

**WORK SESSION:**

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session February 07, 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.

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:

- Al Federico, P.E. and Cindy McCormick P.E., McCormick-Taylor Engineers & Planners
- Representatives of Chester County Art Association – Darcie Goldberg - Acting Executive Director CCAA;
- Neil Land, Esq.; Mike McCloskey – Bernardon Haber Holloway; and, Victor Kelly, P.E. – Commonwealth Engineers

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

**EAST BRADFORD TOWNSHIP BOARD OF SUPERVISORS  
Thursday, February 07, 2013, 12:00 P.M. AGENDA**

**Upcoming meeting schedule:**

February 07, 2013, Thursday	12:00 P.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
March 07, 2013, Thursday	12:00 P.M. - BOS regular work session
March 12, 2013, Tuesday	06:00 P.M. - BOS pre-reg work session
March 12, 2013, Tuesday	07:00 P.M. - BOS regular meeting

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

**Executive Session:** Discretion of BOS -- Real Estate / Legal / Personnel  
The Board of Supervisors did not convene an Executive Session during the work session.

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

**Discussion / Briefing Items:**

A. **Organization** – February Report

1. Organization –

a. Traffic Committee recommendation

The Traffic Committee (01-17-13) recommended Eric Ruggeri to fill the vacancy of Bill Ronayne (appointed in January by the BOS for 2013 as Emergency Management Coordinator).

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Traffic Committee and appoint Eric Ruggeri to fill the vacancy on the Traffic Committee through 12-31-13.

b. P & R Board vacancy (12-31-15)

The Parks and Recreation Board plans to interview prospective candidates and provide a recommendation to the BOS when completed.

c. McCormick Taylor Engineers & Planners

Al Federico, P.E. and Cindy McCormick (Exton Office) introduced themselves and presented information on the qualifications of McCormick Taylor Engineers & Planners for consideration by the BOS to provide traffic engineering and consulting services to the Township. The firm provides consultation and representation exclusively to public and institutional clients. McCormick Taylor currently provides consulting services to Westtown and West Goshen Townships and W.C.U.

Upon inquiry by Chair Pompo regarding both traffic calming and ADA experience and expertise, Mr. Federico provided credible background of the firm in these specific areas.

The BOS thanked Al Federico, P.E. and Cindy McCormick for their presentation indicating it would consider the qualifications of the firm next at its 03-07-13 meeting following a review of rates and area references.

The BOS acknowledged receipt of a Statement of Qualifications to Provide Traffic Engineering Services to the Township, 01-25-13, from Carroll Engineering.

2. ABC Chair Meetings – follow-up from 01-31-13 meeting

Chair Pompo reported positively on the recent meeting and its value to improve sharing and communication for both the BOS and the ABC's .

The BOS agreed that the Supervisors rotate attendance at future meetings.

B. **ZHB** – February Report – Pending applications / decisions / appeals

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

CEO Beaumont reported the application on hold by the Applicant pending further efforts to resolve the matter.

2. Chester County Art Association – Variance relief – hearing 02-25-13; BOS comment

The BOS discussed the subject application

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to be supportive of the requests for relief in recognition of the unique characteristics of the property and as a lawfully existing non-conforming educational use and non-for-profit community resource.

C. **Planning / Land Developments** – February Report

1. Ciccarone, SD # 606 - request for public hearing (03-12-13) / time extension (new clock to 04-24-13)

The BOS discussed a request from Kaplin / Stewart (01-11-13) on behalf of their client Thomas E. Ciccarone, et al, for the BOS to conduct a public hearing prior to rendering a decision of the subject subdivision application (in accordance with Sections 553 and 544 of the PA Local Agency Law).

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to schedule a public hearing for Tuesday, April 09, 2013, 07:00 P.M. with Court Reporter, Twp Solicitor Unruh to conduct the hearing, Planning Commission (and Solicitor Tom Oeste) to provide testimony and cross-examination and the Applicant responsible to notify contiguous property owners and be responsible for all Township reasonable legal, review and administrative expenses to conduct the hearing.

The Applicant also submitted a request for a (60 day) time extension (02-05-13) for continued review of the plan application which the Planning Commission recommended (02-05-13) for approval.

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to accept the request of the Applicant and recommendation of the Planning Commission for a 60 day time extension to 04-24-13 for Ciccarone, SD # 606.

2. 2013 Code Amendments – Airport Hazard Zoning Overlay Amendment (hearing 03-12-13)

The BOS reviewed and discussed a draft Airport District Overlay Ordinance, prepared by CEO Beaumont, and required by the Township pursuant to PA Act 164 of 1984 (Title 74 Transportation, Aviation).

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to authorize public notice to convene a public hearing March 12, 2013 to receive public comment and consider adoption of an Airport District Overlay Ordinance as a zoning amendment to the East Bradford Township Code, Chapter 115 – Zoning.

3. Comprehensive Plan Update – Chester County Vision Partnership Grants

The BOS discussed a planned update to the Township Comprehensive Plan. The deadline for the current Chester County Municipal Grant Program is June 2013. Dr. Egan commented that if the Township applies for and is awarded a County planning grant that the Township and County be in sync with the scope of services of their intended plan update.

Mr. Snook suggested that an inter-municipal comprehensive planning effort be considered with the Borough of West Chester which could have potential benefits to both municipalities and improve both the chances of a grant award and increased funding level for the multi-municipal plan approach.

Chair Pompo commented on recent discussion at the ABC Chair Meeting with Planning Commission Chair Biacchi noting that a non-traditional, output oriented, strategic, problem-solving vision for the deliverable is desirable.

**D. Public Works – February Report**

**1. Road Program 2013 – review / authorize road paving project public notice bids**

PW Foreman Carroll presented the BOS with bid specifications toward advertisement for public bids to perform pavement reconstruction and resurfacing of Valley Creek Road and Shenton Road (Shenandoah Lane to Valley Creek Road).

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to authorize public notice to advertise for public bids for road reconstruction and paving overlay maintenance as specified and prepared by PW Foreman Carroll with revision to the specification to include edge of cartway (white) stripe pavement marking.

**2. Public Works Facilities Improvements – ratify architectural / design services agreement**

The BOS reviewed the revised Architectural Services Agreement from Masano Architects Group (dated 01-22-13).

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve an Architectural Services with Masano Architects Group, Inc., dated 01-22-13, for architectural services as contained therein, for a proposed new Township Public Works maintenance building in the amount of \$56,900 inclusive of additional services (display model, CAD rendering, Probable Cost estimate, Gant chart schedule and \$1M liability insurance).

**3. 2013 Capital Equipment – request for reallocation (for min-excavator) / replacement Truck # 6**

PW Foreman Carroll requested BOS approval to reallocate budgeted 2013 Capital Reserve funds for Major Equipment from purchase of used paver equipment (from West Goshen Township) to purchase of a Bobcat E50 Compact Excavator. The cost of the excavator is \$51,886 but it can be leased purchased over 3 years at an annual cost of approximately \$17,917. \$25,000 is budgeted in 2013 for the paving equipment.

Mr. Carroll described the requested excavator and its utility for the Township Public Works Department.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve a requested reallocation of budgeted 2013 Capital Reserve funds from the PW Foreman to purchase a Bobcat E50 Compact Excavator under the COSTARS (municipal) Discount Program PA Contract # 4400006016) for the total quoted cost of \$51,886 as a 3-year lease purchase (2013-2015) at an annual cost of approximately \$17,917.

PW Foreman Carroll requested BOS approval to proceed with a budgeted purchase of a 2013 Dodge RAM 2500 SLT heavy-duty pick-up truck including winter maintenance fittings and equipment through the COSTARS (municipal) Discount Program (#25-117). The estimated total cost is \$47,960. \$50,000 is budgeted for this replacement of PW Truck # 7 which is planned for resale through the MuniBid system with an estimated sales receipt of \$4,500 - \$6,000.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the PW Foreman, as specified, and to proceed to purchase a 2013 Dodge RAM 2500 SLT heavy-duty pick-up truck including winter maintenance fittings and equipment through the COSTARS Discount Program (#25-117) for a quoted total cost of \$47,960.

**E. Open Space & Trails Planning / Programs – February Report** Executive Session – *(None scheduled)*

**1. Cammarato (trail) Easement Amendment**

Following discussion, the BOS agreed that NLT annually, as part of its easement monitoring program and report, advise the property owner that the open offer by the Township to amend the conservation easement for the purpose of relocating the existing trail easement.

**2. Happy Creek to Sunset Hollow Road Trail link – Trails Sub-committee recommendation**

Asst Mgr Cantlin reported the Trails Sub-committee recommends focusing on the preservation of adjacent properties first and then considering the importance and viability of this connection.

Following discussion, the BOS agreed that this link should be included on the Township Official Map.

**3. Conservation Plans for Ag Use of Brandywine Farm and Starr Farm OS**

Asst Mgr Cantlin referred the BOS to a draft Report on the Potential Agricultural Use for Farms Owned by East Bradford Township, prepared by AET Consulting (Lititz, PA). The report contains recommendations that can be incorporated into the farming lease agreements for Brandywine Farm and Starr Farm.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the Report on the Potential Agricultural Use for Farms Owned by East Bradford Township, prepared by AET

Consulting (Lititz, PA) for inclusion of report recommendations into the farming lease agreements for Brandywine Farm and Starr Farm.

4. Chester County Grant (Round 25) Resolution & Grant Agreement

Asst Mgr Cantlin briefed the BOS and requested adoption of a Resolution to submit a grant application to Chester County for open space preservation.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt a Resolution (OS # 1 -2013) to authorize filing of an application with Chester County for a Round 25 Municipal Grant for an open space preservation project in the Township.

F. **Codes & Enforcement** – February Report

The BOS acknowledged receipt of the 02-05-13 Code Enforcement Update Report.

1. Timbering Permit (952 Harmony Hill Road / Lapp Lumber Co.) – consider CEO recommendation

CEO Beaumont referred the BOS to the subject revised and complete application (denied previously September 2012 due to incomplete status) and recommended approval.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Township CEO and approved the issuance of a Timbering Permit for 952 Harmony Hill Road (Sajeski).

The BOS also agreed and directed the Township (CEO) notify property owners of the activity by requiring the subject property owner to post the permit in a prominent location on the property.

G. **Township Staff / Operations / Services** – February Report

1. Records Retention – adopt records disposal resolution

Asst Mgr Cantlin described the municipal records recommended for disposition on the current resolution.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt a Resolution (No. 05-2013) for the Destruction of Specific Records (indicated in the Resolution) in accordance with the schedule and procedures set forth in the Municipal Records Manual as promulgated by the PA Historical and Museum Commission (PHMC).

2. On-site Sewage Maintenance Program – property owner requests for waivers

Asst Mgr Cantlin reported to the BOS on the status of the Township On-Lot Septic System Maintenance Program which included mailing of approximately 2,000 notices to Township residents with on-lot sewage systems (system pumping notice and / or procedural administrative change notice (Township monitoring)).

Ms. Cantlin also directed the BOS to (4) requests for waivers from property owners seeking relief from the pumping requirements due to hardships and unusual circumstances related to the location of the on-lot sewage systems. The current ordinance does not provide explicit waiver or exception provisions.

The requested waivers included a septic tank located under the driveway; cesspool located under house; senior citizen, sole occupant resident (with financial hardship) reporting pumping in 2009 and hauler advising that pumping every 3 years not needed; and, a dwelling occupied approximately 6 weeks each year.

Following detailed discussion of each of the circumstances and the overall program, the BOS agreed draft language should be prepared for consideration to amend the current ordinance to provide property owners an alternative to the 3 year pumping requirement such that if a certified septic hauler provides documentation stating the system has been inspected, does not require pumping and is operating as designed and explicit exemption language for on-lot septic systems which are deemed practically inaccessible for pumping due to existing structures / improvements on the property.

The BOS also requested confirmation that properly functioning cesspools are exempt (consistent with PA DEP regulations).

3. Refuse / Recycling Services

This item not discussed.

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

This item not discussed.

H. **Engineering** – February Report

1. W.C.U. SD# 610– Escrow Release # 5 in amount \$172,117.39; Balance \$1,967,060.22

Twp Engineer Lucas referred the BOS to an Escrow Release schedule and recommended approval of Escrow Release #5 in the amount of \$172,117.39 for site prep / earthwork, storm sewer, sanitary sewer, and lighting.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Twp Engineer and approve Escrow Release # 5 in the amount of \$172,119.39 for W.C.U. SD# 610.

2. Sewer Capital Reserve Study – BOS comment

Twp Engineer Lucas referred the BOS to a 01-31-13 proposal from Carroll Engineering to prepare a Sewer Capital Reserve Study with a draft summary report prepared by May 2013. The BOS discussed the proposal and agreed it was acceptable.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Twp Engineer and to authorize acceptance of the (01-31-13) proposal from Carroll Engineering to prepare a Sewer Capital Reserve Study for a not-to-exceed fee of \$8,437.

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

Twp Engineer Lucas reported that PADOT is reviewing accident reports and data for the intersection.

I. **Traffic Committee** – February Report

1. Rosedale Avenue Corridor Study

This item not discussed.

J. **Agricultural Security Area** – Seven-Year Review / Re-adoption Process

1. Notice 01-25-13 (CC Ag Land Preservation Board)

The Chester County Agricultural Land Preservation Board notified the Township of the requirement for the periodic review and re adoption process which is due by 09-10-13. The Township Ag Security Area was originally adopted in 1985 and currently includes approximately 2,056 acres throughout the Township.

The process of re adoption of the Township Ag Security Area will include a notice to all participating property owners in The Area.

K. **Emergency Services** – February Report

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

The BOS acknowledged receipt of the February 2013 Report.

2. Downingtown Borough FC Service Cancellation for 2013 – alternative coverage – WBFC proposal pending

Twp Mgr Lynch reported meeting with West Bradford Fire Company representatives in January and requested a proposal from WBFC which is pending as of this date.

L. **Budget / Finance 2013-2014** – February Report

1. Budget 2014

This item not discussed

M. **Capital Project Priorities 2013** – February Report

1. BT Phase III (Skelp Level Trail Connection)

DCNR, Chester County and the Brandywine Conservancy have reviewed and approved the bid packet and the PECO review is due in March.

**Other Items:**

1. Green Committee – Mr. Snook updated the BOS from the 02-05-13 meeting and reported the TreeVitalize Grant (for 1,000 sapling trees) has been awarded to the Township; a May 11, 2013 planting tentative date has been scheduled. The BOS affirmed its support for the project which will include tree planting in selected locations on the Township open space Brandywine Farm. Details of the planting event will be posted on the Township web site when available.
2. Green Committee – Mr. Snook updated the BOS from the 02-05-13 meeting and reported the Green Committee is planning to hold a workshop in June (tentative date June 19, 07:00 P.M. in the Township Building) for Township residents – Extended Power Failures – What Are Your Alternatives? The BOS affirmed its support for the program.

The meeting ended at approximately 02:56 P.M.

Michael P. Lynch, Township Secretary