

**Newlin Township  
Board of Supervisors  
Meeting Minutes**

**July 8, 2019**

**Call to Order:** The monthly Board of Supervisors meeting on Monday, July 8, 2019, convened at 8:00 p.m. at the Lenfest Center, Cannery Road, Coatesville, PA. Present were Bill Kelsall, Bob Pearson and Secretary, Gail Abel. Janie Baird was unable to attend.

**Pledge of Allegiance**

**Announcement Period:** Bill Kelsall announced there were significant road damages due to the storm that passed through on June 20<sup>th</sup>. He recognized Rob Mastrippolito and D.T. Taylor who worked through the weekend and put the road back together. Bill also announced that Janie Baird had a minor accident and was unable to attend tonight's meeting.

**Comment Period:** Pa State Representative Christina Sappey was in attendance. She provided her background and some of her concerns, which include aging infrastructure and stormwater issues. Her offices are in Unionville at the Willowdale Town Center.

Rich Mitchell from Laurel Road was in attendance. He commented that this past winter there was bamboo encroaching into the road. He stopped at the maintenance facility to request it be cut back. He wanted to thank the road crew for keeping the bamboo under control.

**Minutes:** The minutes of the Board of Supervisors meeting, held on Monday, June 10, 2019, 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 Co: June report was received, 33 total calls, 0 in Newlin.

Modena Fire Company: June report was received, 70 total calls, zero calls in Newlin

Good Fellowship Ambulance: June report was received, 0 calls in Newlin.

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

**Right to Know Requests:** The Township has had 0 right to know requests since the last meeting.

**Financial Institutions – Signature Updates:** Bill Kelsall announced that Janie Baird would be going off the Board at the end of the year. It has come to our attention that we only have two authorized signatories on each bank account. We will be adding Bill Kelsall's name to

the authorized signatory list. Bob Pearson made a motion to approve adding Bill Kelsall's name to the authorized signatory list, seconded by Bill Kelsall and the motion was approved.

**Bike the Brandywine 2019:** We have received a request from Rob Daniels, Senior Land Use Planner from the Brandywine Conservancy. They will be hosting their fourth annual Bike the Brandywine bicycle ride on September 28<sup>th</sup> 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 four loops. Riders will start and finish at the Chadds Ford Historical Society site along Creek Road. The ride attracted around 500 riders in 2018, and they expect the number to grow slightly in 2019.

They are seeking guidance on what permits or approvals may be required to pass through the Township. PennDot has requested, through their permitting process, that municipalities provide written evidence to them that they have informed the Township of their event. They will enter the Township in Northbrook, utilizing Brandywine Drive, turning onto Route 162, then Ground Hog College Road to Warpath.

**Spotted Lantern Fly:** Correspondence has been received from the Pa Department of Agriculture, the Bureau of Plant Industry. They are introducing their recently established program and State Quarantine Order to limit the spread of the newly introduced invasive insect. The Spotted Lanternfly poses a serious threat to multiple agricultural commodities vital to Pa and actively hitchhikes on many modes of transportation. As per the Order, a permit is required for any persons conducting business requiring the movement of regulated articles within or from the quarantine.

We have added a link on the Township website under News & Events. It was also agreed that Secretary, Gail Abel will take the online training course.

**Wireless Communications Facilities:** Kim Venzie from Buckley Brion McGuire & Morris presented to the Planning Commission Wireless Communications Facilities (WCF) Update. Federal and state laws regulating traditional cell towers, such as those that are 100' or higher in height, have remained relatively unchanged in recent years. However, the regulations that govern mini-cell towers have been in a constant state of flux as the federal and state government continue to encourage the rapid deployment of distributed antennae systems and small cell networks.

The Township's WCF Ordinance should be amended to comply with recent statutes and with the Small Cell Wireless Order issued by the FCC. Kristin Camp, Township Solicitor said the ordinance needs to be officially recommended by the Planning Commission to the Board of Supervisors and be sent to Chester County Planning Commission for the 30 day review period. We can then advertise for possible adoption in September.

**Transcontinental Gas Pipeline Notice of Intent to Submit Application for Earth Disturbance:**

Correspondence was received on June 13<sup>th</sup> from WHM Consulting Firm for a notice of intent to submit an application to the Pennsylvania Department of Environmental Protection for an application for Transcontinental Gas Pipe Line Co who is proposing a DP&L Lateral Dig in the Township. During a routine inspection, Transco discovered an anomaly along the existing DP&L Lateral pipeline. Earth disturbance will be required to excavate the trenches necessary to uncover the buried pipeline, inspect the anomaly and repair the pipeline if

needed. Dry, open-cut construction methods will be utilized. The trenches excavated will be the minimum width and depth necessary to access the pipeline and allow for adequate work-space. Disturbed areas will be returned to original grade and contour upon completion of construction. The limit of disturbance will be approximately 0.41 acres. Construction is scheduled to take place in 2019.

The Township's Solicitor has been in touch with WHM Consulting. Based on their conversation, the work will likely take place towards the end of summer, and the work is minimal. The actual digging will take place within the stream, which is why a permit from DEP is required. It could be that no repairs will be necessary; however, an inspection of that area of the pipe is necessary. They indicated that there is an access easement in place and that permission has been received from the property owner to gain access from his property to the stream bed. They will provide a copy of the GP11 Permit once obtained from DEP. Township Engineer, Jim Fritsch has also been informed for any pre-construction meetings.

**Hill Top View Road:** A storm that came through the area on Thursday, June 20<sup>th</sup> washed out Hill Top View. Bob Pearson said it was decimated in the storm. We have the grant to assist in fixing the repairs. We will be modifying the inlets so water can divert better. It was a tremendous amount of rain and may have been a 100-year event for Newlin.

**Beagle Club Road:** Bill Kelsall announced we are working off of a Grant from Chester County Conservation District. Barb Forney said the last box culvert would be manufactured the 3<sup>rd</sup> week of September. After that time, final construction can begin.

**Kelsall Road:** Barbara Forney provided an update, we have a grant from the Chester County Conservation District. The design work is done; bids were opened last month; field surveys are done. We will be working on advertising for the materials needed for the stream crossings. Some of the construction will begin soon.

**Laurel Road:** Jim Fritsch, the Township Engineer, provided a summary of the history for Laurel Road damages. The rainfall event that occurred on April 30, 2014, through May 1, 2014, damaged Laurel Road. The length of the damage is approximately 800 feet. The Township was awarded a Multi-Modal Grant for \$754,354. However, the cost of reconstruction will be much higher than the original cost estimate of \$1,449,843 which was prepared by the previous Township Engineer.

Various tests and work have been performed to try to nail down a concept plan that would best suit the needs for the reconstruction of Laurel Road.

The budget estimate for repairs that was received from Al Hoffman of Road-Con was \$3,753,304.

Jim has looked into other potential options if Laurel Road was not able to be repaired in the damaged area. Regester Associates prepared a sketch plan showing a proposed road that could be constructed through tax parcel number 49-1-15 owned by Laughton Company, LLC and tax parcel number 50-4-86.4 owned by Michael Rosen, located in West Bradford Township. A budget estimate has been received from Road-Con for \$1,574,208 for an access road through the landfill property. Also, in conjunction with the proposed road through the landfill property, a common driveway would need to be constructed for tax parcel number 49-1-14.1A, owned by John and Mary Hughes; 49-1-14.1C, owned by Thomas Zeidman

and Kelly Boon; and 49-1-14.1B, owned by Jeremy and Renee Clewell. The common driveway would connect to the proposed road. Regester Associates has prepared a sketch plan showing this common driveway.

If the option of a proposed road and a proposed common driveway through the landfill property is implemented, Laurel Road would be vacated from just South of the existing culvert by tax parcel number 49-1-12 owned by Scott Nyman to the Southside of the portion of Laurel Road which currently is closed. Also, tax parcel number 49-1-14.1, owned by Berardino Durbano, would be provided with an easement through the Landfill properties for a future driveway if ever needed to be utilized.

Jim has spoken with Barry and Cyndy Olliff the owners of Laughton Company, LLC. Barry, and Cyndy have indicated their willingness to work with the Township on the proposed road through their property.

Residents had the opportunity for questions and answers.

Bob Pearson commented the Board had spent a lot of time and agony on the Laurel Road project. They did not want to proceed until a public announcement was made, and comments were received from residents. He inquired if the residents liked this approach and want to move forward with the concept. With no objections from anyone in attendance, Bob Pearson made a motion to commission Jim Fritsch to move forward to see if this is a viable option, or if there are any other alternatives. Bill Kelsall seconded the motion and the vote was unanimous.

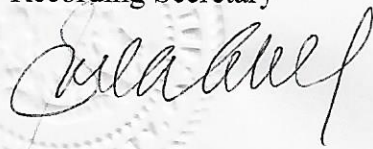
**Adjournment:** With no further business, Bill Kelsall made a motion for adjournment, seconded by Bob Pearson and the vote was unanimous.

Time: 9:11pm

Respectfully Submitted,

Gail Abel

Recording Secretary

A handwritten signature in cursive script, appearing to read "Gail Abel", is written over a faint circular official seal.