

**Newlin Township
Board of Supervisors
Meeting Minutes**

May 8, 2017

Call to Order: The monthly Board of Supervisors meeting of Monday, May 8, 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 was unable to attend; Bill Kelsall acted as Secretary.

Announcement Period: Janie Baird announced there is an advertised worksession with the Supervisors and Planning Commission for the purpose of discussing 2018 National Pollution Discharge Elimination System (NPDES) and the Municipal Separate Storm Sewer System (MS4) Permit on Wednesday, May 24, 2017 at 8:30pm at The Lenfest Center. The meeting is open to the public.

Comment Period: Muriel George inquired about the probability of the Embreeville Sewage Plant being used. Laura Shannon requested that the meeting agenda be posted on the website in advance of the meetings.

Minutes: The minutes of the Board of Supervisors' meeting, held on Monday, April 10, 2017 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 Janie Baird. 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: April report was not received.

Modena Fire Company: April report was received, 77 total calls, 1 in Newlin.

Po Mar Lin Fire Company: April report not received

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

Longwood Ambulance: report not received

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

Jenny Subdivision Plan 255 Green Valley Road: Cedarville Engineering Group has completed a review of the proposed Final Minor Subdivision Plan to the Jenny property at 255 Green Valley Road for compliance with the applicable sections of the Newlin Township Ordinances.

Per the submitted Final Minor Subdivision Plan, this project involves 255 Green Valley Road (UPI No. 49-4-10, 12.571 acres) owned by Edwin Brian Jenny and Kim Jenny. The intent of the proposed project is for UPI No. 49-4-10 to be subdivided into two proposed lots; lot one having 1.086 acres and lot two having 11.485 acres. No construction or any improvements are proposed.

The following information was submitted by Regester Associates, Inc., and was received by Cedarville Engineering office on March 22, 2017:

1. One plan titled "Subdivision Plan" prepared by Regester Associates, Inc. dated February 23, 2017 and last revised March 21, 2017 for Edward Brian Jenny and Kim Jenny
2. Legal descriptions for the proposed lots and Right-of-Way dedications prepared by Regester Associates, Inc. dated March 21, 2017.
3. Response letter dated March 22, 2017 to the Cedarville review letter dated March 16, 2017.

The Final Minor Subdivision Plan was reviewed for compliance with the following

Township Ordinances:

- Newlin Township Zoning Ordinance (ZO) of 1999, last updated March 11, 2013
- Newlin Township Subdivision and Land Development Ordinance of 1999, last updated March 11, 2013 (SALDO)

Waivers are requested from the following sections of the (SALDO):

Section 303.B.8 – Improvement Construction Plan

An improvement Construction Plan must be provided for review and approval unless this requirement is waived by the Board. A waiver request for improvement Construction Plan as required by Section 303.B.8 has been added to the Plan. Bob Pearson made a motion to approve the Waiver from Section 303.B.8, seconded by Janie Baird and the vote was unanimous.

Section 303.F – Final Resource Impact and Conservation Plan

A Final Resource Impact and Conservation Plan must be provided for review and approval unless this requirement is waived by the Board. A waiver request for Resource Impact and Conservation Plan as required by Section 303.F has been added to the plan. Bob Pearson made a motion to approve the Waiver from Section 303.F, seconded by Bill Kelsall and the vote was unanimous.

Section 303.H – Final Stormwater Management and Erosion & Sedimentation Control Plan

A Final Stormwater Management and Erosion & Sedimentation Control Plan must be provided for review and approval unless this requirement is waived by the Board. A waiver request for Stormwater Management and Erosion & Sedimentation Control Plan as required by Section 303.H has been added to the Plan. Bob Pearson made a motion to approve the Waiver from Section 303.H, seconded by Janie Baird and the vote was unanimous.

Section 303.I – Final Greenway Ownership and Management Plan

A Final Greenway Ownership and Management Plan must be provided for review and approval unless this requirement is waived by the Board. A waiver request for Greenway Ownership and Management Plan as required by Section 303.I has been added to the plan. Bob Pearson made a motion to approve the Waiver from Section 303.I, seconded by Bill Kelsall and the vote was unanimous.

Section 908.B.2 – New Streets abutting Existing Streets of Substandard Width

The existing cartway (pavement) width of Green Valley Road (S.R. 3049) is shown on the Plan as 18 feet. The minimum cartway width required by Ordinance is 30-feet with a 50-foot Right of Way. The applicant is required to widen the cartway along Green Valley Road (S.R. 3049) along their property frontage unless this requirement is waived by the Board. A waiver request for road widening as required by Section 908.B.2 has been added to the plan.

Bob Pearson made a motion to approve the Waiver from Section 908.B.2, seconded by Janie Baird and the vote was unanimous.

Section 919 – Monuments and Markers

Markers shall be shown and labeled on the Plan to be installed in accordance with the requirements of Section 919 with respect to size, length, location, and accuracy. A waiver request from providing Concrete Monuments as required by Section 919 has been added to the Plan. Bob Pearson made a motion to approve the Waiver from Section 919, seconded by Bill Kelsall and the vote was unanimous.

Conditional Final Approval to Final Minor Subdivision Plan, prepared by Register Associates, Inc. dated February 23, 2017 and last revised March 21, 2017 with the following conditions:

- All outstanding Township invoices are paid in full.
- The Township receives written documentation of PADEP approval of the Sewage Facilities Planning Module.

- All outstanding issues identified within this letter are satisfactorily addressed.

Once these conditions have been satisfied by the applicant, The Board of Supervisors will sign the Final Plan for recording with the Chester County Recorder of Deeds. Janie Baird made a motion to give Conditional Final Approval, Bill Kelsall seconded and the vote was unanimous.

Open Space Committee Report: Janet Sidewater provided a report on the Open Space Committee and what they have been working on. Committee members are Janet Sidewater, Chair; Joe Torchiana, Secretary; Missy Shaffer; and Fred Roberts. The Committee has been meeting monthly at the Township Garage; meetings are advertised and open to the public. Jack Stefferud of NLT will make a presentation at the June 5th meeting.

Kennett Regional Fire & EMS: Bennett Baird and Bill Kelsall provided an update on the Kennett Regional Fire & EMS District.

- Newlin Township and 5 other Municipalities have been working together for most of 2 years to see if a Regional structure could be put in place to better manage delivery of F&EMS services: the 5 other Municipalities are East Marlborough, Kennett Borough, Kennett Township, Pennsbury, and Pocopson. This Kennett Regional F&EMS District will include that area of Newlin south of Brandywine Creek, now served by PML & LWFC.....about 65% of the Township. Kennett Fire Company will continue to provide F&EMS service to the other Municipalities but as part of the new District, along with PML and LWFC.
- We are now proposing to move ahead with formation of this F&EMS District, and the Boards of Supervisors of each Municipality will be asked to approve an Inter-Municipal Cooperation Agreement to institute such a Regional F&EMS structure, along with appropriate By-Laws and Articles of Incorporation. Passage of an enabling ordinance will be required.
- Our Solicitor, John Good, has reviewed these three proposed documents and advised that they are appropriate as written and satisfactorily cover the legal issues.
- The annual budget for this Regional F&EMS Service will be shared by the Municipalities according to a share formula based on Population, Assessed Value, Fire Calls, and EMS Calls. Based on most recent numbers, that distribution percentage is: KT 27.5, EM 27.2, KB 14.9, Pocopson 14.0, Pennsbury 13.8, and Newlin 2.8. The Total Budget for 2018 will be the same as that of 2017, increased by up to 3%. This amount is intended to cover operating and capital costs (including equipment), plus cost to fund the Commission.
- Newlin's F&EMS millage will have to increase 40% from .35 mill to .50 mill in 2018 to meet our share obligation. (The effective millage of the other 5 Municipalities will go to 0.50 or higher.)
- Our timeline is to put this approach in place this year with the Commission responsibility for managing Regional F&EMS beginning January 1, 2018. The Commission's scope will be strategic and budgetary, while operational responsibility will remain with the individual Service Providers.
- Each Municipality must appoint 1 Voting Representative and 1 Alternate to the Commission for a renewable 1-year term. Our Regional Planning Group is still debating criteria (Township position; past or current membership of a Service Provider) for this Representative and Alternate. Each Service Provider will also appoint 1 Representative to the Commission as a non-voting Member.
- Each Municipality must approve an ordinance to put the IMCA in place. Commitment is for 3 years, then renewed annually unless we choose to withdraw (6 months notice). The Commission will hire a Regional F&EMS Administrator early next year - either full or part-time.
- Decisions of the Commission will not impose responsibilities on individual Municipalities that are beyond the scope of those authorized by the IMCA, e.g. financial obligations beyond the budget

agreement. Decisions require approval by at least 3 of the 6 Municipalities and by at least 50% of the cost allocation shares.

After Bennett Baird's report, Bob Pearson made a motion to continue with the Kennett Area Fire & EMS District and added that the Board would like to be able to appoint anyone of their choice to be a representative to the commission as long as they are not a member of a fire company or ambulance service. Bill Kelsall seconded the motion and the vote was unanimous.

Resolution on Redistricting Presented by Pamela Reischauer & Lucy Oblonsky:

Lucy Oblonsky and Pamela Reischauer provided another overview on Redistricting. After discussion it was decided to wait on voting or further discussion until after the presentation at the Unionville High School on May 11th. The Board will entertain additional dialogue on the June agenda.

US Board of Geographic Names Adoption of Unionville Barrens: The Township received a proposal from the U.S. Board on Geographic Names (BGN) which is responsible by law for standardizing geographic names for use by the departments and agencies of the Federal Government. The GGN has received a proposal to make official the name Unionville Barrens for an unnamed area in the Natural Lands Trust's ChesLen Preserve. The Board voted to approve the name recommendation of Unionville Barrens for the Serpentine area near the intersection of Cannery Road and Kelsall Road. Bob Pearson made the motion to approve the name Unionville Barrens, Bill Kelsall seconded and the vote was unanimous.

Burn Ordinance: After discussing the fire ordinance as amended by Kristin Camp, the Board voted to send it to the Chester County Planning Commission (CCPC) for the 30 day review period. Bob Pearson made a motion to send the proposed ordinance to CCPC, Bill Kelsall seconded and the vote was unanimous.

Laurel Road: There is a detailed report in the minutes approved tonight and that will be on the web site this week.

Cedarville Engineering is working to get letters of recommendation from the fire companies and others. They are also re-working the cost estimates since it has been 3 years since they developed them and the situation has further deteriorated and prices may have changed. The multi-modal grant application is due the end of July. This will be the 3rd time we have applied for this grant and probably the last time.

We have received letters from Laurel Rd. residents and those will be included in the grant application. Please, if you live on Laurel Rd., write a letter to Senator Killion and Rep. Roe and copy the Township. Gail has the addresses or they are available from the respective web sites.

Barbara Forney is working on a grant application for Low Volume Rd. grant from the Chester County Conservation District however they have limited funds available and a lot of requests.

There is the possibility of a loan from the PA Infrastructure Bank and we have been investigating that option if we can't get a multi-modal grant this request period.

Bids: Advertisements for the 2017-2018 bids were placed in the Daily Local on April 16th and April 28th indicating sealed bids would be received by the Township until 12 noon on Thursday, May 4, 2017. A total of 5 bids were received. A total of 5 sealed bids were opened by the Board for review and consideration.

After opening and reviewing the bids, Bill Kelsall made a motion to award Allan Myers Contract #1 asphalt bid, seconded by Janie Baird and the vote was unanimous.

Bill Kelsall made a motion to award New Enterprise, Contract #2 aggregate bid, seconded by

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Bill Kelsall made a motion to award New Enterprise, Contract #2 aggregate bid, seconded by Bob Pearson and the vote was unanimous.

Bob Pearson made a motion to award Asphalt Industries Contract #3 Oil and Equipment, seconded by Janie Baird and the vote was unanimous.

Janie Baird made a motion to award D.T. Taylor Contract #4 Equipment, seconded by Bill Kelsall and the vote was unanimous.

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

Respectfully Submitted,
Bill Kelsall

