

East Bradford Township Board of Supervisors Work Session Meeting Minutes May 10, 2022

The May work session meeting of the East Bradford Board of Supervisors was held on May 10, 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 May 6, 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:

Mandie Cantlin, Township Manager/Secretary
Peggy Lennon, Director of Finance
Mark Lucas, P.E., Township Engineer
Rich Phifer, Property and Recreation Director

Staff/Professionals absent:

Randy Behmke, Director of Public Works
Andrea Campisi, Director of Planning and Zoning

Four guests were in attendance.

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

PUBLIC COMMENT: Fred Ferrari was in attendance. Mr. Ferrari raised objections with the extent of his neighbor's firewood stack(s). He described one pile as being about 80 feet long and over six feet high. The stack is about six inches from his property line, and he has picked up logs that have fallen on his property. He is concerned that it is a safety hazard. After discussion, the Board asked the staff to investigate what other municipalities regulate in this regard. Mr. Snook inquired whether the stacks of wood could be interpreted to be an accessory structure or a fence. Staff will follow-up.

BUSINESS

1. Planning / Codes / Zoning

- a. Ida Enforcement – The Picnic Park settlement was postponed until May 12. Ms. Cantlin suggested keeping an eye on the sale and sending a letter to the new owners after the property sells. The Board agreed.
- b. Red Hound Stables Enforcement – Harry Gray (neighbor) was in attendance. At the April 5 meeting, the Board granted the property owner an additional 30-day extension to bring the property into compliance with the violation related to fill in the floodplain. The property owner advised that a contractor was scheduled to visit the property on April 30 for the purpose of providing a cost estimate to do the necessary work. When this matter was discussed on May 3, the Board agreed to postpone discussion until May 10 to give the owner additional time to get the estimate from the contractor. The Township has not received any further updates. Mr. Gray expressed frustration with the Township's delay in enforcement. The Board directed the staff to commence the citation process.

- c. Westtown Township Comprehensive Plan – The Township is in receipt of an amendment to the Westtown Comprehensive Plan. The amendment updates specific open space goals and the future land use map related to the protection and acquisition of Crebilly Farm. The Supervisors did not have any comments.
 - d. Street Tree Ordinance – The Board was in receipt of a draft street tree ordinance, which has been in the works for several years. The ordinance establishes regulations pertaining to the maintenance of trees (and the like) along roads, sidewalks, and other rights-of-way. Mr. Davis made a motion to authorize advertisement of the Street Tree Ordinance. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
2. DelVal Loan Conversion Options – Ms. Lennon observed that interest rates are rising and that they will likely continue to rise faster than the Township’s rate of return associated with the open space proceeds. Currently, the loan the Township secured to support the acquisition of the Starr Farm has a variable interest rate, which enables the Township to pre-pay the loan. Converting to a fixed rate (current available fixed rate is 3.06%) could create a prepayment penalty. After discussion, the Board agreed to keep an eye on the rate; Ms. Lennon will provide monthly updates. Meanwhile, Mr. Lavery encouraged Ms. Lennon to seek advice from a variety of advisors so that they could continue to make informed decisions.

The Board paused the work session at 7:30 to conduct the regular meeting. The Board returned to the work session agenda at 7:52 pm.

3. Parks and Recreation –

a. Starr Farm

- i. Consider listing agreement and listing price – Mr. Phifer shared a listing contract for Bill Cochrane’s firm. Mr. Davis made a motion to authorize execution of the listing contract. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
- ii. Update on removal of items – Mr. Phifer confirmed that the prior owner’s belongings have been removed.
- iii. Inspections – The Township solicited termite and septic inspections for the farmstead. There is evidence of termites in both houses on the property. The main house exhibited more extensive termite damage in the basement area that led to a recommendation for treatment. The cost of recommended chemical treatment for the main house is \$1,969.61. Mr. Davis made a motion to authorize treatment for up to \$2,000. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

Regarding septic, the main house is served by two connecting cesspools that are connected by a pipe. The pipe was crushed in one location and its repair is recommended. The tenant house features a more modern septic system that outlets to three drainage trenches. Two of the trenches feature drainage pipes that are either blocked or crushed. The Township is waiting for cost estimates for this work. Once the estimates are received, they will be presented to the Board for consideration.

- iv. Fox Chase access – Mr. and Mrs. Williams (Fox Chase residents) were in attendance. In April, Ms. Campisi was contacted by neighbors on either side of the right-of-way extension off of Fox Chase Drive for clarification with regard to

the ownership of the access strip. The strip connects Fox Chase (Township road) to the Starr Farm property. When the subdivision was approved back in the late 1970s, this right-of-way was reserved in the event the street was extended in the future. The documentation pertaining to the access strip and adjacent lots is inconsistent and it is unclear whether the Township owns the strip in fee or whether it was an easement that has since reverted back to the adjacent owners. Mr. and Mrs. Williams would like to have ownership of their side of the strip. The staff will have the solicitor review the documentation to assess ownership. And, if the Township does own the land in fee, the solicitor can provide guidance as to how to return the land to adjacent owners.

- v. Consider separate meeting to discuss easement restrictions – Mr. Phifer is suggesting a separate meeting to discuss and finalize certain terms of the conservation easement that pertain to the dwelling structures and barn. He will send out a Doodle Poll to collect availability.

Finally, Rebecca Smith was in attendance. She reported that she is searching for a new property/house to rent/buy, but the market is tight. After discussion, the Board asked her to report back on her progress at the end of May. The lease is scheduled to terminate at the end of June.

- b. Plum Run Corridor – Mr. Phifer shared a revised set of plans for the Plum Run Trail with a significant reduction (1,000 sq. ft.) in impervious coverage at the Lenape Road parking lot. Concern was raised at the Trails Committee with regard to the amount of impervious coverage and staff is continuing to work to reduce the impervious coverages even more. This will provide enough space for an adjustment to the trail alignment so that we can also remove most (or all) of the trail from the floodplain. The Township currently has until May 15 to submit revised plans to the Chester County Conservation District. However, in light of the efforts to modify the layout, the Township will seek a time extension from the District.
- c. Mercer's Mill Trail – The Mercer's Mill HOA officers met with the Trails Committee in March to discuss a conceptual trail plan. Both the HOA officers and the Trails Committee members expressed support for the conveyance of a public trail easement in favor of East Bradford Township that would connect the terminus of the secured trail easement on the 1st West Chester Fire Co. property to Miner Street (Rt. 842). The Mercer's Mill Trail would require the design and construction of a pedestrian bridge over Blackhorse Run that would require DEP permits. The Township would have to pay for the bridge design and infrastructure, since the HOA does not have funds for the expense. At the HOA's community meeting in April, a majority of owners present voted in approval of donating a trail easement to the Township. The Board expressed interest in extending the public trail to Meadow Lane. Mr. Snook also urged Mr. Phifer to ask Sheila Fleming about the cost and permitting associated with the Harvey Run bridge project.
- d. Hunting Program – Mr. Phifer asked the Board to consider reauthorization of the Township hunting program for 2022-2023. There are two notable changes for this coming year: Mt. Bradford Preserve will be removed from the program (or limited to one person) and the eastern portion of Starr Farm will be removed due to trail development. Mr. Lucas commented that the increase in recreational/trail developments and the uptick in public use is becoming increasingly detrimental to the success of this program. It may be time to reevaluate the effectiveness of this program and consider whether alternative approaches might be desirable if deer management is still a primary objective. The Board agreed to reauthorize the program for 2022-2023, but asked Mr. Lucas to compile some alternative approaches for review/consideration by the Environmental Advisory Council. Other organizations to contact for feedback include West Bradford Township, Kennett Township, Natural Lands, and Paradise Farm Camps.

- e. Strode's Barn – The Strode's Barn restorative design plans are now complete. The Township has issued a Certificate of Appropriateness and Mr. Campbell has submitted the final project manual and the completed construction cost estimation report. The construction cost estimate is given at \$526,925. No action is required. This will be considered in the years ahead as the Township seeks grant funding to pursue construction.
 - f. Shaw's Bridge – The Township is in receipt of two proposals for the fabrication of concrete planks, which are needed for the construction of the canoe launch at Shaw's Bridge Park. Keystone Concrete Products provided the best price at \$6,105.60. Keystone Concrete Products is the company that produced the planks for Natural Lands' ChesLen Preserve canoe launch. Mr. Phifer recommends Keystone Concrete Products. Mr. Davis made a motion to authorize using Keystone Concrete Products for the fabrication of the planks for \$6,105.60. Mr. Laverty seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
 - g. Jefferis Ford Nature Area – Mr. Phifer shared the final drafts of the proposed interpretive panels for the Jefferis Ford Nature Area. Both panels would be 24" x 36" in dimension. Mr. Snook inquired about font size and Mr. Phifer offered to print the panels out at full scale for final review.
 - h. Third Party Promotion Policy – The solicitor's office has reviewed and revised the draft Third Party Promotion Policy (AKA Tabling Policy). Mr. Laverty made a motion to adopt the policy. Mr. Davis seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
4. Ambulance Coverage – Ms. Cantlin summarized a conversation she had recently with Good Fellowship regarding future partnership and support. Mr. Davis and the Board encouraged the Ambulance to continue to pursue and advance the agreement model that is used by the fire companies. Mr. Davis also reported that West Chester Fire Company is starting to look at subsidizing fire fighters.

ITEMS NOT ON THE AGENDA: None

PUBLIC COMMENT: None.

EXECUTIVE SESSION: The Board met in executive session with staff from 8:08 p.m. to 8:15 p.m. to discuss real estate matters. The Board met again in executive session with staff from 8:50 p.m. to 9:15 p.m. to discuss personnel matters.

NEXT MEETINGS: The next meetings of the Board of Supervisors are scheduled for:

- May 10, 2022 at 7:30 p.m. (regular meeting)
- June 7, 2022 at 6:30 p.m. (work session)

ADJOURNMENT / CONTINUANCE: At approximately 9:15 p.m. the Board agreed to adjourn the meeting.

Mandie Cantlin, Secretary