

February 6, 2024
7:00 P.M.

BOARD OF SUPERVISORS
721 Unionville Road
Kennett Square, PA. 19348

1. CALL TO ORDER

Present:

Chair Monahan
Vice-Chair Sosangelis (Remote)
Supervisor Sarro
Supervisor Elks
Supervisor Matuszak

Township Staff & Consultants:

Ryan Jennings, Township Solicitor
Neil Lovekin, Township Manager
Mickey Bailey, Recording Secretary
Jeff Simpson, Public Works Director
Robert Clarke, Police Chief
Peter Barsz, Treasurer

2. PLEDGE OF ALLEGIANCE (Participation is Voluntary)

Chairman Monahan opened the meeting by leading the Pledge of Allegiance.

3. ANNOUNCEMENTS

Zoning Hearing for 583 Unionville RD (*Campanella's Automotive*) is scheduled for Wednesday, February 7th at 7:00 p.m.

4. REVIEW OF TREASURER'S REPORT & POSSIBLE AUTHORIZATION FOR PAYMENT OF MONTHLY BILLS

- a. Township Treasurer, Peter Barsz, BGAF, stated that the township is in strong financial shape. During the month of Jan 2024, we saw earnings of \$48,00 in interest. Our checking accounts alone are earning 5.16% interest.
- b. Supervisor Sarro motioned to approve the Treasurer's Report and to authorize payment of the monthly bills. Supervisor Elks seconded; motion carried 5/0.

5. CONTINUING BUSINESS

- a. Longwood Gardens, Inc. – 2024 Fireworks – Township Permission to Close Certain Roads
Discussion and possible approval to temporarily close roads for six (6) firework shows in Longwood Gardens. Shows were previously discussed and approved at the January 2, 2024, public meeting. Township roads to be closed for the fireworks displays are Greenwood Road, Conservatory Road, and Longwood Road.
 - i. Township Manager, Neil Lovekin, directed the audience's attention to a map showing the proposed road closures pointing out that not all of Greenwood Road would be closed, just the highlighted portion.
 - ii. Supervisor Matuszak motioned to approve the proposed road closures for the Longwood Fireworks 2024 season. Supervisor Sarro seconded. Carried 5/0.

- b. Longwood Preserve – Grant of Sanitary Sewer Easement and Dedication of Pump Station
Discussion and possible approval to authorize the dedication of the sanitary sewer pump station located at the Longwood Preserve community to the Township of East Marlborough.
 - i. Township Solicitor, Ryan Jennings, briefed the details of this proposal.
 - ii. Supervisor Matuszak motioned to approve the proposed easement and sewer pump station dedication. Supervisor Sarro seconded. Carried 5/0.
- c. Longwood Preserve, Phase 2 – Escrow Release No. 16
Discussion and possible authorization to release \$192,810.00 in Landscaping, as recommended in the Township Engineer’s review letter, dated January 31, 2024.
 - i. VanDeMark & Lynch’s representative, Lisa Donlon detailed the requested escrow release #16. She went on to explain that the Grand Total Balance to finish value is now \$89,103.79.
 - ii. Supervisor Elks motioned to approve Escrow Release #16, Supervisor Sarro seconded, carried 5/0.
- d. The Villages At Northridge, LLC – Escrow Release No. 39: Phase 1a/b #34, Ph. 2 #23, Ph. 3 #15
Discussion and possible authorization to release the total requested amount of \$109,480.01, as recommended in the Township Engineer’s review letter, dated January 25, 2024.
 - i. VanDeMark & Lynch’s representative, Lisa Donlon, detailed the requested escrow releases outlining above totaling \$109,480.01 for three phases. She went on to explain that the final inspection has not been completed yet.
 - ii. Supervisor Sarro motioned to approve the above escrow releases. Supervisor Elks seconded, carried 5/0.
- e. The Villages At Northridge, LLC – Deed of Dedication for Roads
Discussion and possible approval to authorize the dedication of Road Rights-of-Way and Sanitary Sewer Easement to the Township of East Marlborough, including authorization and execution of the associated Dedicated Improvements Maintenance Agreement and the Dedicated Improvements Maintenance Bond.
 - i. Township Solicitor, Ryan Jennings, gave some highlights on the Deed for Roads Dedication. There was some discussion on how the Liquid Fuels payments and reimbursements affected roads in housing developments. This from a question posed by Villages of Northridge HOA President, Robert Reilly. Jeff Simpson, Director of Public works, explained the township’s eligibility for Liquid Fuels funds.
- f. Draft Act 537 Plan Dissemination to Regulatory Agencies for 45-Day Review Period
Discussion and possible authorization to submit the draft Act 537 Sewage Facilities Planning Module to the State and County regulatory agencies for their 45-day review period.
 - i. Township Manager, Neil Lovekin, gave details on the Draft Act 537 Plan Dissemination.

ii. Supervisor Sarro motioned to approve the plan, Supervisor Matuszak seconded, carried 5/0.

6. PROCLAMATION 2024-01: RECOGNIZING THE MONTH OF APRIL AS “PENNSYLVANIA SAFE DIGGIN MONTH”

Discussion and possible adoption of Resolution 2024-15, recognizing the month of April as “*Pennsylvania Safe Digging Month*,” an initiative sponsored by Pennsylvania 811, a utility notification information center with over 50 years of continuous service to the Commonwealth of Pennsylvania.

- a. Township Manager, Neil Lovekin, explained that annually April is recognized as the Safe Digging Month in the State of Pennsylvania.
- b. Supervisor Elks made the motion to approve Proclamation 2024-01, Supervisor Sarro seconded, carried 5/0.

7. RESOLUTION 2024-16: RATIFYING CERTAIN BUDGETARY TRANSFERS TO AND FROM THE GENERAL FUND RESERVES IN CALENDAR YEAR 2023.

- a. Discussion and possible adoption of Resolution 2024-16, ratifying certain budgetary transfers to and from the General Fund reserve in Calendar Year 2023. This resolution will authorize Township staff to rectify during certain times in 2023, of when the Township's Fund Balance was supplemented by overages in certain budgetary accounts and was used to supplement shortages in other budgetary accounts.
- b. Township Manager, Neil Lovekin, addressed the board explaining Resolution 2024-16. This resolution clarified budgetary transfers which present a clearer and more precise financial statement.
- c. Supervisor Elks made the motion to approve Resolution 2024-16. Supervisor Sarro seconded, carried 5/0.

8. NEW BUSINESS

- a. Walmart – Temporary Outdoor Live Plant Display
Discussion and possible approval to allow Walmart to have a temporary outdoor live plant display on its parking lot from April 1, 2024 to August 15, 2024 by Garden State Growers, LLC.
 - i. Mike Finucan, Kennett Square Walmart Manager addressed the board with Walmart’s annual request for their outdoor live plant display and sales.
 - ii. Supervisor Sarro took the opportunity to talk to Mr. Finucan about the ongoing cleaning and monitoring of the Walmart parking lot. Mr. Finucan assured the board that his crews scour the parking lot twice daily to assure there is no litter or debris left.
 - iii. Supervisor Sarro motioned to approve the Walmart annual Outdoor Live Plant Display. Supervisor Elks seconded, carried 5/0.
- b. Cell Tower Lease for 858 East Baltimore Pike (Site No. Orchard Valley)
Discussion and possible authorization for the Township Manager to advise Crown Castle, lease manager, that the Township elects to continue with a ‘*Like Terms Lease Extension*.’

- i. Township Manager, Neil Lovekin, detailed the proposal and request from Crown Castle to extend their cell tower leases with East Marlborough Township. Of the three options Neil recommended the Board accept Option A, a 30-year lease extension with monthly payments of \$4,070.02 and 3.5% annual term escalation.
- ii. Supervisor Elks motioned to approve Option A and extend the Cell Tower Leases, Supervisor Matuszak seconded, carried 5/0.

9. ZONING HEARING BOARD APPLICATION

No items for discussion or decision.

10. TOWNSHIP DEPARTMENTS – MONTHLY REPORTS

- a. Jeff Simpson, Director of Public Works, highlighted the major activities for his department.
 - i. Mill Road bridge is complete. The 2023 Peterbilt truck has been delivered and is waiting for the uplifter in late 2024. The 1995 Dump truck refurbishment is complete. Sewer Pump truck refurbishment was completed in house by our crew.
- b. Chief Clerk reported that of the two hundred nine 911 calls in the month of January 74 were handled by EMPD.
 - i. Sgt Urbany completed Police Officer Supervisory in-Service Training (POSIT) training conducted by Penn State University
 - ii. Officer Brian Sheller retired from the Parkesburg Borough Police department after 36 years of service and has accepted a position as deputy Warden at the Chester County Prison but will remain as a part time officer with EMPD.
- c. Township Manager, Neil Lovekin gave a quick run down of the Admin Department.
 - i. The holder of the East Marlborough domain site has transferred ownership to EMT.
 - ii. Cheshire Hunt Races are scheduled for Sunday March 26th at Plantation Field
 - iii. The Township Press will be inserting an EMT map into the Spring newsletter.

11. TOWNSHIP ADVISORY COMMITTEES' UPDATES

12. PUBLIC COMMENT (For matters not on the agenda)

Corinne Sweeny wanted to say thank you for her appointment to the Library Committee.

Marie Di Constanza wanted to say thank you for the East Marlborough services during our recent snowstorm.

13. APPROVAL OF MEETING MINUTES

Because we had two new members on the board last month and not enough voters to approve the January minutes, the vote was taken tonight. Motion to approve December's meeting minutes by Supervisor Matuszak, seconded by Supervisor Sarro, carried 3/0.

Motion to approve January's Reorg meeting minutes by Supervisor Elks, seconded by Supervisor Sarro, carried 4/0. Supervisor Matuszak abstained due to his absence from that meeting.

Motion to approve January's meeting minutes by Supervisor Sarro, seconded by Supervisor Elks, carried 4/0 due to Supervisor Matuszak's absence from that meeting.

14. ADJOURNMENT

*Respectfully submitted,
Mickey Bailey, Recording Secretary*