

EAST MARLBOROUGH TOWNSHIP BOARD OF SUPERVISORS

Meeting of the Board – November 5, 2007

Public Hearing – Sovana Bistro Request for an Economic Development Liquor License. Chairman Cuyler H. Walker called the public hearing to order at 7 p.m. in the Township Building. William J. Shehwen, Esq., representing the owners Mr. & Mrs. Nicholas Farrell, and spoke about the application for an Economic Development License. Mr. Shehwen agreed to provide annual proof that the alcohol sales will not exceed 30% of total revenue and place limitations on the hours of operation. The Board agreed to consider a resolution of support at the December 3, 2007 Board meeting, with adaptive terms. The hearing was concluded at 7:40 p.m.

Public Meeting. Chairman Cuyler H. Walker called the public meeting to order at 7:40 p.m. by leading the group in a pledge of allegiance to the U.S. Flag. Board members Richard P.S. Hannum, Robert F. Weer, Eddie G. Caudill, and Richard E. Hicks were also present, as was Solicitor Fronfield Crawford, Jr., and Engineer James W. Hatfield.

Minutes of October 1, 2007. By unanimous vote (4-0, with Mr. Walker abstaining), the minutes were accepted, as prepared.

Beiler-Campbell II – Escrow Release. By unanimous vote (5-0), the Board approved the release of \$161,050 in escrowed funds.

Bruster's Escrow Release. In addition to consideration of the escrow release, the Board was asked to rule on two other issues: 1) would the undersized arborvitae be acceptable in the landscape plan, and 2) Could the planters be eliminated from the site? The Board approved both requests by unanimous vote (5-0), with the understanding that the owner would try to get trash cans in green, as proposed in the context of the hearing. In a separate unanimous vote (5-0), the Board approved the final release of escrowed funds, in the amount of \$7,129.50.

Stengel Welding Escrow Release #10. By unanimous vote (5-0), the Board approved the release of \$5,708.

DeSaro/Kane Subdivision Plan. By unanimous vote (5-0), the Board approved the minor plan, providing for a re-location of the property line, subject to the plan being revised to correct the notation regarding on-site sewer and water facilities.

Wawa Final Escrow Release. Sue Bratton represented the Wawa request for a final release of escrow, totaling \$227,106; the Board approved the request by unanimous vote (5-0). Additionally, the Board agreed that financial security in the amount of \$7,500 could be posted for guaranteeing the public improvements, including stormwater management facilities.

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Resolution 07-15 – Dedication of Additional Right-of-Way along Pennock Avenue.

By unanimous vote, the Board unanimously (5-0) approved the resolution accepting the additional right-of-way on Pennock Avenue, along the eastern boundary of the Wawa property.

Willowdale Chapel – Final Land Development Plan. The application was represented by Edward Foley, Esq., Julia Lacey, P.E., and Ken Eland, member of the chapel. By unanimous vote (5-0), the Board granted conditional final development approval, subject to:

- A. Obtaining all necessary construction easements,
- B. Satisfying all outstanding issues in review letters of VanDemark & Lynch, Traffic Planning and Design, as well as Glackin, Thomas Panzak,
- C. Resolving all issues with the neighbors, including those of concern to Mr. & Mrs. Pratt,

Additionally, the Chapel representatives agreed to pay for and install sidewalks along the frontage of both the Chapel property and the Oas property, at which time the Township requests installation, with the understanding that the Township will seek any necessary right-of-way on the Oas property and with the understanding that the engineering for the sidewalks will be shared 80% by the Chapel and 20% by the Township. (See notation on final plan.)

Cell Tower at URA Ball Fields in Unionville. Chris Milotich spoke on behalf of SBA Towers, the firm interested in constructing the tower. HARB had earlier recommended a flag-pole tower, as opposed to the standard uni-pole. The Supervisors decided to solicit input from those who own property in some proximity to the site by sending out a mailing. The issue will be discussed at the January 2008 Board meeting. In the meantime, Mr. Milotich is encouraged to work with Mr. Caudill on leasing terms.

Proposed Budgets for 2008. By unanimous vote (5-0), the Board authorized public notice of the availability of the budgets with the following totals:

- General Fund** - \$2,177,600 based on an assessed valuation of 692 million with the tax rate set at 1.05mills for General Purposes, as well as the referendum-approved additional assessments for: Library .183 mills, and Open Space - .20 mills.
- Sewer Fund** - \$1,402,224 based on approximately 1700 EDU's with 53% derived from user fees. unchanged at \$440 /year
- State Fund** - \$450,268

The Board also agreed to postpone the public hearing scheduled for November 27, 2007, to consider a Local Services wage tax.

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Distribution of Excess Interest in Retirement Accounts. By unanimous vote (5-0), the Board agreed to distribute the interest in accordance with percentage on deposit in each account, including the Township account.

Martin Luther King Breakfast. By unanimous vote (5-0), the Board agreed to contribute the same amount as donated last year.

Route 82 Bikeways Concept Plan. Traffic Planning and Design submitted a proposal for preparing a concept plan, suitable for Delaware Valley Regional Planning Commission needs, at a proposed cost of \$13,650.

Bills. By unanimous vote (5-0), the Board authorized payment of the attached list of invoices, with each supervisor abstaining on any single item with a perceived conflict of interest. The totals approved are:

General Fund	\$49,743.59
Sewer Fund	\$33,408.24
Payroll	\$57,564.69
Development Fund	\$ 9,148.66

Treasurer's Report. By unanimous vote (5-0), the Board accepted the attached report.

The meeting was adjourned at 9:55 p.m.

EAST MARLBOROUGH TOWNSHIP

Jane R. Laslo, Manager/Secretary