

REGULAR MEETING  
BOARD OF SUPERVISORS  
EAST MARLBOROUGH TOWNSHIP  
721 Unionville Road  
Kennett Square, PA 19348

June 6, 2022  
7:00 P.M.

1. CALL TO ORDER

Supervisors:

Chairman McKinstry  
Vice-Chair Vannote  
Supervisor Sarro  
Supervisor Monahan  
Supervisor Matuszak

Township Staff & Consultants:

Ryan Jennings, Township Solicitor  
Neil Lovekin, Township Manager  
Mickey Bailey, Recording Secretary/Bookkeeper  
Jeff Simpson, Public Works Director  
Lisa Donlon, Township Engineer  
Robert Clarke, Police Chief

2. ANNOUNCEMENTS

Chairman McKinstry announced that an executive session would held immediately after tonight's meeting to discuss legal and personnel matters.

3. PUBLIC HEARING

Solicitor Jennings opened a public hearing to consider adopting zoning ordinance 02-2022 which amends the zoning ordinance of 2019. The following sections of the ordinance contained amendments for consideration.

Section 202: Definition of Terms  
Section 401: Agricultural Preservation District (AP)  
Section 402: AP District Use Regulations  
Section 502: Residential District (RB) Use Regulations  
Section 702: Village Commercial District (C1) Use Regulations  
Section 804: Highway Commercial District (C-2) Design Standards  
Section 953: Limited Multiple Use District (LMU) Area and Bulk Regulations  
Section 1102: Educational, Scientific, and Institutional District (ESI) Use Regulations  
Section 1812: General Regulations – Design Standards  
Section 1821: Forestry and Timber Harvesting  
Section 1822: General Regulations – Conservation of Trees and Natural Resources  
Section 1823: General Regulations – Fence and Wall Regulations  
Section 1824: Alternative Energy System Regulations  
Section 1903: Non-Conforming Uses, Structures, Lots, and Signs – Non-Conforming Lots  
Section 2008: Administration – Conditional Uses

Solicitor Jennings closed the public hearing. Vice Chair Vannote made a motion to approve the edits to the 2019 Zoning Ordinance, Supervisor Matuszak seconded, Supervisor Sarro abstained; motion carried 4-0-1.

4. ORDINANCE 02-2022

Solicitor Jennings closed the public hearing. Vice Chair Vannote made a motion to approve the edits to the 2019 Zoning Ordinance, Supervisor Matuszak seconded, Supervisor Sarro abstained; motion carried 4-0-1.

5. PUBLIC HEARING

Chairman McKinstry introduced the proposed Ordinance 03-2022 Authorizing the execution of a cable franchise agreement between East Marlborough Township and Verizon cable company.

6. ORDINANCE NO. 03-2022

Solicitor Jennings explained the details of Ordinance 03-2020. Initial franchise, effective April, 15, 2006 was to install, maintain, extend, and operate a Cable System in the Township for a term of 15 years. Verizon seeks to renew this agreement. Solicitor Jennings discussed fees, and standards then called for questions. Resident Joe DiCostanza, of Larkspur Dr., asked if we'd talked to Comcast. Supervisor Sarro made a motion to approve Ordinance 03-2022 and Supervisor Monahan seconded, motion carried 5-0.

7. APPOINTMENT OF TOWNSHIP TREASURER AND FIXING TREASURER'S BOND

a. RESOLUTION NO. 2022-33

With the retiring of our current Treasurer, Hannah Christopher, this resolution seeks to appoint Peter Barsz or Barsz, Gowie, Amon and Fultz as Treasurer. A second part of Resolution No.2022-33 was a discussion to determine the amount of bond which should be set. The East Marlborough Board of Supervisors had previously determined the bond to be in the amount of \$5,000,000.00. After some discussion it was determined to retain that amount.

Supervisor Monahan made a motion to approve Peter Barsz as Treasurer, with a bond of \$5,000,000.00. Supervisor Vannote seconded; Supervisor Sarro abstained; motion carried 4-0-1.

8. RESOLUTION NO. 2022-34

This resolution designates depositories and signatories for East Marlborough Township funds. Township depositories continue to be Truist Bank, PLGIT and US Bank. After some discussion

it was decided to modify the signatory paragraph of Resolution 2022-344. In addition to the Township Manager and Township Treasurer, each of the 5 Township Supervisors would be designated signatories on any or all of the bank accounts. Township checks in the amount of \$50,000 or under can be signed by only one signatory. Amounts over \$50,000 will need two signatures. Supervisor Monahan moved to approve Resolution No. 2022-34, Supervisor Sarro seconded; motion carried 5-0.

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

Township manager, Neil Lovekin, presented accounts and answered questions from the Board. Specific questions centered around the purchase of the mobile office being used by our Police department vice continuing to pay a monthly rental fee. It was decided to use the Operating Reserve Fund for the purchase. Supervisor Vannote motioned to approve the Treasurer's Report and to pay the monthly bills, Supervisor Monahan seconded. Motion carried 5-0.

<u>Fund</u>	<u>Expenditure</u>
General	\$401,509.20
Payroll	\$97,570.73
Sewer	\$53,030.25

10. CONTINUING BUSINESS

RESOLUTION 2022-35

- a. Lisa Donlon of Vandemark and Lynch, spoke on the Longwood Preserve project stating that an estimate to complete Phase 2 would be \$1,122,464.86. This resolution seeks a reduction in the letter of credit for Longwood Preserve in the amount of \$48,331.98. Line of Credit #21-06, Current amount \$1,170,796.84, Reduced to: \$1,122,464.86. Supervisor Monahan motioned to approved Resolution 2022-35, Supervisor Sarro seconded, carried 5-0.
- b. Marlborough Springs – Escrow Release #13 Request from the developer, Bentley Homes, to release the remaining landscape escrow in the amount of \$4,100 (\$3,600 for Erosion and Sediment Control and \$500 for inspection completion). Glackin Thomas Panzak reviewed the work and recommended the escrow release. Supervisor Vannote made a motion to approve the funds release, Supervisor Matuszak seconded, motion carried 5-0.
- c. Northridge Phase 2 – Escrow Release #16 and Phase 3 Release 6: In a letter dated May 31<sup>st</sup> 2022, Vandemark and Lynch recommended the release the amount of \$111,826.11.

Lisa Donlon explained that Phase 2 is 80% complete and Phase 3 is 35% complete. Supervisor Vannote made of motion to accept the request to release the escrow funding, Supervisor Matuszak seconded, motion carried 5-0.

11. RESOLUTION NO. 2022-36: CAPITALIZATION POLICY

This resolution seeks to adopt a policy to identify and define capital purchases and projects, to establish asset and project life cycles and to identify associated performance standards. Supervisor Monahan made a motion to accept Resolution 2022-36, Supervisor Matuszak seconded, motion carried 5-0

12. RESOLUTION NO. 2022-37: DESIGNATION AND APPOINTMENT OF OPEN RESORDS OFFICER

Resolution No. 2022-37 seeks to appoint the Township Manager as the Open Records Officer repealing previous resolutions that named individuals by name or other titles. Supervisor Monahan made the motion to accept Resolution 2022-37 as written, Supervisor Vannote seconded, motion carried 5-0

13. NEW BUSINESS

a. Jeff Simpson presented three bid awards:

Paving in Placed: Long's Asphalt Inc. (\$112,500.00)

Oil and Chips: Asphalt Industries, Inc (\$93,700.00)

Ultra Thin: Asphalt Maintenance Solutions, LLC (\$149,570.96)

Supervisor Vannote made the motion to accept the bids, Supervisor Sarro seconded, motion carried 5-0

b. Jeff Simpson presented a request to purchase a new utility truck to replace the 2012 GMC with a 2023 Chevrolet Silverado 3500 HD. Purchase to be made through COSTARS vendor and is included in the adopted 2022 budget. Supervisor Monahan made the motion to accept and purchase the new vehicle, Supervisor Sarro seconded. Motion carried 5-0

14. ZONING HEARING BOARD APPLICATIONS

Application for Longwood Gardens – Sanitary Improvements Project, Variance Requested to remove specimen trees to allow construction improvements associated with the sanitary wastewater project. This is part of the Longwood Reimagined project, land development and adding a new lagoon. A total number of 4 specimen trees are requested to be removed. Longwood

will plant 24 new trees as part of the Longwood Conservatory. This application goes before the Zoning Hearing board on June 23<sup>rd</sup>. The Board of Supervisors opted to take no position on this application but to leave it to the Zoning Hearing Board to rule on the application.

15. TOWNSHIP DEPARTMENT – MONTHLY REPORTS

Solicitor Jennings reported on the East Locust Bridge project. Details are being hashed out and have finally received approval from the Kennett Country Club.

Jeff Simpson reported that he has received 2 applications to fill the vacancy on crew, also reported that the Rt 82 and 1 Project is completed.

16. TOWNSHIP-WIDE ADVISORY COMMITTEES’ UPDATES

- a. Community Development Committee – Supervisors Matuszak and Vannote
  - i. HRG, Inc. submitted grant applications on behalf of the Township for County American Rescue Funds
- b. Health and Safety Committee – Supervisors McKinstry and Sarro
  - i. Discussed various matters on Tuesday, May 24<sup>th</sup>
- c. Organizational Sustainability Committee – Supervisors Monahan and Vannote
  - i. Discussed and finalized a draft Capitalization Policy, begun discussions of a “Fund Balance” Policy

17. PUBLIC COMMENT

There was no public comment on non-agenda items.

18. APPROVAL OF MAY MEETING MINUTES

Correction to Motion submission on item Number 8

19. ADJOURNMENT

All business having been discussed, a motion was made by Chairman McKinstry, seconded by Vice-Chairman Sarro, and carried by a vote of 4-0 to adjourn the meeting at 9:49 p.m.

Respectfully submitted,

Mickey Bailey  
Recording Secretary/Bookkeeper