

EAST MARLBOROUGH TOWNSHIP

BOARD OF SUPERVISORS

Meeting of the Board – February 5, 2007

Chairman Cuyler H. Walker called the public hearing and meeting to order at 7 p.m. in the Township Building. Board members Richard P.S. Hannum, Robert F. Weer, Eddie G. Caudill, and Richard E. Hicks were also present, as was Solicitor Fronfield Crawford.

Ordinance 07-01 – Establishing a uniformed pension plan. The plan, currently established for one police officer, tracks the municipal plan in all respects. By unanimous vote (5-0), the Board adopted Ordinance 07-01. In a separate vote (5-0), the Board approved the East Marlborough Township Police Pension Plan Agreement.

Ordinance 07-02 – Amending the existing municipal pension plan to: a) provide for vesting after 8 years of employment, b) calculate pension benefits based on five highest consecutive years of employment, and c) provide benefits at the rate of 1.5 % of calculated wage. By a vote of 3-0, with Messrs. Caudill and Weer abstaining, Ordinance 07-02 was adopted. In a separate vote, the Supervisors approved the revised East Marlborough Township Pension Plan Agreement, dated February 5, 2007, by a vote of 3-0, with Messrs. Caudill and Weer abstaining.

Ordinance 07-03 – Enabling authorization for establishing realty transfer taxes, establishing interest rate, and designating collector (Recorder of Deeds). By unanimous vote (5-0), the Supervisors adopted Ordinance 07-03.

Public Meeting at 7:30 P.M. Mr. Walker led the group in a pledge to the flag.

Minutes of January 2, 2007. By unanimous vote (5-0), the minutes were accepted as prepared.

Minutes of January 19, 2007. By unanimous vote (3-0, with Messrs. Walker and Hannum abstaining) the minutes were accepted as prepared.

Public Comment Period.

Mrs. LaPara of Folly Hill Road read a statement saying that she requests a public discussion of the proposal submitted by Mr. Rodger, on behalf of his clients Mr. & Mrs. Sowers to continue some specified uses at Folly Hill Vineyards. The Township had not received a copy of the proposal.

Mr. Gimmel of Pennock Avenue, said that the septic failure on his property cannot be settled on site; he requests that the Township ask Wawa to run the sewer line to the northern end of the street to serve all of the properties on Pennock.

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Mr. LaPara asked when fiber optic systems will be available in his neighborhood. He was given the card of a Verizon employee to seek the information.

Stengel Escrow Release. By unanimous vote (5-0), the Board approved Release # 5 in the amount of \$82,042.95.

Beiler-Campbell Escrow Release. By unanimous vote (5-0), the Board approved release #5 in the amount of \$6,400.

Glenelg Escrow Release. By unanimous vote (5-0), the Board approved the release of \$27,909.

Shoppes at Longwood – Staples. By unanimous vote (5-0), the Board accepted the recommendation of VanDemark & Lynch to establish an escrow of \$178,630.

Library Report. East Marlborough representatives Bill Landmesser and Jon Olson gave the annual report, including figures for funding and use of the facilities. The supervisors thanked both board members for their dedication and work.

First National Bank of Chester County. Bank CEO, Mr. Featherman, showed representations of the proposed materials and design for new bank. By unanimous vote (5-0), the Board accepted the proposal.

The Kennett Run. Len Bieberbach and Mike Perna presented details of traffic monitoring for the May 2007 race. They will have signage at Willowdale intersection, notifying motorists that the road will be closed for an hour on race day. No further action by the Board.

St. Michael Lutheran Church. Bob Flinchbaugh of Register Associates presented the preliminary plan. After discussion on details of the plan, the Board voted 3-0 (with Messrs. Weer and Hicks opposed), to require sidewalks along the entire Doe Run Road frontage of the property. In a separate unanimous vote (5-0), the Board approved the preliminary plan, subject to the six conditions contained in the VanDemark & Lynch review summary letter of January 27, 2007.

Schoolhouse Crossing. Steve Silver and Ron Shafer were present to request:

- a) Re-naming the Loop Road to Onix Drive. By unanimous vote (5-0), the Board approved the request; with the understanding that any costs involved in the name change would be paid by Onix Group.
- b) Extension of hours for the new proposed coffee shop next to Applebees; the hours requested are the same as Starbucks hours, e.g. until 9:30 p.m. By unanimous vote (5-0), the Board approved the request for extended hours.

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Rowland Orr Subdivision. Mr. Orr was present to request approval for a lot line change; the plans had been prepared by Envirolink, Inc. The Board voted unanimously (5-0) to grant the requested waivers, as detailed in the VanDemark & Lynch letter of January 27, 2007. By a second unanimous vote (5-0), the Board approved the subdivision plan, subject to: a) Mr. Orr granting of 25' right-of-way for the entire frontage of his property adjacent to Marlborough Spring Road, and b) recordation of the Declaration of Restrictive Covenants, providing that no additional building lot may be developed as a result of this lot line change.

Northbrook – Pia Plan on Street Road. Mike Pia spoke about the desirability of public sewers for his proposed four new lots, as well as for other existing houses along Street Road. Including those lands in the Sewer District will require an amendment to the Township's Sewage Facilities Plan. No action was taken pending more information on size and capacity of the existing line along Route 926.

Kennett Chevrolet. John Good, Esq., representing Kennett Chevrolet, had written for clarification of the buffer landscaping requirements. Mr. Crawford will respond to Mr. Good.

Willowdale Chapel. Ken Eland represented the Chapel in the request for Preliminary Plan approval. The only waiver requested is from § 502.C.13 of the Subdivision and Land Development Ordinance, requiring a shadow analysis. Mr. & Mrs. Pratt submitted a letter dated January 30, 2007, itemizing requests, e.g. details on landscaping berm, prohibition of lighting on the athletic field, nighttime limit on security lights, and addition of turning lane to facilitate traffic movement along Rte 82.. By unanimous vote (5-0), the Board granted preliminary plan approval, subject to:

- a) satisfying all items in the VanDemark & Lynch review letter of January 27, 2007,
- b) establishment of a left-turn lane on Route 82,
- c) construction of sidewalks along the Route 82 frontage of the property at a later date, but within six months of the time that the Board of Supervisors gives written request.

In a separate vote, the Board agreed unanimously (5-0) to support the Chapel's request for a variance before the Zoning Hearing Board for three access points along Route 82.

Resolution 07-09 – Increasing the Sewer Tap fee. Board tabled action pending additional information.

Resolution 07-07 – Revising the Township Application Fees. By unanimous vote (5-0), the resolution was adopted with one change, setting the Conditional Use application fee at \$4,500.

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Resolution 07-06- Building Fees. By unanimous vote (5-0), the Board adopted the resolution establishing new fees.

Longwood Fireworks Request. By unanimous vote (5-0), the Board approved fireworks at Longwood on the following dates, with rain dates in parentheses:

May 27 (May 28, 30), July 3 (July 4, 5), July 21 (July 22, 23), September 2 (September 3, 4), September 8 (September 9, 10), November 23 (no rain date), December 31 (no rain date).

Resolution 07-02– Planning Commission Membership – Approved unanimously (5-0).

Resolution 07-03- Zoning Hearing Board Membership – Action tabled.

Resolution 07-04 – Historic Commission Membership – Approved unanimously (5-0), with Susan Beach serving the un-expired term of Mark Benzel.

Resolution 07-05 – Historic and Architectural Review Board. Approved unanimously (5-0).

Resolution 07-08 – Sewer Authority Board. Approved unanimously (5-0).

Liaison with School Board. It was agreed that we would exchange agenda and thereby keep informed of respective issues.

Sanford Property. By unanimous vote (5-0), the Board rejected the plan for three lots, because access for the lots had not been established, as well as all other issues in the VanDemark & Lynch review letter of November 17, 2006.

Bills. By unanimous vote with each supervisor abstaining on any item with a perceived conflict, the Board approved the attached list of invoices, with the following totals:

General Fund	\$185,116.65
Payroll	\$ 36,598.89
Development Fund	\$ 448.00
Sewer Fund	\$ 16,811.66

Treasurer’s Report. By unanimous vote (5-0), the Board accepted the attached report.

The meeting was adjourned at 10:35 p.m.

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Jane R. Laslo, Secretary/Manager