

**Newlin Township
Board of Supervisors
Meeting Minutes**

March 14, 2016

Call to Order: The monthly Board of Supervisors meeting of Monday, March 16, 2016, convened at 8:00 p.m. at the Lenfest Center, Cannery Road, Coatesville, PA. Present were Chair, Janie Baird, Bill Kelsall, Bob Pearson, and Secretary, Gail Abel.

Announcement Period

Janie Baird announced that Brandywine Creek Road is due to be closed for 3 days this week from 7am-5pm. The Township was notified of the information in an email from Po Mar Lin and was not notified by Penn Dot. The road will be closed for boring through the pavement. Last week Penn Dot was in the creek to bore into the bank. The Board sent a letter to Penn Dot a year ago expressing concerns about the safety of the road. The only thing that happened as a result of the letter is a few barrels were put up where the road was sinking.

There is an advertised joint work session with the Board of Supervisors and Planning Commission on Wednesday, March 23 at 8:15pm here at the Lenfest Center to discuss Agricultural Zoning to comply with the Regional Plan.

The Tough Mudder event will be held on Plantation Field in East Marlborough on May 21st and 22nd. None of the Newlin's roads are to be closed and Powell Road, Scott Road and Brandywine Creek Road are not to be used as shortcuts for the event

If your item of interest is on the agenda, we ask that you wait until we get to that point in the agenda and you will be allowed to comment or ask questions.

As a reminder, only Newlin residents will be given the opportunity to speak and time will be limited to 5 minutes per resident. Please give your name and Newlin address when speaking.

It was announced if you plan to voice record or video you must announce your name. Susan Bush from Pa Equestrian News announced she will be voice recording.

Comment Period: Several residents were in attendance and had the opportunity to discuss their concerns about the horse boarding ordinance. Bill Kelsall said the Board wants to make sure the residents are aware that the scheduled meeting with the Assistant Attorney General is what the Assistant Attorney General requested the Board to do. The meeting is scheduled and comments will be shared with the community after the solicitor is consulted.

Minutes: The minutes of the Board of Supervisor's meeting, held on Monday, February 8, 2016 were read and reviewed. Bob Pearson made a motion to accept the minutes, seconded by Bill Kelsall and the vote was unanimous.

Financial Report: Read by Gail Abel. Bob Pearson made a motion to approve the financial report, seconded by Bill Kelsall and the vote was unanimous.

Emergency Services:

West Bradford Fire Company: February report showed 30 total responses, with one response reported in Newlin.

Right to Know Requests: The Township had two right to know request since the last meeting.

Building Committee Update:

Bill Kelsall gave an update on the Township's Embreeville House. Repairs have started on the rental side of the house. The plan is to complete the repairs and maintenance by early summer. Windows and siding will be replaced and pest control has been scheduled. Rental income is targeted for \$1500-\$1800 per month.

Agricultural Security Area 7 Year Review:

Newlin's 7 year review of our Ag. Security Area is due this year. Properties included in the ASA are eligible for participation in the state and county Ag Conservation Easement Program. During the review period, landowners who are included in the ASA can officially withdraw their property from the ASA. Inclusion is recorded by the county recorder of deeds.

The Township will be sending a letter to all property owners in the ASA informing them of the review and request any change in the status of their property be reported to the Township within 30 days of the letter. Posting and an advertisement in the DLN are also required.

Gail is gathering all the pertinent information and will be preparing the advertisement and letters to landowners this month.

Open Space Ordinance Discussion:

The Board has been discussing for months the possibility of an Open Space Referendum to be placed on the ballot for this November's election. Residents should have received a letter regarding this included in their Township tax bills.

There is a procedure for placing a referendum on the ballot that requires an ordinance being prepared, reviewed by our Planning Commission, presented at an advertised Hearing, and voted on by the Board of Supervisors. The Solicitor must then prepare the exact wording for the ballot. All this must take place and presented to Chester County Voter Services 13 Tuesdays before the November 8th election.

The Board has the copy of the Ordinance prepared by John Good that needs to be sent to our Planning Commission for their review. Bob Pearson made a motion to send the proposed ordinance to Newlin's Planning Commission for review, Bill Kelsall seconded and the vote was unanimous.

Laurel Road Update:

Notice was received from the Township Engineer that the Commonwealth Finance Agency (CFA) meeting scheduled for March 9th to approve applications from several funding programs has been cancelled. There is currently no future date planned for the CFA Board to reconvene and approve these projects, but all applications are still eligible for funding and no action is required from the applicants.

Bids Dirt & Gravel Road Grant: An advertisement for bid receipts was placed in the Daily Local News on February 23rd and 29th. One sealed bid was received from Asphalt Industries. Bill Kelsall made a motion to accept the Asphalt Industries Bid, Janie Baird seconded and the motion carried by 2 in favor. Bob Pearson recused himself.

Embreeville Redevelopment Update: In June of 2015, the Chester County Common Pleas Court dismissed the appeal by Embreeville Redevelopment and affirmed West Bradford Township's Zoning Ordinance 2013-06 as valid. That Ordinance had allowed for multi-family housing in the Industrial districts of W. Bradford.

Embreeville Redevelopment appealed the ruling by the Common Pleas Court to the Commonwealth Court of PA and the hearing was held in February. The Commonwealth Court reversed the Common Pleas Court decision. The court held that the ordinance was a zoning map change and because the Township did not follow the MPC procedures for a zoning map change, the Ordinance is invalid.

According to our Solicitor, Kristin Camp, this decision has significant impact on the validity challenge that is ongoing before the West Bradford Zoning Hearing Board.

Since West Bradford does not agree with the Commonwealth Court's ruling, they have authorized Kristin's firm, Buckley, Brion, McGuire, Morris & Sommer to file a petition before the PA Supreme Court and the petition is due April 2, 2016.

The continuation of the Zoning Hearing on Embreeville will be Wednesday, April 6 at 7 pm at the West Bradford Township Building.

Adjournment: With no further business, Bob Pearson made a motion for adjournment, seconded by Bill Kelsall and the vote was unanimous.

Respectfully Submitted,
Gail Abel
Recording Secretary

