

**LONDON GROVE TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
October 4, 2017 – 7:00 P.M.**

---

**MEMBERS PRESENT:**

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

**STAFF PRESENT:**

Ken Battin, Township Manager  
Jacqui Guenther, Finance Director  
Shane Kinsey, Director of Public Works  
Dawn Maciejczyk, Township Secretary  
Tom Bolko, Inniscrone Golf Course  
22 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 7:07 p.m.

He announced that the next regular scheduled meeting will take place on November 1, 2017, agenda deadline is October 25, 2017 at noon. Mr. Scott-Harper also announced that Ken Battin, Township Manager and Jacqui Guenther, Finance Director, will be holding a “Cookie and Coca Cola” Budget Review on October 17, 2017 from 2:00-4:00 p.m. for the public to come and voice their concerns on the budget. October 23, 2017 the Board of Supervisors will have a public work session at 6:00 p.m. to discuss the Zoning Ordinance. October 24 and tentatively on October 26, 2017 at 5:30 p.m., the Board of Supervisors will have a public Budget Review meeting.

**I. PUBLIC COMMENT**

Mr. Scott-Harper asked for public comment. There was none.

**Inniscrone Golf Course**

Mr. Tom Bolko, General Manager, stated for August year to date, Inniscrone is showing a \$6,000 profit. Inniscrone has booked the Avon Grove class reunion this month. They have also picked up three (3) new golf outings and a wedding reception. They are also hosting the annual dinner for the Traditions at Inniscrone.

**II. CORRECTION/APPROVAL OF MINUTES**

The meeting minutes of September 6, 2017 were reviewed and amended as follows.

Page 2 under Inniscrone Golf Course was changed from “We are only aloud” to “We are only allowed.” And “defiantly” was changed to “definitely”.

Page 2 under Code Department read “Mr. Connors said” is now changed to “Mr. Connors asked”.

Page 4 under Gerrymandering was changed from “aloud” to “allowed”.

Page 7 under Gerrymandering “Mr. Richard Gall” was changed to “Mr. Richard Gaw”.

Page 10 under Public Comment the sentence read “There is almost a complete path worn now. He would like to sink it with Township...”. Now reads “There is almost a complete path worn now. He would like to coordinate it with the Township...”.

Mr. Connors made a motion to approve the minutes of September 6, 2017 as amended, seconded by Mr. Szakas and approved by a vote of 4-0.

### **III. REPORTS FOR SEPTEMBER 2017**

#### **Codes Department**

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

#### **Public Works Department**

Mr. Kinsey presented the Public Works Department report. There were no questions from the Board. Mr. Kinsey said we had two new employees remove signs in the Township. The Township typically removes signs such as “We Buy Your Home” and “Tree Services”, but they removed several political signs. They have been consulted on the sign removal policy and those signs are in the back of the room and can be taken back if they belong to you. We will make sure that this does not occur again.

#### **Finance Department**

The Financial Report was reviewed with the Board by Ms. Guenther. Mr. Connors made a motion to approve the Financial Report, seconded by Mr. Szakas and approved by a vote of 4-0.

#### **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. He noted that there were 207 incidents in August 2017; that is a decrease from 249 incidents July 2017. Mr. Scott-Harper also noted that there has been a steady decrease in incidents since May 2017.

#### **Avon Grove School District Homecoming Parade Approval**

Maggie DeFrees, Danielle Fineza and Justin Woodward from Avon Grove High School’s Student Council, were present to ask permission for the Avon Grove School District to close State Road on Sunday, October 8, 2017 from 1:00 p.m. till 2:00 p.m. for the Homecoming parade.

Mr. Connors made a motion to approve the closure for the Homecoming parade from 1:00 p.m. till 2:00 p.m., seconded by Mr. Szakas and approved by a vote of 4-0.

#### **Molly Wood- Meet and Greet at Goddard Park**

Mr. Scott-Harper reviewed the application from Mrs. Molly Wood to host a Meet and Greet in Goddard Park on Sunday, October 8, 2017 from 11:00 a.m. till 1:00 p.m.

Mr. Connors made a motion to approve the event in the park on October 8, 2017 from 11:00 a.m. till 1:00 p.m., seconded by Mr. Szakas and approved by a vote of 4-0.

Mr. Connors asked that the Township come up with a process for events that happen at the park so that they do not have to go before the Board of Supervisors and can be handled “in house” with the Manager and the Code Department. Mr. Scott-Harper stated that the Township is currently reviewing surrounding Townships processes and coming up with a policy of its own. Mr. Zurl stated this is the type of thing that just needs a “rubber stamp”.

#### **Phorid Fly**

Mr. Connors stated that he received an email from two residents, Dennis and Sandra Lafferty, with concerns about the Phorid Fly’s in London Grove Township. Mr. Connors stated that he forwarded the email on to the rest of the Board members and asked the residents to attend the meeting so it could be discussed. Mr. Scott-Harper stated that we are aware of the

problem. New Garden has a similar problem and the Manager in New Garden has offered to speak with our residents to offer possible solutions on how to handle them. Mr. Connors suggested reaching out to Senator Dinniman. Mr. Lafferty stated people cannot live like this. We want it on the record that it is a problem in our Township. Mr. Spencer stated that if the mushroom grower does his due-diligence then these flies are not a problem. Mr. Scott-Harper stated that them doing their due-diligence is not the issue, the mushroom growers are also having problems with them. The Department of Environmental Protection (DEP) has eliminated some chemicals that the grower has used in the past to control the flies.

#### **Monthly Emergency Services Report**

Mr. Scott-Harper reviewed the Monthly Emergency Services 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. Mr. Battin stated that they had their first Emergency Services Committee meeting tonight. This meeting will take place the first Wednesday of each month.

#### **Monthly Right-to-Know Report**

Mr. Scott-Harper reviewed that there were four (4) Right-to-Know request for the month of September. There were no questions from the Board.

### **IV. HEARING**

There were no hearings at this meeting.

### **V. FIRST BUSINESS**

#### **Resolution No. 681- Support Chester Water Authority's Decision to Reject Aqua America**

Mr. Scott-Harper explained Resolution No. 681. He stated that the London Grove Township Municipal Authority adopted a similar Resolution at their meeting on Tuesday, October 3, 2017. Mr. William O'Connell also known as "Radar" came around to all the Chester Water Authority clients and asked them to pass this Resolution.

Mr. Zurl made a motion to approve Resolution No. 681, seconded by Mr. Szakas and approved by a vote of 4-0.

### **VI. OLD BUISNESS**

There was no old business to discuss at this meeting.

### **VII. NEW BUISNESS**

#### **MMO 2018**

Ms. Guenther reviewed the 2018 MMO for London Grove Township. Mr. Connors made a motion to approve the 2018 MMO, seconded by Mr. Szakas and approved by a vote of 4-0.

#### **Public Works Open House November 1, 2017**

Mr. Battin reviewed that the Township will be holding a public open house on Wednesday, November 1, 2017 from 5:30-7:00 p.m. to view the new Public Works Facility. Public is invited. Mr. Battin stated that there will be a ribbon cutting as well as speeches from the Chairman of the Board and the Public Works Director. There will also be some fall foods,

and the Public Works employees will be giving walk-through tours of the facility. He also said that the new facility will be dedicated to the Public Works Crew; they deserve it, with all the hard work and dedication they have put into this.

### **Delchester Settlement Agreement Approval**

Mr. Scott-Harper explained that the agreement was just received today and reviewed by the Board. Mr. Szakas made a motion to approve the agreement pending review from the Township Solicitor, seconded by Mr. Zurl and approved by a vote of 3-1. Mr. Connors voted nay.

### **State Road Guiderail**

Mr. Kinsey reviewed that the PA LTAP conducted a safety review of the State Road curves around Goddard Park. The report recommended upgrading the guiderails in this area. Mr. Kinsey said that an RFP was put out to various traffic engineers and only two (2) estimates were received. McMahon Engineering estimated the cost at \$1,500 and Carroll Engineering estimated the cost at \$1,900. Mr. Kinsey recommends awarding McMahon Engineering the review of the existing guiderail and design of a replacement rail system at the cost of approximately \$1,500.

Mr. Connors made a motion to award McMahon Engineering the review of the existing guiderail and design of a replacement rail system at the cost of approximately \$1,500, seconded by Mr. Szakas and approved by a vote of 4-0.

### **Vehicle Lift System**

Mr. Kinsey reviewed that in the original planning of the new Public Works Facility they considered a lift system and decided on a mobile column lift because of the versatility and adaptability of the system. Mr. Kinsey said that after reviewing/demonstrating several different systems based on performance, weight, features and price they feel that the MACH flex 419 by Rotary is the best fit for London Grove Township. Mr. Kinsey is recommending the purchase of a MACH flex 419 and accessories from Rotary Lift for \$46,896.56. Mr. Connors asked if we approved this purchase how much money do we put in the equipment replacement fund every year? Ms. Guenther said \$80,000. Mr. Connors said add this to next year's budget. Ms. Guenther said she has. Mr. Kinsey said that we feel its adequate at this time.

Mr. Connors made a motion to approve the purchase of the MACH flex 419 and accessories from Rotary Lift for \$46,896.56, seconded by Mr. Szakas and approved by a vote of 4-0.

### **Floor Cleaner**

Mr. Kinsey reviewed that to maintain the shop area floors in the new public works facility on a continuous basis, they would like to purchase a walk behind floor scrubber. He stated that they have met with several representatives of floor care suppliers and reviewed various equipment for the proper care of the sealed concrete floors. In response to these meetings they have received three (3) quotes for applicable machines. Bortek proposed \$4,894.56, Hillyard proposed \$6,629.00, and Gap Power proposed \$9,695.00. Mr. Kinsey is recommending a motion to purchase a Bortek Hammerhead 500 RSK walk behind floor scrubber from Bortek Industries Inc. at the cost of \$4,894.56.

Mr. Connors made a motion to approve the purchase of a Bortek Hammerhead 500 RSK walk behind floor scrubber from Bortek Industries Inc. at the cost of \$4,894.56, seconded by Mr. Szakas and approved by a vote of 4-0.

### **Multidiscipline Software Program Approval**

Mr. Battin stated that the Code Department staff, as well as himself, demoed a few different systems and are recommending moving forward with the purchase of the Tracer System by McMahon. The only cost this year would be to data migrate. Mr. Zurl asked is this a subscriber based system? Mr. Battin answered that this is a cloud based system. Mr. Zurl asked how much will this cost a month? Mr. Battin answered \$1,200 a month. Mr. Szakas asked will this be funded by permit charges? Mr. Battin answered yes. Mr. Szakas asked have you tried this system before? Mr. Battin answered yes.

Mr. Connors made a motion to approve moving forward with the Tracer System by McMahon, seconded by Mr. Szakas and approved by a vote of 4-0.

### **FEMA Approval**

Mr. Battin announced that FEMA approved the Township's Floodplain Ordinance. There were no questions from the Board.

### **SECCRA Operations Renewal**

Mr. Battin reviewed that SECCRA has submitted their Title V Operating Permit Renewal to the Department of Environmental Protection (DEP). The PA DEP will accept comments on the permit renewal application during this thirty (30) day period. Mr. Battin asked Mr. Connery how long the permit is good for? Mr. Connery answered it is a ten (10) year permit.

### **Columbia Southern University**

Mr. Battin reviewed that Columbia Southern University has partnered with London Grove Township and is offering ten percent (10%) off college level courses to Township employees. This is an online university.

(5 Minutes recess)

(7:52 p.m. meeting resumed)

## **VIII. LAND DEVELOPMENT**

### **PLANS:**

#### **Hills of London Grove Dedication of Phase 1 Road Right-of-Way Resolution # 682**

This topic was tabled at this time.

#### **Hills of London Grove 18-month Maintenance Agreement Phase 1**

This topic was tabled at this time.

#### **Hills of London Grove Escrow Estimate Amount of \$ 1,205,178.26 for Phase 4-Celia Court**

Mr. Scott-Harper reviewed a memo from Mr. Ronald Reagan, Reagan Engineering Associates, recommending the escrow amount of \$1,205,178.26. Mr. Connors made a motion to approve the escrow amount of \$1,205,178.26 for Phase 4 Celia Court of Hills of London Grove, seconded by Mr. Szakas and approved by a vote of 4-0

(Mr. Pickel arrived at 7:55 p.m.)

#### **Hills of London Grove Phase 4 Celia Court- Subdivision and Land Development Improvement and Maintenance Agreement**

Mr. Scott-Harper reviewed the Subdivision and Land Development Improvements and

Maintenance Agreement for Phase 4 Celia Court of Hills of London Grove. Mr. Connors made a motion to approve the Subdivision and Land Development Improvement and Maintenance Agreement, seconded by Mr. Szakas and approved by a vote of 5-0.

**Hills of London Grove Phase 4 Celia Court- Financial Security Agreement**

Mr. Scott-Harper reviewed the Financial Security Agreement for Phase 4 Celia Court of Hills of London Grove. Mr. Connors made a motion to approve the Financial Security Agreement for Phase 4 Celia Court of Hills of London Grove, seconded by Mr. Szakas and approved by a vote of 5-0.

**Hills of London Grove Phase 4 Celia Court- Stormwater Best Management Practices Operations and Maintenance Agreement**

Mr. Scott-Harper reviewed the Stormwater Best Management Practices Operations and Maintenance Agreement for Phase 4 Celia Court for Hills of London Grove. Mr. Connors made a motion to approve the Stormwater Best Management Practices Operations and Maintenance Agreement for Phase 4 Celia Court for Hills of London Grove, seconded by Mr. Szakas and approved by a vote of 5-0.

**Zoning Hearing Board Decision 960 Garden Station Road**

Mr. Scott-Harper reviewed the Zoning Hearing Board’s decision for 960 Garden Station Road. The Board had no questions.

**Zoning Hearing Board Decision 214 W. Woodview Road**

Mr. Scott-Harper reviewed the Zoning Hearing Board’s decision for 214 W. Woodview Road. The Board had no questions.

**Zoning Hearing Board Decision 12 Worthington Drive**

Mr. Scott-Harper reviewed the Zoning Hearing Board’s decision for 12 Worthington Drive. The Board had no questions.

**IX. EXTENSIONS- NO ACTION NEEDED**

Development	Application	Date Received	90 Day Expiration
Needham Farms	Preliminary	March 15, 2005	December 26, 2017
Coventry Reserve	Final Plan	August 1, 2016	December 6, 2017
Hy-tech Mushrooms	Sketch	July 12, 2017	January 3, 2018

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

Mr. Kevin Runey asked why the electronic speed signs were removed from Inniscrone? Mr. Kinsey said that at this time we are having trouble collecting the data off the signs. The signs do get moved around the Township to other streets as well. Mr. Scott-Harper said to call the State Police if speeding is still an issue. They must hear it’s an ongoing issue to come out and make their presence known. Mr. Battin said that the state police have been sitting over there and will hopefully continue to monitor it.

A resident stated that there is public concern about the Boards’ influence on the upcoming School Board election. She stated that she missed the part where Bill Wood had to get permission to go to the park and there is a lot of talk about people that work for the Township removing signs, obviously if it’s in a right-of-way or obstructing an intersection then it should be removed. Mr. Scott-Harper stated we dealt with this topic at the beginning of the meeting you missed that. Mr. Scott-Harper said I will update you. The Township has two new

employees who were charged with going out and removing illegal signs. They unknowingly pulled them and they have since been counseled that these signs are acceptable and they were placed in the back of the room. People were told earlier if they are missing their signs, they make take them. The resident said “so, I just want to make sure those employees are being counseled on what is appropriate behavior.” Mr. Scott-Harper said they have been told what is appropriate and what is not appropriate in certain times of year.

Resident said I know Inniscrone is a public facility that is owned by the Township correct? Mr. Scott-Harper answered yes. Resident said I just want to ensure that the Township is not promoting, as it appears to be, for another group that I know is having a meet the candidate’s dinner and charging \$50.00 a head to have the event there. Were they charged a fee to have the event there? Mr. Scott-Harper answered yes, they were and I want you to understand that was not sponsored by anybody on this Board. Resident said ok I just want to make sure. Mr. Scott-Harper said and besides the fact, anybody on this Board can, as a citizen, rent that hall just as you can. Resident said correct. Mr. Scott-Harper said as a Board no one rented it. Something I would like to caution you about, is the Board is the five of us together, the Board is not any one person speaking their political views in any other agenda other than this room. Resident said ok. Mr. Scott-Harper said so, it’s not the Board, it’s a person as an individual citizen that has the right to speak like you and everyone else here does. Resident said of course they do. Mr. Scott-Harper said like anyone has the right to rent that hall if they want to. I believe it was suggested to Mrs. Wood if she wanted to rent that hall she could. So, you understand everyone is being treated the same is the point I’m trying to make. Resident said right, I understand and I want to make sure there is a level of neutrality and that the Board is not stepping over the line because there is a lot of concern about that. Mr. Scott-Harper said there are a lot of things being said on Facebook that are not factual. Resident said of course that is everywhere on Facebook. Mr. Scott-Harper said if you ever have a question you can call Mr. Battin, Township Manager or myself and we will give you the information that is accurate. Resident said this is why I wanted to ask you, because this is a public forum and there is concern. Mr. Scott-Harper said I understand that. Resident said as long as we have an understanding of neutrality that’s all I want to hear.

Mr. Connors said we also talked about establishing standards for holding events at Goddard Park, so there is no perception of political involvement or anything with events at the park. Mr. Scott-Harper talked about developing standards that the Board doesn’t really need to get involved in. It would be like getting a permit for your deck. That will be a good thing. I think we need these because if you’re going to have a large controversial event at our park there should be procedures and standards set up. Mr. Zurl said or multiple events the same day. Resident said right, but I think it was the timing of this on why people are questioning it. Mr. Connors said I understand.

Mr. Connors said with the issue of the signs, to clarify the Township policy is to take the signs that say, “We Buy Houses” or “Christmas Tress” signs that sit up for six (6) months. It is not the policy to take political signs at all unless they are on Township/Public property. No political signs are allowed on any Township owned property and that includes the Municipal Authority as well. In those cases, Township employees would pull the sign and try to contact whomever they belonged to, to come retrieve them. It was said earlier, what happened that day was two new employees were out on their own and they accidentally took the political signs. The Township made them available to the owners. I hope that straightens it out. Resident said yes and other signs people leave at corners we can remove them, right? Mr. Scott-Harper asked are they on your property? Residents said no, at the intersections. Mr. Scott-Harper said no, call the Township make them aware and they will remove them. We have an Ordinance against signs.

Resident said so if we want to hold a girl scouts meeting at Goddard Park I have to get

a permit? Mr. Scott-Harper said we are in the process of developing standards. Call the Township tomorrow and leave your contact information. The Township has a lot of work that we need to do. When the policy is complete we will post it to our website. We would like to poll our neighboring communities, talk with the Township Solicitor, talk with the Township insurance agent and see what issues might arise. Unfortunately, there are issues in this day and age, who assumes the liability? Who would be covering the liability insurance? These are some of the things that we need to clarify. The Township will then formulize a process to go through. Mr. Battin stated that the current process is any event that is held at Goddard Park comes in front of the Board for approval. So, if you are having an event that is advertised then you need to call the Township to be approved by the Board. Resident said so this will be on the website? Mr. Scott-Harper said yes once it is finalized. Resident said ok fair enough.

Mr. Steve Annan stated, "I still have signs on my street." What you said was, you would have a Town Hall meeting and decide. I am asking you to take my signs down because you decided. Mr. Scott-Harper said the decision that was made was that if we take the signs down then the Township is liable if something happens, that was the decision. Mr. Annan said I thought it was either put up the signs or take down the signs. Have you put them up everywhere? Mr. Scott-Harper said no, that was never the question on the table. The question was if the Township allows parking are we going to enforce it, we are addressing that through our Code Department and through the Zoning Ordinance that we are working on right now, with advice from our solicitor, Township Engineer and traffic study people. If we take those signs down and allow people to park on the streets that are not safe and something happens, we the tax payers, will pay that price. Discussion continues...

Mr. Scott-Harper said our Code Department is now up and running with full people. They will be tasked with conducting a traffic study and determining where the signs will be placed.

Mr. Annan said please update me on the State Road sidewalk project. Do you have any grant applications in? Mr. Battin answered we do now, yes. Mr. Annan said the project was \$500,000 and now I believe I was told it is \$1,600,000 is that correct? Mr. Battin answered yes, the projected cost is \$1,600,000. Mr. Scott-Harper said we put in for a grant for \$1,600,000, what we will get I do not know. Mr. Annan asked who is the grant with? Mr. Battin answered it's through the State, the old TA Set-Aside program. Mr. Annan asked is this the one that the Township put in for before? Mr. Battin answered yes, I believe so, the first round should be January/February.

Mr. Annan stated at the Town Hall meeting there was a draft study that was done for the police services. He asked if a final version had been complete? Mr. Battin answered yes. Mr. Annan asked can I stop by tomorrow and get a copy of it? Mr. Battin answered absolutely.

### **ADJOURNMENT**

A motion was made by Mr. Connors to adjourn the meeting at 8:15 p.m., seconded by Mr. Pickel and approved by a vote of 5-0.

Respectfully submitted,

Dawn Maciejczyk  
Township Secretary