90 days notice.

VII. NEW BUSINESS

Remo Toto Zoning Hearing Board appeal

Mr. Brown and Mr. Scott-Harper stated this item was removed from the agenda.

Gourmet’s Delight

A number of Township residents in attendance wanted to discuss the Zoning Hearing Board application of Gourmet’s Delight in Franklin Township. They urged the Board to seek road improvements due to the anticipated increase in heavy truck traffic on Township roads in the vicinity. Mr. Scott Harper said the Township could not get involved in the Zoning Hearing Board matter. He went on to say any discussion about road improvements would have to take place during the land development plan review process and with Franklin Township, not Gourmet’s Delight. Mr. Brown is to get a quote(s) for conducting a traffic count and a study of the condition and geometry of the roads and intersections near the mushroom farm.

Transportation Improvements Inventory 2015

Mr. Brown presented the Transportation Improvements Inventory with a brief overview of the process. He also provided the Board with a memorandum that contained his recommendations and those of the Planning Commission. Mr. Connors suggested coordinating traffic lights along Route 41 with Avondale, from Route 1 down to Avondale as a high priority. The Board agreed with the recommendations..

Tax Collector Deputy- Appointment

Mr. Brown stated that it is required by law for Mr. Engleman to appoint a deputy that is also certified. He went on to say that Clara Keene (Bunny) has been the Tax Collector for Penn Township for seven years and is currently in her second term. She was recommended by Mr. Engleman and she is qualified through Act 164 Ms. Keene also uses the same database and software as Mr. Engleman. The Board indicated they were not comfortable appointing Ms. Keene at this time given that the Township Manager nor any of the Board members have met her. This item was tabled until the Township Manager or any of the Board members are able to meet with her.

IGCAC Appointment

The Golf Course Advisory Committee has met with and would like to appoint Meghan Spero as a committee member. A motion was made to appoint Ms. Spero by Mr. Connors, seconded by Mr. Pickel and approved with a vote of 5-0.

Southern Chester County EMS (SCCEMS) Agreement

Mr. Brown presented a memo regarding the SCCEMS agreement that was revised by our Solicitor. There is only one provision of the agreement that will likely change, being item 15 Damages. Beatty Lincke has advised that they will draft language that provides the same type of limitations on damages for the Township. SCCEMS will review the language, but Mr. Brown does not anticipate any issues. A motion was made by Mr. Weer to approve the agreement subject to the change to item 15 as described, seconded by Mr. Pickel and approved with a vote of 5-0.

Pesticide Storage at IGC

Mr. Brown said our new insurance carrier, Selective, made an inspection of Township facilities including the golf club. One of their recommendations is to erect a pesticide storage building at the IGC maintenance facility.

Mr. Scott-Harper suggested figuring out what we are going to build or have as a building for these pesticides and bring pricing back to the Board. Mr. Mr. Scott-Harper suggested that Mr. Bolko work with Mr. Kinsey to get this matter taken care of. They also instructed Staff and Mr. Bolko to make complying with the recommendations a priority.

Comcast Agreement

Mr. Brown presented a memo as well as a draft franchise agreement with Comcast. The previous agreement that we had with Comcast expired last fall and Mr. Brown has been in contact and actively working on a new agreement. The Board discussed also this

matter at their February 4, 2015 open meeting, where the Board suggested going with the Delaware County Model. Mr. Brown recommended a motion to advertise the agreement for a public hearing. A motion was made by Mr. Weer, seconded by Mr. Connors and approved with a vote of 5-0.

Lamotte property Open Space Easement

Mr. Brown advised the Board that the Lamotte's are willing to donate a conservation easement. In this case, past practice has been for the Township to pay for the transaction costs. Mr. Brown has an email from the Brandywine Conservancy providing the transaction cost of \$18,110 and asking if the Township wants to be co-grantee of the easement.. Mr. Scott-Harper asked the question "Have we spent money on this before?" Mr. Brown responded no. A motion was made by Mr. Connors to pay the for the transaction costs, seconded by Mr. Weer and approved with a vote of 5-0 in favor. A Township resident, Lou Kaplan, stated there is no advantage to owning the easement. The Conservancy has in the past protected the easement when challenged. Mr. Scott-Harper asked Mr. Brown to prepare a list of the pros and cons to being co-guarantee of the easement.

Public Works Department Building Update

Mr. Kinsey presented a memo to the Board with an update on the progress related to the new public works facility. He reviewed the design work as well as stated that the Conard Pyle property cannot be obtained due to problems with the mortgages. Mr. Scott-Harper asked that Mr. Kinsey bring a copy of the sketch plan to the next Board of Supervisors meeting on May 6, 2015. Mr. Weer stated that he wants to make certain the Board is involved in the process.

Materials Bid

Mr. Kinsey presented a memo with the results of the Spring Materials Bids through the Southern Chester County Cooperative. During the initial bidding there were no bids received for Fuel or Line Painting and these items have been rebid. Mr. Kinsey recommended the low bids for each category as specified below:

- Stone- New Enterprise Stone & Lime (DBA Martin Limestone)
 - ½" AASTHTO # 8 Stone - \$16.69 per ton
 - 50 tons bid London Grove, 310 tons bid total
 - PennDOT 2A - \$12.53 per ton
 - 1200 tons bid London Grove, 4630 tons bid total
 - PennDOT 2B - \$14.98 per ton
 - 25 tons bid London Grove, 470 tons bid total
 - PennDOT 3A - \$12.75 per ton
 - 150 tons bid London Grove, 525 tons bid total
 - ¾" Clean & Washed Stone - \$14.87 per ton
 - 100 tons bid London Grove, 950 tons bid total
 - AASHTO # 3 Stone - \$14.92 per ton
 - 100 tons bid London Grove, 280 tons bid total

- AASHTO # 1 Stone - \$14.92 per ton
 - 400 tons bid London Grove, 820 tons bid total
- Anti-Skid stone - \$6.69 per ton
 - 25 tons bid London Grove, 1275 tons bid total
- Screenings - \$12.13 per ton
 - 100 tons bid London Grove, 335 tons bid total
- #4 Rip Rap - \$18.91 per ton
 - 200 tons bid London Grove, 735 tons bid total
- #5 Rip Rap - \$22.33 per ton
 - 200 tons bid London Grove, 485 tons bid total
- #6 Rip Rap - \$ 22.33 per ton
 - 50 tons bid London Grove, 370 tons bid total
- #7 Rip Rap - \$ 24.84 per ton
 - 25 tons bid London Grove, 25 tons bid total

- Asphalt - Highway Materials, Inc. Blue Bell, Pa
 - 9.5 mm Wearing Course - \$54.50 per ton
 - 300 tons bid London Grove, 700 tons bid total
 - 19 mm Binder - \$48.50 per ton
 - 300 tons bid London Grove, 700 tons bid total
 - 25 mm (BCBC) - \$45.00 per ton
 - 200 tons bid London Grove, 400 tons bid total

- Road Oil - AMS, Center Valley, Pa
 - RC 250 Road Oil - \$4.25 per gallon
 - 500 gallon bid London Grove, 6,500 Gallon bid total

Backhoe Purchase

Mr. Kinsey presented a memo to the Board regarding the purchase of a new backhoe to replace the 2000 Ford/New Holland Backhoe. The purchase is in the approved budget for 2015 in the amount of \$135,000. Township staff has researched and demoed 5 units for a week. After careful review they are recommending the purchase of a JCB 4CX-14. This machine has many unique features which will allow it to fit into London Groves operation replacing the second loader as well as the backhoe.

The total cost delivered is \$124,938.77. A motion was made by Mr. Weer, seconded by Mr. Pickel and approved by a vote of 5-0 by the Board.

Sale of Surplus Equipment

Mr. Kinsey presented a memo to the Board recommending the sale of the following surplus items:

- 1997 544 H Loader (List with min bid 20K)
- 1990 Hyster Roller
- 2000 Ford / New Holland 555E Backhoe (List with min bid 15K)
- 9' Fisher Plow, with quick connect
- 10' Municipal Plow

Mr. Kinsey asked the Board if he could make the decision for final sale and the timing. A motion was made by Mr. Weer to authorize the sale of the surplus equipment and to allow Mr. Kinsey to determine the timing of the sale, seconded by Mr. Pickel and approved by a vote of 5-0.

Golf Cart Donation

Mr. Scott-Harper presented to the Board that the technical school in Jennersville had contacted him in regards to donating a golf cart. He stated that Mr. Bolko advises that we have one cart that does not run and is willing to donate it to the school. A motion was made by Mr. Weer to donate a golf cart to the school, seconded by Mr. Connors and approved by a vote of 5-0. Mr. Kinsey is to coordinate with Mr. Bolko for the delivery of the cart to the school.

VIII. PLANS

SECCRA minor permit application Review

Mr. Brown presented a memo to the Board requesting the Board to consider this matter and provide him with direction. Occasionally SECCRA will need a permit for minor modifications to the landfill such as moving the recycling facility. Other times, such as the present, they propose to make modifications to the cap liner and need DEP approval. While he suspects that this request is a "good thing" he does not know that for certain. Mr. Brown estimated that we receive one or two such applications from SECCRA each year. Mr. Brown asked the Board how he should handle these requests, should he secure an engineer with landfill experience to review the permit applications? In the past URS did so, but the Township's current engineer does not have the necessary experience.

Mr. Scott-Harper suggested asking Mr. Steven Hann, an attorney the Township has used in SECCRA matters in the past, for recommendations for an engineering firm.

London Grove Village - Wine and Spirits Shop Land Development Plan

This item was removed from the agenda.

Adjournment

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Dawn Maciejczyk
Administrative Assistant