

EAST MARLBOROUGH TOWNSHIP  
BOARD OF SUPERVISORS

Meeting of the Board – March 5, 2012

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

**Public Comment Period.** There were no comments from the public.

**Minutes of February 6, 2012.** By a vote of 4-0, with Mr. Caudill abstaining because he was not at the February meeting, the minutes were approved as prepared, with one correction of a typographical mistake.

**Whitewing Farm Escrow Release.—Lot 4.** Steve Cope was present for the release; the Board voted unanimously (5-0) to release \$17,588.74 for work completed.

**New Bolton Center- Equine Performance Evaluation Facility.** Ann Anderson, P.E., of Brinjac Engineering represented the application for Final Land Development Approval for the facility. This was an amended plan which deleted the entrance gatehouse. Ms. Anderson said that the University anticipates no need for additional parking and requested that no additional parking be required. The following waivers were requested and approved:

Section 502.C.7 (full boundary survey)

Section 502.C.13 (shadow analysis)

Section 502.C.23 (wetlands delineation)

Section 503.C.1 (full boundary, easement and right-of-way information)

Section 503.C.5 (permanent reference markers)

Section 502 (consideration of this submission as a final plan)

The Zoning Hearing Board had earlier granted variances from Sections 1103.F.1, 1103.F.2, and 1103.C to reduce the minimum building separation distance and allow construction of the gate house in the front yard setback. By unanimous vote (5-0), the Board approved the final plan, subject to conditions itemized in the VanDemark & Lynch review letter of March 5, 2012, specifically with reference to the recommendations made by the East Marlborough Fire Marshal.

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**Ducklings Child Care** –No representative was present for any requests; no action taken.

**Request for Tent Sale of Fire Works in Wal-Mart Parking Lot.** Debbie Ivins of TNT Pennsylvania requested the proposed fund-raising tent sale for approximately 10 -14 days (from June 20 through July 4, 2012); she said that her company would provide insurance coverage in the amount of one million dollars, with the Township named as an additional insured. The Board asked that parking be limited to the Wal-Mart lot, to insure that there be no disruption of traffic on public roads. By vote of 4-1, with Mr. Hicks opposed, the Board approved the request.

**DeSeta Request to Amend Zoning Ordinance.** Several months ago, Mr. and Mrs. DeSeta, who then owned Whitewing Farm, had filed a petition to amend the R-B District to permit more expanded uses for Bed and Breakfast operations on 10 or more acres. The request specifically was to permit the hosting of commercial events, such as wedding receptions, graduation parties and similar events. Mr. and Mrs. Shortt, new owners of the Whitewing Farm property, were present to speak in favor of the amendment. Many neighbors were present as well.

The East Marlborough Township Planning Commission had voted unanimously to recommend that the amendment not be adopted. Chairman Walker explained that adjacent neighbors settled on their properties with an expectation of quiet, without commercial uses nearby, and that any conditions to be established in a formal hearing could be deemed too subjective.

Some residents in attendance expressed opposition to the requested amendment.

**Sewer Fields Crop Management.** By unanimous vote (5-0), the Board approved the 3-year extension of the Management Agreement with Drew Harrup for cutting the crop from the spray fields.

**Lot Consolidation** – Ed Foley asked that the Supervisors take action on his proposal to conjoin three lots on Doe Run Road into a single parcel. Action tabled.

**Conditional Use Hearing for Kennett P&H Associates (property with Sears Hardware).** The Board tentatively set the date for Thursday, April 12, 2012, at 7 p.m., pending the completed application for Conditional Use.

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**Emergency Operations Plan- Resolution 2012-08.** By unanimous vote (5-0), the Supervisors adopted the resolution and the updated plan.

**Fire Marshal.** By a vote of 4-0, with Mr. Weer abstaining, the Board appointed Robert Weer, Jr. as Marshal for 2012.

(Mr. Caudill left the meeting at this point.)

**VanDemark & Lynch Proposal for Design of the Unionville Park.** Although we received notification of the Department of Conservation and Natural Resources (DCNR) grant for the partial funding of Phase I of the Park, in the amount of \$430,000, we have not yet received the executed contract. Mr. Weer moved and Mr. Hannum seconded a proposal to accept the VanDemark and Lynch proposal for design, in the amount of \$117,450, to be officially signed after receipt of the DCNR Contract. Supervisors Weer and Hannum voted yea; Supervisors Walker and Hicks voted nay. The motion was not approved.

**Resolution 2012-09 – Amending the Township Building Fee Schedule.** By Unanimous vote (4-0), the resolution was adopted.

**Bills.** By unanimous vote (4-0), with each supervisor abstaining on a single item with a perceived conflict of interest, the Board approved payment of the invoices, with the following totals:

General Fund	\$55,784.85
Payroll	\$51,941.20
Sewer Fund	\$15,966.00
Development Fund	\$ 6,000.00
State Fund	\$18,566.02

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

**Emergency Services Funding.** Mr. Weer reported that Po-Mar-Lin Fire Company has requested that the funding for the company be transmitted quarterly, as last year, but with the total amount to be as anticipated in the budget: \$164,800 to Po-mar-Lin and \$41,200 to Longwood

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Fire Company. Reconciliation of the actual taxes received will be transmitted with the payment for the last quarter. In addition, fuel costs will be billed to Po-Mar-Lin separately, rather than deducted from the quarterly payment.

**Mr. Mantell**, former Supervisor from Pennsbury Township, asked whether the Township had any ordinance to enforce maintenance of a property on Longwood Road; he said that the bank had foreclosed on the property a few years ago.

The meeting was adjourned at 9:17 p.m., at which point the supervisors went into executive session to discuss personnel matters.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary