

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session July 02, 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
Public Notice of this re scheduled Board of Supervisors public meeting work session advertised in the Daily Local News 06-25-13
The originally scheduled work session date was 07-04-13, Independence Day (legal holiday / offices closed).*

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

Staff NOT in attendance:

- Tenley Adams, Services Coordinator
- Nancy F. Holland, Admin Support Coordinator
- Township Solicitor Unruh, Turner, Burke & Frees - Ross A. Unruh, Esq.

Also in attendance Advisory Boards and Commissions (ABC's):

None.

Others / Residents / Citizens in attendance:

- WCPD Chief Scott Bohn and Lieut. Sam Iacono.
- Michael Wolf, Boenning & Scattergood
- Ralph Kramer, President, 1st WC FC

The work session commenced at approximately 12:00 P.M.

EAST BRADFORD TOWNSHIP BOARD OF SUPERVISORS

Tuesday, July 02, 2013, 12:00 P.M. AGENDA

Upcoming meeting schedule:

July 02, 2013, Tuesday	12:00 P.M. - BOS regular work session (re scheduled from 07-04-13)
July 09, 2013, Tuesday	06:00 P.M. - BOS pre-reg work session
July 09, 2013, Tuesday	07:00 P.M. - BOS regular meeting
July 09, 2013, Tuesday	07:00 P.M. - Public Hearing – Bond Authorization
July 09, 2013, Tuesday	07:00 P.M. - Public Hearing – ASA 7-year Review
July 16, 2013, Tuesday	07:00 P.M. - ABC Chair meeting (JDS)
August 08, 2013, Thursday	12:00 P.M. - BOS regular work session
August 13, 2013, Tuesday	06:00 P.M. - BOS pre-reg work session
August 13, 2013, Tuesday	07:00 P.M. - BOS regular meeting

Public Comment:

Discretion of BOS

Ralph Kramer, President 1st West Chester Fire Company, addressed the BOS and expressed concerns that the FC is being held to different standards referencing the recent land development review / approval process in 2012 and Zoning Hearing Board applications and Decisions in 2012 and 2013.

Chair Pompo responded stating the Township follows its ordinances and the Township made express efforts to review the land development application efficiently and to respect the construction schedule of the FC. The ZHB is an independent quasi-judicial body of the local government; the BOS offered a position of support on both variance applications to the ZHB which relief was granted.

Mr. Kramer expressed the recent modification of the Decision by the ZHB was unreasonable in its regulation / restriction of permitted events. Chair Pompo stated that 1st WCFC could return to the ZHB to review the matter.

Mr. Kramer then commented on the past history of capital support from the Township which has not occurred in recent years.

Chair Pompo stated that the Township would consider requests for capital funding as part of the annual budget process and suggested any such request be submitted no later than August. A Fire Services Agreement with the Borough of West Chester provides annual operational funding (\$121,104 in 2013) and over 70% of the Foreign Fire Relief annual funds (\$68,000 in 2012) for additional West Chester Fire Department support.

WCPD Chief Bohn also commented that the police should be contacted at any time by 1st WCFC if there is a traffic or related issue that impacts 1st WCFC fire operations and ingress/egress from the fire company on Bradford Avenue.

Mr. Kramer thanked the BOS and Township for its consideration and support.

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. Budget / Finance 2013-2014 – July Report

1. Series 2013 Bond Issue – update

Michael Wolf, Boenning & Scattergood, was in attendance to address the BOS. Mr. Wolf discussed the financing update for restructuring existing variable interest rate open space debt with DVRFA to fixed rate (\$3.781M) and financing an additional \$1.2M of debt for construction of a Public Works storage and maintenance building. Mr. Wolf reported the recent Standard & Poor’s rating review a long term stable AA- which is very good and will obviate the need for bond insurance. The BOS agreed that the economic climate remains conducive to refinance the variable rate debt. The PW Building debt will be financed over a 15 year term and be budgeted and expensed from the Capital Reserve Fund.

The BOS reviewed a proposal from NW Financial Group (Tom Beckett), Township financial advisors, and did not accept the proposal as presented but in the alternative request Mr. Beckett coordinate with Mr. Wolf to review the bond issue analysis and offering documents and provide comment to the BOS (for its Tuesday 07-09-13 work session).

2. Public Hearing on Incurring non-electoral Debt w/ General Obligation Bonds – update hearing
Chair Pompo noted that this is a ‘non-parameter’ debt ordinance but based upon the presentation and advice of Boenning & Scattergood and Bond Counsel (Stradley – Ronon) the ordinance hearing could proceed July 09.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to authorize publication of a public notice (Daily Local News) of an ordinance to Incur Non-electoral Debt in the form of a 2013 Bond Issue and to receive public comment and consider adoption at the 07-09-13 BOS meeting.

3. Budget 2014

Twp Mgr Lynch reported a draft Preliminary (General Fund) 2014 Budget with YTD figures (06-30-13) has been transmitted to the BOS this day for reference. It is expected that detailed budget discussion will commence in August.

B. Capital Project Priorities 2013 – July Report

1. BT Phase III (Skelp Level Trail Connection) – public bid results / recommendation / bid award
Brandywine Trail – Phase III / Skelp Level Road – Sealed bids (6received) were opened 06-25-13 for the trail project:

Company	Total Bid
Gessler Construction	\$106,984.00
Lechmanik, Inc.	\$107,283.75
DiRocco Bros., Inc.	\$114,323.26
Barwis Construction LLC	\$141,789.00
Flyway Excavating Inc.	\$143,123.00
Reybold Construction Group	\$145,471.00

Asst Mgr Cantlin reported Gilmore Associates has reviewed the low bid (Gessler) and contacted (2) references both of which very positive without qualification. The references commented that Gessler does good work, that they work quickly, that they are good to deal with, and friendly. Both references have worked with Gessler several times and would hire them again. Asst Mgr Cantlin recommended Gessler Construction as the low, qualified bidder.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of Twp Staff and award the low, qualified bid in the amount of \$106,984.00 to Gessler Construction, per the bid specifications for construction of a trail segment for the Brandywine Trail -- Phase III (Skelp Level Trail Connection).

The work is expected to be completed in 2013. Chair Pompo noted that the project will be paid for substantially if not entirely by grant awards from Chester County, PA DCNR and PECO.

C. Public Works – July Report

1. Public Works Facilities Improvements (SD# 623) – update / draft bid package

PW Foreman Carroll reported that Masano Architect Group (MAG) is working on preparation of engineered construction plans and bid documents. The BOS expressed the need to complete the plans and bid documents for BOS review and sign-off at the BOS August work session (08-08-13) with a bid award in September to enable construction to commence and advance substantially before the end of 2013. Mr. Carroll will address the schedule with MAG.

2. Road Program 2013 – pavement marking / line painting – completed

PW Foreman Carroll updated the BOS indicating that all scheduled road maintenance (paving and pavement marking) is complete. The current PW Staff is reduced (from 6 to 4) at the present time pending filling an existing position opening and due to a health matter with another PW employee. Mr. Carroll indicated the weather further is impacting small project maintenance but overall the Department is keeping up with the essential maintenance.

3. Road Closures / Detours –

Creek Rd Bridge -- PADOT notified the Township (07-01-13) that the Creek Road Bridge over Taylor Run reopened July 01, 2013 following a two-month improvement project.

Boot Rd Tunnels -- AMTRAK – east of Quarry Rd POSTPONED

Rt 322 Bridge -- PADOT – Rt 322 remains open during construction through Summer 2014

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

1. Ciccarone, SD # 606 – hearing update (next hearing #2 07-09-13) / time extension (to 10-21-13)

The BOS discussed the status of the application / plans / hearing process with Twp Staff. Twp Eng Lucas stated the bridge structural review comments (prepared by Carroll Engineering for the Township) have been addressed satisfactorily by the engineering consultant for the Applicant (presuming the road remains private). The Twp Solicitor (Unruh) has opined that the hearing process has concluded (based upon a review of the transcript). The BOS agreed that Mr. Unruh contact the Applicant (legal counsel) and determine the manner to proceed (resolution with waiver modifications from the hearing, resubmission of revised plans, subdivision conditions) and to obtain a written time extension of the current plan application.

This item is to be discussed next at the 07-09-13 Pre-regular mtg work session.

2. Sussex H.O.A. (Naidu) – review / approve 1st Amendment to Declaration

Twp Mgr Lynch reviewed with the BOS the requested change in the H.O.A. Declaration which involved a simple name codification (to Sussex Homeowners Association).

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve a 1st Amendment to Declaration for the Sussex Homeowners Association.

3. 2013 Code Amendments

This item not discussed (See Agenda Item I. 1.)

E. **Organization** – July Report

1. Fee Schedule – recommended revisions / adopt Resolution

Asst Mgr Cantlin reviewed the recommended revisions to the Township Fee Schedule including an increase in parking citation fines from \$20 to \$50.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve the recommended Township Fee Schedule revisions and adopt Township Resolution 13 of 2013).

2. Capital Reserve Study – update

This item not discussed.

3. ABC Chair Meetings – next meeting 07-16-13 (JDS)

This item not discussed.

F. **Historical Commission** – July Report

1. HR# 31, 1140 Harmony Hill Road (Thompson) – HC recommendation (06-19-13) to approve alterations
CEO Beaumont reviewed the application with the BOS.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the (06-19-13) recommendation of the Historical Commission to approve the proposed alterations to HR# 31, 1140 Harmony Hill Road (Thompson).

G. **Engineering** – July Report

1. W.C.U. (SD# 610) – Escrow Release # 10 in amount \$187,002.76; Remaining Balance \$542,939.21

Twp Engineer Lucas referred the BOS to an Escrow Release recommended for approval by Mr. Lucas -- Release

10 in the amount of \$187,002.76 for site prep / earthwork, storm sewer, paving, landscaping / hardscaping, lighting / electric, surveying and trash enclosures..

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 # 10 in the amount of \$187,002.76 for W.C.U. SD# 610.

2. Highland Road / Strasburg Road Intersection Review – update (mtg w/ PADOT 06-11-13)
Twp Staff discussed the current status with the BOS and current efforts to engage PADOT to provide a list of recommended modifications to the intersection in lieu of a 4-way Stop installation which PADOT stated is not warranted.

3. Park Place (SD# 548) (Nolen Companies) – Close-out Escrow Release
Twp Engineer Lucas reported that the project is complete with a sewer easement (approved by BOS 05-09-13) as the only Township interest in public improvements. Mr. Lucas reported that due to the age of the project (2002) that no maintenance agreement / bond is warranted. Twp Mgr Lynch reported an open balance in the cash escrow account which should be paid prior to the final release being transmitted.

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 the final escrow release for Park Place – Escrow Release #9 in the amount of 191,372.00 (Remaining Balance \$0) conditioned upon the payment of the open balance in the Cash Escrow account of the Applicant.

H. **Open Space & Trails Planning/Programs – July Report** **Executive Session**
The Board of Supervisors did not convene an Executive Session at this work session.

I. **Codes & Enforcement – July Report**

1. Conditional Use – Major Home Occupation – 507 Natalie Drive – Decision 05-09-13 (30 day Appeal period expired 06-07-13 sans appeal)
Twp Mgr Lynch briefed the BOS on recent communication with the Township resident on the Decision and also review fees. Upon discussion the BOS indicated no change in the Decision is warranted.

The BOS requested Twp Staff to prepare draft amendments to the Zoning Chapter related to home occupations for discussion at the next BOS work session (08-08-13).

2. 870 Lenape Road – notice of alleged zoning violation (from property owner)
CEO Beaumont briefed the BOS on the matter and dispute between adjoining property owners. There was no action or specific comment from the BOS at this time.

3. Strode (Rowan) property
Upon discussion the BOS agreed the Zoning Officer prepare a violation and complaint for processing to the District Justice.

4. (Former) Giorgiani property clean-up
Asst Mgr Cantlin discussed a recent update assessment from Natural Lands Trust (NLT) (Steve Kuter) (06-27-13) indicating significant progress to remove the accumulated junk on the property (co-grantee preservation easement with EBT and NLT) by the end of July 2013 (expiration of the allotted time period designated in the conservation easement). NLT would like to continue coordinated efforts with the Township to ensure compliance with the easement (and Township regulations).
CEO Beaumont recommended this property be removed from the active Nuisance Report upon completion of this effort and a satisfactory inspection by his office. Mr. Beaumont also commented that due to the severely failed condition of the (historic) structure (identified on the Historical Commission Demolition by Neglect annual inventory) that perhaps the property owner should apply for a demolition permit to mitigate the safety risk.

J. **Parks & Recreation Board – July Report**

1. Mt. Bradford Preserve – pond maintenance
Staff reported that clearing the overgrown vegetation from around the pond will be part of an Eagle Scout Project. Dr. Egan advised the Scouts should take necessary precautions due to the proliferation of poison ivy.

2. P & R Board Recommendations Report (06-26-13)
The BOS considered recent discussion and (2) recommendations from the P & R Board on Shaw's Bridge Park – parking and dog issues (and investigation of establishing a dog park on the Twp open space Brandywine Farm) and the potential construction of the cooperative (soccer) field with WCASD on the East Bradford Elementary School property.

Upon discussion the BOS requested Twp Staff to prepare a plan, cost estimate and schedule for improvements to

Brandywine Farm related to parking and improvements related to a park accommodation for dogs (target 08-08-13 BOS WS).

With regard to the (2) recommendations from the P & R Board regarding the cooperative (soccer) field, the BOS requested the Parks & Recreation Board explore less expensive capital options for improvement of this property to accommodate other recreational use (identifying the field area, mowing, limited grading, using the Township web site to let residents know about it...).

K. Agricultural Security Area – Seven-Year Review / Re-adoption Process – July Report

1. Modification Hearing scheduled 07-09-13

The BOS acknowledged the scheduled hearing. Asst Mgr Cantlin reported the review process and hearing is in order.

L. ZHB – July Report – Pending applications / decisions / appeals

1. 1st WC FC – Modification to Decision & Order of 04-22-13 (letter 06-14-13)

2. Earyes – Appeal Enforcement Notice w/ Validity Challenge (01-24-13) re: solar array glare – hearing ON HOLD; BOS discussed 02-07-13

M. Emergency Services – July Report

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

WCPD Chief Scott Bohn updated and discussed with the BOS the ongoing issues at Shaw's Bridge Park including parking and park rule infractions including consumption of alcoholic beverages in the park. WCPD continues to ticket and tow vehicles and provide additional park checks and patrol resources to manage the situations typically occurring on weekends.

Chief Bohn inquired about the possibility of the Township providing additional legal parking on the east side of the park on the Brandywine Farm (Township open space) property. The P & R Board has recommended installation of additional parking at this location. 'The Friends of....' concept also was discussed to invest interested Township residents in the care and oversight of the park. Chief Bohn suggested that many park visitors appear to be Borough residents and perhaps the Borough could work cooperatively with the Township to address the issues of this popular public park.

2. WBFC – fire services proposal

Twp Mgr Lynch reported that a draft proposal was received (07-01-13) from West Bradford Township on behalf of WBFC and is pending Staff review and comment to the BOS (tentatively 08-08-13).

N. Township Staff / Operations / Services – July Report

1. Records Retention – adopt records disposal resolution – *none this period*

2. Cable Franchise Renewal (Agreement expires 12-19-2014) – last mtg w/ Comcast reps 03-20-13

This item not discussed.

O. East Bradford Art Scholarship – July Report

1. Committee award recipient(s) – awards 07-09-13

The BOS acknowledged the Committee award designees and presentation schedule for July 09, 2013.

The BOS inquired about the status / schedule of the planned 2014 East Bradford Township Artist Calendar.

Other Items:

1. Skelp Level Road Trail Crosswalk -

The BOS reviewed the planned layout of the crosswalk (thermo-plastic) and required signage for this cooperative effort with Children's Country Week Association (Paradise Farm Camp) to connect the Township Harmony Hill Nature Area with the CCWA property and public trail easement.

Upon review of the planned crosswalk schematic the BOS indicated it appeared acceptable.

The meeting ended at approximately 02:55 P.M.

Michael P. Lynch, Township Secretary