

**LONDON GROVE TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
July 2, 2019 – 7:00 P.M.**

MEMBERS PRESENT:

Richard Scott-Harper
John Lee Irwin
Stephen Zurl
Thomas Szakas

STAFF PRESENT:

Ken Battin, Township Manager
Shane Kinsey, Director of Public Works
Dawn Maciejczyk, Township Secretary
5 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 meeting will take place on Wednesday, August 7, 2019 beginning at 7:00 p.m., the deadline for agenda items is Wednesday, July 31, 2019 at noon.

ANNOUNCEMENTS/PRESS RELEASES

Mr. Scott-Harper announced that London Grove Township received the PECO Clean and Green Grant in the amount of \$9,218.00 to pave the trails at Goddard Park.

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)

I. PUBLIC COMMENT

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

Jack Wharry- Final Presentation for Work Completed for Eagle Scout Project at Goddard Park

Mr. Wharry presented that he had completed 21-mile marker post and 26 signs at Goddard Park. This work took him one weekend at the park and two weekends at his home preparing the materials. Mr. Wharry put together a list of the GPS Coordinates for all the mile marker post and they were sent to the Township Manager. Mr. Battin explained that these GPS Coordinates will be sent to the Fire Companies as well as the 911 Operations center. This will help in the event of an emergency to narrow down the location by mile marker of the person or persons in need of emergency personnel.

The Board congratulated Mr. Wharry on a job well done. Mr. Zurl commented that he has heard a lot of positive feedback from park users on the mile markers. Mr. Wharry thanked the Board.

II. CORRECTION/APPROVAL OF MINUTES

The meeting minutes of June 5, 2019 were reviewed by the Board. Mr. Zurl noted that on page three DEP needs to be capitalized. Mr. Szakas made a motion to approve the minutes with the amendment as stated above, seconded by Mr. Irwin and approved by a vote of 4-0.

The meeting minutes of June 18, 2019 were reviewed by the Board. Mr. Zurl made a motion to approve the minutes as presented, seconded by Mr. Scott-Harper and approved by a vote of 4-0.

III. REPORTS FOR JUNE 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. Mr. Zurl thanked Mr. Kinsey and the Road Crew for a great job with the tar and chipping on the roads. It didn't sit there for an unnecessary amount of time and the chips were swept up as soon as their job was complete.

Mr. Irwin commented that the pond at Goddard Park looks great. Mr. Szakas asked if the outfall pipe failed or this is something that will need to be replaced every three to five years? Mr. Kinsey stated we did not dredge the pond; we just fixed the outfall pipe. To dredge the pond, it would cost upwards of \$100,000.00. Mr. Irwin asked about the paving at the end of South Guernsey Road. Mr. Kinsey stated that West Grove Borough is handling that contract and there is some back and forth going on between the Township and the Borough. Unfortunately, we were not notified about the closure until the day after the closure had happened.

Finance Department

Mr. Scott-Harper reviewed the Financial Report, prepared by Ms. Guenther. There were no questions from the Board. Mr. Szakas made a motion to approve the finance report as presented, seconded by Mr. Irwin 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. Irwin commented that he is really intrigued by the significant incident reports that the Township now receives.

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. Mr. Scott-Harper announced that there is a strategic plan meeting with a consultant in August for funding. The Southern Chester County Emergency Medical Services will be meeting at the Township the last Wednesday in July. July 31, 2019 at 6:00 p.m. to discuss changing the way they fund the EMS.

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.

IV. FIRST BUSINESS

Taco Bell Financial Documents:

Mr. Szakas made a motion to approve the Taco Bell Financial Documents as presented, seconded by Mr. Irwin and approved by a vote of 4-0.

245 Hannum Mill Road Steep Slope Waivers

Mr. Scott-Harper stated that the Board has received a request from 245 Hannum Mill Road regarding some waivers for the steep slopes. The waivers are as follows: Waivers from Section 22-

610.4 of the London Grove Township Subdivision and Land Development Ordinance, and Section 20.401.B & Section 20.402.2.G of the London Grove Township Stormwater Management Ordinance, which require a review by the Chester County Conservation District, are requested. This project will disturb less than 1 Acre.

A waiver from Section 22-611.1 of the London Grove Township Subdivision and Land Development Ordinance, which requires a maximum slope of 4:1 is requested to allow a maximum slope of 3:1, except for two small areas, one adjacent to the proposed driveway, and one adjacent to the "basement walk-out" area of the residence, which propose a slope of 2:1.

Mr. Zurl made a motion to approve the waivers as presented by Mr. Crossan, seconded by Mr. Szakas and approved by a vote of 4-0.

V. OLD BUSINESS

Woodview Road Bridge Engineering

Mr. Kinsey explained that they received an estimate from McMahon Transportation Engineers and Planners for the proposal of the Woodview Road bridge as requested by the Board. The total estimated engineering is \$262,900.00 plus other out of pocket expenses. This bridge has been added to the TIP through Chester County and a request has been made to add the bridge to the PA State Bridge Bill. Funding for the program is estimated to be a minimum of 2 years from inclusion.

Mr. Kinsey recommends budgeting for this engineering in the 2020 budget given the timing on funding for the estimated million-dollar project. Mr. Battin also recommends budgeting for this in 2020 as if we do it too soon, we will have to redo the estimate as the project gets closer. Mr. Scott-Harper suggest tabling this topic until a future meeting after budgeting for it. Mr. Zurl stated that the Township should be allowed to get Pennsylvania Bridge money, we have more bridges than anyone in the county. Mr. Kinsey stated that the best justification we have is we lost a detour route for if Route 1 is closed. Mr. Zurl would like to know all the options and see if there is a cheaper alternative. Mr. Kinsey said there really is not, the guiderails are not up to today's standards. He also explained that the bridge needs to be longer and higher, Mr. Szakas asked if there is a reason, we can not have two dead-end roads there. Mr. Kinsey stated that this road is heavily traveled and used by the farmers. It would be very costly to make it two dead end roads, we would need to provide turnarounds, and this is an alternate route in case route 1 is shut down. The discussion continued...

Municipal Results

Mr. Kinsey stated as approved by the Board the following items were listed on Municipal, and the highest bid received was:

- * 1996 Woodchuck Chipper- Robert Vigil \$7,000.00
- * 2006 New Holland L185 Skid Loader with backhoe attachment- Joseph Nabywaniec \$19,900.00
- * 2006 4/1 skid loader bucket -\$1,375.00

Mr. Kinsey recommends the approval of the sale of these items to the high bidder. He explained that the money for the 2006 New Holland L185 Skid Loader with backhoe attachment and the 2006 4/1 skid loader bucket will be split with the London Grove Township Municipal Authority as they are co-owners of this equipment. Mr. Kinsey also asked that the money received for these items go back into the equipment replacement fund.

Mr. Zurl made a motion to approve the sale of the above equipment as outlined by Mr. Kinsey, seconded by Mr. Szakas and approved by a vote of 4-0.

VII. NEW BUSINESS

Approval to Purchase Meeting Room Stackable Chairs

Mr. Szakas made a motion to purchase stackable meeting room chairs at the expense not to exceed 4,085.88 as outlined by Mr. Battin, seconded by Mr. Zurl and approved by a vote of 4-0.

Contract with MTJ Engineering (Mark Johnson) Route 41 and Route 841 Intersection

Mr. Battin stated that he recommends that the Board discuss this, himself and Mr. Kinsey reviewed this and are torn on allocating the funds for a State Project. Mr. Scott-Harper explained that Mr. Johnson does an analysis on what function this intersection serves. He said that a Township north

of us contracted with MTJ and PennDOT did take his suggestions. Mr. Scott-Harper explained that the cost of \$15,870 for Section A and the cost of \$19,536 for Section B will be spread out over three years. Mr. Johnson broke the estimate into two sections. Section A will focus on the review of the proposed concept designs/development of revised concepts. Section B will focus on the review and recommendations for the preliminary and final design. Mr. Zurl stated that the Board attended the meeting with PennDOT and saw five different options. No one has said it is going to be a round-about. We need someone to represent the Township. Mr. Scott-Harper stated that PennDOT is dwindling it down to two options by September. Mr. Zurl asked is the timing right though? Mr. Scott-Harper stated I believe it is, I don't see anything on the table, and I don't see anyone making a decision for the table.

Mr. Szakas said this is for time and materials, three phases and we can walk away at any time? Mr. Scott-Harper stated yes, and I can tell you if we don't use him, we are not going to like the results. Mr. Szakas said well \$35,000 is a lot of money to spend in hopes that PennDOT agrees with him. The final decision still comes from the State, not the Township or Mr. Johnson. Mr. Szakas stated if the state has done 40 some of these already why would they look to us for answers? I'm just not comfortable spending \$35,000 on a maybe.

Mr. Irwin made a motion to approved spending the \$35,000 on a contract with MTJ Roundabout Engineering, Mark Johnson, as outlined by Mr. Battin, seconded by Mr. Zurl and approved by a vote of 3-1. Mr. Szakas voted nay.

Round Table Discussion with Robert Weer- ASHER review date

Mr. Scott-Harper explained that Mr. Weer has been working with the local Emergency Services to ensure the safety of our schools and community. He is requesting currently a round table discussion with the Board to review what they have been working on and towards. The Board agreed upon the date of September 10, 2019 at 6:00 p.m.

Black Site Security Proposal for a Security Consultant for the Township

Mr. Battin explained that Mr. Weer has been working with Mr. Michael Bruecks to help develop a program to protect our community in the event of an active shooter. Mr. Bruecks, specializes in developing comprehensive security protection programs that establish a robust protection capability to defend against your "Design Basic Threat (DBT)." At this time Mr. Weer is asking that the Board consider securing Black Site International as a Security Consultant for the Township. Mr. Battin explained that it would be \$200.00 per billable hour for working on anything for the Township. Mr. Szakas asked does Mr. Weer think there's any specific amount of time they will need? Mr. Battin stated no, most of the time working will Black Site will be billed to whom ever we are working with. For example, if they are working on Active Shooter threats with the Charter School it would be billed to the Charter School not the Township. This contract would be renewed annually.

Mr. Szakas made a motion to approve securing Black Site International as a security consultant for the Township, seconded by Mr. Zurl and approved by a vote of 4-0.

VIII. LAND DEVELOPMENT

PLANS:

426 W. Baltimore Pike Final Minor Subdivision Plan

Mr. Battin explained that the Cocciolone's have submitted an application to subdivide their property located at 426 W. Baltimore Pike.

Mr. Zurl made a motion to approve the subdivision of 426 W. Baltimore Pike as presented, seconded by Mr. Szakas and approved by a vote of 4-0.

Lopez/Llewellyn Review and Processing Escrow Agreement

Mr. Szakas made a motion to approve the review and processing escrow agreement for the Lopez/Llewellyn property, seconded by Mr. Zurl and approved by a vote of 4-0.

IX. EXTENSIONS- NO ACTION NEEDED

Development	Application	Date Received	90 Day	Planning
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			Expiration	Commission Approved
Needham Farms	Preliminary	March 15, 2005	August 18, 2019	
Barbara Yeatman	Preliminary/Final Plan	October 1, 2018	September 26, 2019	
Hy-Tech Mushrooms	Preliminary/Final Plan	February 27, 2019	August 26, 2019	
426 W. Baltimore Pike	Preliminary/Final Plan	May 29, 2019	August 7, 2019	June 19, 2019
Lopez/Llewellyn	Preliminary/Final Plan	June 19, 2019	September 17, 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. Kenneth Schnitzer, 524 E. Avondale Road, stated that there is a stormwater issue that is causing public concern. The stormwater pipe that runs from the west side to the east side of the road and comes up on Garden Station I believe is not functioning the way it should. There is an excess amount of stormwater crossing over Garden Station Road. This is already a dangerous intersection and then to add the extreme amount of water to it, someone is going to get hurt, it is going to cause an accident. The stormwater pipe was just replaced recently as well as the road repaved and this was not a problem before those repairs were made. I asked the previous homeowner as well as some neighbors and they all stated this was never a problem in the past. I'm asking the Board to please come up with a way to divert the stormwater that is crossing the road. Mr. Scott-Harper asked if the water is pooling in the street or just running across it? Mr. Schnitzer stated that it is running across it and down onto his property. He has taken numerous videos showing the amount of water that is running. Mr. Schnitzer said he has contacted the Pennsylvania Department of Environmental Protection; Krista Brown and she will be reaching out to the Township. He stated that he was told there are grants and stuff to fix this through the MS4 program.

Mr. Scott-Harper stated that the Board would have to speak with the Township Manager, Ken Battin as well as the Director of Public Works, Shane Kinsey about the situation. Mr. Kinsey stated that he agrees with Mr. Schnitzer to a certain point. It will be an estimated cost of \$300,000.00 to fix this. We would have to acquire easements from some of the landowners. Mr. Battin explained that our MS4 has not been accepted yet so there is no grant money available to the Township until that is done. Mr. Schnitzer stated that they will continue to film the runoff and they are happy to be in this Township this is the only complaint they have. Mr. Scott-Harper stated we will discuss the issue with the Township Engineer and get back to you with what we have. It may take 2-3 weeks or so.

Mr. Scott-Harper announced that the Board needs to set up a special meeting to discuss the Agriculture Security Area part of the Zoning Ordinance. The Township Consultant has drafted language that we should review. The Board agreed upon July 16, 2019 at 6:00 p.m., Mr. Battin is to confirm with the consultant to make sure he is available.

ADJOURNMENT

A motion was made by Mr. Zurl to adjourn the meeting at 8:07 p.m., seconded by Mr. Szakas and approved by a vote of 4-0.

Respectfully submitted,

Dawn Maciejczyk
Township Secretary