

PUBLIC HEARING:

1. Stormwater Management regulations adding Chapter 94 (Stormwater Management Ordinance) and Amending Chapter 95, Subdivision & Land Development of the Code of East Bradford Township (Re: Chester County Act 167 (model) stormwater management ordinance) (#06 – 2013)

The above public hearing was held prior to the Board of Supervisors' regular meeting on December 10, 2013 in the McCardle Meeting Room in the Township Building Meeting Room, 666 Copeland School Road, West Chester, and County of Chester, PA 19380-1822.

Supervisors were present:

Vincent M. Pompo, Esq.
Thomas A. Egan, Vice Chair
John D. Snook, Supervisor

Not in attendance: All present.

Staff / Professionals in attendance:

Township Manager Michael P. Lynch
Township Engineer Mark J. Lucas, P.E.

Not in attendance:

Assistant Manager, Amanda M. Cantlin
Township Codes Enforcement Officer, Brenden L. Beaumont
Public Works Foreman, John P. Carroll
Township Services Coordinator, Tenley F. Adams
Township Solicitor(s) Ross A. Unruh, Esq.

Others in attendance:

 2 citizens

The purpose of this hearing is to receive public comment and consider approval of an extensive (109 page) ordinance to adopt Stormwater Management regulations adding Chapter 94 (Stormwater Management Ordinance) and Amending Chapter 95, Subdivision & Land Development of the Code of the East Bradford Township. The Township is adopting the ordinance, prepared initially as a model ordinance by Chester County and revised by the Township, with the objective to be responsive and in compliance with the PA DEP (and Federal EPA) mandate to the Township to reduce TMDL's (Total Maximum Daily [sediment] Load) into the Brandywine Creek and Christina River Watershed.

The Board convened the public hearing at 07:01 P.M. Public Notice of this hearing was published in the Daily Local News on November 21, 2013. Notice also was posted at the Township Building November 20, 2013. The proposed ordinance was available for public inspection at the Township Building and on the Township web site www.eastbradford.org.

Secretary's Note: A Court Reporter was not in attendance to record the proceedings and these Minutes constitute the official summary of the hearing.

Chair Pompo introduced the intent of the hearing as indicated above stating this proposed ordinance will comply with Act 167, Stormwater Management Act (first enacted 10-04-78), which requires counties in Pennsylvania to prepare a stormwater management plan and for each municipality in the respective county to adopt stormwater management regulations. In July 2013 the PADEP approved the Chester County Stormwater Management Plan and each municipality is required to adopt an ordinance within 6 months of that date to comply. The ordinance provides substantial regulations for all land development and individual lots related to provide for management of both quantity and quality of stormwater generated on the property from the impervious surface resultant from improvements (structures, additions, paved surfaces).

Chair Pompo commended Twp Staff members Brenden Beaumont and Mark Lucas for their work on this ordinance.

Supervisor Snook indicated that the current Township regulations that allow up to 600 sq. ft. of impervious surface before a Township permit is required has been increased to an allowance (cumulative) up to 1,000 sq. ft.

Public comment received:

None received / offered at this time.

The Board of Supervisors closed and concluded the hearing at 07:06 P.M.

Consideration to adopt pending Ordinance 06-2013:

At this time, Chair Pompo called for a vote. On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt Ordinance # 06-2013 – An Ordinance of the Township of East Bradford, Chester County, PA, adding Chapter 94 (Stormwater Management) and Amending Chapter 95, Subdivision & Land Development of the Code of East Bradford Township by deletion of Section 95-26 in its entirety and replacing it with a reference to (the new) Chapter 94.

The Ordinance shall become effective January, 02, 2014.

END

REGULAR BUSINESS MEETING:

The December 2013 regular monthly meeting of the Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA was held on Tuesday, December 10, 2013 in the McCardle Meeting Room in the Township Building, 666 Copeland School Road, West Chester, and County of Chester, PA 19380-1822.

Public Notice of the 2013 East Bradford Township Board of Supervisors public meeting schedule advertised in the Daily Local News 12-28-12 including the re-schedule of this meeting from Tuesday, January 08th.

Supervisors present:

Vincent M. Pompo, Esq., Chair
Dr. Thomas A. Egan, Vice-Chair
John D. Snook, Supervisor

Supervisors not present: All present.

Staff / professionals present:

Township Manager/Secretary-Treasurer Michael P. Lynch
Township Engineer Mark J. Lucas, P.E

Not in attendance:

Assistant Manager Amanda M. Cantlin
Township CEO Brenden L. Beaumont
John P. Carroll, Public Works Foreman
Township Services Coordinator Tenley F. Adams
Township Administrative Coordinator Nancy F. Holland
Township Solicitor Unruh, Turner, Burke & Frees - Ross A. Unruh, Esq.

Others / Citizens / Residents in attendance: *(and those noted below in the body of the Minutes):*

 2 citizens in attendance.
Zach (son) and Gordon Hirs, Boy Scout Troop 153

The regular meeting was called to order at approximately 07:07 P.M. by Chair Pompo.

The Pledge of Allegiance before the Flag of the United States of America was recited at the commencement of the above referenced Public Hearing

PUBLIC COMMENT: Sunshine Law, Act 93, as amended, requires public comment prior to official action. None received / offered at this time.

REPORTS/PRESENTATIONS: (Emergency Services, Public Works, Codes, A.B.C.'s)

None this period.

MINUTES: The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, approved the following minutes: 12-05-13 regular work session, 11-12-13 pre-regular mtg work session and 11-12-13 regular meeting.

The minutes (and copies) are available for review at the Township Building or at www.eastbradford.org.

EXECUTIVE SESSION:

Chair Pompo reported the following Executive Session(s) occurred during the period since the last Regular Meeting:

1. Executive Session 12-05-13 (at Work Session) to discuss real estate and personnel matters. All Supervisors were in attendance together with Twp Staff.

TREASURER FINANCIAL REPORT:

A. Monthly Financial Statement – November 2013

The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, accepted the November 2013 Financial Reports prepared by the Township Treasurer

B. 2014 Budget – approve Final Budget

Chair Pompo summarized the Final 2014 Budget stating that the process commenced early in 2013 and

has been discussed at most BOS public work sessions and meetings during the past ten months. The BOS has focused on funding the Capital Reserve for 2014 and its future sustainability.

Twp Mgr / Treasurer Lynch offered a summary of the 2014 Budget
No public comment was received on the 2014 Budget during the 20-day comment period.

General Fund receipts (particularly Earned Income Tax and Real Estate Transfer Tax) have performed to budget during 2013. Overall, the total budget for 2014 is maintenance of existing services and programs compared with 2013. One exception is the incorporation of selected capital reserve funding scheduled expenses in the General Fund Budget to provide improved transparency. The Capital Reserve Fund remains an area of careful management with the utilization of a recently completed Capital Reserve Study and the 2012 Road Maintenance Plan both of which provide funding schedules to maintain / replace existing Township facilities and infrastructure.

The 2014 Final General Fund Budget of \$3,928,043 is balanced as required under the Second Class Township Code and there is no tax increase planned for 2014. The net (minus program capital reserve expenses (net \$0) total budget increase compared with 2013 of \$193,326 (5.7%) is primarily related to the police agreement (\$38,469), fire protection services (\$72,591), capital reserve funding (\$35,000) and productivity (IT) technology (\$26,000).

The projected 2014 General Fund Budget increased expenditures are offset by a projected net (minus capital reserve fund receipt) increase in revenues of 6.1% primarily related to estimated increases in earned income tax and real estate transfer tax.

The 2014 Sewer Fund Budget will maintain the same sewer fee rates to Township residents served by public sewer (no rate increase from the Borough of West Chester).

The State Liquid Fuels Fund 2014 Budget, used to support the Township road maintenance program, reflects a -4.0% decrease in state funding from 2013 but the recently approved transportation funding legislation signed by Governor Corbett in November could substantially improve annual Liquid Fuels funding to local government in the years ahead.

Vice Chair Egan commended the Twp Manager and Staff for their performance in 2013.

Supervisor Snook noted that East Bradford Township continues to have one of the lowest per capita budget costs to residents and also one of the lowest combined tax rates in Chester County.

There was no public comment offered on the 2014 Budget at this time.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve and adopt the 2014 East Bradford Township Final Budget and to adopt the 2014 Tax Levy Resolution (Township Res. # 27 of 2013) inclusive of the Township Real Property Tax Levy of 0.34 mills. *Secretary's Note: The Earned Income Tax, Real Estate Transfer Tax and Local Services Tax (enacted 11-2009) continue in force without the need to reenact annually unless there is a rate change.*

Twp Mgr Lynch indicated the 2014 Final Budget would be available at the Township Building and on the Township web site before December 31, 2013.

ANNOUNCEMENTS: www.eastbradford.org

- A. Public Hearings –
 - 1. Stormwater Management Ordinance – 12-10-13, 07:00 P.M.

- B. ZHB –
 - 1. Earyes – Zoning Appeal EN and Validity Challenge (01-24-13) re: solar array glare – hearing date pending

- C. **Organization Meeting – Monday, January 06, 2014, 06:00 P.M.**

- D. Board of Supervisors Meeting Schedule 2013 – (All meetings are public unless Executive Session)
 - Regular Work Session – Thursday prior to 2nd Tuesday, 06:00 P.M.**
 - Pre-regular Mtg Work Session – 2nd Tuesday, 06:00 P.M.
 - Regular Business Meetings – 2nd Tuesday, 07:00 P.M.

SUBDIVISIONS/LAND DEVELOPMENT:

1. Chester County Art Association, SD# 625 – consider preliminary plan approval
The BOS reviewed the application and plan at its recent work session (12-05-13).
Vic Kelly (and Steve Donahue) Commonwealth Engineers were in attendance to represent the Applicant. A discussion focused on sidewalk, trail, and recreation improvements. Supervisor Snook suggested walking trail / sidewalk improvements along Hillsdale Road that would extend a pedestrian access from the proposed CC Art Assoc driveway (southwest) to Mansion House Drive (Windon) across Hillsdale Elementary School property that might be accomplished with an easement from the WCASD. The feasibility of this suggestion needs to be investigated and reviewed.
Vice Chair Egan suggested the Applicant consider incorporating all phases of the proposed future improvements by the CCAA on the current plans which might be more cost efficient for the Applicant.

Since the Applicant was not able to be in attendance this evening to discuss these matters, the BOS with the agreement of Mr. Kelly, agreed to defer any action on Preliminary Plan approval to the 01-09-14 work session.

ESCROW RELEASES:

None this period.

OTHER BUSINESS:

- A. Approve Bills to Pay Lists for December as appropriated in 2013 Budget
On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve the Bills to Pay Lists for December 2013 as appropriated in the 2013 Budget, recommended for payment by the Treasurer and signed by at least two members of the Board of Supervisors and/or Township Treasurer.

- B. West Bradford Fire Company – approve Fire Protection Services Agreement (2014-2018)
Chair Pompo stated the Agreement is a five (5) year term for an annual fixed payment of \$25,000 in addition to a distribution (45%) of Foreign Fire Insurance Tax funds received annually by the Township from the State. Mr. Pompo stated the volunteer fire protection service provided by both fire companies serving the Township (West Chester Fire Department and West Bradford Fire Company) is excellent and such performance is recognized by the insurance industry which rates fire services. Due to the top rating, property owners in the Township benefit with preferred rate homeowner insurance premiums.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve the revised Fire Services Agreement with West Bradford Fire Company and West Bradford Township (dated 12-10-13) for a five (5) year term (effective 01-01-2014 to 12-31-2018).

OTHER MATTERS:

None discussed at this time.

PUBLIC COMMENT:

None offered or received at this time.

MEETING ADJOURNMENT:

The Board of Supervisors, on motion of Mr. Snook and seconded by Dr. Egan, adjourned the regular meeting at approximately 08:03 P.M.

Michael P. Lynch
Township Secretary

EXECUTIVE SESSION (at discretion of Chair):

None scheduled at this time.

PUBLIC HEARING:

None scheduled at this time.