

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session November 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., and John D. Snook
Supervisors not in attendance: Thomas A. Egan

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
Robin Latta, Conner Road
Douglas Barr (with David Patten, Esq.)

The work session commenced at approximately 12:06 P.M.

Chair Pompo announced Supervisor Egan would not be in attendance at this work session due to a schedule conflict. Chair Pompo congratulated Supervisor John Snook on re election to the Board of Supervisors (11-05-13 General Election) for a new 6-year term.

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

Upcoming meeting schedule:

November 07 , 2013; Thursday	12:00 P.M. - BOS regular work session
November 12, 2013; Tuesday	06:00 P.M. - BOS pre-reg work session
November 12, 2013; Tuesday	07:00 P.M. - BOS regular meeting / authorize PN 2014 Preliminary Budget (20-day public comment period)
December 05 , 2013; Thursday	06:00 P.M. - BOS regular work session
December 10, 2013; Tuesday	06:00 P.M. - BOS pre-reg work session
December 10, 2013; Tuesday	07:00 P.M. - BOS regular meeting
December 10, 2013; Tuesday	07:00 P.M. - Public Hearing – Act 167 County-wide Stormwater Ordinance
December 10, 2013; Tuesday	07:00 P.M. - 2014 Budget approval

Public Comment: *Discretion of BO*
None offered / received at this time.

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

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

Discussion / Briefing Items:

- A. **Budget / Finance 2013-2014 – November Report**
 - 1. Budget 2014 –review / discuss draft Preliminary budgets / authorize PN 20-day review period
Twp Mgr / Treasurer Lynch reported the 2014 Preliminary Budgets are in order for BOS authorization to publish Public Notice (11-12-13) and pending any additional input / revisions by the BOS.
The BOS discussed and confirmed the proposed employee wage adjustment incorporated into the 2014 Budget (2.5%).
The BOS did not offer any revisions to the draft Preliminary Budgets at this time.
 - 2. 2014 Capital Budget – Brandywine Trail Phase 5 feasibility assessment

Asst Mgr Cantlin briefed the BOS on a Trails Committee recommendation incorporated into the 2014 Capital Budget for funding a consultant investigation of future trail links for the Brandywine Trail (Ingram's Mill NA and the Stroud Preserve). A McCormick-Taylor proposal (\$19,200) was discussed. Chair Pompo indicated a preference for a "not to exceed" services contract and noted that an assignment of task to time required and how this would be monitored was not addressed in the proposal. Supervisor Snook indicated that the work product should include alternatives that address not just the physical challenges of these trail links and extension projects but also cost alternatives related to construction material and design options. Asst Mgr Cantlin reiterated that physical challenges related to terrain and grade and also PADOT road crossing and wetlands constraints will impact construction material options and that ADA standards would be difficult to accomplish on portions of the envisioned trail segments to be reviewed. Ms. Cantlin indicated no survey work is anticipated at this stage of the feasibility assessment investigation and analysis. Chair Pompo stated the work products produced by the consultant will become the property of the Township and this requirement should be explicitly included in the contract.

3. Property Tax Billing & Collection Service – change to Chester County (from BCIU)
Twp Mgr Lynch updated the BOS on a change of service for Property Tax Billing & Collection from Berks County Intermediate Unit (BCIU) to Chester County. The cost of the service by Chester County is less than BCIU (\$5,890 e vs \$8,335 e) and that other municipalities in Chester County using the service have been satisfied. Mr. Lynch indicated that the transition process should be efficient and that Township property owners will be familiar with Chester County as the 3rd Party service provider for the Township compared with the prior transition (confusion) to another county (Berks County) entity that occurred in 2012. The tax bills will identify East Bradford Township prominently and both the Township web site and Winter edition Township Newsletter will notify residents of the change in property tax administrators. Under the Chester County program, the County will process all tax certifications, second notices, tax liens and refunds (for duplicate payments) and tax assessment changes will be more timely.

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to accept the recommendation of the Township Manager / Treasurer to provide notice to BCIU and accept the proposal of Chester County to process Township property tax billing and collection services with Chester County commencing January 2014.

B. Emergency Services – November Report

1. WBFC Fire Services Agreement - Township response to proposal / WBFC response pending
Twp Mgr Lynch reported a meeting with WBFC representatives (Tom Purdue, President) is tentatively scheduled to discuss the proposed Agreement. East Bradford Township submitted a revised proposal in October. West Bradford Twp Mgr Tommy Ryan indicated the Township should not assume that coverage (by WBFC) would continue if an accord is not accomplished by 12-31-13.

2. WCFD (Borough) Fire Protection Agreement Renewal pending approval
Twp Mgr Lynch reported the final revised form of the West Chester Fire Protection Agreement (contract) is in order for consideration of approval by the BOS. The revised cost figures (\$182,795) are included in the 2014 Budget. This is a five-year agreement (2014—2018) and the annual payment is fixed for the term.

Chair Pompo directed this item to the Tuesday, November 12 Agenda.

3. WCPD for EBT monthly briefing / report – WCPD Chief Scott Bohn
The BOS acknowledged receipt of the October WCPD Report for East Bradford Township.

C. Organization – November Report

1. BOS Mtg Schedule – December
Chair Pompo indicated the December Work Session tentatively is scheduled for 12-05-13, 06:00 P.M. This item to be discussed Tuesday, November 12, with all Supervisors present

2. Bond Issue Compliance – policy resolution / appoint Bond Compliance Officer
Twp Mgr Lynch had no update at this time.

3. Network Maintenance – update services / performance
Chair Pompo, together with Twp Staff, met recently with the Township IT service provider (InterMedia Group) to discuss the performance in 2013 and plan for 2014. The Township will continue its transition to remote server environment and remote access to email and documents will be tailored to Supervisor preferences.

4. ABC Chair Meetings – next meeting 01-__-14 (Supervisor ____) / 10-29-13 mtg cancelled
Chair Pompo indicated he would attend the next meeting pending schedule confirmation.

D. 2013 Code Amendments – November Report

1. Act 167 County-wide Stormwater Model Ordinance – draft update / review status; ordinance adoption deadline 01-05-14

Zoning Officer Beaumont reported the proposed ordinance is in order and in review by the CCPC and on target for a December Public Hearing.

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to authorize publication of Public Notice for a Public Hearing for December 10, 2013.

E. Public Works – November Report

1. Public Works Facilities Improvements (SD# 623) – bid opening results / Staff recommendation(s)/ consider bid action

The BOS and Staff discussed the results of the recent public bids; the bids received were significantly above the estimated costs of construction provided by the Masano Architect Group to the Township (and budget financing). PW Foreman Carroll referred the BOS to a Draft Revision 2.0 (11-13-13), "Proposed Addendum # 5", which included A Summary of Existing (Bid) Contract Amounts with indications for cost reductions.

The BOS and Staff discussed varied aspects of the bid figures and construction components toward a determination of how to proceed. There was no determination made at this time as to whether deletion of certain elements of the proposed building or re-design would be necessary to move forward.

Chair Pompo indicated a bid award based upon the bid results unlikely and that the project must be rebid and inclusive of all prior bid Addendums. Chair Pompo indicated the Township is faced with a dilemma due to the significant overage of the current bids compared with the pre-bid estimate provided by MAG and for which recent Township financing was based. In addition, any later decision by the BOS to proceed with the project at a higher cost will necessitate a full and clear explanation to Township residents.

MAG is scheduled to attend the BOS meetings (11-12-13, 07:30 P.M.) to discuss in detail the project bids and status.

2. Road Program 2013

This item not discussed.

3. Boot Road Closure (AMTRAK) August - October Boot Road (twin tunnels) – COMPLETED

F. Planning / Land Developments – November Report

1. Ciccarone, SD# 606 – Conditional Use action pending Decision (clock to 11-16-13) / current plan review expires 01-15-14)

The BOS discussed a draft Decision prepared by Twp Solicitor Unruh. Supervisor Snook and Chair Pompo discussed including language in the Decision to ensure that the to-be-created homeowners association is responsible for the perpetual care and maintenance of the riparian buffer and as related to the recently completed Brandywine Valley Association Red Stream Blue project on the subject property.

2 Barr, SD # 624 – Offer of Dedication – ROW

Douglas Barr, Applicant, together with David Patten, Esq., were in attendance.

Twp Engineer Lucas briefed the BOS on the matter.

Upon discussion it was determined for the Right-of-Way Offer of Dedication to be removed (as a Plan Note / requirement) from the Plan, a revised plan should be submitted to the Township together with a letter requesting a waiver of the subject SD/LDO requirement.

3. West Bradford Township (proposed Zoning / Comprehensive Plan Amendments) – review / comment (45 day period to 12-06-13)

Supervisors Snook explained his understanding of the intent of the proposed Zoning / Comprehensive Plan amendments. Upon discussion it was agreed there would be no impact to the Township from the proposed changes. Chair Pompo directed Staff to prepare and transmit a reply to West Bradford Township indicating "No Comment".

4. Pennington Auto Body – pending land development application

Richard Pennington, property owner, was not in attendance.

Twp Engineer Lucas indicated the property owner is requesting BOS consideration and relief related to a potential land development application for a storage building located on the commercial property that will not involve any added impervious surface (the proposed location is existing pavement). Technically, under the East Bradford Township Code (SD/LDO) this is a land development and the cost of the process (including engineered plan preparation) is more than the value of the building.

G. Open Space & Trails – November Report

Executive Session - See Page 1, above, for more details.

1. Brandywine Trail Phase III (Skelp Level Trail Connection) – project update

Asst Mgr Cantlin reported the project construction is complete and in use.

H. Engineering – November Report

1 Latta Farm Pond (Conner Road)

The property owner, Robin Latta, was in attendance and read a prepared statement from spouse Peter Latta to the BOS explaining the intentions of the property owners to improve a 15.2 acre parcel of their property with a farm pond, bank barn (future) and keeping of cattle.

Twp Engineer Lucas reported the property owner is requesting Township permission for certain approval processes to run currently particularly a FEMA LOMA (Letter of [Floodplain] Map Amendment) with the requisite Township Conditional Use application / hearing. There is no specific ordinance relief being requested at this time. However, depending upon the ability of the farm pond to be used for fire protection, a conditional use or ZHB variance proceeding may not be necessary.

The property owner is willing to grant an access easement (with necessary improvements), to enable the proposed pond to be used for fire protection (no fire hydrants in vicinity).

Upon discussion, Chair Pompo indicated the BOS could support the plan concept but the Township would need to review to ensure proper procedures and avoid a precedent. The Township will require a review and approval of the fire pond access by the fire company serving the area (WCFD).

The pond construction would require an E & S permit. The construction of the bank barn would only require a zoning review according to CEO Beaumont. Twp Engineer Lucas reported an NPDES Permit has been approved by the CCCD and that a DEP 105 Permit (placing an obstruction in a waterway) is not necessary.

2. Rte. 52 / Edgemill Way traffic review – update

Twp Engineer Lucas updated the BOS indicating that speed data is being prepared by the WCPD for the Township which will be submitted to Gilmore Associates for analysis.

This item moved to the 11-12-13 Pre-regular mtg work session agenda.

I. Codes & Enforcement – November Report

This item not discussed at this time.

J. Township Staff / Operations / Services – November Report

1. Personnel Policy – review / approve Leave of Absence policy (per PMHIC / Benecon)

Twp Mgr Lynch updated the BOS on a requested change to the Township Personnel Policy Handbook to provide for a Disability Leave of Absence policy as requested by the Township health insurance provider PA Municipal Health Insurance Coop (PMHIC), in particular, to ensure the Township health insurance plan document is consistent with Township policy.

This item moved to the 11-12-13 Pre-regular mtg work session agenda.

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

Twp Mgr Lynch updated the BOS indicating a recent conference call with Comcast representatives and Supervisor Egan has resulted in a revised Franchise Renewal Agreement that is in order for BOS consideration to approve.

This item moved to the 11-12-13 Pre-regular mtg work session agenda.

3. 2014 Calendar

This item moved to the 11-12-13 Pre-regular mtg work session agenda.

K. ZHB – November Report – *Pending applications / decisions / appeals*

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

Other Items:

None discussed at this time.

The meeting ended at approximately 03:00 P.M.

Michael P. Lynch, Township Secretary