

**LONDON GROVE TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
May 1, 2019 – 7:00 P.M.**

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**MEMBERS PRESENT:**

Richard Scott-Harper  
David Connors  
John Lee Irwin  
Stephen Zurl  
Thomas Szakas

**STAFF PRESENT:**

Ken Battin, Township Manager  
Shane Kinsey, Director of Public Works  
Dawn Maciejczyk, Township Secretary  
9 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 reviewed that the next regular scheduled meeting will take place on June 5, 2019 at 7:00 p.m., the deadline for agenda items will be noon on May 29, 2019. Mr. Scott-Harper reviewed that the 645 N. Guernsey Road Hearing was continued to May 23, 2019 at 6:00 p.m.

**HEARING**

**Keystone Novelties Distributor Conditional Use**

Mr. Scott-Harper opened the conditional use hearing and turned it over to Mr. Battin. Mr. Battin entered 6 exhibits into record for the Township. Mr. Scott-Harper reviewed why they now need to seek conditional use approval with the new Zoning Ordinance. Mr. Jack May, Managing Director, for Keystone Novelties was present. He reviewed some of the laws around firework sales and tents.

Mr. Scott-Harper recommend the following conditions if approval is granted:

1. The Conditional Use will stay with the property and the Applicant unless any of the following occur; there is a change in zoning; change in ownership; change in laws; or change of sales/distribution.
2. The Applicant is permitted to erect the short-term seasonal tent no more than twice (2 times) a year for a period not to exceed thirty (30) days each time.
3. The Applicant must run either temporary electric in compliance with the National Electric Code (NEC) or use a generator following the National Fire Protection Agency Code 1124 guidelines, for lighting in the tent.
4. The Applicant must post temporary NO PARKING signs on Route 41 near the tent location as well as across the street from the tent on Route 41.
5. The Applicant, if required, must obtain a State License to sell or distribute fireworks.

The hearing was closed at 7:15 p.m. (Refer to the Official Transcripts for a detailed account of the proceedings).

**Keystone Novelties Distributor Conditional Use Decision**

Mr. Szakas made a motion that Conditional Use approval be granted on the above said matter with the following conditions attached:

1. The Conditional Use will stay with the property and the Applicant unless any of the following occur; there is a change in zoning; change in ownership; change in laws; or change of sales/distribution.
2. The Applicant is permitted to erect the short-term seasonal tent no more than twice (2 times) a year for a period not to exceed thirty (30) days each time.
3. The Applicant must run either temporary electric in compliance with the National Electric Code (NEC) or use a generator following the National Fire Protection Agency Code 1124 guidelines, for lighting in the tent.
4. The Applicant must post temporary NO PARKING signs on Route 41 near the tent location as well as across the street from the tent on Route 41.
5. The Applicant, if required, must obtain a State License to sell or distribute fireworks.

Mr. Zurl seconded the said motion and conditional use was approved by a vote of 4-0.

**Auditor Report Barbacane Thornton & Company**

Mr. Kaowalczyk, Barbacane Thornton & Company, said we were here in March of 2019 to conduct the annual financial audit for year-end December 31, 2018. Mr. Kaowalczyk, said he is pleased to report they did not find any issues with the internal controls, there were no exceptions identified and no material weaknesses or deficiencies. The Board thanked Mr. Kaowalczyk for his report.

**ANNOUNCEMENTS/APPOINTMENTS**

**Trash and Recycling Day at SECCRA**

Mr. Scott-Harper announced that the Township will be hosting its Spring Trash and Recycling Day at SECCRA on May 18, 2019 from 1:00 p.m. – 4:00 p.m. SHARP. This event is for Township residents only. A list of items that are accepted please visit the Township Website [www.londongrove.org](http://www.londongrove.org).

**London Grove Township Mobile Communications Training**

Mr. Scott-Harper announced that on Wednesday, April 17, 2019 London Grove Township conducted and hosted a mobile communications training. The purpose of this training was to conduct an exercise to follow up on monthly table top discussions and ensure proper radio communications between the 911 center, the Chester County Communications Mobile Unit, Police and Fire Departments, EMS, the Emergency Management Coordinator, Director of Public Works, and the area schools. Mr. Scott-Harper stated that he attended this training and is very impressed with the efforts that the Township Fire Marshal/Emergency Management Coordinator, Robert Weer has put into place.

**“Stop the Bleed” Training**

Mr. Scott-Harper announced that the Township Staff participated in a “Stop the Bleed” Training, on Monday, April 22, 2019 taught by the Southern Chester County EMS Medic 94 paramedics. This training teaches the public simple steps on how to stop or slow life threatening bleeding.

**Local Township Secretary Graduates from the Municipal Government Academy**

Mr. Scott-Harper announced that Mrs. Dawn Maciejczyk, Township Secretary, recently graduated from the PSATS Municipal Government Academy (PMGA), a leadership and municipal education program of the Pennsylvania State Association of Township Supervisors (PSATS). Mrs. Maciejczyk was one of ten (10) individuals to complete the diploma program by earning sixty (60) credits from across the four (4) tracks; administration, planning and zoning, public safety, and public works. Mr. Scott-Harper stated that he would like to say congratulations on behalf of the Board of Supervisors.

**Boards and Commissions Vacancies**

Mr. Scott-Harper announced the following Boards and Commissions vacancies:

- Inniscrone Golf Course Committee (1)
- Township Board of Auditors (3)
- Environmental Advisory Committee (4)
- UCC Board of Appeals (2)

Municipal Authority (1)- there are currently 3 individuals interested in the position, this will be a topic on the Municipal Authority Board Meeting on Monday, May 6, 2019.

**I. PUBLIC COMMENT**

Mr. Scott-Harper called for Public Comment on agenda items. There was none.

## **II. CORRECTION/APPROVAL OF MINUTES**

The meeting minutes of April 3, 2019 were reviewed by the Board of Supervisors. Mr. Connors made a motion to approve the meeting minutes of April 3, 2019 as presented, seconded by Mr. Szakas and approved by a vote of 4-0.

The meeting minutes of April 23, 2019 were reviewed by the Board of Supervisors. Mr. Connors made a motion to approve the meeting minutes of April 23, 2019 as presented, seconded by Mr. Szakas and approved by a vote of 4-0.

## **III. REPORTS FOR APRIL 2019**

### **Inniscrone Golf Course**

Mr. Scott-Harper reviewed the monthly report prepared by Mr. Tom Bolko, General Manager of Inniscrone Golf Course. There were no questions from the Board.

### **Codes Department**

Mr. Scott-Harper reviewed the Codes Department report, 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 stated that they would like to thank West Grove Fire Company Ladder 22 for helping to repair the damaged lanyard at Goddard Park on the Flag Pole.

Mr. Kinsey also discussed that McMahon and Associates conducted the Bridge Inspection Service for the Woodview Road Bridge that was recently damaged when a tree fell on it in the last wind storm. Mr. Kinsey stated that his hope was to open the bridge as a one lane bridge after the Bridge Inspection and Weight Rating was completed. Unfortunately, that will not be the case due to the significant amount of damage to the bridge. This bridge will remain closed for 2-3 years. Mr. Kinsey suggested budgeting in 2020 \$150-\$200,000 for engineering cost and the full bridge replacement in 2021. He expects this bridge replacement to cost approximately \$1 million dollars.

### **Finance Department**

Mr. Scott-Harper reviewed the Financial Report, prepared by Ms. Guenther. There were no questions from the Board. Mr. Connors made a motion to approve the Financial Report as presented, seconded by Mr. Zurl and approved by a vote of 4-0.

### **Pennsylvania State Police Report**

Mr. Scott-Harper reviewed the Pennsylvania State Police report. There were no questions from the Board. Mr. Connors stated that the State Police have been very visual around the schools and they are very happy about that.

### **Monthly Emergency Services Report**

Mr. Scott-Harper reviewed the Monthly 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.

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

Mr. Scott-Harper reviewed the monthly Right-to-Know report. There were no questions from the Board.

### **Dep Odor Report**

Mr. Scott-Harper reviewed the monthly DEP Odor report. There were no questions from the Board.

**V. FIRST BUSINESS**

**Provident Energy Client Services Agreement**

Mr. Battin explained that this is an energy cost reduction service. Mr. Szakas made a motion to approve the Provident Energy Client Services Agreement, seconded by Mr. Zurl and approved by a vote of 4-0.

(Mr. Irwin Arrives 7:45 p.m.)

**178 Hannum Mill Road Stormwater Management Review and Processing Escrow**

Mr. Battin explained that this is a routine form that the Township Solicitor created for the Township to collect the review and processing escrow in the amount of \$1,500.

Mr. Connors made a motion to approve the Stormwater Management Review and Processing Escrow fom 178 Hannum Mill Road, seconded by Mr. Szakas and approved by a vote of 5-0.

**VI. OLD BUISNESS**

**VII. NEW BUSINESS**

**Mowers- Shane Kinsey**

Mr. Kinsey reviewed his memo dated April 23, 2019 to the Board of Supervisors regarding the replacement of three (3) mowers in 2019 as part of the “Equipment Replacement Plan”. He is asking for a motion to authorize the purchase of three (3) mowers from Lawn Equipment Parts Company at the cost of \$56,241.50. The mowers that are proposed for purchase are 96” “Wide Area” Exmark Zero Turn, 72” Exmark Zero Turn, and a 48” Exmark Walk Behind. This is a PA CoStars purchase handled through Stoltzfus Farm Service of Cochranville and will be fully covered by the Equipment Replacement Plan.

Mr. Connors made a motion to approve the purchase of the three (3) mowers listed above from Lawn Equipment Parts Company at the cost of \$56,241.50 as outlined in Mr. Kinsey’s memo dated April 23, 2019, seconded by Mr. Szakas and approved by a vote of 5-0.

**2019 McCue Road Bridge- Shane Kinsey**

Mr. Kinsey reviewed his memo dated April 23, 2019 to the Board of Supervisors regarding the bid results of the McCue Road Bridge through PennBid. Mr. Kinsey stated that a bid opening was held on April 23, 2019 at 11:30 a.m. with the following bids received;

Mar-Allen Concrete Products Inc.	\$45,537.00
Eastern Highway Specialists	\$66,650.00
Bill Anskis Co., Inc	\$163,000.00
Road-Con, Inc.	\$197,500.00

Mr. Kinsey recommends awarding the bid to Mar-Allen Concrete Products Inc. of Ephrata, PA in the amount of \$45,537.00.

Mr. Connors made a motion to award the bid to Mar-Allen Concrete Products Inc. of Ephrata, PA in the amount of \$45,537.00, seconded by Mr. Zurl and approved by a vote of 5-0.

**VIII. LAND DEVELOPMENT**

**PLANS:**

**Pettinaro/London Grove West Further Permit Extension**

Mr. Scott-Harper explained that Pettinaro is asking for a 1-year extension on the London Grove West Plans till May 25, 2020. They have received tenant interest in the property and hopes to extend the permit life of the development for that reason.

Mr. Connors made a motion to approve the 1-year extension on the London Grove West Plans till May 25, 2020, seconded by Mr. Zurl and approved by a vote of 5-0.

**Hills of London Grove Escrow Release #12 Phase 3A**

Mr. Zurl made a motion to approve escrow release #12 Phase 3A in the amount of \$20,803.33 as recommended by Ragan Engineering Associates, Inc, in his memo dated April 26, 2019, seconded by Mr. Szakas and approved by a vote of 5-0.

**Hills of London Grove Escrow Release #10 Phase 3B**

Mr. Zurl made a motion to approve escrow release #10 Phase 3B in the amount of \$4,824.66 as recommended by Ragan Engineering Associates, Inc, in his memo dates April 29, 2019, seconded by Mr. Szakas and approved by a vote of 5-0.

**Hills of London Grove Escrow Release #7 Phase 4**

Mr. Zurl made a motion to approve escrow release #7 Phase 4 in the amount of \$5,676.06 as recommended by Ragan Engineering Associates, Inc, in his memo dated April 26, 2019, seconded by Mr. Szakas and approved by a vote of 5-0.

**IX. EXTENSIONS- NO ACTION NEEDED**

Development	Application	Date Received	90 Day Expiration	Planning Commission Approved
Needham Farms	Preliminary	March 15, 2005	August 18, 2019	
Barbara Yeatman	Preliminary/Final Plan	October 1, 2018	June 28, 2019	
Hy-Tech Mushrooms	Preliminary/Final Plan	February 27, 2019	August 26, 2019	

Development	Application	Date Received	5 Year Expiration	Planning Commission Approved	Board of Supervisors Approved
London Grove West	Approved Final	December 22, 2010	May 25, 2019	April 27, 2011	August 10, 2011
Taco Bell	Preliminary/Final	April 26, 2018	November 7, 2023	September 6, 2018	November 7, 2018

**X. PUBLIC COMMENT NON-AGENDA ITEMS**

Mr. Lou Kaplan stated that he would like to thank the Board of Supervisors for their service. As a resident living near Chatham, he has been working with the S.A.V.E. (Safety, Agriculture, Villages, Environment) program. He would like to discuss a little bit about the intersection improvements in the Village of Chatham. PennDot has their own sense of time, they have been working on this for 23 years. There are currently 5 options on the table for that intersection that need to be widdled down to 2. PennDot is going to hold a Public Meeting to discuss the options.

Mr. Kaplan would like to encourage the Board of Supervisors to meet with PennDot and get the public meeting done before summer, he also suggests the Township help with the engineering services. Mr. Kaplan feels that the safest solution for that intersection would be the round about idea. Mr. Mark Johnson teaches design of roundabouts and was hired by London Derry Township to help with the 926/41 round about. He would like to see London Grove Township be proactive with PennDOT District 6 regarding the Chatham Intersection.

Mr. Scott-Harper suggested that the Township contact PennDOT and two Board members as well as the Township Manager go to District 6 and discuss what we need to do to get things moving. Mr. Kaplan stated that this project does not have to happen quickly, but it does not need to move this slowly either.

Mr. Connors stated that learning how PennDOT operates is tricky, but now its time for London Grove township to help widdle these options down. He would like to engage with Mr. Mark Johnson and get the information we need to approve him as a consultant to help move this project forward.

The Board agreed with Mr. Scott-Harpers suggestion and MR. Scott-Harper, Mr. Connors and Mr. Battin will go to the meeting. Mr. Battin is to contact Mr. Johnson and set up a meeting.

Mr. Mike Brooks, Landenberg Resident, works for Blacksite International and has 5 kids in the Avon Grove School District, has been contracted by the Avon Grove School District as well as the Charter School and Oxford to look at the school security and emergency response. To give a little background he got in touch with Mr. Robert Weer, Township Fire Marshal/Emergency Management

Coordinator, and in September they started a group of 4/5 guys meeting monthly to discuss school security and safety. Quickly that group has now grown to 23 organizations that meet monthly to discuss, change, improve school safety and security. Mr. Weer has been extremely instrumental; the county is now looking at this group and what we do as a model. Just want to mention that this is all done through volunteer; Mr. Brooks wanted to recognize Mr. Weer and London Grove Township for being so instrumental in this group and whole process.

Mr. Steve Annan commented that he sees a lot of good things going on in the Township, but parking is still an issue. This is something that can't be fixed as a full Township approach but as an individual street approach. Two Years ago, the Township held a Town Hall meeting to discuss the issue and if the no parking signs should go up or be taken down, and nothing has been done. Mr. Scott-Harper stated the Township has done things. Mr. Annan stated that two years is ridiculous to look at this topic.

Mr. Scott-Harper stated that parking on streets that are too narrow is an issue and the fire companies have brought this back to us. In the next three months we will have a decision on this matter of if we allow or if we restrict it. Mr. Annan stated then it needs to be enforced. Mr. Connors stated things take time. Mr. Annan stated that you refused my petition. Mr. Connors stated I don't think anyone refused your petition. Mr. Zurl stated that you need to understand that trying to come up with a one size fits all solution is hard and frustrating for us as well. This is something that evolves over time its not a one size fits all ordinance. Mr. Zurl stated that the County Highway bill is \$5.00 per car in Chester County. Mr. Zurl stated that the County Highway bill is \$5.00 per car in Chester County. Mr. Zurl is referencing the County's ability to impose a \$5 fee on every vehicle registration in the county, and that the Highway Bill gave the authority to do so. Mr. Scott-Harper stated that at the max, three months, the September 4, 2019 meeting we will have an answer for you.

Mr. Larry Spencer asked what is going on with the Glen Willow Road Bridge? Mr. Kinsey explained that it is not a bridge that is considered a culvert and is not nearly as expensive to replace as a bridge. It is not in the best condition, is narrow and has deficient guiderails. The question is do we fix the culvert to make the guiderails work or do we just leave it? Mr. Kinsey said he will work on developing a plan to inspect the culverts and put together a plan to fix them by priority. Mr. Kinsey made comment that the county gets liquid fuels money for the bridges, we don't so that expense would be on us. Mr. Zurl stated that the County Highway bill is \$5.00 per car in Chester County.

Mr. Scott-Harper asked Mr. Kinsey to take a look at the culvert on Glen Willow Road and see what can be done. Mr. Kinsey agreed to.

Mr. Spencer also commented that the ramp going over the by-pass guiderails need fixed. Mr. Kinsey stated that he also noted that, and he will be in contact with Robert from PennDOT about getting that fixed since that is a PennDOT Road.

#### **ADJOURNMENT**

A motion was made by Mr. Connors to adjourn the meeting at 8:48 p.m., seconded by Mr. Zurl and approved by a vote of 5-0.

Respectfully submitted,

Dawn Maciejczyk  
Township Secretary