

**Newlin Township
Board of Supervisors
Meeting Minutes**

October 8, 2018

Call to Order: The monthly Board of Supervisors meeting of Monday, October 8, 2018, convened at 8:00 p.m. at the Lenfest Center, Cannery Road, Coatesville, PA. Present were Chair, Janie Baird, Bill Kelsall, Bob Pearson, Secretary, Gail Abel

Announcement Period: The Board had a budget work session on Wednesday, September 26th, the second budget work session is scheduled for Wednesday, October 24th. Jim Cornell has agreed to fulfill Bob Becker's Auditor term through the 2019 calendar year.

Comment Period: No public comments.

Minutes: The minutes of the Board of Supervisors meeting, held on Monday, September 10, 2018 were read and reviewed. Janie Baird made a motion to accept the minutes, seconded by Bob Pearson.

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: September report was received, 31 total calls, 1 in Newlin.

Modena Fire Company: September report was not received

Good Fellowship Ambulance: September report was received showing 1 call in Newlin.

Po Mar Lin, Modena Fire Co & Longwood Ambulance received by the Regional Fire Committee.

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

Pledge of Allegiance: Bob Pearson stated that at the past meetings there has been discussions about the Pledge of Allegiance. Bob Pearson said after research through PSATS, it is at the Boards discretion. Newlin did not do this prior probably because they have always rented a place to meet or prior to that met in people's homes or garages. He feels all Board members are patriotic. Bob Pearson made the motion he would like the pledge to be a formal procedure at the beginning of each meeting, Bill Kelsall seconded. Mike Mayer said it seems to be the expectation for everyone to stand. Bob Pearson replied not everyone needs to stand and there is no expectation on any part.

Ben Barnett, Esq. encouraged the Board to check with Solicitor, Kristin Camp prior to making a formal vote and not rely on the PSATS advice. Ben Barnett also provided copies of case law for review.

The motion has been withdrawn and tabled until Kristin Camp can be consulted and will be back on the November agenda.

Bennett Baird and Paul Murphy stated their opinions on the matter of the pledge.

Laurel Road Update Presentations by:

Jim Fritsch from Regester Associates commented that at the July 9, 2018 meeting that the Board unanimously voted for the Redi Big Block System for Laurel Road South Side Phase I re-construction. He said there is 625' North of the original South side phase and there is no wetlands in that portion of the project.

Regester Associates also did stormwater runoff, inlet and piping study. He also said they contacted numerous hydraulic analysis companies and has a proposal from Princeton Hydro to perform a study.

Meghan Lyons from Geo-Technology provided the Board and those in attendance with a presentation and an opportunity for questions and answers. The goal is to try to approach the project to protect the stream and also keep the costs down at the same time. The 100 year flood plain at the failed section drove the block count up which is driving the overall cost up. The block can continue up above the road surface. Meghan said Geo-Tech is re-evaluating to see if a type of poured concrete wall is possible. Paul Murphy suggested a one way rather than two way traffic. It was brought up that a one way could impose on liquid fuel allocations for the future. The question arose if 12' cart path was installed rather than the original 18' what would the cost differential be.

Colleen Murphy inquired about the guarantee of the wall. Meghan Lester replied the design will have a life of 50 years from a stability standpoint only. The H&H study is for the original failed South Section Phase I only. It may be needed for an H&H study to be done on the North Section as well. There is no discussion or design yet for the North Section. The concern mostly is the rapid draw down where the water rushes in fast and then leaves.

Paul Murphy commented that East Penn Rail Road cleaned out all 7 drainages. There is a difference in the flow of water and it has improved. Keeping the trestle clear would be most beneficial.

Jim Fritsch commented that the storm drain from Regester & Associates will be incorporated into the Geo-Tech Plan.

Meghan Lyons summarized the topic and said they are trying to optimize the design. She had an initial contractor who stated they are looking at \$3-\$5 million dollar project. Meghan Lyons feels there should be a designated contractor to say what is feasible and what is not and correspondence could go through the contractor. The Township is seeking contractors options. The 600-800' section will need to have trees removed but the stumps would be left to hold the soil.

The Township has a contract dated October 8th from Princeton Hydro who can start the paperwork from PEMA tomorrow. Bob Pearson made a motion to engage Princeton Hydro for the re-construction end of Laurel Road also known as the South Section Phase I, Janie Baird seconded and the vote was unanimous.

206 Northbrook Road, Peter Gianguilio and Barbara Geraghty ASA Addition:

We are in receipt of a proposal for the creation of an agricultural security area addition for: Peter Gianguilio and Barbara Geraghty also known as Castle Rock Farm for the following Parcel 49-3.3.1 consisting of 3.3 acres.

The Township will wait 180-days to act. Rather than act and need to advertise and pay for ads. After the 180-days are completed a resolution will be created adopting the parcel into the program. The proposed date for adoption is at the April meeting. The resolution will get recorded and added into the 7 year review in the next round. Notifications will be sent to Chester County Planning Commission and the Township planning commission indicating the parcel number that has been added to the ASA.

Bob Pearson made a motion to approve the application and for the Township to wait the 180-days to act; Bill Kelsall seconded and the vote was unanimous.

Subdivision Land Development Policy and Procedure Review, Presented by Mike Mayer, Planning Commission Board Member: Mike Mayer, member of the Planning Commission (PC), outlined that the PC has a final version of the procedures on subdivision and land development that are intended to be supplemental to the existing Newlin Township Zoning Ordinance. Kristin Camp was instrumental in reviewing and approving the final documents over the last week.

There is a separate action item to make 2 changes in the Sub Division Land Development Ordinance to reflect the revised 14 day prior to PC meeting submission deadline and to add language on notification of neighbors. The earliest opportunity to do this is at the December Supervisor meeting. Kristin Camp is working on the language and will have that available for the PC to review at their October 24th meeting and send onto the Supervisor for review and discussion at their November meeting with hopes to adopt in December.

The Supervisors endorsed the PC efforts for the Administrative Procedures for Subdivision and Land Development Plans and the Administrative Procedures for Sketch Plans. They also agree to revising the ordinance to reflect the same.

Embreeville Sewage Treatment Plant:

Janie Baird announced that the DEP Hearing for Embreeville was on July 17th. Many have asked the outcome of the hearing. Vince Pompo, Esquire has been representing the Township and has contacted DEP's counsel twice to keep apprised of what is happening. They indicated that the Department is taking its time with this one. They have gotten a biologist involved to consider impacts at the discharge point, and shared that they have had some difficulty in locating the actual discharge point. Vince asked if the Department would entertain further legal argument.

They said yes, but since it would be after the formal comment period, they would not respond in the comment and response document. Vince Pompo prepared a letter to address a few points. The first point is to call their attention to an email received from DEP planning to a Chester County municipal authority that warned the authority that any sale of a public sewer system required prior DEP planning approval. The point is that since that was not done when the State sold the property along with the sewer system, it needs to be done now. The second is to make more formal legal arguments as to how the approval of the permit renewal without knowing the influent characteristics would violate the Environmental Rights Amendment.

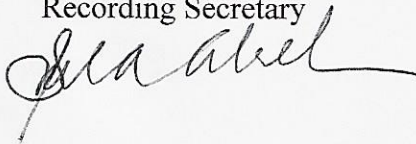
Property Acquisition: We have received authorization from Brown University that is needed for the sale of the .92 acre Laurel Road parcel.

Our purchase of the property was approved by the Board of Supervisors through Resolution 2018-08 at the September 2018 meeting. Manito is doing the title commitment and closing will be later this month as schedules allow.

Janie Baird ask for a vote of support from the Board to sign purchase documents at closing as Chair of the Board. Bob Pearson made a motion to appoint Janie Baird as authorized signer for the settlement documents, Bill Kelsall seconded and the vote was unanimous.

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

Respectfully Submitted,
Gail Abel
Recording Secretary

A handwritten signature in cursive script, appearing to read "Gail Abel", written in black ink.