

January 2, 2023
7:00 P.M.

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

1. CALL TO ORDER

Present:

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

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. ANNOUNCEMENTS

Chairman Monahan opened the first meeting of 2024 and introduced the new members of the board. Ellen Sosangelis and Jake Elks.

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

Township Treasurer, Peter Barsz, BGAF, stated that the township was in a good financial condition having earned \$629,000 in interest during the 2023FY. He noted that the interest rate for our Prime accounts is 5.55%, 5.18 for our regular accounts and 5.3% for our Reserve account.

Vice Chair Sosangelis motioned to approve the Treasurer's Report and to authorize payment of the monthly bills. Supervisor Sarro seconded; motion carried 4/0.

4. CONTINUING BUSINESS

a. Villages at Northridge – Escrow Release No. 33, Phases 1a/b

Discussion and possible approval of escrow releases #33 (Phase 1a/b) in the total amount of \$15,475.63, per the Township Engineer's Review Letter, dated December 20, 2023.

- i. Lisa Donlon, VanDemark and Lynch, Inc. briefed that the Northridge developer requested escrow release #33 in the amount of \$15,475.63 and after reviewing the work they recommended release of requested amount.
- ii. Robert Reilly, Northridge HOA president voiced concerns about the landscaping, specifically tree planning and positioning. He submitted an arborist report to the township and the engineer for VanDemark and Lynch.
- iii. Vice Chair Sosangelis motioned to approve Escrow Release No 33 in the amount of \$15,475.63. Supervisor Sarro seconded, carried 4/0

b. Longwood Preserve – Escrow Releases No. 14 & No. 15, Phase 2

Discussion and possible approval of recommended escrow release No. 14 in amount of \$99,678.50, per the Township Engineer's Review Letter, dated December 18, 2023, and recommended escrow release No. 15 in amount of \$33,967.50, per the Township Engineer's Review Letter, dated December 27, 2023.

- i. Lisa Donlon explained that Escrow Release #14 consists of \$90,617.50 for Landscaping which is 56% complete and Contingency consisting of \$9,061.00 which is 88% complete. VanDemark and Lynch recommends release of these funds.
- ii. Release #15 request from the developer was in the amount of \$264,106.90. After field review \$33,967.50 is recommended for release. The landscape amenities have not been reviewed by Glacken Thomas Panzak yet. Funds are being held pending that review.
- iii. Vice Chair Sosangelis motioned to approve Release #14 and 15 Supervisor Elks seconded, carried 4/0

c. Longwood Gardens, Inc. – Concessions Building: Escrow Recommendation.

Discussion and possible approval of recommended escrow amount of \$149,028.33, per the Township Engineer's Review Letter, dated December 21, 2023.

- i. Lisa Donlon from VanDemark and Lynch referenced their the details of their memo dates Dec 21,2023. She noted some minor differences in estimated quantities and prices.
- ii. Supervisor Elks motioned to approve Escrow Release in the amount of \$149,028.33. Vice Chair Sosangelis seconded, carried 4/0.

d. Longwood Gardens, Inc. – Concessions Building: Execution of Land Development Agreements. Discussion and possible authorization to execute Land Development Agreements for the associated project.

- i. Ryan Jennings addressed this subject on behalf of East Marlborough Township.
- ii. Chairman Monahan motioned to approve the Concessions Building: Execution of Land Development Agreements. Vice Chair Sosangelis seconded, carried 4/0.

e. Villages at Northridge – Dedication of Roads

Discussion and possible acceptance of road dedications in the Villages of North Ridge.

- i. Subject tabled until next month.

5. RESOLUTION 2024-15: ACCEPTING DEDICATION OF 'OPEN SPACE' LAND FROM UNIONVILLE WALK COMMUNITY ASSOCIATION, INC.

Discussion and possible adoption of Resolution 2024-15, authorizing execution of the Deed of Dedication of Open Space between the Unionville Walk Community Association, Inc., and the Township of East Marlborough.

- a. Ryan Jennings, Township Solicitor, addressed the board with this Resolution. In short, 26 acres of land currently part of the Unionville Walk development will be donated back to East Marlborough Township to be used as Open Space.
- b. Resident Neil Harding asked a question about how the contractor is leaving the property to the township and who will be required to maintain it?
- c. Supervisor Elks moved to accept Resolution 2024-15, Supervisor Sarro seconded, carried 4/0

6. PUBLIC HEARING: CONSIDERATION OF ORDINANCE ADOPTION

TREE MAINTENANCE AND REMOVAL IN ANY TOWNSHIP RIGHT-OF-WAY

The proposed ordinance adoption was advertised in the December 19, 2023, edition of the Daily Local News as required, as well as posted on the Township website. The Ordinance was available at the Township Building and on the township website for public inspection, as advertised.

- a. Solicitor Jennings briefed this proposed ordinance specifically Exhibits list B1-B4.
- b. Resident Ruthie Kranz brought up her concerns about the wording of the ordinance, specifically the time frame listed. She says as a homeowner she attempts to remove, trim and maintain all trees on her property. Her concern is that the Township would step in, take care of the issue and bill her before she had a chance to take care of it herself.
- c. Chairman Monahan said she is comfortable with the ordinance as written. Entire board agreed.

7. ORDINANCE NO. 01-2024: TO REGULATE THE MAINTENANCE AND REMOVAL OF DISEASED, DYING, DEAD, AND/OR DANGEROUS TREES LOCATED IN ANY TOWNSHIP RIGHT-OF-WAY

Discussion and possible adoption of the Ordinance, as advertised and made available for public inspection.

- a. Supervisor Elks moved to adopt Ordinance No 01-2024. Supervisor Sarro seconded, carried 4/0.

At this point the agenda was amended to move item 9 up to the number 8 position on the agenda

9. ZONING HEARING BOARD APPLICATION

583 Unionville Road – Variances to Expand Commercial Nonconforming Use

Discussion of whether to take a position on the Application that seeks variances to expand an automotive repair business, known as ‘Campanella’s Automotive.’ A hearing date is yet to be determined.

- a. Neil Land speaking on behalf of Campanella Kennett, LLC proposes to expand the gas station/auto body shop located at 583 Unionville Rd. The shop currently has 3 bays and an office. In addition to more auto bays the gas canopy located where the gas pumps were out front will be removed and as well as the underground tanks. Additionally, 9 new parking places will be added and paving will be cleaned up. Project to be completed in two phases.
- b. Resident Beth Chance voiced her concerns about the addition of any lighting because the area is completely residential, and no one wants lights shining into their home in the evening.
- c. Mary Paxton Boeni shared her concerns about water run-off and egress from Locust Rd traffic. Mr. Campanella replied that since this is an auto repair shop and not a gas station there should be less traffic coming and going since most people would be dropping their vehicles off instead of driving in for fuel and existing.
- d. The Board decided to take no position on this subject and will leave that to the ZHB.

8. NEW BUSINESS

- a. Primary Residence Demolition at 807 Fairthorn Drive: Historic Resource NO. 158
Discussion and possible approval for 807 Fairthorn Drive (UPI: 61-8-46) to demolish primary residence to convert to grassy area, as recommended by the Historic Commission memo, dated December 11, 2023.

- i. Township Manager, Neil Lovekin, gave an overview of this subject. Owner wants to demolish house at 807 Fairthorn Dr., built in 1984, and remove the current asphalt driveway. The swimming pool in the rear of the property, identified as historic, will remain.
- ii. Resident Mary Paxton Boeni had questions about stormwater management and suggested that this be done before any demolition of asphalt removal. Zoning officer Charlie Shock assured her that a stormwater plan will be done prior to releasing a demo permit.
- iii. Owner Bruce Jameson is working with Neil Carlson of VanDemark and Lynch and Zoning Officer, Charlie Shock this week to address any and all concerns.
- iv. Supervisor Elks moved to accept the owners request for demolition subject to the Zoning Officers approval and permitting process. Supervisor Sarro seconded, carried 4/0

b. Chester County Balloon Festival – 2024 Introduction of Planned Activities

Introduction by Rick Schimpf, Festival Director, of the proposed 2024 Balloon Festival and status of event planning.

- i. Director Rich Schimpf informed the board that he had already coordinated with Chief Clarke for EMT PD to conduct traffic control for the event to be held 14-16 June. However, he has not submitted the paperwork for the event permit as of yet.

c. Longwood Gardens, Inc. – Township Permission to Conduct 2024 Fireworks Shows

Discussion and possible approval to authorize Longwood Gardens, Inc. to reinstitute its annual fireworks display through the months of July to September, for a total of six shows.

- i. Chris Benevento from Longwood Gardens addressed the board to present the 2024 Longwood Gardens Fireworks season consisting of 6 dates from July through October. EMT PD will handle the traffic and as usual Conservatory and Greenwood Roads will be closed off during the performance.
- ii. Vice Chair Sosangelis motioned to approve the fireworks schedule, Supervisor Sarro seconded, carried 4/0.

10. TOWNSHIP DEPARTMENTS – MONTHLY REPORTS

- a. Police Department: Chief Clarke reported that of the 233 total reported incidents in East Marlborough Township, 65 will handled by EMT PD
- b. Public Works reported that everything is on-going. Dan Hoover went to Waste Water Treatment training. Nothing new to report. Mill Road bridge project, still waiting on the guiderail installation.
- c. Township Manager, Neil Lovekin’s report on the Adm Dept: Our financial software, Quickbooks was updated to 2024 version

11. TOWNSHIP ADVISORY COMMITTEES’ UPDATES

- a. Three committees:
 - i. Health and Safety, Supervisor Sarro and Chair Monahan
 - ii. Organization and Sustainability: Chair Monahan and Supervisor Elks
 - iii. Community Development: Viced Chair Sosangelis and supervisor Matuszak

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

- a. Resident Steve Peuquet of Willowdale Crossing noted that the traffic control issues continue. Township Solicitor, Ryan Jennings, proposed that a traffic enforcement ordinance is needed.
- b. Shelley Mincer wanted to point out that there is still no signage on Route 82 showing Rt82 going north. Township Manager, Neil Lovekin, and Public Works Director Jeff Simpson to look into it. She also wanted to point out that there are no official parking spaces at the Post Office. People are parking where there is no designated parking.

13. APPROVAL OF MEETING MINUTES

Since two of the Board Members were not on the Board in December there is not a quorum to approve the minutes from December. This item will be moved to the February agenda.

14. ADJOURNMENT

*Respectfully submitted,
Mickey Bailey, Recording Secretary*