

**Newlin Township  
Board of Supervisors  
Minutes  
October 10, 2022**

**Public Hearing:** Township Solicitor Kristin Camp opened the Public Hearing on proposed Ordinance 2022-01, “**AN ORDINANCE...VACATING A PORTION OF LAUREL ROAD (PUBLIC ROAD T-376) FOR A DISTANCE OF APPROXIMATELY 1,584.16 LINEAR FEET**“ at 7:30 p.m. on Monday, October 10, 2022 at the Township Garage located at 1751 Embreeville Road Ms. Camp noted that the Township had: (i) sent copies of the proposed Ordinance to the Daily Local News and the Chester County Law Library on September 14, 2022; (ii) advertised the Public Hearing in the Daily Local News on September 26, 2022; and (iii) mailed written notice of the Public Hearing to abutting landowners on September 26, 2022.

James Fritsch, the Township Engineer, was in attendance and provided a “Title Plan”, dated July 27, 2022, showing the portion of the road that would be vacated.

Bill Kelsall, Chair of Newlin Township’s Board of Supervisors, opened the floor for public comments.

Colleen Murphy asked what it means to “vacate” a road. Ms. Camp explained that “vacating” is a procedure to abandon the right-of-way of a public road, at which point it reverts to the adjacent landowners.

Richard Mitchell voiced concern over the use of his driveway by drivers needing to turn around as they reach the closed portion of the road.

Andrew Gentile advised that the washout and closure had made it extremely difficult to turn from his driveway onto Laurel Road (near the southern end of the washout). He also voiced concern regarding continued servicing of utility lines along Laurel Road, and suggested maintaining a single lane through the currently-washed-out portion.

Janie Baird suggested that the Township create a cul-de-sac at each end of the proposed-to-be-vacated portion of Laurel Road.

Mr. Pearson noted that since Laurel Road’s 2014 washout, the Board had spent approximately five years seeking ways to reconstruct or relocate the road, and had concluded that the Township could not afford the \$8-\$10 million that those measures would require. He advised that the extensive efforts of former Supervisor Janie Baird to obtain reconstruction grant money had only secured about \$750,000 of grants (which have now expired), and opined that due to Laurel Road’s low traffic volume it was extremely unlikely that the Township could obtain sufficient Federal or State funding to restore it as a through road. A discussion ensued.

Mr. Mitchell asked if Laurel Road could simply be kept “as is” until the Township generates sufficient funds for restoration. Mr. Cornell responded that that was not feasible, because so long as the washed-out portion of the road continued to be designated as a “public road”, the Township had a legal obligation to keep it safely passable. Township Solicitor Kristin Camp confirmed this analysis.

Eric Barrett noted that with Laurel Road closed to the north, recent Laurel Road flooding closer to Youngs Road had temporarily blocked all access to Wheatland Drive. Mr. Pearson observed that based on past experience, if that southern portion of Laurel Road was flooded, the portion north of Wheatland Drive would be even more flooded – so the current closure was not a cause of that temporary isolation of Wheatland Drive. He also pointed out that the “one-way-in” status of the non-washed-out portions of Laurel Road (including Wheatland Drive) was not unique in Newlin Township, noting that there are at least seven Newlin Township roads with access from only one direction. A discussion ensued.

Ms. Murphy advised that she had seen a dump truck driving through the washed-out portion of Laurel Road even in its current state.

Ms. Camp announced that the hearing would be continued until November 14, 2022, at 7:30 pm.

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**Call to Order:** The Board of Supervisors' monthly meeting convened at the same date and location. Present were Supervisors Bill Kelsall (Chair), Jim Cornell (Vice-Chair) and Bob Pearson, and Secretary/Treasurer Gail Abel.

**Announcements:** Mr. Kelsall announced there would be an executive session immediately following tonight’s meeting to discuss a legal matter.

**Comments:** Caroline Haas and Judy Forshey noted that bamboo had proliferated and was eroding a portion of a bank of Pocopson Creek within the Newlin Greene development. Mrs. Haas requested that the Township solve this bamboo problem by proceeding as soon as possible with its previously proposed restoration of Pocopson Creek.

Mr. Fritsch, the Township Engineer, explained that Pocopson Creek restoration had previously been considered as a possible course of action – not a proposal – if the Township were required to comply with the national municipal separate storm sewer system (“MS4”) regulations, but that the Township had received an MS4 waiver from the Pennsylvania Department of Environmental Protection in 2018 and is currently seeking an extension of that waiver) and that stream restoration would not be required if the waiver remains in effect. Mr. Pearson suggested contacting the Chester County Conservation District to see if they could recommend bamboo control/eradication measures.

**Minutes:** Ms. Abel presented the minutes of the September 12, 2022, Board Meeting. Mr. Pearson's motion to approve those minutes was seconded by Mr. Cornell and unanimously approved. She next presented the minutes of the Supervisors’ September 28, 2022, budget work session. Mr. Pearson's motion to approve those minutes was seconded by Mr. Cornell and unanimously approved.

**Financial Report:** Ms. Abel presented the monthly Financial Report: As of September 30, 2022, the Township had \$1,251,878.25 on deposit, including \$860,991.97 in general and unrestricted funds. Overall, this represents a net increase of \$151,080.57 since August 31, 2022. Mr. Pearson's motion to accept the Financial Report was seconded by Mr. Cornell and unanimously approved.

**Payment Authorization and Account Transfers:** Ms. Abel presented a list of pending bills, invoices and other recurring/routine payments totaling \$99,682.00 (\$72,651.63 from General Funds and \$27,030.37 from the Fire & EMS Tax Fund), and requested payment authorization. Mr. Pearson's motion to approve the requested payments was seconded by Mr. Cornell and unanimously approved. Ms. Abel also requested authority to transfer \$30,000 from the Truist Bank General Fund Account to the TD Bank Debit Account to cover 6 months of payments under the Township's outstanding General Obligation loan from TD Bank. Mr. Pearson's motion to approve the transfer was seconded by Mr. Cornell and unanimously approved.

**Snow Removal Bids for 2022-2023 Winter Season:** Ms. Abel advised that bidding for the 2022-2023 snow season had been advertised in the Daily Local News on September 15<sup>th</sup> & 22<sup>nd</sup>, and that the ad had also been posted on the Township website. Ms. Abel provided the sole sealed bid submitted in response to those ads, from D.T. Taylor Excavating. Mr. Pearson reviewed the bid, which offered a Tandem axle dump truck with plow and spread @ \$240.00/hr; a 6500 Single Axle Dump Truck with 10' power angle plow and spreader @ \$200.00/hr; and a 4x4 Truck with 8' plow @ \$140.00/hr. Mr. Cornell's motion to accept the D.T. Taylor Excavating bid for the 2022-2023 Snow Season was seconded by Mr. Kelsall and unanimously approved.

**Road Master Update:** Mr. Pearson announced that the Township's Dirt & Gravel Road project for Indian Hannah Road has started. He also advised that PennDOT has commenced repairs of Embreeville Bridge, which is now scheduled to re-open in December (to be briefly closed again in the Spring of 2023 for minor final completion steps).

**Authorization to Advertise for Laurel Road Culvert #1 Pipe Lining Project:** Mr. Pearson summarized an upcoming project to upgrade the Laurel Road culvert closest to Youngs Road, and advised that the Township would need to advertise for bids for pipe cleaning and lining. Mr. Cornell's motion to authorize the bid advertisement was seconded by Mr. Kelsall and unanimously approved.

**Appointment of New Employee:** Mr. Pearson introduced Joe Cornelius, advising that as Road Master he had provisionally hired Mr. Cornelius in late September to replace Rob Matrippolito for public works (including especially, roadwork), and noting that Joe was already doing outstanding work. Mr. Pearson's motion to appoint Mr. Cornelius as a Township employee was seconded by Mr. Cornell and unanimously approved.

**Adjournment:** Upon Mr. Pearson's motion, seconded by Mr. Cornell, the meeting was adjourned.

Time: 8:33 p.m.

Respectfully Submitted,  
Gail Abel, Secretary

