

**Newlin Township
Board of Supervisors
Meeting Minutes**

November 13, 2017

Call to Order: The monthly Board of Supervisors meeting of Monday, November 13, 2017, 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: Janie Baird announced the Board had an executive session on October 25th concerning litigation. She also announced that the Board will have an executive session immediately following tonight's meeting on a personnel issue.

Comment Period: Rodney Wynn, 496 Brandywine Drive, commented about PennDot repairing a road.

Minutes: The minutes of the Board of Supervisors meeting, held on Monday, October 9, 2017 were read and reviewed. Bob Pearson made a motion to accept the minutes, seconded by Bill Kelsall and the vote was unanimous.

The minutes of the Board of Supervisors Budget work session, held on Wednesday, October 25, were read and reviewed. Janie Baird made a motion to accept the minutes, seconded by Bill Kelsall.

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: October report was received, 26 total calls, 1 in Newlin.

Modena Fire Company: October report showed zero calls in Newlin

Po Mar Lin Fire Company: October report was received, 13 total calls, 2 in Newlin.

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

Longwood Ambulance: report not received

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

Jim & Harriett Tupitza ASA Addition of Property Resolution 2017-10:

In May of 2017 we received a proposal for the creation of an agricultural security area addition for:

James S & Harriett Young Tupitza for the following Parcels:

Parcel 49-1-18.2C 97.23 acres

Parcel 49-1-18.2 14.77 acres

Parcel 49-1-18.2A 38.05 acres

Total acreage 150.05

Process for adding to the ASA: The governing body shall act to adopt or reject the proposal, or any modification, no later than 180 days from the date the proposal was originally submitted. Failure by the governing body to act within this 180-day period shall be deemed adoption of the proposal without modification. An addition to an agricultural security area shall become effective upon the adoption of the proposal or its modification by the governing body or upon expiration of the 180-days.

The Township has waited the 180-days to act. 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 numbers that have been added to the ASA.

Bill Kelsall made a motion to adoption Resolution 2017-10, Bob Pearson seconded and the vote was unanimous.

Proposed Budget: The State Budget and The General Fund were reviewed. A few highlights were discussed. A copy of the budget was made available for those in attendance. The 2018 budget will be presented for adoption at the December 11th meeting.

EMS & Fire Tax Resolution 2017-11: Janie Baird announced the Board is proposing an increase for Fire & EMS Tax. The current rate is .28mills for fire, .07mills for EMS, total .35 mills. The new proposed tax will be .48mills fire, .12mills EMS for a total .60mills. The great service provided by our first responders was recognized along with all of the training the volunteers have to go through. This past July Newlin signed an inter-municipal agreement joining the Kennett Regional Fire & EMS Commission with the idea to hold down costs. The new tax will cover the proposal for 2018 for the Kennett Region. Bill Kelsall commented that over time, the Township had under funded the local service providers. Bob Pearson made a motion to adopt Resolution 2017-11, Bill Kelsall seconded and the vote was unanimous.

Emergency Services Resolution 2017-12: We were informed by Chester County in October that Medic 91 out of Chester County Hospital will no longer provide Advanced Life Support (ALS). The County requested that we update our Emergency Services Resolution. Good Fellowship Ambulance will serve as the ALS provider for that area of the Township. Bob Pearson made a motion to adopt Resolution 2017-12, Bill Kelsall seconded and the vote was unanimous. Updated maps will be put on the Township's web site.

Brandywine Creek Road Update: Janie Baird announced that she and her husband Bennett Baird, were contacted by PennDot engineers Curt Venditti and Narayana Velaga in October and had a site meeting with them on their property along Brandywine Creek Rd. on October 26. PennDot is proposing a \$6 million repair of the roadway which would open the road to two-way traffic. Bids will go out and hopefully be awarded in March with construction to begin later in 2018. During construction the road will be closed.

The plans include an extensive rock retaining wall supported by concrete posts down to bedrock, rock weers into the creek, and drainage improvements under the roadway that empty into the creek.

A narrow strip of the Baird property along the Brandywine extends to the west along Brandywine Creek Rd. almost to the point of the collapse of the bank.

PennDot is requesting: A legal slope easement: an easement for the support and protection of the highway, including the right to construct, inspect, maintain, repair, reconstruct and alter drainage facilities and the contour of the land. The easement shall not prevent the property owner from making any legal use of the area which is not detrimental to the necessary support and protection of the highway right-of-way and safety of the traveling public.

And temporary construction easement. An easement to use the land as necessary during construction of the project. The easement is required only until the construction or work indicated by the plan is completed, unless sooner relinquished in writing by the department.

The easements will be recorded on the Baird's deed. They are currently working on the legal wording of the agreement with PennDot.

Public Hearing 537 Plan Ordinance #2017-04: Kim Venzie from Buckley, Brion, McGuire & Morris, LLP presented Ordinance 2017-04. The Ordinance was prepared by the firm along with Steve Dadio from Cedarville Engineering, Environmental Manager. The ordinance was reviewed by DEP and they requested that some modification be made to the existing ordinance as well as new language added to it. The changes are to include both community systems and small flow sewage treatment facilities as being subject to this ordinance. Those in attendance had a change for questions and answers. Bill Kelsall made a motion to adopt Ordinance #2017-04 537 Plan, Bob Pearson seconded and the vote was unanimous.

Laurel Road Stakeholder's Meeting:

During the days of April 30 and May 1, 2014 an un-named storm hit the area and caused significant damage to Newlin Township causing Laurel Road to be washed away, partially washed away, and the bank of the Brandywine on the Laurel Rd. side to be significantly damaged because of the force of the water coming down the Brandywine. Starting with May of 2014 the Board of Supervisors have had the issue of Laurel Road on our monthly agenda 27 times. Tonight is number 28.

Janie Baird announced that at this time we will have a presentation by Dr. Aaron Clauser of Clauser Environmental concerning the portion of Laurel Rd at the Mortonville end that is still intact but compromised by the force of that storm.

Following Aaron's presentation, Steve Dadio of Cedarville Engineering will also have a presentation regarding the closed section of Laurel Rd. There will be time for questions and answers but the audience was asked that the two consultants be allowed to proceed first. Solicitor Kim Venzie is available to provide guidance as needed.

Dr. Aaron Clauser said he had assisted the Township in writing a grant application for a Chester County Conservation District low volume road grant. The total project is approximately \$535,000; the grant from Conservation District will be around \$335,000; the Township's portion will be \$200,000. Dr. Clauser presented a power point show to show the extensive damages that occurred during the storm that hit on April 30th – May 1st, 2014.

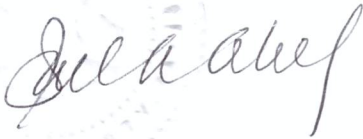
Steve Dadio from Cedarville Engineering stated that one of the important reasons for restoring the road is the significantly increased response rates for emergency service

Steve Dadio from Cedarville Engineering stated that one of the important reasons for restoring the road is the significantly increased response rates for emergency service providers. Steve Dadio along with Janie Baird met with Senator Killion and State Representative Roe and DCED. Construction costs are right around \$1.4 million. The Township does have some funds available to help with the costs.

The Board thanked Dr. Clauser and Steve Dadio for their presentations. The Township is committed to getting Laurel Road open. No engineering drawings have been prepared and until confirmation of funding is received, there is only a concept plan. Many residents made comments and asked questions concerning plans for Laurel Rd.

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

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