

EAST MARLBOROUGH TOWNSHIP BOARD OF SUPERVISORS

Meeting of the Board – November 7, 2011

Public Hearing. Chairman Cuyler H. Walker called the public hearing to order at 7:15 p.m.; the hearing was held to take public comment and deliberate on **Ordinance 2011-04-** Alternative Energy Ordinance. The Chester County Planning Commission had made comments regarding the restrictiveness of the 25-acre minimum for wind turbines, had recommended that solar panels be restricted from shading neighboring parcels, and had suggested that solar panels might be acceptable in the HARB District, provided that they were shielded from public view. By vote of 4-1, with Mr. Caudill opposed, the Board adopted **Ordinance 2011-04** without amendment.

Public Meeting. Chairman 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, Robert F. Weer, and Richard P.S. Hannum, Jr. were also present, as were Solicitor Fronefield Crawford, Jr. and Engineer James A. Hatfield.

Public Comment Period.

Corporal Steve Ranck of the Avondale Barracks of the Pennsylvania State Police spoke about the police coverage. He noted three areas of crime with which individuals can be helpful, specifically by: a) keeping an eye on neighbors' properties, since most burglaries occur during the daytime, b) locking all cars and keeping valuables out of sight, since there has been an increase in thefts from vehicles, and c) being watchful about accumulations of scrap metal, since that has a re-sale value and is often targeted by thieves.

Jim Hatfield said he has been working with Mr. Dambro's engineer regarding the needed geotechnical work; he asked whether the Board wants to vote on which firm will do the testing work, or whether the Board wants to delegate that decision. He was told that the matter should come before the Board at a public meeting.

Chairman Cuyler Walker said that he and Vice-chair Richard Hicks had attended a ceremony at the Chester County Courthouse, honoring and dedicating a plaque to the memory of Po-Mar-Lin Firefighter Roy A. Harris, who was killed in the line of duty in May 1982, "protecting residents of the Unionville area."

Minutes of October 3, 2011. Bob Weer questioned whether the entry about township employees leaving work for emergency calls. Mr. Walker noted that the Township should have

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a written policy, which the Board would propose shortly. By a vote of 4-0, with Mr. Caudill abstaining, the minutes were approved as prepared.

Resolution 2011-18. Chester County Multi-Jurisdictional Hazard Mitigation Plan. Supervisors tabled action on the plan until they had more time to review some elements of the plan.

Resolution 2011-19 – Designation of Agent for FEMA and PEMA applications for reimbursement funding. By a vote of 4-0, with Mr. Weer abstaining, the Board approved the resolution naming Robert F. Weer, Jr. the Emergency Management Coordinator as the Designated Agent for such applications.

Escrow Release – Stonemasters. Dan DiTomaso was present to request the return of escrow for site improvements. By unanimous vote (5-0), the Board approved the release of \$55,331, leaving a balance of \$920.

Conditional Use Hearing - The Board set December 5, 2011 at 7 p.m. as the date to consider the application for a small accounting office to be located in an existing building in the M-U District, Route One; the applicant is Paul Dittmer.

5K Road Race to Benefit Muscular Dystrophy. The Board voted unanimously (5-0) to permit the annual 5K race on April 21, 2012, which will involve closure of Route 82 from the Roundabout to Willowdale Intersection for nearly two hours on that date. The race will begin and end at Charles F. Patton Middle School, and much of the race will be through the neighborhoods of LaReserve and Fox Lee Manor.

New Bolton Center – Storm Water Management Plan. The plan was represented by engineers Anne Anderson and Patty Brubacher of Brinjac Engineering, Brenda Loewen of the University of Pennsylvania, and Brian Isola, Facilities Manager at New Bolton. The applicant requested a waiver from Sections 302.A and B of the Storm Water Management Ordinance. The purpose of the plan is to: a) improve storm water management on the entire campus, b) provide for some recently constructed buildings (IsoColic building), and c) provide storm water capacity for three new buildings that are in the planning stage. By unanimous vote (5-0), the Supervisors approved the plan, together with the two requested waivers.

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Wawa – Amended Land Development Plan. Ron Klos, P.E. of Bohler Engineering presented the plan showing the installation of one 15,000 gallon underground tank to accommodate diesel fuel. Wawa plans to put up signs prohibiting sales to large tractor-trailers, and Wawa employees are instructed to cut-off fueling pumps if such a truck comes in. By unanimous vote (5-0), the Board approved the amended plan, subject to all of the conditions listed in the VanDemark and Lynch letter of October 14, 2011, and granting waivers as requested in that correspondence.

Budgets for 2011. The budgets for General Fund, Sewer District, and State Fund were all presented. There was discussion among the Supervisors about the amount of a new proposed millage rate for a fire tax. The decision was to present the attached budgets for public comment, showing General Fund Receipts and Expenditures of \$1,961,700 based on an assessed valuation of 688 million dollars, and with separate millage rates for: Open Space - .20 mills, Library contribution - .183, and Fire Tax - .30 mills. The proposals for Sewer Fund Receipts and Expenditures of \$3,398,905 and State Fund Receipts and Expenditures of \$313,811 are also available. The Budgets will be revised, if necessary, and presented for adoption at the December 5, 2011 Board meeting.

Route 82 Bikeways. Traffic Planning and Design had submitted a revised proposal, providing for a not-to-exceed amount to fully complete the design; TP&D proposed and amount of \$48,750, with \$35,000 due as the work proceeds, and an additional \$13,750 to be paid as impact fees become available. By a vote of 3-2, with Messrs. Weer and Hicks opposed, the Board approved the revised proposal and thereby authorized completion of the design.

Termination of Sewer Authority. By unanimous votes (5-0) in each case, the Supervisors approved two resolutions dealing with the termination of the Sewer Authority:

Resolution 2011-20 – Accepting the Assignment of all Easements associated with all the Sewers and appurtenances, and

Resolution 2011-21, - Authorizing the termination of the Sewer Authority. Solicitor Crawford will file the necessary paperwork with the PA Secretary of State.

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

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General Fund	\$133,494.75
Sewer Fund	\$ 29,143.88
Payroll	\$ 54,330.78

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

The public meeting was adjourned at 10:17 p.m., at which point the Supervisors went into executive session to discuss a personnel issue.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary