

EAST MARLBOROUGH TOWNSHIP

BOARD OF SUPERVISORS

Meeting of the Board – April 6, 2009

Chairman Cuyler H. Walker called the public meeting to order at 7:30 p.m. in the Township Building by leading the group in the pledge to the United States Flag; Board members Richard E. Hicks, Eddie G. Caudill, and Robert F. Weer were also present, as was Solicitor Fronfield Crawford, Jr.

Minutes of March 2, 2009. By unanimous vote (3-0, with Mr. Caudill abstaining, because he was not present at the March meeting), the minutes were approved, as prepared.

PUBLIC COMMENT PERIOD.

John Laffey questioned the reasons for the reduced lot development in the WMU District, approved by Ordinance 09-01 in January, 2009. The Supervisors thanked him for his input and said that they would look again at the requirements.

David Adamson asked about the Board preference for on-site sewage versus public sewer service, and the preference for larger lots as compared to smaller lots. The supervisor response is that these questions are difficult to address in without specific zoning district references and that the Board has an obligation to provide sufficient land for more dense uses.

Bond Refinance Information – Ordinance 09-04. Michael Wolf, Managing Director of Boenning and Scattergood, investment underwriters in West Conshohocken, presented the Preliminary Official Statement in preparation for the re-finance of up to three million dollars in bonds originally issued in 1998. Because of the fluctuation in bond rates, the attendant ordinance authorizes the re-finance of the bonds at a time when the interest rate is favorable, as opposed to a specific date. By unanimous vote (4-0), the Board approved Ordinance 09-04.

Unionville Community Fair – Request for Wine tasting booth. No one was present; no action was taken.

Whitewing Farm – North. Barry Stingel of Hillcrest Associates presented the 7-lot plan, requesting final plan approval. The plans will be amended to provide recommended language regarding the developer's obligation to restore Township roads to the existing condition, as memorialized in the Township Engineer's recorded video. By unanimous vote (4-0), the Board

Meeting of the Board – April 6, 2009

Page 2 of 4

approved the Final plan, subject to: a) all of the conditions in the review letters of Township consultants, summarized in the VanDemark & Lynch letter of March 30, 2009, b) DEP approval of the planning modules for on-site sewage disposal, and c) payment of all fees, including Open Space - \$1000/lot, Emergency Services - \$200 /lot, and traffic impact at \$600 per lot.

Longwood Gardens Request for Fireworks Displays. By unanimous vote (4-0), the Board approved all of the requested dates: May 24 (raindates: May 25, 26), July 4 (July 5, 6), August 8 (Aug 9, 10), September 6 (September 7, 8), September 19 (Sept. 20, 21), July 1 (no raindate), and December 31 (no raindate).

Route 82 South Sewer District – Sewer Construction Progress Report. By unanimous vote (4-0), the Board approved the payment of \$77,814 of Sewer Funds for Payment # 6 for Abbonizio and Sons Contractors. The main line piping has been installed via directional drilling on Route 82, with approximately 8 of the laterals also installed. The contractor will be working next in Willow Green. The compaction of the lines in Cedarcroft is still being reviewed by the contractor.

Bruster's Request for Relief from Traffic Fees. Mr. Sassi, who made the request, was not present to explain his request; no action was taken.

David Adamson – Request to Subdivide Lots on Schoolhouse Road. Mr. Adamson had made a written request to create three lots of less than 80,000 square feet per single-family dwelling in the Limited Industrial District. He was told that when he had detailed plans, with lot sizes, set-back distances, and proposed facilities locations, he could renew the request. Prior to Supervisors approval, the applicant must seek a variance from the Zoning Hearing Board. Mr. Crawford noted that he had earlier done legal work for Mr. Adamson in a matter before Kennett Township.

Resolution 09-09 – Application for Park Planning Grant. By unanimous vote (4-0), the Board approved the resolution to be submitted to the Department of Conservation and Natural Resources.

Meeting of the Board – April 6, 2009

Page 3 of 4

Road Report. Roadmaster Caudill reported that the low-bidders for Road Materials, received by the Kennett Area Cooperative, with the following East Marlborough totals:

Independence Construction	\$22,031.80
Martin Paving	\$19,350.00 plus cost of labor/hour
Alger Oil	\$15,698.00
Alpha Space Control	\$18,749.00

By unanimous vote (4-0), the Board approved the low bids; contracts will be prepared.

Fire Hydrants for Unionville Village. Mr. Weer proposed that we request that VanDemark & Lynch submit a proposal for a feasibility study of a water main in the Village, with hydrants as recommended by Po-Mar-Lin Fire Company, but terminating at Route 842 West. He requested that the study include an estimate of the projected cost of construction. By unanimous vote (4-0), the Board approved the request for a proposal, and asked that the proposal be ready for the May Board meeting.

May Meeting Schedule. The supervisors agreed to hold the May public meeting on Tuesday, May 5, 2009, instead of the Monday date.

Wal-Mart Conditional Use Hearing. The Board set Monday, May 11, 2009 at 7:30 p.m. for the next hearing date.

Hay Mowing/Maintenance of the Spray Fields. The bidder offering to pay the most per acre was Drew Harrop of West Chester. By unanimous vote (4-0), the Board accepted the bid for a three-year contract.

Maintenance Vehicles for Sewage Facilities. Roadmaster Caudill has an opportunity to purchase two pieces of equipment for maintenance of the spray fields: a Backhoe and an all-terrain Gator. Both could be purchased under the PA State Piggy Back plan, for a net of approximately \$26,000. By unanimous vote (4-0), the Board approved the purchases.

Mr. Hicks Budget Request. He suggested that we do a mid-year evaluation in May or June.

Roads in Cedarcroft and Marlbrooke. Roadmaster Caudill proposes to use a reverse seal process on the roads that have been cut and repaired with the sewer line installation. The reverse seal process will allow the pavement to settle more evenly, before a final wear coat

Meeting of the Board – April 6, 2009

Page 4 of 4

could be applied the following year. Mr. Caudill will prepare a letter to be distributed to residents prior to the reverse seal process.

Bills. By unanimous vote (4-0), the attached lists of invoices were approved for payment, with each supervisors abstaining on any single item with a perceived conflict. Additionally, the Board deleted the \$500 payment to the Brandywine Valley Scenic Byways project. The totals are:

General Fund	\$ 47,228.95
Sewer Fund	\$256,724.40
Payroll	\$ 56,879.61

Treasurer’s Report. By unanimous vote (4-0), the Board accepted the attached report.

The meeting was adjourned at 9:07 p.m., at which point the supervisors went into executive session with Solicitor Crawford to discuss a pending legal matter.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary