

June 11, 2025

7:00 P.M.

BOARD OF SUPERVISORS

REGULAR MEETING

721 Unionville Road

Kennett Square, PA. 19348

Present:

Chair Sosangelis

Vice Chair Sarro (absent)

Supervisor Chance

Supervisor Elks (absent)

Supervisor Peuquet

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE (Participation is Voluntary)

3. ANNOUNCEMENTS

Chair Sosangelis read the following announcements:

- a. A public hearing was held before tonight's meeting regarding amending a Conditional Use Application for Gerald B. Auman, Jr., VMD, Kenneth H. Barnsley, VMD, and Kennett Square Veterinary Hospital, located at 619 North Mill Road, Kennett Square, PA 19348.
- b. An executive session was held on May 14, 2025, to discuss personnel and legal matters.
- c. A special work session of the Board of Supervisors will be held on Wednesday, June 25, 2025, at 6:00 p.m. to continue EIT discussions.
- d. The Board of Supervisors' next monthly meeting will be held on Wednesday, July 9, 2025.
- e. Chester County Balloon Festival is scheduled for June 13 – 15, 2025.
- f. Conditional use Executive session today, 6/11, prior to today's meeting to discuss personnel and legal matters

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

- a. Township Treasurer Peter Barsz summarized the Township's existing funds giving each fund's totals for the end of May.
- b. Resident Robert Reilly asked if the total of the Fire Fund included the first and second quarter payments. Response was, yes, those payments have already been made.

c. Chair Sosangelis moved to approve the financial reports and pay the monthly bills. Supervisor Peuquet seconded. Approved 3/0.

5. VERIZON CABLE FRANCHISE RENEWAL – PUBLIC COMMENT PERIOD

This public hearing is part of the preliminary portion of franchise renewal, in which the Township reviews the cable operator's past performance and identifies the Township's future cable-related community needs. No Board action will be taken regarding franchise renewal as this is only a public comment period. The public notice was duly advertised in the *Daily Local News* on Wednesday, May 28th, and on the township website.

Township manager Neil Lovekin added that this action is required as part of the contract renewal process.

6. AMENDMENT TO AMERICAN TOWERS, LLC LAND LEASE AGREEMENT

- a. Discussion and possible authorization to amend the land lease agreement, per Option 1 – Rent Optimization Amendment.
 - \$3,714.70 New Monthly Rent will commence upon complete execution of the agreement
 - 3% Term Escalator will begin on 06/05/2026
 - Revenue Share to remain the same
 - Adding a 5-Year rent guarantee.
 - One-time Payment of \$20,000.00 paid on complete execution of the agreement.
- b. Township Manager Neil Lovekin commented that American Tower had reached out to him asking for an amendment to their current contract. Legal Counsel is working with Neil discussing options and new rates. The offer from American Tower is not as good as our current contract which will be up for renewal in March 2026.
- c. Chair Sosangelis motioned to continue discussions but wait until contract renewal to move forward. Supervisor Chance seconded, carried 3/0.

7. NEW BUSINESS

- a. Permission to Advertise the Codification of the Township's Complete Body of Legislation
Discussion and possible authorization for the Township Manager and Township Solicitor to advertise a Public Hearing for Wednesday, July 9, 2025, for possible ordinance adoption of the codification of a complete body of legislation for the Township of East Marlborough, by General Code, and consisting of Chapters 1 through 450, together with an Appendix, and to be enacted as a single ordinance of the Township of East Marlborough, which shall be known as the "*Code of the Township of East Marlborough*."

- i. Chair Sosangelis motioned to approve the advertisement of the Codification of the Township's Complete Body of Legislation. Supervisor Peuquet seconded, approved 3/0.
- b. Appointment of Shannon Przywara, Licensed Realtor, to the Historic Architectural Review Board, Term Expiration of January 1, 2026.
 - i. Discussion and possible appointment of Shannon Przywara to fill the unexpired term of Marcy Gaynor Fenza as the licensed realtor, with a term expiration of January 1, 2026, and possible reappointment at the January 2026 Reorganization Meeting.
 - ii. John Rosecrans added that the HARB approved of the appointment.
 - iii. Supervisor Peuquet motioned to approve the appointment of Ms. Przywara to the HARB, Supervisor Chance seconded, carried 3/0.
- c. Unionville Historic Architectural Review Board – Property Inclusion Amendments

Discussion and possible authorization to provide notice to the identified property owners and publicly advertise the potential inclusion of the properties into the Unionville Village Historic Overlay at the August 13, 2025, meeting.

 - i. Township Manager Neil Lovekin commented that the HARB has reviewed the identified properties. The list has also been reviewed and approved by the Planning Commission.
 - ii. Supervisor Chance motioned to provide notice to the property owners and to publicly advertise the inclusion of the properties to the Historic Overlay. Supervisor Peuquet seconded, carried 3/0.
- d. Recommendation for Certificate of Appropriateness from the Unionville HARB

Discussion and possible approval for 1704 West Doe Run Road (UPI 61-2N-45) to replace an existing privacy fence and not to eliminate an existing picket fence in the front yard that is in the Historic Village of Unionville, as recommended by the H.A.R.B. memo, dated May 12, 2025.

 - i. Supervisor Peuquet motioned to approve the Certificate of Appropriateness, Chair Sosangelis seconded, carried 3/0.

8. **CONTINUING BUSINESS**

- a. Kennett Fire & Emergency Services Regional Commission – Monthly Update

Discussion and update of the regional commission activities.

- i. Cuyler Walker, Commission Chair, was on hand to give a quick briefing on the monthly meeting. Talks are ongoing regarding the hiring of an Administrator for KFERC. A job description has been created and finalized. It is estimated that the position will be part-time, approximately 20 hours per month. The position will be advertised as they look for qualified candidates. Allison Dobbins has been Acting Administrator and will continue through the end of the calendar year.
- ii. A Financial Data Working Group has been formed to assist in the creation of the KFERC's monthly and annual reports
 - a) Resident Nancy Gifford asked if there is any potential conflict of interest having Alison Dobbins in the role of KFERC's administrator considering she is the Township Manager for Kennett Township. In her Acting role as Administrator, she has not been paid, however if she was chosen to continue the role she would receive compensation.
 - b) Resident Rob Reilly asked about the Finance subcommittee. Would the reports be made public and would the reports have expanded detail, and how in depth? Supervisor Peuquet, as part of this committee, replied that nothing had been decided. The committee was formed to look at all of that. It's not an easy task because the 3 fire departments that make up the KFERC have always operated independently with separate boards and budgets.
 - c) Resident Soren Rubin asked how KFERS funds are allocated, what is the procedure? Cuyler Walker responded saying amounts are allocated based on "Fair Share" which is calculated based on population, assessed home values and number of calls.
 - d) At this point in the agenda Chair Sosangelis announced that Cuyler Walker had just received the Robert Thompson Memorial Award. Supervisor Chance read:

"This award was established to recognize the late Robet Thompson, former state senator and Chester County EMS Council, Inc. board member. The award recognizes the public elected official who has made significant contributions to the planning, development, implementation, or evaluation of EMS systems within their local community or the Commonwealth as a whole. "Eligibility: "Recipients may be a state, county or municipal elected official who has worked to improve the quality and availability of any component of EMS or trauma care systems or who has spearheaded significant improvements to EMS in their community of the Commonwealth."
 - e) Supervisor Chance continued: "This award was given to Cuyler at the Chester County EMS Council awards dinner in May for the work he has done in putting together the Regional Fire Commission, he certainly DESERVES this recognition."

b. Comprehensive Look and Approach to the Township Taxation Process

Discussion and update of the township taxation activities.

- i. Township Manager Neil Lovekin commented that this ongoing discussion about the potential EIT tax is scheduled for June 25th and would also be featured in the summer newsletter. A decision needs to be made by September of 2025.

9. ZONING HEARING BOARD APPLICATIONS

a. 111 Spottswood Lane – Variance for Inground Pool and Pool House

Discuss whether to take a position on the Application that seeks a variance to construct an inground pool with associated improvements, and a pool house partially in the front yard setback. The hearing date is to be scheduled.

- i. Township Solicitor Jennings announced that characteristically the board of supervisors has chosen to take no position on matters going before the Zoning Hearing Board. The Board agreed therefore no vote is required

10. TOWNSHIP ADVISORY COMMITTEES' UPDATES

a. Community Development (Ellen/John)

- i. Chair Sosangelis briefed that Paul Redman, President and CEO of Longwood Gardens had reached out to her to discuss what a possible EIT would mean to Longwood employees. He also asked if he could provide feedback to the township on what Longwood does for our community.

b. Health & Safety (Jim/Steve/Cuyler)

c. Organizational Sustainability (Ellen/Jake)

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

- a. Philip Paoletti commented that he has a concern. He lives on E. Locust Lane and the traffic crossing to the Country Club goes way too fast, beyond the speed limit. Chief Clarke responded, saying they would be looking into a solution. Officers currently patrol the area. A speed study has been done, and they are following the process.
- b. Beth Chance asked if flashing lights could help with the speeding.
- c. Soren Rubin asked if there was any regulation that states how many or what percentage of meeting a supervisor must attend.

12. TOWNSHIP DEPARTMENTS – MONTHLY REPORTS

Jeff Simpson, Director of Public Works

- The curb was replaced in Fox Hollow, and we will be patching the pavement in the coming weeks.
- Removed the overgrown vegetation in the concrete median on Schoolhouse Road and will be pouring Concrete on 6/4/25.
- Conducted 2 additional interviews for the job opening; however, we are still seeking qualified applicants.
- Responded to a fuel spill at Walnut Road, Rt. 82 & Rt. 926, and a small area at the roundabout from a truck hauling a fuel oil tank that was leaking.
- Byrd Road south of Rt. 926 is tentatively scheduled for oil & chip surface treatment the end of this week or early next week. It will be fog sealed the following week.
- AQUA will be installing a new water main starting the week of June 16 on Rt. 82 between William-Thomas Drive and Chapel Drive to improve water pressure and quality in the area. The project will have one lane closed between 8:00 am and 4:00 pm Monday – Friday and is expected to last several weeks.
- The 2015 John Deere mowing tractor has a long history of the mowers breaking down and this season has been no exception. I am working on an alternative plan for replacement or rental unit to get through this season and look at the 2026 budget year for replacement.

Chief Clark – Chief East Marlborough Police

For the month of May there were 197 reported incidents, 74 of which were handled by EMT.

05/05 Chester County CAD reporting system went down and is inoperable

05/08 Chester County MPS reporting system inoperable

05/10 Willowdale Steeple Chase

05/12 Complaint filed with Chester County over the CAD and MPS systems both being down effecting

police department operations for us.

05/14 Twp Meeting

05/17-18 Tuff Mudder Weekend

05/27 Meeting with CHESCO DA Officer Involved Shooting protocol

05/29 Speed Study conducted on E Locust Lane per traffic calming request

05/29 Act 18 of 2024 Paul Millers law training

Admin – Neil Lovekin

2024 Auditor were here May 13th. Worker's Comp Pension audit for 2029-2024 is on going.

13. **APPROVAL OF MEETING MINUTES**

Approval of April 23rd EIT minutes – Supervisor Chance motioned for approval, Supervisor Peuquet seconded, approved 3/0.

Approval of 14th Minutes - Chair Sosangelis motioned for approval, Supervisor Chance seconded, carried 3/0.

14.ADJOURNMENT

*Respectfully submitted,
Mickey Bailey, Recording Secretary*