

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session February 06, 2014 in the Township Building, 666 Copeland School Road, West Chester, and Chester County, PA 19380-1822.

Public Notice of the 2014 East Bradford Township public meeting schedule was published in the Daily Local News 12-31-13.

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, Administrative Assistant
- Nancy F. Holland, Administrative Assistant
- 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

None.

The work session commenced at approximately 06:03 P.M.

**EAST BRADFORD TOWNSHIP BOARD OF SUPERVISORS
Thursday, February 06, 2014, 06:00 P.M. AGENDA**

Upcoming meeting schedule:

February 06, 2014, Thursday	06:00 P.M. - BOS regular work session
February 11, 2014; Tuesday	06:00 P.M. - BOS pre-reg work session
February 11, 2014; Tuesday	07:00 P.M. - BOS regular meeting
February 11, 2014; Tuesday	07:00 P.M. - Public Hearing – none scheduled
March 06, 2014, Thursday	06:00 P.M. - BOS regular work session
March 11, 2014; Tuesday	06:00 P.M. - BOS pre-reg work session
March 11, 2014; Tuesday	07:00 P.M. - BOS regular meeting
March 11, 2014; Tuesday	07:00 P.M. - Public Hearing – none scheduled

Public Comment: *Discretion of BOS*

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.

Priority / Action Items: None at this time

Presentations Briefings: None at this time

Discussion / Briefing Items:

- A. **Organization** – February Report
 - 1. Organization Meeting – follow-ups (open appointments – Independent Auditor – Mingis, Gutowski)
Twp Secretary Lynch reported Public Notice to appoint an Independent Auditor was advertised in the Daily Local News 12-31-13.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to officially appoint Mingis, Gutowski as the Township Independent Auditor for 2014.

2. WCACOG – Neighborhood University / Township commitment

Supervisor Snook updated the BOS on plans by the WCACOG and its municipal members to present a Neighborhood University program / curriculum Fall 2014 for a limited number of registrants (40 +/-) on local government structure, operations, finance and services.

Mr. Snook indicated that he committed the Township to present (2) components of the 10 week course both related to land use and development that he will organize and present with support and participation of Twp Staff.

Vice Chair Egan commented that the program is well suited to the function of the WCACOG.

3. ABC Chair Meetings – scheduled meeting Monday, 02-17-14, 06:00 P.M. (Supervisor Pompo)

Twp Mgr Lynch reported positive attendance responses from all but one of the ABC's. Chair Pompo requested Staff discuss a planned presentation by the Park & Recreation Board members on social media use by the Township. Chair Pompo requested the length of presentation be managed and that the content of the presentation be provided to the group in advance.

B. Public Works – February Report

1. Public Works Facility Construction – status (contracts, start date, site prep, permits) / campus access / use planning

PW Foreman Carroll reported the pre-construction meeting with contractors is scheduled for 02-10-14.

Staff reported that contract documents, permits (including Township Building Permit, NPDES...) are in order and have been approved / issued or are pending / in process.

Twp Staff has prepared a Township Campus Access & Use Plan for the construction period (03-01-14 to 09-30-14). The BOS indicated the plan seems comprehensive and had no comments at this time.

2. Road Program 2014 – proposed road maintenance (paving) projects

PW Foreman Carroll discussed the recommended 2014 road paving maintenance program with the BOS. The listed roads include Creek Road (Rt. 162 to Rt. 842), Allerton Road (Rt. 842 to Allerton Road 'County Iron Bridge') and Sunset Hollow Road West (Copeland Road to Valley Creek Road). Mr. Carroll explained Sunset Hollow Road (West) is included based upon the deteriorating condition of the surface which ideally should have been resurfaced within 12 months of the full depth reclamation paving completed approximately 4 years ago. Mr. Carroll indicated the pre-bid estimated cost of the repaving should be in line with the 2014 (combined funds) budget of \$400,000 (including \$50,000 for Sunset Hollow Road (West)). Upon discussion, the BOS generally concurred with the recommended paving program.

The BOS suggested Sunset Hollow Road (West) at Valley Creek Road should be tapered if possible to better manage traffic turning movements at this location.

The BOS and Staff discussed the deteriorating condition of Ravine Road (very low volume / residential density) including consideration to modify the traffic pattern (to one-way) and / or ownership of the road (road abandonment to adjoining properties).

Vice Chair Egan emphasized the importance and need to incorporate the 10-Year Road Plan (completed in 2012) into the capital budget process. Dr. Egan reiterated the Road Plan needs annual update / revision to address changing road conditions. Mr. Carroll stated he is updating the document annually (with focus on a 5-year paving schedule).

PW Foreman Carroll updated ongoing winter storm maintenance operations which have been effective (based upon resident input / follow-up calls & minimal issues) but which have resulted in substantial budget overages for materials (salt, brine), Public Works overtime and equipment repair / maintenance.

Mr. Carroll further commented that the beet juice used for pre-treatment of roads has been particularly effective. Mr. Carroll also indicated that a social media (Facebook) is proving to be a very effective tool for local municipalities with regard to interactive reporting of road conditions and problems.

C. Planning / Land Developments – February Report

1. Chester County Art Association, SD# 625 – update / discuss landscape review

Twp Engineer Lucas inquired of the BOS its preference for consideration of right-of-way acceptance for the project along Bradford Avenue and Hillsdale Road. The BOS agreed, per past practice, it would consider acceptance of an offer of dedication (with deed) at the time of land development approval.

Mr. Lucas also requested BOS input regarding an inquiry of the Applicant on the landscape plan review (by Twp consultant Glackin Thomas). The BOS indicated it expects the Applicant to abide by the recommendations (a condition of Preliminary Plan approval 01-14-14) or to request specific relief with explanation for BOS consideration.

2. Comerford, SD# 626 – Preliminary Plan – update / time extension (to 05-25-14)

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the request of the Applicant for a 90-day review clock extension for Comerford, SD# 6256 to (05-25-14).

3. Comprehensive Plan Update – visioning

Asst Mgr Cantlin discussed with the BOS a 'vision' document to obtain direction on how to proceed with the update process. The objective is to obtain adequate information to prepare an RFP. Ms. Cantlin suggested a Mission Statement (for the Township) be developed as part of the process and as a keystone for the actual Comprehensive Plan Update.

Mr. Snook indicated the plan update should be prepared in strategic plan format (and suggested several municipalities who have followed this approach). Mr. Snook also indicated West Chester Borough is underway with revision to its comprehensive plan and there are real opportunities to coordinate planning efforts with mutual benefit (Downingtown Pike Corridor, Bradford Avenue Corridor).

Ms. Cantlin indicated the next Chester County Vision Partnership Grant cycles are March and September 2014.

It was agreed the Township contact the CCPC to discuss the Township Comprehensive Plan Update (vision), grant application (perhaps prior to identifying a consultant) and also inter-municipal coordination (w/ West Chester Borough).

4. Ciccarone, SD# 606 – Preliminary Plan status (review clock expires 03-16-14)

Twp Engineer Lucas updated the BOS indicating the Applicant will be proposing the subdivision in two phases to distinguish between the existing front two lots with frontage on Rt. 52 and the (5) rear lots.

The BOS discussed the relationship of a phased plan to the installation sequence of infrastructure indicating water, sewage, access and the homeowners association documents which all need consideration in Phase 1 to ensure performance. If these matters are effectively addressed, the BOS agreed this was the proper time to consider a phase subdivision approach.

The BOS agreed to place the matter on the 03-11-14 Regular Meeting agenda if the Applicant needs to present the proposal directly to the BOS but in the interim if such matters can be attended to by Twp Engineer Lucas that would be preferable.

D. **2014 Code Amendments** – February Report

1. 2014 Code Updates

This item not discussed.

2. WCACOG – update (wireless facilities management proposal)

Supervisor Snook updated the BOS on the pending proposal from the January meeting reporting that the WCACOG upon discussion agreed to request the Cohen Law Group and Unruh, Turner, Burke & Frees for preparation of a model ordinance that can be used by all of the participating member municipalities as a basis to consider amendments to each municipality's existing and specific regulations on the matter.

Twp Mgr Lynch reported that the Cohen Law Group and Unruh, Turner, Burke & Frees may be discussing a joint cooperative proposal utilizing the resources and expertise of both law firms.

E. **Open Space & Trails** – February Report

This item not discussed.

F. **Engineering** – February Report

1 Rt. 52 / Edgemill Way traffic review – update

Twp Engineer Lucas reported the traffic assessment from Gilmore Associates will not be available until next week but the preliminary indication from the traffic engineer is that there are road enhancements / improvements that upon submission to PADOT can be considered.

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

1. Junk Vehicles Enforcement – update

CEO Beaumont updated the BOS indicating that two properties are now in compliance (Bradford Retail Center and Sunoco Country Market) but that Enforcement Notices on the remaining properties have not been issued due to weather conditions impairing the ability to time document the offending vehicles' (inspection stickers covered with snow / ice).

2. Brandywine Dog Park – zoning interpretation

The BOS and Staff discussed current planning issues related to the improvements with particular regard to the parking area proposed for the site and its encroachment into the regulated riparian buffer area. The parking lot design is for gravel (with screening) which is interpreted as impervious. An additional complicating factor is an existing (3 year) farm lease for the property. Upon discussion it was agreed to review the lease with the tenant toward a possible modification. Depending upon the outcome of the lease modification, land use procedure including conditional use approval (BOS) and zoning relief (ZHB) may be warranted.

H. **Township Staff / Operations / Services** – February 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 (# 07-2014) 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. Public Sewer delinquent account collection – discuss third party collection services

The BOS discussed a proposal from Portnoff Law Associates (a Norristown, PA law firm specializing in municipal collections) for collection services of delinquent sewer accounts.

Twp Mgr Lynch indicated that approximately 40+ sewer accounts are delinquent with unpaid balances in excess of \$1,000. Approximately 15 accounts have unpaid balances in excess of \$5,000. Most of these accounts have been liened but the property owners are not making any payments or arrangements for payment plans.

Upon discussion, the BOS agreed the Township request a service engagement / contract proposal from Portnoff Law Associates. Chair Pompo indicated it may be necessary for the Township, upon advice of Portnoff Law Associates, to amend its sewer ordinance to provide for the third party collection services and fees (re: Act 1).

3. Township Campus Security Assessment – discuss report prepared by WCPD (Sgt. James Moorehead)

Twp Mgr Lynch referred the BOS to a preliminary campus security assessment prepared by Sgt. Moorehead, WCPD. The preliminary assessment is more of a survey with additional information needed from the Township.

Upon discussion the BOS agreed this matter is timely and important and that Staff should consider the preliminary assessment and offer recommendations to improve security at the Township campus and Township building.

I. **Budget / Finance** – February Report

1. Budget 2014 / 2015

This item not discussed.

2. Sewer Capital Reserve Study – funding indications for 2015 Budget

This item not discussed.

J. **Emergency Services** – February Report

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

The BOS acknowledged receipt of the current report (January 2014).

K. **ZHB** – February 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. Twp Mgr Lynch discussed with the BOS an interest to contact Aqua PA regarding exploratory discussion toward consideration of a purchase of the Township public sewer system. The BOS agreed such a discussion would be useful but indicating that stability of rate structure for customers would be an essential consideration.

2. Chair Pompo commented on the recent pole light replacement (necessitated from damage incurred by a truck accident in 2013) at the Township campus entrance at the intersection of Frank and Copeland Road indicating that it does not have shielding (cut offs) to direct the light downward. Mr. Pompo stated he disagreed with the interpretation of Twp Zoning Officer Beaumont on the light fixture as an existing non-conforming use and replacement as an equivalent. Mr. Pompo stated the light must comply with Township ordinances.

Twp Mgr Lynch stated the matter will be reviewed toward an effective resolution.

3. Twp Engineer Lucas provided an update on the condition of the (6) Township sewer pump stations and system from the recent winter storms and current region-wide power outage still affecting these facilities. The recent ice storm (02-04-14) caused massive power outages in the entire PECO service area (600,000 + customers, 85% of Township 3,800 customers affected and still ongoing at this time). Mr. Lucas indicated that overall the pump stations are operating with normal power or with emergency generators and that there have been no overflows or incursions (into streams).

4. Vice Chair Egan, with regard to the current regional power outages due to the ice storm, stated that the regional utility – PECO – should implement an annual (5%) capital replacement program to install all utilities underground. Vice Chair Egan recommended the Township send a letter to the Chester County Association of Township Officials (CCATO) for a resolution to be adopted (for transmittal to PSATS) to introduce legislation to require utilities to install and replace all electric utilities underground. The BOS agreed.

The meeting ended at approximately 08:40 P.M.
Michael P. Lynch, Township Secretary