

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session December 05, 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 (arrived 06:16 P.M.), and John D. Snook
Supervisors not in attendance: All present.

Staff / Township Professionals in attendance:

- Michael P. Lynch, Township Manager/Secretary-Treasurer
- Mark J. Lucas, Township Engineer
- Brenden L. Beaumont CEO / Zoning Officer
- John P. Carroll, Public Works Foreman

Staff NOT in attendance:

- Amanda M. Cantlin, Township Asst Mgr
- 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

- Mark Bedwell, Township resident
- Tom Purdue, President West Bradford Fire Company
- Bob Selecky, President, West Bradford Fire Relief Association
- Victoria Dow and Richard May, West Chester Public Library
- Ken Kuhn, Township resident

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

**EAST BRADFORD TOWNSHIP BOARD OF SUPERVISORS
Thursday, December 05, 2013, 06:00 P.M. AGENDA**

Upcoming meeting schedule:

December 05 , 2013; Thursday	06:00 P.M. - BOS regular work session
December 10, 2013; Thursday	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 – Stormwater Ordinance
December 10, 2013; Tuesday	07:00 P.M. - 2014 Budget approval
January 06, 2014; Monday	06:00 P.M. - Organization
January 09, 2014, Thursday	06:00 P.M. - BOS regular work session
January 14, 2014; Tuesday	06:00 P.M. - BOS pre-reg work session
January 14, 2014; Tuesday	07:00 P.M. - BOS regular meeting

Public Comment: *Discretion of BOS*

Ken Kuhn, Township resident – addressed the BOS regarding the Township on-lot sewage maintenance program seeking relief from the 3-year system inspection and pumping maintenance schedule requirement due to limited occupancy of the residence and system not requiring pumping as frequently as required by the Township ordinance.

The BOS and Twp Eng Lucas explained the program provides for a property owner with an on-lot septic system that does not require pumping upon inspection by a qualified septic service to submit the report to the Township which will reset the schedule for system pumping.

Executive Session: *Discretion of BOS -- Real Estate / Legal / Personnel*

The Board of Supervisors convened an Executive Session from 08:40 P.M. to 08:50 P.M. to discuss a personnel matter All Supervisors were in attendance together with Township Staff.

The Board of Supervisors convened an Executive Session from 09:10 P.M. to 09:47 P.M. to discuss several real estate matters. All Supervisors were in attendance together with Township Staff.

Priority / Action Items: None at this time
Presentations Briefings: West Chester Public Library

Victoria Dow, West Chester Public Library Director, together with WCPL Board President Richard May, thanked the BOS and Township for its past and continued (2014 Budget) support and provided an update of activity and programming. The WCPL celebrated its 125th Anniversary in 2013; East Bradford Township has been supporting the library for more than 20 years. WCPL is working closely with the Chester County Library System on strategic planning. It was reported that 13% of WCPL cardholders are residents of the Township and account for 10-11% of circulation volume. Children's reading programs continue to be very popular and fully subscribed and the WCPL also is engaged with West Chester University with cooperative programming. <http://wcpubliibrary.org/>

Discussion / Briefing Items:

A. Budget / Finance 2013-2014 – December Report

1. Budget 2014 – Preliminary Budget(s) comment / Final Budget approval 12-10-13

Twp Mgr / Treasurer Lynch reported no comments have been received to date from Township residents on the 2014 Budget.

Mr. Lynch stated the General Fund Preliminary 2014 Budget has been revised and updated with YTD data.

2. Park Patrol & Enforcement (position / service)

The BOS discussed a proposal for patrol and enforcement services prepared by Asst Mgr Cantlin.

The Board of Supervisors did not arrive at a consensus on this matter and it was tabled at this time.

3. Property Tax Billing & Collection Service – change to Chester County (from BCIU) / approve authorizing Resolution

Twp Mgr Lynch presented the proposed Township Resolution to the BOS indicating Chester County has requested its adoption as part of the change to the County for property tax collection services. Mr. Lynch indicated the BOS approved the Agreement document in November. This Resolution codifies the Agreement with the County and interrelated Agreement between East Bradford Township and the Township Elected Tax Collector effectively relinquishing the duties of the Elected Tax Collector to the Township and third party (Chester County) for tax billing and collection services.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt a Township Resolution (#23-2013) providing for third party real estate tax collection services with and by Chester County (Office of the Treasurer).

4. Pension (Act 44 – Chapter 7-A) Disclosure Statement (PSATS/Trustees) – adopt for 2014

Twp Mgr Lynch referred the BOS to a Disclosure Statement required by Chapter 7-A of Act 44 of 2009 - Municipal Pension Plan Funding Standard and Recovery Act. The Disclosure Statement covers the administrative, actuarial, investment and advisory services which are provided to the Township for its non-uniform employee pension plan through the PSATS Pension Trust, Summit Financial Corporation and Nationwide.

This is an annual update requirement.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the PSATS Pennsylvania Municipalities Pension Trust Disclosure Form as recommended and advised by PSATS for the Township non-uniform employee pension plan for 2014.

The Disclosure Form will be posted on the Township web site.

B. Emergency Services – December Report

1. WBFC Fire Services Agreement - Township response (to 11-15-13 mtg)

Twp Manager Lynch updated the BOS and reviewed the revised proposed Fire Services Agreement with West Bradford Fire Company. West Bradford Township has requested to be a party to the Agreement.

The current Agreement provides for a fixed \$25,000 annual payment to WBFC over the five (5) year term and provides for annual distribution of a portion of the Foreign Fire Relief funds to West Bradford Fire Relief Association.

WBFC President Tom Purdue and West Bradford Fire Relief Association President Bob Selecky were in attendance.

Mr. Purdue and Mr. Selecky requested Township consideration for increased Fire Relief Funds indicating the funds are needed to purchase equipment (unlike some other fire relief organizations), the WBFC is experiencing a budget deficit and a more rural fire company has different needs and funding issues than a more suburban / urban fire department. Mr. Selecky provided examples of fire fighting equipment provided by the WBFRA and the costs to purchase and maintain.

Supervisor Snook agreed that the Township should examine the funding basis (and formula) for distributing the fire relief funds and that there likely are apparent differences between fire companies that the current calculation method used by the Township (coverage area tax assessed valuation) has not considered.

Mr. Purdue indicated an increased allocation of fire relief funds could offset against increased costs in the direct service fee paid by the Township.

The BOS agreed (w/ a figurative handshake) that it would consider the request in 2014 when the (State) allocation

is received.

The BOS agreed it was not prepared to revise the language in the proposed Agreement on this matter but was prepared to approve the Agreement in its current form inclusive of the requested \$25,000 annual fee.

Mr. Purdue indicated he had not reviewed the current draft Agreement and requested (as a courtesy) the BOS defer action until its next meeting (12-10-13). The BOS agreed.

Twp Mgr Lynch stated the only changes in the draft revised Agreement since the last meeting with WBFC is inclusion of language requested by West Bradford Township to be a party to the Agreement and the revision to return the annual fee to the original WBFC request of \$25,000 annually (the Township had proposed a lower cost and graduated payment schedule.)

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

The BOS acknowledged receipt of the November Police Report sans comment.

C. Organization – December Report

1. BOS Mtg Schedule – January

Upon discussion the BOS indicated that the Thursday work sessions for 2014 will commence at 06:00 P.M.

2. Organization Meeting – Monday, January 06, 2014, 06:00 P.M./ review draft agenda

Twp Secretary Lynch distributed a draft agenda for the annual Organization meeting which the BOS reviewed and discussed briefly.

3. ABC Chair Meetings – next meeting 01-?-14 (Supervisor Pompo) (10-29-13 mtg cancelled)

Chair Pompo indicated a date might best be scheduled after the Organization meeting(s) (01-06-14) occur and municipal meeting schedules are determined.

4. Ethics Statement – proposed revisions / adopt Resolution

The BOS discussed revision to the Township Code of Ethics executed annually by all Township elected and appointed officials. The BOS agreed the provision regarding use of social media by elected and appointed officials was drafted effectively.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve and adopt a Township Resolution (#24-2013) to amend the Code of Ethics of East Bradford Township.

5. Bond Issue Compliance – policy resolution / appoint Bond Compliance Officer

This item not discussed at this time.

Twp Mgr Lynch indicated he would prepare a draft for consideration at the Organization meeting.

D. 2013 Code Amendments – December Report

1. Act 167 County-wide Stormwater Model Ordinance – draft update/review status; PH scheduled 12-10-13; adopt by 01-05-14

The BOS discussed the status of the final draft of this extensive (109 page) ordinance in preparation for the scheduled Public Hearing (12-10-13) 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 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.

2. Riparian Buffer regulations – Chesapeake Bay Handbook

Supervisor Snook reiterated that the current Township riparian buffer regulations need consideration for amendment and referenced both the Chesapeake Bay Handbook and existing municipal ordinances as good information sources for such a review. Mr. Snook indicated ambiguities in the language and the need to consider unique site conditions and non-conformities should be addressed.

Supervisor Snook also recommended the Township regulations for woodland protection should be considered for review and amendment (EAC).

E. Public Works – December Report

1. Public Works Facilities Improvements – update

PW Foreman Carroll updated the BOS on the status of the project and public re-bid process. The BOS rejected all bids and authorized rebidding the project (11-11-13) following extensive revisions to the Specifications with the objective to decrease costs. Sealed public bid proposals will be opened 01-03-14 (a mandatory pre-bid meeting is scheduled for 12-16-13).

Vice Chair Egan recommended, and the BOS agreed, that the tabulated bid results transmitted to the BOS for review and consideration should conceal the actual name of the bidders by utilizing a letter ID (i.e., Joe Bidder is

"A", Mary Bidder is "B"...) to ensure objective impartiality.

2. Road Program 2013/14 – winter maintenance

PW Foreman Carroll updated the BOS on efforts by Public Works to build two (2) salt brine spreaders (mounted on trucks) and a brine making system that will be effective tools for road winter maintenance. Building the equipment in-house represents a significant savings if purchased from the manufacturer (a manufactured truck spreader cost approximately \$10,000 and the in-house fabricated spreader built by Public Works approximately \$2,000).

F. **Planning / Land Developments** – December Report

1. CCAA, SD# 625 – PC recommends Preliminary Plan approval w/ waivers (11-26-13)

The BOS discussed the status of the plans with Twp Engineer Lucas. The current review time clock expires 02-02-14.

Chair Pompo stated Twp Staff needs to review the plans with the Zoning Hearing Board Decision (and transcript) to ensure consistency.

The BOS discussed specific aspects of the plans including entrance access, parking, stormwater management, sidewalks / walking paths, and, recreation.

The BOS directed Twp Engineer Lucas to prepare (in draft motion form) a listing of conditions and waivers that need to be considered by the BOS for Preliminary Plan approval.

Chair Pompo directed this item to the BOS Regular Meeting Agenda (12-10-13).

2. Barr, SD# 624 – PC recommends approval of Amended Final Plan (11-26-13)

The BOS reviewed the revised plan and Twp Engineer Lucas indicated it is in proper order to approve the plan (Note) revision.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Planning Commission and Twp Engineer and approve an Amended Final Plan for Barr, SD# 624.

3. Ciccarone, SD# 606 – update

Twp Engineer Lucas reported the Applicant has submitted revised plans which are pending review by the Township.

G. **Historical Commission / H.A.R.B. – December Report**

1. East Bradford Shoppes (Bradford Retail) – sign for Bradford Cleaners – approval recommended

CEO Beaumont described the proposed improvement (sign) and recommendation of the Historical Commission.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Historical Commission and approve the requested sign for East Bradford Shoppes (Bradford Retail) sign for Bradford Cleaners, located in the Township Historic Commercial District.

2. HR # 102, 1260 Allerton Road – addition & renovations – approval recommended

CEO Beaumont described the proposed improvements (addition and renovations) and recommendation (11-19-13) of the Historical Commission.

The Applicant was in attendance.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Historical Commission (11-19-13) and approve the requested improvements for HR # 102, 1260 Allerton Road (addition & renovations)..

3. HR # 75, 890 Strasburg Road (Taylor-Cope CHD) – window replacement – H.A.R.B. recommends Certificate of Appropriateness

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Township Historical Architectural Review Board (Public Hearing 11-14-13) to approve and issue a Certificate of Appropriateness to HR # 75, 890 Strasburg Road (Taylor-Cope Certified Historic District) for the requested window replacement improvements.

H. **Open Space & Trails** – December Report

Executive Session – refer to Page 1 above for details.

I. **Engineering** – December Report

1 Shadow Wood Farm drainage issue – update

Twp Engineer Lucas updated the BOS indicating two (2) property owners have provided permission for the Township to access their properties and excavate exploratory pits to determine the extent and condition of existing stormwater structures. Mr. Lucas stated alternatives to improve the reported drainage situation cannot be identified until the existing conditions are known.

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

Twp Engineer Lucas updated the BOS reporting that the Township traffic consultant (Gilmore Associates) has collected necessary data and accident reports to commence the analysis.

3. Pennington Auto Body – pending application for storage shed

Twp Staff (Lucas and Beaumont) reviewed procedural requirements for a pending submission to install a pre-designed shed on the subject property. The purpose of the review was to evaluate the type of submission necessary for approval of the proposed improvement (land development application, building permit application...).

Upon discussion, the BOS agreed Twp Staff should determine requirements and waivers necessary to consider a 'modified' land development application. The BOS agreed that the proposed improvement, as understood at this time, would likely have a minimal impact as a 12' x 24' shed installed on existing impervious surface.

J. **Codes & Enforcement** – December Report

1. Junk Vehicle 'remote' storage – update on non-compliant properties

Twp CEO Beaumont updated the BOS on the matter indicating that one property owner has removed the junk vehicles.

Upon discussion, the BOS agreed the Twp CEO issue Enforcement Notices (30 days to comply) to three (3) properties identified with junk vehicles (and other junk) stored on the properties in violation of the Township Zoning Code.

CEO Beaumont informed the BOS of recent complaints (received this week) regarding one of the above properties located along W. Miner Street and staging of contractor vehicles and equipment which represented a Township Zoning Code use violation in a residential district.

Upon discussion, the BOS agreed the Twp CEO issue a Cease and Desist Order to the offending property owner.

K. **Township Staff / Operations / Services** – December Report

1. Records Retention – adopt records disposal resolution

Asst Mgr Cantlin prepared the current subject 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 Township Resolution (# 25-2013) 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. 2014 Township Artist Calendar

Vice Chair Egan acknowledged the recent communication to all Township ABC's to consider a purchase of the calendar to support the scholarship program and thanked Twp Staff.

L. **ZHB** – December 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

This item not discussed.

Other Items:

1. Sewer PLGIT Merchant Electronic Payments Service -

Twp Mgr Lynch requested BOS action / authorization to renew / update the electronic payment service agreement with PLGIT to provide credit card payment services for Township public sewer customers. PLGIT also notified the Township of a change from Global Payments to Elavon for the credit card acceptance program.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt a (PLGIT form) Resolution of Merchant (Township) Authorizing Participation in the Merchant Services Program. The Resolution form will be executed by the Township Manager. (Twp Res # 26 – 2013)

The meeting ended at approximately 09:47 P.M.

Michael P. Lynch, Township Secretary