

East Bradford Township Board of Supervisors Work Session Meeting Minutes February 1, 2022

The February work session meeting of the East Bradford Board of Supervisors was held on February 1, 2022, at 6:30 p.m. in the East Bradford Township McCardle Meeting Room, 676 Copeland School Road, West Chester, PA, 19380. A public notice was published in the Daily Local News on January 14, 2022. The agenda was posted on the Township website and at the Township building on January 28, 2022. Copies of the agenda were available for attendees.

Board members present:

John Snook, Chair
Bruce W. Laverty, Vice Chair
J. Patrick Davis, Member

Board members absent: None

Staff/Professionals present:

Andrea Campisi, Director of Planning and Zoning/Codes Enforcement Officer
Mandie Cantlin, Township Manager/Secretary
Rich Phifer, Property and Recreation Director

Staff/Professionals absent:

Randy Behmke, Director of Public Works
Mark Lucas, P.E., Township Engineer
Peggy Lennon, Director of Finance

Two guests were in attendance.

CALL TO ORDER: The meeting was called to order at 6:30 p.m. by Chair Snook.

PUBLIC COMMENT: None

BUSINESS

1. Strode's Barn Restoration – Mr. Phifer discussed two aspects of the Strode's Barn project:
 - a. Certificate of appropriateness. At their meeting on January 21, the Historic Architectural Review Board (HARB) recommended approval of the Strode's Barn plans as presented, provided two alternatives be presented to the Board of Supervisors with respect to the logos proposed on the Lenape Road side of the barn:
 - i. Paint the logos on the retaining wall within the interpretive center, or
 - ii. Paint the logos on a removable board and mount the board to the building.

The HARB did not feel that painting the logos on the barn is appropriate or historically sensitive. Rather, they recommended the above alternatives because either option would meet the Secretary of the Interior's Standards. HARB also recommended against including a cupola on the building.

Andrew Schaum, Friends of Strode's Mill (FOSM) Board Member, was in attendance. He was present at the HARB meeting for the discussion and reiterated that both historic architects – Dan Cambell and Richard Buchanan – were opposed to painting the logo on the building. The FOSM is in agreement with this position. He spoke in favor of erecting the logo in its original location. This discussion evolved into the possibility of rebuilding a

portion of the wall that the logo had been on so that it could literally be oriented as it was historically. Mr. Lavery and Mr. Snook were in agreement with this approach.

Mr. Snook made a motion to issue a Certificate of Appropriateness for the Strode's Barn restoration in accordance with the plans as presented and consistent with HARB's recommendation. Mr. Lavery seconded the motion. Mr. Davis voted in opposition (he remained in favor of painting the logo on the barn). There was no further discussion and no public comment, and the motion passed.

- b. Restoration change order. At the same time the Township is advancing the architectural restoration design plans for Strode's Barn (through the work of Dan Campbell), McTish Kunkel is working to finalize the design plans for the outdoor heritage center retaining walls that will physically connect into the barn structure. The HARB feels that it is important that the planned construction and restoration of the retaining walls are in aesthetic harmony with the restoration of the barn. McTish Kunkel has indicated that the surest way to accomplish this objective would be to have Dan Campbell contribute directly towards the heritage center design plans by providing them with recommended specifications for the treatment and restoration of the retaining walls. Given the discussion above about re-erecting the wall with the logo, this collaboration is even more relevant. Dan Campbell is willing to contribute in this way, but at an additional cost since this work was not included in the original scope. Mr. Campbell's proposal indicates an hourly rate of \$160.00. Mr. Davis made a motion to authorize Dan Campbell's contribution for up to \$3,200. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously.
2. Plum Run Trail and Corridor – There is concern that Toll Brothers' deposit and grading of soils on the south side of Tigue Road, coupled with the Brandywine Red Clay Alliance's stream restoration work, might not match the topography depicted on the original design plans. If the as-built conditions are too far astray from the plans, it will be problematic for the trail design. Therefore, Mr. Phifer asked McTish Kunkel to submit a proposal for a change order that would allow them to conduct as-built aerial surveying of the questionable segments of the corridor. This is the most efficient and least expensive way to ensure that the as-built conditions match the original plans closely enough to finalize the engineering designs. The Township is on the verge of submitting DEP permits for this project and wants to conduct the aerial survey prior to submission. If the survey reveals that Toll's filling activities are notably inconsistent with the development plans, the Township will be able to use this plan as a basis to require Toll to relocate the material. The fee for this added service is \$6,850. Mr. Davis made a motion to authorize the as-built survey for \$6,850. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously.
3. Eagle Scout Projects – The Supervisors considered two proposed Eagle Scout projects:
 - a. Birmingham Tract. Eagle Scout Candidate Connor Orkin is proposing a tree planting along the Plum Run at the Birmingham Road Tract. Mr. Orkin would plant 175 tree seedlings, prune existing trees, remove invasive vines that are along the buffer, and clean up litter along Plum Run. He plans to conduct the tree planting in late April or early May, depending on the weather. Mr. Schaum requested more information about the project; Mr. Phifer will send him information.
 - b. Plum Run. Eagle Scout Candidate Hunter Whitten is proposing to build a visitor information kiosk at the Plum Run Preserve next to the new parking lot on Tigue Road. The kiosk would be the same as other kiosks throughout the Township. Mr. Whitten would supply the necessary materials for the construction of the kiosk and the Township would provide the bulletin board case. He anticipates completing the project by mid-March.

The Parks and Recreation Board recommended approval of both projects when they met in January. Mr. Davis made a motion to authorize both projects. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously.

4. Starr Farm Easement – Vince Pompo was in attendance for this discussion. Mr. Phifer is working with the Brandywine Conservancy to establish specific restrictions for the new conservation easement on the Starr Farm out-conveyance and asked for Board input on several items:
 - a. The standard protection area must permit an access drive that enables the owner to access the field from the barn. Typically, easements do not limit the impervious surface area of the drive, but some limit width and length. The Board agreed to allow for a 12-foot wide, 1,000 foot long, paved access drive.
 - b. The standard protection area will allow for certain agricultural structures (e.g., run-in shed) (an outdoor riding ring would not count as impervious under the easement). The Board agreed to allow for a total maximum coverage of 1,500 square feet for agricultural structures, with an additional limit of 800 square feet per structure.
 - c. The Board, along with Mr. Pompo, considered footprint (impervious) limitations for the structures located in the minimum protection area. After discussion, the Board agreed to the following limits:
 - i. Main house – Ability to expand footprint up to 40 percent.
 - ii. Barn – Ability to expand footprint up to 25 percent.
 - iii. Tenant house – No ability to expand.
 - iv. Other accessory buildings – No ability to expand.

The Board considered who should be involved in the review of building alterations and expansions. There was discussion about having the HARB review these proposals for architectural consistency, even though their review would not be otherwise required by Code (in most cases, Historical Commission review would be needed). Ultimately, the Supervisors would retain approval/rejection authority. Either way, there was general agreement that a separate requirement that modifications to the existing buildings be required to comply with the Secretary of the Interior's Treatment Standards for Rehabilitation was not necessary. There was also discussion about having language that would enable the Township to recoup costs in the event an outside agency review is required. Mr. Phifer referenced another Brandywine Conservancy easement that might be a good model for these restrictions. Ultimately, the Board will consider all the parameters outlined above when the easement is in draft form.

 - d. Mr. Phifer asked whether the Board wants to perpetually limit the minimum protection area to two dwelling units in the locations of the existing dwelling units. The Board confirmed.
 - e. Finally, there was discussion about the timing and coordination of the easement recording. One option would be to bid the sale of the property with the draft easement (subject to recording at settlement). The other option would be to record the easement prior to bidding. The former option provides more flexibility, which has pros and cons. The Board will consider this question again as the project advances towards bidding.

5. Earth Day Weekend Tree Planting Event – The Keystone 10 Million Trees Partnership will be donating 230 native tree seedlings to the Township for a Saturday April 23 tree planting at Shaw's Bridge Park (9:00 am start time). The Greater West Chester Sunrise Rotary Club has volunteered to plant the trees. The Keystone Partnership asked the Township to invite local and state elected officials to planting events that feature donated trees. State Senator Carolyn Comitta is scheduled

to attend along with Chief of Staff Michael Hartman. All three Board members noted the event in their calendars and will attend if they are able.

6. Hurricane Ida – Ms. Cantlin provided two updates with regards to clean-up efforts:
 - a. Debris removal. The six-month anniversary of Hurricane Ida will be March 1, 2022. Since PEMA/FEMA representatives have indicated that debris removal activities should not extend beyond six months after the event, the Township is planning to remove the dumpsters from Cottage and River Bend Lanes at the end of February. With that in mind, the Township intends to send a letter to these property owners to notify them that the dumpsters will be removed, but also emphasize that properties must be brought into compliance with Township Code regulations. The Township would inspect these areas in early March and send notices of violations to property owners who are not in compliance. Similar letters would be sent to the other properties that were similarly impacted. The Board is supportive of this approach.
 - b. Buyouts. During a call in January, PEMA representatives considered strategies to accomplish buyouts on some of the properties impacted by the flood. The next step would be to have a conference call with PEMA representatives, Township representatives, and the property owner(s). The Board is willing to continue this discussion. Ms. Cantlin will work towards scheduling this call.
7. Organization Follow-ups – Ms. Cantlin provided the Board with possible candidates to fill the two vacancies on the HARB. The Township Ordinance requires that the HARB be served by at least five members. Those members must include: a registered architect, a licensed realtor, and the Township Building Inspector. All other members shall be members of the East Bradford Historical Commission. Of the current vacancies, one is the licensed realtor position and the other is from the Historical Commission (HC). Two people have expressed interest in the realtor position: R. Stewart Gross and Lori Ann Reinhardt. In addition, two active HC members have expressed interest in the other vacancy: John Marshall and Tom Russo. The Board asked if R. Stewart Gross might be available to meet with the Board on Tuesday night (February 8). Mr. Davis made a motion to appoint Tom Russo and Stewart Gross (subject to an interview) to the HARB. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously. The staff will see if Mr. Gross is available to attend on Tuesday.

In addition, there is one vacancy on the Environmental Advisory Council (EAC). Rhona Klein has been waiting for a vacancy on this Board; she expressed interest back in 2019. She met with the EAC in January and the EAC recommended her for the position. Mr. Snook made a motion to appoint Rhona Klein to the EAC. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously.
8. Chester County Opioid Settlement – The Chester County Solicitor's office has been working to have municipalities with populations in excess of 10,000 sign onto the statewide opioid settlement on or before January 26. The Chester County settlement proceeds would be approximately \$15.5 million over the life of the settlement to be used for abatement and educational purposes. While East Bradford's population only surpassed 10,000 with the most recent census, the County would welcome the Township's support. Given the tight timeline, the solicitor executed the necessary documents last week. Mr. Davis made a motion to ratify execution of the Intrastate Allocation Participation Form, the Distributors Participation Agreement, and the Janssen Participation Agreement. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously.
9. COVID Policy – Ms. Cantlin distributed an updated version of the COVID Prevention Policy for Board consideration. This policy encourages employees to get a vaccine, but also provides for alternative options (e.g., masking and testing). The Board asked the manager to distribute the draft policy to the staff for review and comment.

10. Professional Services for Pump Station Maintenance – The Township had not received a response from KBX in advance of the Organization Meeting. Therefore, no appointment was made for pump station maintenance services. The Township is now in receipt of a proposal from KBX to provide this service for the East Bradford Park pump station at the monthly fixed rate of \$381.65 (5% increase). The staff recommends proceeding with this appointment. Mr. Davis made a motion to appoint KBX to handle the East Bradford Park pump station maintenance for \$381.65 per month. Mr. Lavery seconded the motion. There was no further discussion and no public comment and the motion passed unanimously.

ITEMS NOT ON THE AGENDA: None

PUBLIC COMMENT: None.

EXECUTIVE SESSION: The Board met with staff from 8:10 p.m. to 8:45 p.m. to discuss litigation, real estate, and personnel.

ADJOURNMENT / CONTINUANCE: At approximately 8:45 p.m. the Board agreed to adjourn the meeting.

Mandie Cantlin, Secretary