

# EAST MARLBOROUGH TOWNSHIP

## BOARD OF SUPERVISORS

Meeting of the Board – November 2, 2009

---

Chairman Cuyler H. Walker called the public hearing to order at 7:15 to consider two ordinances:

**Ordinance 09-06** – Provides for traffic control via stop signs at multiple and designated intersections in East Marlborough Township. By unanimous vote (5-0), the Board adopted the ordinance, as prepared.

**Ordinance 09-07-** provides for speed control on all Township roads, with each named street listed. By unanimous vote (5-0), the Board adopted the ordinance, as prepared.

### **Public Meeting.**

Chairman Cuyler H. Walker called the public meeting to order at 7:30 p.m. by leading the group in the Pledge of Allegiance to the United States Flag. Supervisors Richard P.S. Hannum, Jr., Robert F. Weer, Eddie G. Caudill, and Richard E. Hicks were also present, as was Solicitor Frone Crawford, Jr., and Engineer James Hatfield.

**Minutes of October 5, 2009.** By unanimous vote (5-0), the minutes were approved as prepared. Mr. Hicks also mentioned that the re-painted sign at the Unionville Veterinary Center looks much better and is more in keeping with the historic town. Mr. Walker noted that the paperwork ought to be corrected to show the actual color of the sign. Pending receipt of the paperwork, the Board then can properly act on the Certificate of Appropriateness.

### **Public Comment Period.**

**Mrs. LaPara** asked about the police department policy of informing citizens and groups of events/warnings in the Township. It was suggested that she give her e-contact information to the East Marlborough Township Police Department, and she will be included in future notices.

**Bruster's Conditional Use Decision and Order.** Delicious Development, former owners, filed for an amendment to the original Order to request a reduction in the Highway impact fee. By unanimous vote (4-0, with Mr. Caudill abstaining because he was not present for the hearing), the Board approved an Order providing for a 10% reduction of the original fee, provided that the total amount is paid within 90 days of the date of the order. The decision would result in fees due, as follows:

## Meeting of the Board – November 2, 2009

### Page 2 of 3

Original Impact Fee: \$30,000, - Discounted 10% for early payment: \$27,000  
Amount Paid: \$ 6,000 Amount due, if paid by January 31, 2010: \$21,000.

**Local Services Tax – Ordinance 09-05.** Public notice had been published, in accordance with the regulations. The tax would apply at the rate of one dollar per week, \$52/year on all those working/employed in East Marlborough who earn more than \$12,000 per year.

**Schoolhouse Realty.** Dennis O'Neill spoke on behalf of MacCombie Associates, the engineering firm which had done an engineering inspection for the HOA. Also present were Karen White, president of the HOA and Doug Knox, Vice President of Bentley, the developer of the site. Mr. O'Neill discussed three areas in the subdivision where there are concerns regarding the drainage:

- 1) Behind Building #9 – Stormwater ponds in the swale at the rear, because the swale lacks a proper slope. Mr. O'Neill Suggested that the swale was never constructed properly and recommended that the swale be regarded and an under drain be installed in the swale to further facilitate drainage. The Township Engineer agreed that there was a lack of a proper slope, but took exception as to whether the swale was incorrectly constructed by the developer or whether the lack of slope resulted from grading changes effected by landscaping work undertaken by the HOA. . There was professional disagreement regarding the problem behind building #9.
- 2) Behind Building #4 – A yard drain and small diameter pipe had been installed as a field change to intercept runoff from the swale behind Building #4 and redirect it away from Building #5. Mr. O'Neill indicated that the as-built yard drain and pipe did not have adequate capacity to divert the runoff as intended.
- 3) Behind Building #1 – An as-built survey performed by MacCombie Associates demonstrated that the swale behind this building was virtually flat, with little or no slope. The Township Engineer agreed with the as-built survey and indicated that this swale grade was improperly constructed by the developer and should therefore be corrected by the developer. The Township Engineer had added the re-grading of the swale behind Building #1 to the Township's punchlist of remedial work. The Developer agreed to correct the problem of poor drainage behind building #1 in addition to the only remaining outstanding item from the Township Engineer's punchlist, which was to repair a small sinkhole and some erosion behind Building #13. Chairman Walker asked that the developer look at the other areas to consider whether he could assist with the correction. The developer agreed to place a cash

**Meeting of the Board – November 2, 2009**

**Page 3 of 3**

escrow in the amount of \$3,010 to correct the problems cited by the Township Engineer behind buildings #1 and #13.

**Proposed Budgets for 2010.** Proposed draft budgets were presented for:

**General Fund Receipts and Expenses** - \$1,875,920, based on an assessed valuation of 690 million at a millage of 1.05, with additional millage for Open Space (.2 mills) and Library (.183 mills), yielding a total of 1.433 mills, unchanged from the last several years.

**Sewer Fund** - \$ 3,037,000 based on receipts from both sewer districts:

Route 82 South 250 EDU's at \$840/year - \$210,000

Other Districts 1700 EDU's at 460/year - \$770,000

**State Fund** - \$363,303.

Complete copies of the draft budgets are available at the Township office. The Supervisors authorized public notice of the proposed budgets, to be considered for adoption at the public meeting on December 7, 2009.

**Route 82 Sewer District Construction – Status Report.** The work is substantially complete, with all lines available for access. The contractor has some items on the punch list, including pavement restoration on Route 82, lowering some valve boxes in pavement, and some additional clean up.

**Bills.** By unanimous vote (5-0), with each supervisor abstaining on any single item with a perceived conflict of interest, the Board approved payment of the attached list of invoices, with the following totals:

General Fund	\$ 17,731.55
Payroll	\$ 56,769.55
Sewer Fund	\$180,183.41

**Treasurer's Report.** The attached report was accepted, as prepared.

The meeting was adjourned at 8:42 p.m., at which point the Supervisors went into executive session with the Solicitor to consider a legal matter.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary