

**Newlin Township  
Board of Supervisors  
Meeting Minutes**

**April 11, 2016**

**Call to Order:** The monthly Board of Supervisors meeting of Monday, April 11, 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 there is an advertised joint work session with the Board of Supervisors and Planning Commission on Wednesday, April 27<sup>th</sup> at 8:15pm here at the Lenfest Center to discuss Agricultural Zoning to comply with the Regional Plan.

The Township is in receipt of a notice from Natural Lands Trust they will be doing the annual burn at the Serpentine Barrens at ChesLen between now and mid-May.

The Agricultural Security seven-year review letter was mailed out to those residents in the Agricultural Security Area. Landowners have until April 19<sup>th</sup> to get their responses to the Township. An advertisement was also placed in the Daily Local News and local business in the Township.

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 that if you plan to voice record or video you must announce your name.

**Comment Period:** Laura Shannon inquired about how someone gets an item on the agenda. Janie Baird replied that the person requesting to be on the agenda needs to contact the Secretary or Janie and submit any supporting documents. She also inquired if the agenda could be placed on the website. It was stated that there are a lot of last minute changes to the agenda and it is not feasible to add the agenda to the website.

Ron Dell of 430 Brandywine Drive, who is renovating his property, complimented Secretary, Gail Abel and Ed Mullock from Cedarville Engineering for excellent service.

**Minutes:** The minutes of the Board of Supervisor's meeting, held on Monday, March 14, 2016 were read and reviewed. Bill Kelsall made a motion to accept the minutes, seconded by Bob Pearson and the vote was unanimous.

The minutes of the Board of Supervisors and Planning Commission joint work session held on March 23<sup>rd</sup> were read and reviewed. Bill Kelsall made a motion to accept the minutes, seconded by Janie Baird. The vote was 2 in favor as Bob Person did not attend the joint work session.

**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.

The Secretary announced the 2015 Audit has been transmitted. The auditors provided a review letter indicating the balance sheet, income and expense statement, payroll records, bank statements and invoices were reviewed.

They had two recommendations:

First recommendation is to convert the stand alone Quickbooks to Quickbooks online. This would allow the Auditors to review the accounts throughout the year and not have to review everything at year end. This will also provide a safe back up system for the files.

The second recommendation is the Auditor General requires the Fire & EMS tax have its own bank account, currently it is in the general fund. Secretary ask for the Board's approval to open another bank account at TD Bank for the Fire & EMS tax. Bill Kelsall made a motion to open an account at TD Bank for the Fire & EMS funds, Bob Pearson seconded and the vote was unanimous.

Janie Baird publicly thanked the Auditors: Bob Becker and new auditors Scott Hedgepeth and Jason Evans.

**Ordinance 2014-01:** Bill Kelsall represented the Board in a meeting with the Chester County Conservation District, the Assistant Attorney General, and several representatives from Penn State on March 24th.

The Board of Supervisors met in Executive Session with our Solicitor, Kristin Camp on April 10, 2016 regarding amending the Ordinance to comply with the Assistant Attorney General's letter and the discussion held on March 24th.

Kristin is tweaking the ordinance and will be forwarding that onto the Assistant Attorney General this week for her review.

**Brandywine Conservancy By: John Goodall:** John Goodall, Western Area Manager with Brandywine Conservancy, provided a powerpoint presentation. He had heard that the Board may be considering an open space tax and reached out to see if the Board would be interested in a presentation. The Board thought that with the suggested open space referendum this would be a good opportunity to further educate the tax payers.

John provided a lot of knowledge and statistics. Paddy Neilson from London Grove Township was invited by John Goodall to help answer resident questions. Mr. Neilson said the first year the referendum in his Township was turned down, the second year it passed by a small margin. London Grove's open space tax is thriving.

Those in attendance had an opportunity to ask questions. It was confirmed that if the open space referendum is approved there will be an Open Space Committee formed to review applications. A separate checking account will be opened for the tax fund revenues.

It was stressed that the open space tax is a very small amount and it is one more tool available to help preserve land.

**114 Galvin Circle (Pocopson Creek Estates) Stormwater Agreement:** Mike Haggarty, property owner of 114 Galvin Circle, was present to present his Stormwater Management Simplified Approach application for approval and signature from the Board so the document can get recorded at the County. A review letter was received from Cedarville Engineering dated March 31<sup>st</sup> indicating they approve the submission and recommend the Board sign the agreement. Bill Kelsall made a motion to accept the Stormwater Management Agreement, seconded by Bob Pearson and the vote was unanimous.

**Flood Plain Ordinance Proposal from Cedarville Engineering:** A proposal for professional services has been received from Cedarville Engineering for Floodplain Ordinance updates. The Board did not budget for the expense because the request came from FEMA after the 2016 budget was approved. The proposal is for \$2,971.00; Bob Pearson made a motion to accept the proposal, seconded by Bill Kelsall and the vote was unanimous.

**Designation of Agent Resolution for Storm Jonas:**

Federal government approves disaster assistance for January snowstorm — President Barack Obama has granted Gov. Tom Wolf's request for federal disaster assistance for the historic snowstorm on January 22-23, 2016. Municipalities in 23 qualifying counties will be eligible for reimbursement of up to 75 percent of snow removal costs during the 48-hour storm. Chester County is included in the disaster declaration.

We have already submitted our expenses and will have meetings scheduled with PEMA prior to the information being forwarded on to FEMA.

The Board needs to pass an agent resolution designating the Secretary, Gail Abel as the designated agent on behalf of the Township. Janie Baird made a motion to adopt Resolution 2016-06 for Designation of Agent Gail Abel for FEMA (Emergency Declaration Jonas), Bill Kelsall seconded and the vote was unanimous.

**Embreeville Redevelopment Update:**

There were a number of Newlin residents present at the West Bradford Township Zoning Hearing on Embreeville on April 6 when the developer's attorney presented expert testimony by Matt Brown, certified waste water engineer, of Arro Consulting, Inc., regarding the sewage treatment plant that is in Newlin but that served the Embreeville site for many years. According to Mr. Brown, only the last 1/4 of the old building is in the flood plain and with mostly cosmetic upgrades could serve as a sewage plant for 100,000 gallons of sewage a day under the currently DEP permit that expires in November, 2017. The current system does not rid nutrients from the waste water but that isn't a mandate by DEP yet. He felt the now unused plant could be brought up to working order in less than 90 days at a cost of less than \$100,000. Nutrient removal is desirable and the plant could be expanded to do that in the future. He said that approximately 260 gallons of wastewater would be produced daily by the individual residential units being proposed for the

Embreeville site. That would cover approximately 380 housing units under the old sewage plant.

It is possible that there are some mechanical elements and piping that could further delay an operation there. But his inspection did not give him the opportunity to test equipment as the electric was not operational. DEP would require an inspection before allowing the plant to go into operation again.

The Zoning Hearing was continued until May 4 when the developer's attorney has 2 more witnesses to call. West Bradford Township's attorney will present his defense beginning at the June 1st hearing. Hearings begin at 7 pm in the West Bradford Township Building.

**Hilltop View Road Repairs:** Bob Pearson, Road Master said the Township was approved for a grant for Stormwater and Boxes for Hilltop View road repairs. The Boxes and precast have been delivered. He would like the Board's approval to pave approximately 1500', 18' wide on Hilltop View. The cost would be estimated at \$42,000-\$45,000; additional widening and storm sewer inlets will cost approximately \$15,000. He indicated that Mike Rotko's fence is in the right of way and he will check to see if there will be a problem with the Township moving the fence. Bill Kelsall made a motion to approve the funding for the road repairs of Hilltop View, Janie Baird seconded and the vote was unanimous.

**Open Space Ordinance Referendum Discussion:** The ordinance received from the Solicitor was reviewed by the Planning Commission at last month's meeting. The Planning Commission was okay with the proposed ordinance. This ordinance is just to get the referendum on the ballot; it does not impose the tax. Janie Baird made a motion to request the solicitor to advertise for a hearing on May 9<sup>th</sup> at 8pm, Bill Kelsall seconded and the vote was unanimous.

**Bike the Brandywine-Brandywine Conservancy September 17, 2016:** A letter was received from Brandywine Conservancy announcing their inaugural Bike the Brandywine Bicycle Tour will be on September 17, 2016 to promote and support the work of the Conservancy and its Brandywine Creek Greenway Initiative. The ride is an organized, fully supported bike ride that offers two loops (40 and 80 miles) to riders that will start and finish at the Chadds Ford Historical Society's site along Creek Road in Chadds Ford. There will be approximately 300-600 bikes passing through the Township. Janie Baird indicated that the Township's ordinance reads mass gathering on one location, therefore there is nothing the board can do to prevent the ride.

**Emergency Services:**

West Bradford Fire Company: March report showed 24 total responses, with two responses reported in Newlin.

**Right to Know Requests:** The Township had three right to know requests since the last meeting.

**Ridings Way-Escrow Release Request:** Letter was received from Cedarville Engineering today for a request from Kathy Blank, Secretary for Best Built Construction, Bill Freas, for an escrow release for the paving of Ridings Way. Bob Pearson said it has

always been the policy of the Township to have a representative be present to request escrow release monies. The request was denied at this time. Secretary will contact Mr. Freas to see if he can attend the May meeting.

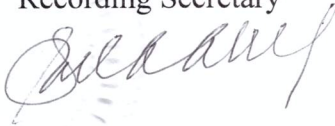
**Adjournment:** With no further business, Bob Pearson made a motion for adjournment, seconded by Bill Kelsall and the vote was unanimous.

Time: 10:15pm

Respectfully Submitted,

Gail Abel

Recording Secretary

A handwritten signature in cursive script, appearing to read "Gail Abel", is written over the typed name. The signature is fluid and somewhat stylized.