

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session January 03, 2013 in the Township Building, 666 Copeland School Road, West Chester, and Chester County, 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.

Supervisors present were: Vincent M. Pompo, Esq., Thomas A. Egan and John D. Snook
Supervisors not in attendance: All present. Mr. Snook exited the meeting at approximately 02:00 P.M. (as noted **)

Staff / Township Professionals in attendance:
Michael P. Lynch, Township Manager/Secretary-Treasurer
Amanda M. Cantlin, Township Asst Mgr
Mark J. Lucas, Township Engineer
Brenden L. Beaumont CEO / Zoning Officer
John P. Carroll, Public Works Foreman

NOT in attendance:
Tenley Adams, Services Coordinator
Nancy F. Holland, Admin Support Coordinator
Township Solicitor Ross A. Unruh, Esq. / Township Solicitor Anthony Verwey, Esq.

Also in attendance (ABC's):
None in attendance.

Others / Residents / Citizens in attendance:
None in attendance.

The work session commenced at approximately 12:03 P.M.

**EAST BRADFORD TOWNSHIP BOARD OF SUPERVISORS
Thursday, January 03, 2013, 12:00 P.M. AGENDA**

Upcoming meeting schedule:

January 03,2013, Thursday	12:00 A.M. - BOS regular work session
January 07, 2013, Monday	05:30 P.M. - Organization
January 07, 2013, Monday	06:00 P.M. - BOS pre-reg work session (re-scheduled date)
January 07, 2013, Monday	07:00 P.M. - BOS regular meeting (re-scheduled date)
February 07,2013, Thursday	12:00 A.M. - BOS regular work session
February 12, 2013, Tuesday	06:00 P.M. - BOS pre-reg work session
February 12, 2013, Tuesday	07:00 P.M. - BOS regular meeting

Public Comment: Discretion of BOS
No public comment received / offered at this time.

Chair Pompo thanked John and Maureen Snook for hosting a holiday gathering of Township volunteers and employees. Chair Pompo acknowledged the unexpected resignation of long time member (22 years) of the Parks and Recreation Board – Peter Orr – briefly noting his many years of dedicated service to the Township and its residents indicating the need for further recognition.

Executive Session: Discretion of BOS -- Real Estate / Legal / Personnel
The Board of Supervisors convened an Executive Session during the work session from 02:13 P.M. to 02:34 P.M. to discuss a real estate matter. Supervisors Pompo and Egan were in attendance together with Township Staff including the Twp Manager.

Priority / Action Items: None at this time
Presentations Briefings: None at this time

Discussion / Briefing Items:

- A. **Organization** – January Report
 - 1. Organization (Monday, January 07, 2013)
The BOS discussed the agenda for the upcoming Organization meeting and thanked the Planning Commission and Environmental Advisory Council for submitting recommendations.
The matter of board or commission members, unavailable to be in attendance at a meeting, interested to participate in the meeting remotely via tele or video communication was discussed. Participation by a member from a remote location is permitted including motions and voting. However, the (remote) member may not be counted to establish a quorum as members must be present at the meeting place to be counted in determining if a quorum exists to conduct the meeting.

2. Staff time distribution analysis – completed / BOS comment

The BOS agreed to schedule a special meeting (Executive Session) to discuss personnel and related matters (tentatively 01-31-13).

3. ABC Chair Meetings – next meeting 01-31-13

This item not discussed. Twp Mgr Lynch will send out a meeting reminder for the round-table discussion.

B. **Emergency Services** – January Report

1. WCPD for EBT monthly briefing / report – WCPD Chief Scott Bohn

2. Downingtown Borough FC Service Cancellation for 2013 – update alternative coverage

Twp Mgr Lynch reported the Township is actively pursuing a services agreement. With other area fire companies.

C. **Budget / Finance 2012-2013** –January Report

1. Budget 2013

Twp Mgr Lynch reported the year-end figures are being compiled into the 2013 Budget>

D. **Planning / Land Developments** – January Report

1. Sunset Hollow Road ROW (research subdivision archive)

Asst Mgr Cantlin reported upon research of the subdivision file archive that there is no right of way evident from the original subdivision approval process. Apparently this right of way access was a recommendation from the then Planning Commission but it was not included in the final approval for the Happy Creek subdivision. The interest is to determine the feasibility of a trail connection from Happy Creek Lane to Sunset Hollow Road. The BOS requested the Trails Committee to add this item to its agenda for review and recommendation.

2. Tax Claim Bureau – pending sale Parcel No. 51-6-17.14, Bridge Road (Woodward)

Twp Mgr Lynch referred the BOS to a letter (12-27-12) from the Chester County Tax Claim Bureau notifying of sale of a property. The property 51-6-176.14 (Woodward) located in the vicinity of Bridge Road was not sold at a recent Judicial Sale and now is categorized as “repository for unsold properties”. The property has been sold by the County to an interested buyer but before the Tax Claim Bureau can finalize the offer it requires both municipal and school district consent (which may not be unreasonably withheld). All taxes and liens are extinguished for the property and the assessed valuation is reduced to the sale price of the property.

Upon discussion, the BOS agreed to consent to the sale of the property using a redrafted form of the Notice of Repository Sale as a letter to be prepared by the Twp Solicitor qualifying that by consent to the sale the Township is not granting approval of any type for the non-conforming (zoning) parcel including subdivision and/or building permit nor any other representations related to the condition of the property for use, building or habitation as that is the sole responsibility of the buyer.

3. Bradford Avenue Phila Catholic Archdiocese (St. Agnes) Athletic Field

This item not discussed; no update at this time.

4. 2013 Code Amendments – Airport Hazard Zoning Amendment; Act 13-County Model

Ordinance (gas/oil drilling); Act 167 County-wide Stormwater ; WCU sign proposal

CEO / ZO Beaumont discussed the status of the Airport Hazard Zoning Amendment with the BOS. The BOS agreed that once elevation data is available that the ordinance be prepared as a zoning overlay rather than a stand-alone ordinance.

E. **Engineering** – January Report

1. Park Place – development close-out update

Twp Eng Lucas briefed the BOS indicating that the developer (Nolen) is actively cooperating to complete the close-out documents.

2. Ravine Road Bridge – repairs / permit update

Twp Eng Lucas referred the BOS to a notification (12-14-12) from PADOT of an Underwater Bridge Inspection (11-08-12) performed for the Ravine Road Bridge (at Valley Creek Road). The bridge construction date is 1913. The report indicates the condition of the underwater element is fair but the condition of the channel poor. Repairs are indicated and recommended with a PADOT estimate of \$4,200.

Twp Mgr Lynch stated the 2012 (and prior recent years') Highway Improvement Fund Budget included funds for the bridge repair. The 2013 Budget does not include specific funding for these repairs but the Highway Improvement Fund (or other Funds) can accommodate the expense.

Mr. Lucas indicated the Township has engineered plans previously prepared to accomplish the repairs and that a permit is not required to accomplish the work.

Upon discussion, the BOS agreed to table the matter pending further Staff review of a previous PADOT report on the bridge superstructure.

3. Walgreens SD# 596 - Close-out / Escrow Release

Twp Eng Lucas referred the BOS to a letter (12-18-12) from Kaplin / Stewart (Gregg Adelman) on behalf of UCM/TSV – Bradford Plaza seeking a release of financial security posted to secure completion of the improvements associated with the Walgreen's retail store and an undeveloped bank pad. Mr. Lucas recommended the release.

Upon discussion, the BOS indicated it would consider action on the request pending preparation and submission of an executable form document by Kaplin / Stewart (Adelman) containing the specific release requests and assurances. Chair Pompo directed the matter to the Pre-regular meeting work session agenda for consideration by the BOS if it can be prepared and made available at that meeting (01-07-13).

4. Highland Road / Strasburg Road Intersection Review – update (PADOT reply pending)

This item not discussed; no update at this time.

5. Sewer Capital Reserve Study – BOS comment

Twp Engineer Lucas reported a proposal from Carroll Engineering is expected for review / discussion at the February meeting.

Public Works – January Report

1. Road Program 2013

PW Foreman Carroll reported plans to schedule bid advertisement for 2013 road paving for February / March including Valley Creek Road. The BOS was in agreement that alternatives to the existing centerline rumble cuts need to be incorporated into the bid for this paving project.

2. Public Works Facilities Improvements – architectural / design services investigation

PW Foreman Carroll updated the BOS on the review of (3) proposals for architectural and construction design services (ranging from \$45,200 to \$61,200).

Mr. Carroll submitted a review and recommendation of the proposals and recommended the architectural firm of Masano Architects Group, Inc. in the amount of \$49,900 indicating that Masano submitted the lowest proposal that responded to all of the requirements of the Township listed in the RFP.

The BOS discussed the recommended proposal submitted by Masano and offered detailed comments toward suggested revision of the proposal by Masano including:

The proposal / agreement of Masano refers to it as the “the base starting point” – no, the proposal *is the agreement / contract* with fixed cost (not a ‘starting point’;

Inconsistent language between travel time and mileage – mileage is acceptable but not travel time;

The proposal / agreement needs a Project Schedule (for life of project from bidding to land development to final construction / inspection;

The proposal / agreement needs to include a Construction Cost Estimate (\$700K Township project budget);

The billing cycle for payment of invoices to be 30 days (not 15 days);

The water reclamation system specification to be incorporated into the project bid package;

A 3-D model of the building structure is to be included in the architectural / design services including landscaping and campus site elements after completion of Phase I services;

The architectural / design services agreement is to state that the project will be designed and engineered in accordance with all Township codes and ordinances;

The land development process (application/meetings/etc.) will be completed by the Township Engineer and excluded from the architect Scope of Work;

The land development plans and designs will be completed by the architect on a time and materials basis not to exceed \$11,000.00 if the architect completes 100% of the work and if the Township Engineer assists in the land development plan preparation and/or design architect fees shall be reduced proportionately to the work completed by the Township Engineer;

The bid package should incorporate an emergency generator in the electrical component of the bid package for the new building (the BOS agreed investigation is warranted, as suggested by Staff, to determine if the existing Township emergency generator (15 years old) should be replaced and the new building emergency generator sized to serve both buildings);

The bidding process to utilize Penn-bid system;

For items identified as “Outside the Scope” of the proposal / agreement – provision to be modified to require written approval of the Owner (Township / BOS) prior to undertaking any Change in Scope;

Insurance from the architectural firm must include professional liability insurance (errors and omissions) in the minimum amount of \$1 million; and,

Copyright provisions are to provide that the Township owns all work products, that the Township will not share the designs with other municipalities or entities and the Township will absolve the firm of liability if they are used by the Township sans permission of the firm.

The BOS agreed Township Staff to utilize the Township Solicitor as needed to further the proposal by Masano but with particular regard to the above listed last two items.

Chair Pompo directed the matter to the Pre-regular meeting work session agenda for consideration by the BOS if it can be prepared and made available at that meeting (01-07-13).

- F. **Open Space & Trails Planning / Programs** – January Report
Executive Session – See Page 1 above of these Minutes.

Executive Session

- G. **Codes & Enforcement** – January Report
The BOS acknowledged receipt of the December Report (for December 2012) from CEO Beaumont (not in attendance).

Mr. Beaumont referred the BOS to a letter (12-12-12) from an attorney(McKenna – Gawthrop Greenwood PC) representing the property owners of 1199 Muirfield Drive regarding a Township Enforcement Notice related to a residential solar installation and a nuisance violation related to glare.

The BOS discussed the matter and agreed that the letter (Enforcement Notice) 'speaks for itself' sans need for further reply.

** Secretary's Note – Supervisor Snook exited the meeting at this point in the agenda (approximately 02:00 P.M.)

- H. **Historical Commission** – January Report

1. Strode's Mill HD Expansion – Consultant Draft Nomination for comment pending submission to PHMC

The BOS acknowledged receipt of the subject draft and the indication by the Chair for the Historical Commission to end the current consultant service relationship (Dorchester).

- I. **Capital Project Priorities 2013** – January Report

1. BT Phase III (Skelp Level Trail Connection)

This item not discussed.

- J. **Traffic Committee** – January Report

1. West Goshen Twp – Roslyn neighborhood traffic control changes impact on Township residents

This item not discussed.

- K. **Township Staff / Operations / Services** – January Report

1. Records Retention – adopt records disposal resolution (none for January)

2. Refuse / Recycling Bid – transition update

Twp Mgr Lynch reported, to date, the transition of services from Republic to A.J. Blosenski is proceeding in an overall satisfactory manner.

The BOS commented on some miscues related to substitution / delivery of the recyclable containers by A.J. Blosenski. Information on the service transition and schedule is posted on the Township web site.

3. Cable Franchise Renewal (Agreement expires 12-19-2014) – update

This item not discussed.

- L. **ZHB** – January Report – No pending applications / decisions / appeals

This item not discussed.

Other Items:

None discussed at this time.

The meeting ended at approximately 02:35 P.M.

Michael P. Lynch, Township Secretary