

WORK SESSION:

The Board of Supervisors (BOS) of East Bradford Township (Township), Chester County, PA held a work session May 05, 2016 in the McCardle Meeting Room of the Township Administration Building, 666 Copeland School Road, West Chester, and Chester County, PA 19380-1822.

Public Notice of the 2016 East Bradford Township public meeting schedule was published in the Daily Local News 01-07-16.

Supervisors present were: Vincent M. Pompo, Esq., Thomas A. Egan, John D. Snook
Supervisors not in attendance: All present (*Vice Chair Egan exited the mtg at 07:16 P.M. items w/ * indicate present for discuss/action*)

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 / Professionals NOT in attendance:
Township Solicitor - Unruh, Turner, Burke & Frees

Also in attendance Advisory Boards and Commissions (ABC's):
Strode Barn Study Committee Members: Andrew Schaum, Richard Buchanan (w/ Clark Lamont from Archer-Buchanan), Linda Kaat, Mark Hoopes, Karen Marshall, Mary Sue Boyle

Other Residents / Citizens in attendance:
None.

The work session commenced at approximately 06:02 P.M.

Upcoming Meeting Schedule:

May 05, 2016, Thursday	06:00 P.M. - BOS regular work session
May 10, 2016; Tuesday	06:00 P.M. - BOS pre-reg work session
May 10, 2016; Tuesday	07:00 P.M. - BOS regular meeting - PH – Toll Bros., 07:15 P.M. (# 06)
June 09, 2016, Thursday	06:00 P.M. - BOS regular work session
June 14, 2016; Tuesday	06:00 P.M. - BOS pre-reg work session
June 14, 2016; Tuesday	07:00 P.M. - BOS regular meeting - PH – Toll Bros., 07:15 P.M. (# 07) - PH – Timber Harvesting Ordinance

Public Comment: *Discretion of BOS*
None offered or received 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 06:50 P.M. to 07:05P.M. to discuss a real estate matter and to discuss a personnel matter. All Supervisors were in attendance together with Township Staff at both sessions.

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

Discussion / Briefing Items:

- A. **Open Space, Parks & Trails – May Report**
 - 1. *Strode Barn property / SBSC - Vision Update – Andy Schaum (*next SBSC mtg 05-11-16*)
Strode Barn Study Committee Members were in attendance. Andy Schaum and Richard Buchanan presented a status report to the BOS and the Committee efforts to develop a vision to repurpose / restore / conserve the historic structure and property owned by the Township including architectural drawings of existing conditions and the physical vision for the historic structure (combination of preservation and demolition).
The Committee has identified (is recommending) two (2) action steps at this time 1. Obtain estimates from qualified contractors to replace the roof on the original barn; and, 2. Draft an RFP for selective

demolition.

Mr. Schaum reported that the Friends of Strode's Mill has committed a maximum contribution of \$8,000 toward roof replacement cost.

Mr. Schaum stated the next meeting of the SBSC is 05-11-16 and requested attendance by one of the Supervisors to further engage with the Committee on the effort.

Upon inquiry by Chair Pompo, it was reported that as the project advances it will require H.A.R.B. review and hearing process.

Chair Pompo indicated that currently there are no funds budgeted for 2016 but this matter can be considered during the 2017 Budget preparation process.

Chair Pompo inquired whether the structure should be wrapped to protect it until actual repairs could be completed. Mr. Buchanan indicated wrapping the building does not appear warranted at this time if the roof repairs can be completed sooner than later. Mr. Buchanan also indicated that the original barn, which the SBSC has identified the roof replacement as an important first step, is discreet from the remainder of the structure (which is identified for partial demolition). Vice Chair Egan indicated it was important to know that the new roof would not be impacted by future restoration work and that the existing barn is in acceptable structural condition to install.

Chair Pompo inquired regarding anticipated future site preparation and demolition and participation by Township refuse and recycling hauler A.J. Blosenski. Twp Mgr Lynch will contact and discuss the matter with A.J. Blosenski.

Chair Pompo refreshed with the Committee the original premise whereby the Township acquired the property and obtained grant funding but that the Friends of Strode's Mill was to be the funding agent to advance [complete] the restoration. Mr. Pompo stated he could not provide assurance of Township funding at this time and that Staff resources are limited.

Mr. Schaum shared that the FOSM likely will not be capable of raising all of the funding necessary to complete the vision and restoration effort and Township funds, hopefully supplemented with grant funds, will be necessary.

Vice Chair Egan stated that grant funding needs to be fully researched and shared with the BOS and that the development of meaningful cost estimates is prerequisite. Ms. Marshall indicated that grants may be available for the restoration but likely not for site preparation and initial repair / stabilization / demolition. Chair Pompo emphasized that a full plan and clear picture of the estimated costs is essential for consideration by the Supervisors.

The BOS thanked the Committee for its work and investment in this initiative and looks forward to continued development of the restoration vision.

2. *Wilson' Trail – update

Asst Mgr Cantlin reported that Staff has researched the former trolley right of way (apparently reverted to the property owners upon abandonment).

3. Pump Track (Expo) – gauge support

Asst Mgr Cantlin described this item as a 'demonstration event' for the community whereby a temporary (one day only) fabricated pump track will be installed on the basketball court at Copeland Park. The Parks and Recreation Board has expressed support for this recreation event which might serve to gauge the interest and support of Township residents for this type of facility currently under consideration for a permanent installation at the Skelp Level park lands of the Township.

Upon a brief discussion, the BOS indicated receptivity and for Staff to proceed.

4. Naturalist Walk May 15 – announcement

Go to www.eastbradford.org for more information.

5. Trail Blazer Run June 16 – announcement

Go to www.eastbradford.org for more information.

B. Planning / Land Developments – May Report

1. SD# 632, Toll Bros. (Tigue Farm) – review status (*next Conditional Use hearing (#06) 05-10-16, 07:15*)

PM)

This item not discussed.

2. *Comprehensive Plan Update – (Planning Commission Public Mtg 05-03-16) – review draft (open comments)

Asst Mgr Cantlin reported the Planning Commission conducted the Public Meeting 05-03-16 (3 citizens in attendance) and recommended the draft plan be submitted, per Act 247 (Municipalities Planning Code), to indicated reviewing agencies and contiguous municipalities for comment (45 days from receipt). A Public Hearing tentatively is scheduled before the Board of Supervisors for 07-12-16.

Vice Chair Egan offered additional comment regarding the need for similar and consistent recommendations' language for the Rt. 322 Corridor applied for the vicinity of the Bradford Avenue / Strasburg Road 'corridor' area including the Daily Local News property.

Also, the language in the Energy Conservation section of the plan should be revised (softened) from 'shall' / 'do' to 'consider' / 'suggest'. Supervisors Snook and Pompo concurred.

The draft plan will be submitted to the CCPC and contiguous municipalities after the indicated revisions are incorporated.

3. SD# 629, Nastase (clock expires 06-10-16) – 90-day time extension request (to 09-08-16)

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendation of the Planning Commission (05-03-16) and request of the Applicant for a 90 day time extension for plan review of SD# 629, Nastase to 09-08-16.

C. **BVAC – May Report**

1. *2015-16 Final Report

Twp Engineer Lucas (also BVAC Secretary) referred the BOS to the 2015-16 annual report on the Whitetail Deer Management Program. The report includes statistics compiled by BVAC Members of sightings and harvest at various approved Township properties. 53 deer (including 4 male) were harvested during the period (56% increase from prior year). The report includes accident / disciplinary incidents (none) and goals for the next year program.

The BVAC requests Township authorization to continue the hunting program for 2016-2017.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to reauthorize the Brandywine Valley Archery Club to continue the wildlife habitat management hunting program for the 2016-2017 season and to administer the program consistent with the PA Game Commission regulations and permit requirements.

D. **Public Works – May Report**

1. *2016 Road Maintenance Program – fuel re-bid results / recommendation

East Bradford Township Bid Opening was held on Friday, April 1, 2016 at 1:00 pm in the township building as specified in the bid documents. Those in attendance were Melissa Needles, Public Works Administrative Assistant, John P. Carroll, Director of Public Works and Michael Geraghty, Public Works Foreman plus representatives from each of the bidders.

A second bid opening occurred (advertised for public notice) for the fuel re-bid took place on April 29, 2016 at 1:00 P.M. The original bids for Fuel were rejected 04-07-16 due to a clerical error in the bid documents.

Below are the rejected bids results from 04-01-16:

Fuel:	Diff Price
Superior Plus Energy Service	\$.1445
Reilly and Sons	\$.1500

Below are the re-bid results from 04-29-16:

Fuel Re-bid:	Diff Price
Superior Plus Energy Service	\$.1344
Reilly and Sons	\$.1390

PW Director stated the resubmitted bids were in order and recommended the contract for fuel be awarded to Superior Plus Energy Service.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to accept the recommendations of the Public Works Director and authorize approval / acceptance of the following responsible low qualified bid (and as highlighted above in bold print), as follows:
 Superior Plus Energy Service with a per gallon price differential of \$.1344.

2. PEMA/FEMA Winter Storm Emergency Reimbursement – grant processing completed 04-29-16.
 PW Director Carroll reported the Township completed the final process and submission of the required documentation to FEMA.

3. Bradford Avenue – joint municipal planning / improvements
 Chair Pompo requested Twp Mgr Lynch to inquire on the status of this item with the West Chester Borough Manager.

E. Codes & Enforcement – May Report

1. Codes Enforcement – update

CEO / ZO Beaumont referred the BOS to the 04-29-16 Code Enforcement Update Report.

The BOS discussed 1370 Bridge Road (Civil Complaint filing pending no response by 05-11-16)

The BOS also discussed 803 Brandywine Road (ZHB application / hearing pending 05-16-16)

The BOS discussed 890 Frank Road (Cease & Desist Order 04-15-16)

F. 2016 Codes & Amendments – May Report

1. Timber Harvesting – CCPC / Planning Commission review comments (*tentative PH 06-14-16*)

This item not discussed. CCPC review comments pending as of this date.

2. Fire Insurance Escrow - regulation review

CEO Beaumont referred BOS to a draft ordinance (Establishing Minimum Regulations for Fire Insurance Claims).

The intent of this type of regulation and ordinance is to ensure that adequate funds are reserved (escrowed by the Township) from insurance proceeds in the event of a fire loss (exceeding 60% of the value) of the structure / improvements for demolition and clean-up of the property if the property owner does not restore the dwelling.

The Commonwealth of PA has legislated that any insurance company underwriting property in Pennsylvania must comply with these regulations and refer to a master list maintained by the Commonwealth of all municipalities that have enacted these ordinances to establish and administer such designated insurance proceeds.

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to authorize advertisement of Public Notice to consider public comment and adoption of an ordinance Establishing Minimum Regulations for Fire Insurance Claims (tentative hearing date 06-14-16).

3. Transportation Impact Study (TIS) – Central Chester County Bicycle & Pedestrian Plan recommendation

Asst Mgr Cantlin briefed the BOS on a recommendation in the Central Chester County Bicycle and Pedestrian Plan (for East Bradford Township) to adopt regulations to require all new development to determine the improvements necessary to ensure that the transportation network can accommodate the new development.

Upon discussion, Twp Engineer Lucas stated the Township ordinances currently do not have standards for the requirement of a traffic impact assessment. It was clarified the subject Traffic Impact Assessment requirements is not related to the legislated Traffic Impact (Act 209) Fee.

Upon discussion, the BOS requested that Staff should obtain a sample of ordinance language from another municipality for review at the next work session.

4. *Mini-Cell Towers in Public ROW's – PUC comment period to 05-16-16 re: contractor review issuance of/ Certificates of Convenience

CEO Beaumont referred the BOS to a recent letter from the Cohen Law Group suggesting municipalities consider the submission of comments to the PA Public Utility Commission on whether DAS providers (Distributed Antenna Systems- mini-towers 25-40 feet in height) should continue to receive Certificates of Convenience and be classified as utilities. According to Cohen Law Group, these utilities have access to municipal rights-of-way but currently are not effectively regulated as utilities (no requirement for rate

approvals and no safety standards).

Upon discussion, the BOS agreed to send a letter to the PUC in opposition to DAS providers being classified as utilities and being issued Certificates of Convenience.

G. Historical Commission / HARB –May Report

1. Historic Resource (HR # 106) – Thomas Russo Barn – renovations (Historical Commission 04-19-16 recommends approval)

On motion of Mr. Snook, seconded by Mr. Pompo, the Board of Supervisors voted 2-0 to accept the recommendation of the Historical Commission and approve the plans for renovations (reviewed 0419-16 by the Historical Commission) for Historic Resource (HR # 106) – Thomas Russo Barn.

2. *HR # 71 - Deborah's Rock Farm Barn - Taylor-Cope Certified (HARB) District – demolition without HARB review / hearing process

CEO Beaumont reported the historic barn was demolished by the new property owner without notification to the Township and in contradiction to Township regulations in particular to the Taylor-Cope Certified (HARB) District.

Mr. Beaumont reported discussing this matter with the property owner who indicated not being aware of the regulations, that the barn was in poor condition and that plans are to restore the barn and reuse some of the salvaged materials in the estate house.

Chair Pompo inquired about the enforcement remedies. A HARB hearing is indicated and would be necessary if / when a replacement (barn) structure is considered (as a precursor to review / approval of a building permit).

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to pursue enforcement and remedy to the indicated zoning and code violations for removal of a historic structure within a certified historic district and for failure to obtain proper permits (demolition).

H. Township Staff / Admin Operations / Services – May Report

1. *Staff Transitional Planning – Codes Department

The BOS convened an Executive Session to discuss this Personnel item.

See Page 1 of these Minutes for additional details.

2. *Sewer Agreement (w/ West Chester Borough) Renewal – review draft reserve capacity allocation analysis

Twp Engineer Lucas referred the BOS to a draft Analysis of Reserve Sewer Capacity.

A draft Sewer Agreement also was received (05-05-16) from the Borough and is pending Township comment.

Upon discussion, the BOS agreed to maintain the same allocation in the Sewer Agreement for this next renewal period.

3. *Sewer System

The BOS convened an Executive Session to discuss this Legal item.

See Page 1 of these Minutes for additional details.

4. *Refuse & Recycling (expires 12-31-17) – Option Year 2 (2017) - recommendation to approve

Twp Mgr Lynch reported and recommended the Township proceed with Option Year 2 (2017) based upon a review of the performance and rates of A.J. Blosenski (residential refuse and recycling services).

East Bradford Twp contract with A.J. Blosenski includes an average 2.5% annual increase (during the 5 year term). Option Year 2 increase is 2.8%.

A comparative review with other area municipalities shows that the refuse & recycling service fees paid by East Bradford Twp residents in 2016 is the lowest in the area and inclusive of roadside litter control.

On motion of Mr. Snook, seconded by Dr. Egan, the Board of Supervisors voted unanimously to approve Option Year 2 (2017) per the terms of the current contract with A.J. Blosenski for residential refuse and recycling services.

I. Emergency Services - May Report

1. WCPD for EBT - monthly briefing / report

Receipt of the current report for April (05-04-16) was acknowledged without comment at this time.

2. Intergovernmental Police Agreement (expires 12-31-17) – WCPD Strategic Planning Committee mtg 05-19-16

Twp Manager Lynch recommended attendance by a representative from the Township. The BOS, after brief discussion of a request from WCPD Chief Scott Bohn to participate in a WCPD Strategic Planning Committee initiative, agreed for Mr. Lynch to attend the WCPD Strategic Planning Committee meeting(s).

3. Regional Police Services – mtg scheduled 05-24-16 (w/ Ron Stern from Governor's Center for Local Government Affairs)

This item not discussed.

J. ZHB – May Report – *Pending applications / decisions / appeals at this time*1. *803 Brandywine Road (Stump Equitable Owner) variance relief - hearing 05-16-16 – BOS comment
CEO Beaumont explained the pending application indicating the property consists of 4 non-conforming (not in single and separate ownership) lots of approximately 3.112 total acres. The Applicant is seeking a variance to create 2 building lots from the acreage. The property is located in the R-2 District (2 acre minimum / 1 acre net).

The BOS first discussed the application in April and again indicated that the request is not de minimis and questioned the basis of a hardship to justify a variance while at the same time acknowledging that the property (and existing dwelling) is in need of substantial rehabilitation / redevelopment.

The BOS was in agreement to oppose the application and requested variance and directed ZO Beaumont to attend the scheduled hearing to express the position of the BOS.

Vice Chair Egan reiterated the concern for (lack of) adequate well water supply and that the ZHB should consider this condition in its review and deliberation of the application.

K. Environmental Advisory Council - May Report

1. Vacancy (Steve Werner resignation / leaving area) – recommendation (unexpired term to 12-31-18)

Twp Mgr Lynch reported that the EAC was interested for EAC Alternate Neil Weissman to fill the vacancy but Mr. Weissman notified that due to other responsibilities / schedule conflicts he cannot commit at this time.

1. Budget / Finance – May Report

1. Bond Annual Review 2016

Twp Mgr Lynch reported a recent conference with Boening & Scattergood (Michael Wolf, Managing Partner) to review the status of the Township bond debt portfolio. No change, i.e., refunding, in the current structure of the debt portfolio (Bond Issues 2011 and 2013) is warranted at this time.

2. Budget 2016 / 2017

This item not discussed.

Other Items:

1. Supervisor Snook reported on the inter-municipal efforts (with Pocopson Township and Birmingham Township) to coordinate with PADOT to plan and execute the most effective detour route that will be necessary for the scheduled replacement of the SR 926 Bridge in 2017. A meeting is scheduled with PADOT and the coordinating municipalities at Birmingham Township 05-19-16, 04:30 P.M.

The PADOT proposed detour of traffic for the replacement of Route 926 Bridge over the Brandywine Creek will impact motorists and residents using roadways particularly in Pocopson, Birmingham, and East Bradford Townships.

PADOT is nearing completion of engineering design for a new Route 926 (Street Road) bridge over the Brandywine Creek in Birmingham Township and Pocopson Township. Construction is expected to begin in early 2017 and result in the closure of Route 926 (Street Road) for approximately six (6) months.

PADOT plans to improve Route 926 by replacing the 79-year-old bridge over the Brandywine Creek with a new three-span structure at a higher elevation; rebuilding and raising 1,700 feet of the roadway approaches to make them less prone to flooding; replacing the nearby culvert over Radley Run; and by

realigning 800 feet of Creek Road at its northern intersection with Route 926. The existing bridge over the Brandywine Creek was built in 1937 and rehabilitated in 1974. The four-span, steel I-beam bridge is 190 feet long and 26 feet wide. The structurally-deficient bridge is posted with a weight restriction of 26 tons and 33 tons for combination loads. It carries approximately 13,200 vehicles a day.

2. Supervisor Snook reported a request from a resident in the vicinity of Hillsdale Road and Twin Pond Drive (Marshallton Chase) regarding the frequent (seasonal) movement of turtles crossing the road and related to multiple ponds and wetland environs in the immediate vicinity. Upon discussion, the BOS agreed for the Township to install "Turtle Crossing" signs to caution motorists.

The meeting ended at approximately 08:05 P.M.

Michael P. Lynch, Township Secretary

Next Regular WS: June 09, 2016

Next Ordinance: # 03-2016 (last #02-2016 – Emergency Communications 04-12-16)

Next Resolution: # 12-2016 (last # 11–Records Disposition 04-07-16) (Sewer S-01-16; Open Space OS-01-16)