

BOARD OF SUPERVISORS  
721 Unionville Road  
Kennett Square, PA 19348

June 5, 2023  
7:00 P.M.

1. CALL TO ORDER

Present:

Chairman McKinstry  
Vice-Chair Vannote  
Supervisor Sarro  
Supervisor Monahan  
Supervisor Matuszak (not in attendance)

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 McKinstry called the meeting to order and announced that there would be an Executive Session following tonight's board meeting to discuss legal and real estate matters.

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

Township Treasurer, Peter Barsz, briefed the Treasurer's report. He commented that the township funds were "very solid" citing that we are \$.5 million ahead of last year which is significant due to the \$1.3 million spent on the real estate purchase on Street Rd using monies directly from the Sewer Fund. He also commented that we are already overbudget in interest funds collected thus far in 2023.

Vice Chair Vannote moved to approve the Treasurer's Report and pay the monthly bills. Supervisor Monahan seconded. Motion carried 4/0.

4. PUBLIC HEARING - Cellco Partnership d/b/a Verizon Wireless (Longwood Gardens, Inc.)

a. Consideration of the Conditional Use Application of Cellco Partnership d/b/a Verizon Wireless, with respect to a parcel owned by Longwood Gardens, Inc., located at 77 Red Lion R-O-W (Tax Parcel I.D. No.: 61-6-57-E), located in the Township's ESI Zoning District. The Application seeks conditional use approval from the Township Board of Supervisors, pursuant to Sections 1818.E. and 2008 of the East Marlborough Township Zoning Ordinance, to permit the installation of a Wireless Telecommunications Facility, to be located upon an existing water tank at the property at a proposed height of 153-feet in height.

i. Township Solicitor, Ryan Jennings presented the details for this Conditional Use Application. Detailed notes were taken by Court Reporter, Eleanor Schwandt and are available upon request.

5. DISCUSSION AND POSSIBLE APPROVAL OF THE CONDITIONAL USE APPLICATION FOR CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS (LONGWOOD GARDENS, INC.) TO PERMIT THE INSTALLATION OF A WIRELESS TELECOMMUNICATIONS FACILITY, TO BE LOCATED UPON AN EXISTING WATER TANK AT THE PROPERTY OF LONGWOOD GARDENS, INC.

- a. After a brief discussion the board decided to re-open the discussion and make a formal decision at the July 10<sup>th</sup> meeting.

6. CONTINUING BUSINESS

- a. East Locust Lane Bridge Replacement Project – Application for Payment #2, for period ending April 30, 2023.  
Discussion and possible approval of release for payment in the amount of \$440,330.82 to Richard E. Pierson Construction Co.

\$871,973.60 Original Contract Amount  
\$538,904.67 Payment #02 (*less prior payment and 10% Retainage*)  
\$333,068.93 Contract Remaining, Including Retainage

- i. Township Manager, Neil Lovekin gave a brief explanation of this request for payment. Supervisor Sarro asked if we have had any inspections. Jeff Simpson replied that Traffic Planning and Design Inc. (TPD) had done the inspections and added that he had no concerns.
- ii. Vice Chair Vannote motioned to approve the payment request, Supervisor Sarro seconded, carried 4/0.
- b. The Villages at Northridge, Escrow Releases for Phases 1, 2, and 3  
Discussion and possible authorization to release escrows for the above development in the following amounts, as recommended by the Township Engineer’s Review Letter, dated May 23, 2023:
- i) Phase 1, Release No. 29, totaling = \$12,680.00  
ii) Phase 2, Release No. 19, totaling = \$27,812.50  
iii) Phase 3, Release No. 11, totaling = \$84,919.12  
\$125,411.62
- a) Lisa Donlon from Vandemark and Lynch, Inc. presented this escrow release request. Supervisor Monahan asked if the landscaping for Phase 1 is 100% complete. Lisa replied that it is 60% complete.
- b) Vice Chair Vannote motioned to approve escrow releases for all three phases, Supervisor Sarro seconded, carried 4/0.
- c. Plastic Bag and Plastic Straw Regulations – Township Code Amendment

Discussion and possible authorization to re-advertise the amended draft ordinance, titled “Plastic Bag and Plastic Straw Regulations,” for a public hearing at the July 10, 2023, meeting, followed by consideration for adoption.

- i. This item was re-introduced to the Board by Chairman McKinstry who requested a public hearing on the subject. Vice Chair Vannote commented that it is premature to go to a hearing. Supervisor Sarro suggested we wait till the July 10<sup>th</sup> meeting when Supervisor Matuszak was available to hear his opinion on the matter.
- ii. Resident Ellen Sosangelis addressed the board saying that although she is not opposed to the ordinance, she suggests that we do some research to find out what other townships are doing and schedule time for residents and businesses to meet for a coordinated effort.
- iii. Resident Marie DiConstanza suggested that this item needs more public awareness and in addition to being advertised there should be an open invitation for concerned citizens to speak.

## 7. NEW BUSINESS

- a. Proposal for Codification Services as Prepared by General Code  
Discussion and possible authorization for the Township Manager to execute the service agreement, dated May 19, 2023, totaling \$17,995, with the understanding that there will be an annual maintenance fee of \$1,195.00, plus any future codification of legislation. This project has been allocated in the 2023 Township Budget.
  - i. Township Manager, Neil Lovekin presented this project for board approval. Project would take approximately three years to complete.
  - ii. Vice Chair Vannote motioned to approve the effort subject to contract approval, Supervisor Monahan seconded, carried 4/0.
- b. Discussion and possible authorization to sell the Township’s 2012 GMC 3500 utility truck on Municibid.
  - i) Public Works Director, Jeff Simpson, gave the board details on this subject.
  - ii) Supervisor Sarro motioned to authorize the sale, Supervisor Monahan seconded, carried 4/0.
- c. Discussion and possible authorization to convert the Township’s 2005 F-550 dump truck to a sewer pump truck.
  - i) Public Works Director, Jeff Simpson, explained that this effort proposes to retrofit a 2005 F-550 dump truck. The plan is to sell the dump body on Municibid and using Sewer Fund monies convert the vehicle to a pump truck.
  - ii) Supervisor Sarro motioned to authorize the project, Vice Chair Vannote seconded, carried 4/0.

8. RESOLUTION NO. 2023-21: APPOINTMENT TO THE ZONING HEARING BOARD

Discussion and possible adoption of Resolution No. 2023-21, to appoint \_\_\_\_\_ to the Township's Zoning Hearing Board to fill the unexpired term of Gerald E. Hoover with a term expiration of January 1, 2027.

- a. Tim Stephenson, one of the applicants for the open position on the Zoning Hearing Board was present in the audience. He introduced himself and gave his reasons for wanting to be considered for the open position.
- b. Supervisor Sarro suggested a private ballot ranking the applicants.
- c. Adoption of the resolution was tabled till the July meeting.

9. ZONING HEARING BOARD APPLICATIONS

- a. No new applications have been submitted.

10. TOWNSHIP DEPARTMENTS – MONTHLY REPORTS

- a. Police Department: Chief Clark reported the total number of incidents for May 2023 was 233, 96, of which were handled by EMPD. Busiest day Tuesday, 17 notable incidents.
- b. Jeff Simpson gave updates on the Public Works Department.
  - i. E. Locust Lane Bridge project – Bridge is paved and guard rail installed, will be open before the end of June. All work done in house.
- c. Township Manager, Neil Lovekin reported on the Administration Department.
  - i. In addition to regular office activities the Admin Department purchased and migrated to a new server.
  - ii. Neil added that all data from the Sewer Access database has been moved into Quickbooks and can now be used for all research and invoicing. We will keep the Access database for research purposes only.

11. TOWNSHIP-WIDE ADVISORY COMMITTEE'S UPDATES

No reports

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

None

15. APPROVAL OF MINUTES

Supervisor Monahan moved to approve the May minutes, Supervisor Sarro seconded, carried 4/0.

16. ADJOURNMENT

Chairman McKinstry motioned to Adjourn; Supervisor Monahan seconded. Carried 4/0.

Executive session to follow.

*Respectfully submitted,  
Mickey Bailey, Recording Secretary*