

EAST MARLBOROUGH TOWNSHIP

BOARD OF SUPERVISORS

Meeting of the Board – September 2, 2008

Chairman Cuyler H. Walker called the public meeting to order at 7:30 P.M. by leading the group in the Pledge to the United States flag. Board members Richard E. Hicks, Eddie G. Caudill, Robert F. Weer, and Richard P.S. Hannum, Jr. were also present, as was Solicitor Fronefield Crawford. Our engineer, Jim Hatfield, arrived later.

Minutes of August 4, 2008. By unanimous vote (5-0), the minutes were approved, as prepared.

Public Comment.

Karen Halsted renewed her request for funding for the Kennett Area Senior Center.

Grace Fellowship Church. Application was represented by George Asimos, Esq. and Paul Tebo, board member of the church. By unanimous vote (5-0), the Board gave final Land Development approval to the plan for construction of the church, subject to securing the Highway Occupancy Permit from PennDOT, and NPDES permit from the Chester County Conservation District, completion of a maintenance agreement for management of the on-site stormwater and sanitary systems, as well as any remaining incomplete items in reviews by VanDemark & Lynch. In a separate unanimous vote (5-0), the Board accepted the engineer's recommendation of \$245,700 to be placed in escrow to guarantee completion of the Land Development requirements.

Glenelg – Lot Consolidation Plan. The applicant postponed the request, pending an appearance before the Zoning Hearing Board for a Special Exception to provide for the existing accessory dwelling unit.

Walnut Ridge – Preliminary Plan. The application was represented by Art Bernardon and Rich Basilio. The Board voted unanimously (5-0) to approve the preliminary plan, subject to satisfaction of all of the outstanding items in the review letters of all consultants (VD&L, URS, GTP, TP&D), and specifically including resolution of the pole-re-location issue, needed for the widening of Walnut Road.

Meeting of the Board – September 2, 2008

Page 2 of 4

Whitewing Farm – South. Barry Stengel, P.E. and Richard Longo, P.E. of Hillcrest Associates represented the application. There was considerable discussion about details of the plan, as well as terms of construction, including:

- a) Prohibiting use of Merrick Lane for all trucks hauling soil from the site and limiting construction vehicles using on Merrick Lane to weekdays between 8 a.m. and 4 p.m,
- b) Limiting general hours of construction to 7 a.m. – 5 p.m. weekdays; 8 a.m. – 4 p.m. on Saturdays; and prohibiting construction activity on Sundays,
- c) Providing indemnity agreement to the Township for use of the 50-foot right-of-way at the cul-de-sac on Merrick Lane,
- d) Providing written proof of agreement with the property owners adjacent to the cul-de-sac for construction easements associated with removal of the paved “bulb,”
- e) Clarifying plan notations detailing the razing or disposition of the existing five apartments in the two buildings already on the site,
- f) Providing for public water for the houses on Merrick Lane, with hydrants to be located at the nearest point of an eight-inch water line, if available,
- g) Requiring a video record of the existing conditions on adjacent roads to determine whether there is deterioration related to the construction,
- h) Providing for usual impact fees of \$1800 per lot (Open Space, Emergency Services, Traffic Impact),
- i) Satisfying all items on review letters of consultants, VanDemark & Lynch, URS Corp., Glackin, Thomas, Panzak, and Traffic Planning and Design.

The Board decided that the above-listed items should be resolved prior to a vote on the preliminary plan; the applicant agreed to provide written verification of an extension of the review time.

Wetlands Delineation Fencing at Traditions. Craig Sullivan, a construction manager at Pulte was present, as were three property owners, Messrs. Parker, Rausch, and Dix. The approved subdivision plan provides for installation of fencing in areas where the wetlands encroach into the yards of individual properties. The three property owners objected to the fencing, saying it would seriously limit their properties. There was a question as to the exact location of the wetlands, whether fill had been placed in the wetlands, and whether some individual improvements had already been constructed within the restricted wetland areas. Mr. Sullivan suggested that he have the area surveyed to determine the extent of a problem, if one exists. Following that, it was suggested that the property owners work together with Pulte to seek a

Meeting of the Board – September 2, 2008

Page 3 of 4

resolution with DEP, which manages the wetlands. The Board instructed Mr. Sullivan that it would expect Pulte to cover all costs and expenses associated with resolving the matter to DEP's satisfaction, including any payments required to be made to DEP and the cost of any consultants utilized by the Township for this purpose.

Route 82 South Sewer District. Payment and Performance Bonds have been received; we are now awaiting a start date to schedule a pre-construction meeting.

Route One Exit Ramp/Route 82 Signalization Plan. There is a pre-bid meeting scheduled for Friday, September 05, 2008, a bid opening scheduled for Friday, September 12, 2008, and a possible bid letting scheduled for Tuesday, September 16th. There is a projected construction completion date of December 1, 2008.

Traffic Planning & Design Bridge Design Contract. By unanimous vote (5-0), the Board approved the proposal for \$8,400.

Route 82 Bikeways – From the Roundabout to Willowdale Intersection. The Supervisors discussed the summary of the design, including the estimated construction costs. The need for and cost of pole relocation is still unknown. Jane Laslo will get more information on projected costs, including design, construction inspections, and Township cost obligation; and report at the next Board meeting.

Resolution 08-14- Dedication of Onix Drive. By unanimous vote (5-0), the Board has accepted the resolution.

Retirement Board Minimum Municipal Obligation. The supervisors reviewed the calculations for the 2009 Budget year, including \$90,915 for the non-uniformed eligible employees and \$9,401 for uniformed employees.

Bills. By unanimous vote (5-0), with each supervisor abstaining on any single vote with an apparent conflict, the attached list of invoices was approved for payment, with the following totals:

General Fund	\$49,355.70
Sewer Fund	\$17,706.77
Payroll	\$52,837.68

Meeting of the Board – September 2, 2008

Page 4 of 4

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

The meeting was adjourned at 10:09 p.m.

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Jane R. Laslo, Manager/Secretary