

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session April 09, 2015 in the Township Building, 666 Copeland School Road, West Chester, and Chester County, PA 19380-1822. *Public Notice of the 2015 East Bradford Township public meeting schedule was published in the Daily Local News 12-29-14*

Supervisors present were: Vincent M. Pompo, Esq., Thomas A. Egan, 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 Director

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 in attendance.

Other Residents / Citizens in attendance:

Tom Harvey, Downingtown Pike
Tom Masano / George Gibson – Masano Architect Group

The work session commenced at approximately 06:08 P.M.

Upcoming meeting schedule:

April 09, 2015, Thursday	06:00 P.M. - BOS regular work session
April 14, 2015; Tuesday	06:00 P.M. - BOS pre-reg work session
April 14, 2015; Tuesday	07:00 P.M. - BOS regular meeting - Public Hearing- none scheduled
May 07, 2015, Thursday	06:00 P.M. - BOS regular work session
May 12, 2015; Tuesday	06:00 P.M. - BOS pre-reg work session
May 12, 2015; Tuesday	07:00 P.M. - BOS regular meeting - Public Hearing- pending

Public Comment: *Discretion of BOS*

None received / offered at this time.

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

The Board of Supervisors convened an Executive Session during this work session from 09:15 P.M. to 09:40P.M. to discuss real estate, personnel and legal matters. All Supervisors were present together with Township Staff.

Priority / Action Items: *None at this time*

Presentations Briefings: *None scheduled.*

Discussion / Briefing Items:**A. Budget / Finance – April Report****1. Budget 2015 / 2016**

Twp Mgr Lynch reported that comments have been received from various citizens in response to the (2016) Budget article posted on the Township web page. In particular, the comments have been received from a number of current members of Township ABC's.

Another topical article is planned for early summer on the subject of both the existing reserve data and planned reserve studies and analysis. In addition, Mr. Lynch indicated the intention to provide a tax illustration with explanation of all the taxes imposed from the other entities (WCASD, County) to enable residents to better understand the current tax rate system to which they are subject. For example, the Township imposes an Earned Income Tax of 1.25% of which .5% is to the school district and .25% is a dedicated Township Open Space Tax.

Vice Chair Egan suggested an article include an explanation of current General Fund budget expenditures as related to the EIT (and other tax and general receipts). Supervisor Snook suggested a comparison the tax rates of neighboring municipalities in the WCASD for perspective.

2. Bond Issue 2011 Refinancing

Chair Pompo briefed the Supervisors that Township Financial Advisor Tom Beckett, NW Financial, recently prepared an analysis of potential savings from refinancing of the 2011 Bond Issue.

Chair Pompo stated this is a favorable time (in the current economy) to refinance. The BOS discussed the potential in such a bond refinancing to reimburse the Township General Fund through the Capital Fund (\$400,000) for the additional cost of the 2014 Public Works building construction and also to repackage the existing DVRFA open space debt.

The BOS agreed to request a proposal from Mr. Beckett, NW Financial Group, for Advisor services to accomplish the bond and debt refinancing including obtaining proposals for a competitive bond underwriting services.

Chair Pompo requested a response from Mr. Beckett for the 04-14-15 work session.

3. Capital Fund – reserve study planning

Twp Mgr Lynch reported that Twp Engineer Lucas is preparing an RFI /RFP to obtain information / proposals for preparation of a capital reserve analysis of stormwater facilities in the Township. This initiative is driven by the mandates and requirements of the PA DEP MS-4 and TMDL stormwater regulatory programs.

Vice Chair Egan stated one of the objectives and end results of any capital reserve study, stormwater facilities in this case, should be a determination of annual funding obligations.

Twp Engineer Lucas used this opportunity to brief the BOS about the potentially positive relationship of stream improvement projects, i.e., Red Stream – Blue, with entities like the BVA as a more effective and cost efficient manner to address PA DEP requirements for TMDL performance and sediment load reduction compared with retrofitting existing early generation stormwater facilities. The BOS responded positively to this insight offered by Mr. Lucas which could practically develop upon completion of the stormwater facility capital reserve analysis. Mr. Lucas suggested the study could be completed as soon as fall 2015.

B. Planning / Land Developments – April Report

1. Harvey property, Downingtown Pike – zoning inquiry (03-05-15)

The BOS referred to a letter (03-05-15) from D.L. Howell, on behalf of the Harvey family seeking guidance with regard to a proposal to subdivide the property for estate planning purposes.

Mr. Tom Harvey was in attendance.

Twp Engineer Lucas reported the proposed plan would seek to subdivide the current non-conforming property into two lots -1 residential and 1 commercial (existing non-conforming use auto repair garage) by seeking a zoning change to include the auto repair garage in the C-1 District (currently in the R-3 District). Chair Pompo expressed a preference for the garage to be regulated as a permitted use. Vice Chair Egan expressed concern for a zoning that could result in unknown land use impact in other C-1 Districts in the Township.

Upon discussion, the BOS agreed the land use issues should be examined (by the Twp Planning Commission and Staff) before consideration of the subject subdivision plan proposal (an application has not been officially submitted at this time). Mr. Harvey indicated he was amenable to defer a formal submission of the proposed plan for 60-90 days pending completion of the land use review by the Township.

2. Brandywine Farm (north) – subdivision process and preparation

Asst Mgr Cantlin referred the BOS to a draft Revised Layout and Trail Plan for the Township-owned Brandywine Farm.

Upon discussion, the BOS agreed for Twp Staff to prepare (several) very basic concept plans. Supervisor Snook stated he would be pleased to assist Staff in the preparation.

3. Comerford, SD# 626 – plan status / time extension (*current review clock to 04-10-15*)

On motion of Dr. Egan, seconded by Mr. Snook, the Board of Supervisors voted unanimously to accept and approve the Applicant request (03-20-15) for a plan review time extension to 06-15-15 for Comerford, SD # 626.

4. Comprehensive Plan Update – appoint Task Force / sign contract w/ TCA / opening mtg 05-06-15

Asst Mgr Cantlin referred the BOS to a list of participants to serve on the Comprehensive Plan Task Force.

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted unanimously to establish a special committee - Township Comprehensive Plan Task Force – and appointed the following Township residents to serve for the duration:

Anthony Biacchi, John Spangler, Kathryn Deaville, Shelia Fleming, Harry Hatzipavrides, Mark Bedwell, Fred Rothman, Andrew Schaum, Kathy Bergmann, Scott Bohn, Jo Anne Yarnall, John Johnson, and Ken Cavanaugh.

Asst Mgr Cantlin referred the BOS to the Chester County Vision Partnership Grant Program Contract for consideration to execute. The Chester County Planning Commission (03-16-15) approved the grant application for funding in the amount of \$35,000.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve and to execute the Chester County Vision Partnership Grant Program Contract (for East Bradford Township Comprehensive Plan Update) Between the Township, Thomas Comitta Associates, Inc. and County of Chester.

C. Open Space, Parks & Trails – April Report

Executive Session (Real Estate) – reference Page 1 of these Minutes

1. DCNR Grant Application – adopt Resolution (OS #02-2015)

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt a PA Department of Conservation and Natural Resources (DCNR) Resolution (OS #02-2015) to apply for grant funds for property acquisition.

D. Engineering – April Report

1. TMDL's Program Update

This matter (Total Maximum Daily (sediment) Load) was generally discussed by Twp Engineer Lucas in Item 3. A. above (capital Fund – reserve study planning).

2. Intermunicipal Sewer Agreement (w/ West Chester Borough renewal 2016-2020 – consider / comment draft)

Twp Engineer Lucas briefed the BOS and requested input on preparation of a draft renewal Agreement with the Borough of West Chester for public sewer wastewater treatment.

Upon review and discussion of the draft, the BOS agreed to transmit the document to West Chester Borough for consideration.

E. Public Works – April Report

1. Road Program 2015 – update

Pb Wks Director Carroll reported an interview and selection process has been completed to hire a new (#7) Public Works Laborer (Unskilled) employee as provided in the 2015 Budget.

Mr. Carroll also informed the BOS that the Department, in cooperation with District Justice Mark Bruno, is benefitting from the community service program for non-violent offenders.

Mr. Carroll updated the BOS on the paving schedule for mid-May start of paving of the selected roads followed by paving of the Township Campus.

2. Public Works Facility – Tom Masano, Masano Architect Group

Mr. Masano and George Gibson, Masano Architect Group were in attendance to address the BOS regarding architectural design services provided in 2014 for the (new) Public Works building. Mr. Masano explained that a mathematical error and omission by MAG in the contract (provided for only 1 prime contractor @ \$7,500 instead of 4 prime contractors – an error of \$22,500). Mr. Masano indicated he alerted the Township to this fact 03-31-14 and again 12-31-14 in written form. Mr. Lynch, indicated with regard to the 03-31-14 "Addendum #2" correspondence the omission was not clearly presented, Mr. Masano did not contact the Township to appear before the BOS and seek authorization for the calculation error (despite communication from Pb Wks Director Carroll to request same), the BOS was not aware of the situation (reference BOS Minutes April 2014 thru December 2014) and accordingly did not have an opportunity to and / or authorize such a change to the contract terms. Mr. Lynch stated the matter was not made clear to him until the 12-31-14 MAG "Close-out" correspondence where a paragraph on Page 1 explicitly described the omission. The executed contract explicitly states the architect will notify and verify with [the Township] when change in the scope is happening and will proceed only upon written approval by the Owner. Mr. Lynch stated this procedure was not followed.

The BOS thanked Mr. Masano and Mr. Gibson for their explanation and indicated the matter would be discussed (Executive Session) and communicated through Twp Manager Lynch.

3. Tree Maintenance – draft procedural policy

Twp Staff (Beaumont, Carroll, Lucas) referred the BOS to a draft Tree Removal and Maintenance Policy (and procedures) in response to recent requests expressed by Township residents to clarify who, when and how trees are to be removed and / or maintained, particularly within and along the road rights-of-way (both Township personnel and property owners).

Chair Pompo deferred consideration of this matter to the 04-14-15 BOS Regular Meeting Agenda.

F. 2015 Code Amendments – April Report

1. Riparian Buffer – CCPC & Twp PC review pending (consideration to authorize advertisement of PN)
CEO Beaumont reported the draft ordinance was submitted to the CCPC 03-27-15 and is scheduled for review by the Twp Planning Commission 04-28-15.

The Board of Supervisors authorized advertisement of Public Notice 03-10-15. The tentative scheduled Public Hearing is 06-09-15 pending receipt of the comment and any address thereto.

2. Transmission Pipelines (Historic Resources amendment) – consideration to authorize advertisement of PN

The CCPC review of the proposed amendment (04-06-15) recommended the Township adopt the proposed amendment.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to authorize advertisement of Public Notice for a Public Hearing (05-12-15) to receive public comment and consider adoption.

3. Wireless Management – consider CCPC 03-06-15 review / Twp Solicitor comment

The CCPC review of the proposed amendment (03-06-15) recommended the Township should consider the comments in the letter before acting on the proposed amendment.

CEO Beaumont reported that the Twp Solicitor is reviewing the comments and a response (Kim Venzie, Esq.) is pending. Chair Pompo indicated it is important for the review to address whether the FCC recently adopted (01-08-15) new wireless facility rules (effective 02-09-15) impact the ordinance (and it be revised accordingly prior to advertisement of public notice).

The BOS deferred action to authorize advertisement of public notice until the Twp Solicitor review is completed.

4. Signs (billboard / digital) – consider CCPC 03-13-15 review / consideration to authorize advertisement of PN

The CCPC review of the proposed amendment (03-13-15) recommended the Township should act on the proposed amendment according to the recommendation of the Twp Solicitor.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to authorize advertisement of Public Notice for a Public Hearing (05-12-15) to receive public comment and consider adoption.

G. Codes & Enforcement – April Report

1. Codes Enforcement – update

CEO / ZO Beaumont referred the BOS to the 03-23-15 Code Update Report which was discussed by the BOS.

The BOS discussed the status of various properties listed on the report.

Collas, Brandywine Road – the BOS authorized the Twp CEO to file a complaint with the District Justice to obtain compliance with the noted Township Code violations.

Brandywine Auto repair, Bradford Avenue – The BOS agreed the Twp CEO monitor and record the number of stored vehicles on the property during the next 30 days and report the findings to the BOS at the 05-07-15 work session.

Bridge Street Associates, Bridge Road – CEO Beaumont reported receipt of a letter (04-02-15) from the property owner Amrit Lal authorizing Larry Woodward to handle “any and all matters regarding 1370 Bridge Road”.

2. WCUSC / Delacy property – 04-01-15 letter from WCUSC – *access improvements, appt to WCUSC B of D, WP Tree program, memorial*

The BOS acknowledged receipt of a letter (04-01-15) from the West Chester United Soccer Club (Dir. of Fields, G. Bevilacqua) noting that the submitted arborist reports (03-20-15 – Rockwell Associates & Chips Tree Service 03-22-15) were prepared after the tree removal but no arborist report was submitted documenting the condition of the tree before its unauthorized removal. The BOS acknowledged the apology from the WCUSC and Mr. Bevilacqua and the cooperative expression to continue to work with the Township on the open items of access improvement, consideration of an appointed Township representative with the WCUSC, and compensatory planting. Chair Pompo noted that the violation remains active until the installation of the compensatory plantings. Vice Chair Egan continued to express an interest to retain some portion of the tree as a historical memorial (possibly illustrating the age of the tree through its (remaining) tree rings).

Twp Engineer Lucas reported that Township Staff, together with PADOT representatives, is scheduled to meet on-site 04-10-15 to discuss the access improvements and procedure to accomplish.

The BOS noted, in response to an inquiry in the subject letter about removal of the stump, that the Township has no jurisdiction over a tree stump per se and that this should be discussed with PADOT as it is located in the PADOT right of way.

Vice Chair Egan suggested the BOS advance its discussion to consider initiating a William Penn tree inventory and identification program. Upon discussion, the BOS agreed to charge the Green Committee with investigating the logistics and method(s) and cost for such a program.

H. Historical Commission – April Report

1. Demolition by Neglect 2015 Report

The BOS acknowledged receipt of the annual Demolition by Neglect report prepared by the Twp Historical Commission (03-18-15) per Section 115-125B of the Township Zoning Chapter.

I. EAC – April Report

1. Beekeeping – update / consider authorization to proceed

The BOS considered a draft Beekeeping Rules and Regulations document (and Application) prepared by the EAC and Twp Staff in response to an inquiry from the Chester County Beekeepers Association to locate and maintain bee hives in East Bradford Township on public open space lands.

Twp Mgr Lynch reported the EAC is working with members of the Association to locate suitable areas and that the Skelp Level Open Space has been indicated as a good location (good access and limited public use).

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to adopt the Beekeeping Rules and Regulations and authorize the activity with oversight and site location approval to be coordinated by the Twp Environmental Advisory Council.

J. Township Staff / Admin Operations / Services – April Report

Executive Session (Personnel) – reference Page 1 of these Minutes

1. BOS Electronic Agenda / Board Books – device review / selection

Asst Mgr Cantlin referred the BOS to potentially suitable devices for consideration. The objective of the effort is to update the paper document monthly Board Books to an electronic 'paperless' form which will allow efficient access by the Supervisors for meeting prep and agenda document reference at the meetings.

Upon discussion, the BOS agreed to select and authorize purchase of (3) Apple iPad Air 2 (Wi-Fi) Models (price range @ \$400 - \$600 pending State Contract pricing).

2. Records Retention – records disposal resolution (Res.09-2015)

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

On motion of Dr. Egan, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to adopt a Township Resolution (#09-2015) 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).

3. Township Sewer (Conveyance) System

Twp Mgr Lynch updated the BOS on an inquiry for consultative services from AUS Consultants, Camp Hill,

PA

K. Organization – April Report

1. ABC's – current vacancies – HC 03-17-15 recommend / GC 03-24-15 recommend / BVSBC / Trails

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Historical Commission (03-17-15) and appoint Marie Boisvert to the Historical Commission to fill the vacancy and unexpired term to 12-31-15.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Green Committee (03-24-15) and appoint Alicia Gemelli to the Green Committee to fill the vacancy and unexpired term to 12-31-17.

2. ABC Chair Meeting – *none scheduled at this time (deferred to 1st Qt 2015)*
This item not discussed.

L. Emergency Services – April Report

1. Police Services – WCPD Alarm Administration

This item not discussed and deferred to the 04-14-15 BOS Pre-regular Mtg Work Session Agenda.

2. WCACOG (Regional Police Services) / DCED Study

This item not discussed and deferred to the 04-14-15 BOS Pre-regular Mtg Work Session Agenda.

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

The BOS acknowledged receipt of the March 2015 Report.

M. ZHB – April Report – NO Pending applications / decisions / appeals at this time

This item not discussed.

Other Items:

None discussed at this time.

The meeting ended at approximately 09:44 P.M.

Michael P. Lynch, Township Secretary

Next Regular WS: May 07, 2015

Next Ordinance: 07-2015 (last 06-15 Alarms)

Next Resolution: 10-2015 (Sewer S-01-15; Open Space OS-03-15)