

## **East Bradford Township Board of Supervisors Meeting Minutes August 3, 2023**

The August meeting of the East Bradford Township Board of Supervisors (BOS) was held on August 3, 2023, 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 December 23, 2022. The agenda was posted on the Township website and at the Township building on July 31, 2023. Copies of the agenda were available for attendees.

Board members present:

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

Board members absent: None

Staff/Professionals present:

Andrea Campisi, Director of Planning and Zoning/Zoning Officer  
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

Others in attendance: Approximately four guests were present.

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

**PUBLIC COMMENT:** None.

**ANNOUNCEMENTS:**

1. Summer Concert Series – East Bradford Park; 7:00 p.m.
  - a. August 10: Flying Komorowski Brothers
  - b. August 17: Slingshot
  - c. August 24: One Alternative
2. Guided Nature Hike – August 19: Paradise Valley Nature Area; 9:00 a.m.

**PUBLIC HEARING:** At approximately 6:31 p.m., Chair Laverty convened a public hearing to consider an Ordinance amending Chapter A122, "Police Cooperation Agreements," relating to the Police Cooperation Agreement with the Borough of West Chester. The hearing was advertised in the Daily Local News on July 24, 2023.

The Township is working with the Borough to extend the current police agreement by one year, to give the Borough time to complete its negotiations with the police union. Next year, the Supervisors will work to renegotiate another five-year term. Utilizing a 4% rate of increase, the one-year extension provides for an annual payment of \$1,749,382.00 paid in four equal installments over the course of the year.

Mr. Davis made a motion to adopt Ordinance 01-2023, authorizing execution of the Police Cooperation Agreement Extension. Mr. Snook seconded the motion. There was no discussion and the motion passed unanimously.

The hearing concluded at 6:32 p.m.

**CONSENT AGENDA:** Mr. Snook made a motion to approve the consent agenda, consisting of:

1. Minutes from July 6, 2023 6:30 p.m.
2. Recognition of Executive Sessions: July 6, 2023 (personnel and litigation)
3. Bills to Pay for August 2023
4. Financial Report for June 2023
5. Records Disposition Resolution: None

Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.

**BUSINESS:**

1. Eagle Scout Project – Eagle Scout Candidate Ajay Anne presented a project proposal to the Parks and Recreation (P&R) Board in July. Mr. Anne was in attendance and presented his plan to plant between 200 to 300 native trees this fall in the lower end of the old meadow at Mt. Bradford Preserve. Mr. Phifer shared that the P&R Board recommended approval of the project. The Board agreed to approve the project.
2. Park Signs – Mr. Phifer provided a graphic rendering for a park entrance sign based on feedback and discussion that occurred last month. The Board agreed to have Public Works prepare a sample based on the rendering for final review.
3. Starr Farm Trail Crossing – The staff reviewed the mid-block crossing location the Board authorized last month and came away with safety concerns relative to the proximity of the crossing to the curve in Skelp Level Road. As a result, staff recommends locating the mid-block crossing further north by the parking lot (identified as location #2 in the analysis by Mark Hood). After consideration, the Board was in agreement with placing the mid-block crossing at location #2. This will complement a second crossing that will be located at the intersection of Skelp Level and Harmony Hill Roads.
4. DCED Grant Resolution – DCED has requested that the Township update the Resolution for the Plum Run Trail grant application to include a second signatory/authorization, which would be the Township Manager. Mr. Snook made a motion to adopt Resolution 18-2023, authorizing the Township Manager as a second signatory. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.
5. Plum Run Corridor
  - a. Consider Certificate of Appropriateness – The Historic Architectural Review Board (HARB) reviewed the Plum Run Trail plans in July and recommended the issuance of a Certificate of Appropriateness for the project. Mr. Snook made a motion to issue a Certificate of Appropriateness for the project. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.
  - b. Consider increase for engineering/design budget – In July 2022, the Township approved an increase to the budget (up to \$20,000) for McTish Kunkel's work on the Plum Run project. The purpose of this increase was to cover out-of-scope services required to navigate and complete the permitting and variance processes. One year later, these expenses have been consumed on these processes, which ended up being more complex than originally thought, and there is still remaining work to do to complete the design. McTish Kunkel anticipates that it will cost about \$26,900 to complete the remaining tasks. However, Mr. Phifer noted that some of this work may not be needed given how the project has progressed. Therefore, the Board agreed to authorize an additional \$26,000 to complete the project.
6. Strode's Barn Restoration
  - a. Consider options for Outdoor Heritage centerpiece – Some time ago, the Board discussed the concept of placing a period replica artillery piece as the centerpiece of the Strode's Barn outdoor heritage center. Seed Artillery, Inc. (Altoona, PA) specializes in making replica artillery reproductions from the Revolutionary period. The Board was supportive of this outreach. There was also some discussion about locating an authentic cannon for this purpose.

- b. Consider PHMC grant authorization – The PHMC contract for Strode’s Barn must be signed by the Board of Supervisors Chair. Mr. Phifer has forwarded the signature request to Mr. Lavery. Mr. Snook made a motion to authorize Bruce Lavery to execute the PHMC grant contract. Mr. Lavery seconded the motion. There was no discussion and the motion passed unanimously.
7. Shaw’s Bridge Dog Policy – After receiving a number of communications from park users about dogs – both in favor and in opposition of keeping the off-leash policy – the P&R Board discussed the topic in July. The P&R Board is not in favor of changing the leash policies for the park and instead would like the Township to increase onsite signage and messaging via various avenues (website, social media, newsletter, pamphlets for handout) to help inform all park users on the rules governing off leash dogs and responsibilities of owners. There was some discussion about identifying a new and official dog park location on the southern portion of the Brandywine Farm property. This has been considered in the past but dismissed due to costs and challenges associated with constructing a parking lot (and related stormwater management), stream access challenges, and the fact that dog owners want to remain at Shaw’s Bridge. Ultimately, the Board agreed to follow the recommendation of the P&R Board.

On a related topic, the Township will soon open the Plum Run Preserve and Plum Run Trail to the public and the P&R Board and Trails Committee were asked to recommend rules governing dogs in the Preserve, since it falls under the passive park category, but will feature the paved trail as its primary recreational amenity. Given that unleashed dogs are served elsewhere in near proximity, and the situation of the Preserve, both groups voted unanimously to recommend ordaining that all dogs be required to be kept on leashes at the Plum Run Preserve and on the Plum Run Trail. The entire Preserve would require dogs be leashed, unlike other passive parks like Starr Farm and Harmony Hill. The Board agreed.

8. SD #656 Rudloff (Hillsdale Road) – The applicant is seeking a time extension through September 30, 2023. Mr. Snook made a motion to grant the time extension request. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.
9. 1050 Copeland School Road (HR# 203) – The property owner is seeking approval to replace the existing cedar shake roof with a standing seam metal roof in burnished slate, a shade of olive green. On July 18, 2023 the Historical Commission (HC) recommended approval subject to a condition that the standing seams be no taller than one inch. Mr. Davis made a motion to approve the project as specified by the HC. Mr. Snook seconded the motion. There was no discussion and the motion passed unanimously.
10. 1313 Bridge Road Zoning Hearing Board Decision – Last month, the Board considered the property owner’s application to seek a variance from Section 115-6 of the Code to construct a single-family dwelling and driveway on the property. The requested relief would allow the applicant to use a shared driveway to access the new home in lieu of providing separate and direct access to the street. Given that a shared driveway will help to reduce environmental impacts, the Board agreed to support the application. On July 24, the Zoning Hearing Board granted the variance.

Ms. Campisi informed the Supervisors about comments received during the hearing. A neighbor represented by attorney Art Sagner, stated that he disagreed with the Zoning Officer’s determination that the two lots are separate and that the vacant lot is buildable. He instead believes that the two lots have been merged.

Ms. Campisi provided some background information concerning her interpretation. The Zoning Ordinance requires each lot to have complete and direct access to a street. Prior to the property being purchased by the applicant, it was for sale along with a second parcel of adjacent land that contains a house on it. In the past, the two parcels were owned by the same entity. While the properties were being marketed, the Township received numerous inquiries as to whether the vacant lot could be built on by right or if a variance would be required to do so because the lots had been merged. Ms. Campisi sought advice from the Township Solicitor’s office in determining whether the vacant lot (the property that was the subject of the variance application) constituted a buildable lot. The culmination of that review was a determination that the two parcels had not been merged and the rear parcel could be built on by right with the exception of needing a variance to use a shared driveway.

11. Zoning Code Update Project – Ms. Campisi reviewed the most recent work, which focused on changes to the Industrial District. The County and steering committee are proposing to create two industrial districts – one for heavier uses and one for light uses. The current Industrial District would contain more intense uses (I-2). The land around Tower Lane, which is currently zoned C-2, would contain lighter uses (I-1), which would be more consistent with how the tract is being used today. The Board was supportive of this approach. There was also discussion about where marijuana uses would be located and changes to the historical districts. Both of these topics will be addressed in more detail later in the process.
12. Miscellaneous Drainage Projects – Last month, Robert Tucker (Guthrie Road) and Bird Milliken (Valley Creek Road) were in attendance to express concerns about stormwater runoff, erosion, and flooding. Mr. Lucas was not in attendance last month but offered some additional information about both locations.
  - a. Guthrie Road – Mr. Lucas summarized his recent evaluation of the Guthrie Road drainage issue. A lot of runoff is coming from uphill properties and being channeled to one location on Guthrie Road. This concentration is causing erosion. Further, in order to reduce damage further down the road, the Township is planning to commission additional survey work and extend the piping system further than originally planned. This will require permission from property owners. When the Township commissions the survey work, Ms. Cantlin will reach out to downslope property owners in an effort to obtain their voluntary cooperation to help mitigate the erosion problems.
  - b. Valley Creek Road – Ms. Cantlin met with Ms. Milliken after the last Board meeting and offered to investigate several possibilities. Ms. Cantlin has contacted two firms that specialize in managing waterways and floodplains to inquire about how they might assist her with improving her property. Ms. Cantlin has also contacted PEMA about programs that could be of relevance. Meanwhile, Mr. Lucas commenced the process of obtaining property owner signoffs for work planned along Harmony Hill Road.
  - c. Other – Mr. Lucas has sent out numerous sign-off letters to initiate projects throughout the Township. Ms. Cantlin updated the Board on erosion issues on Ravine Road near the Trout nursery.
13. Fire and Police Agreements
  - a. West Bradford Fire – Ms. Cantlin distributed commentary in response to West Bradford's contribution request. The Board was in agreement with the staff's calculations and supported sharing this information with West Bradford.
  - b. West Chester Fire – The Borough is working to schedule a follow-up meeting next week.
  - c. West Chester Police – This topic was addressed during the public hearing earlier on the agenda.

**ITEMS NOT ON THE AGENDA:**

1. Sodium Chloride and Solar Salt Bids – Mr. Snook made a motion to add this item to the agenda on the basis that it arose within 24 hours of the meeting. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.

Mr. Behmke prepared a memo summarizing the results of the multi-municipal bidding effort led by West Bradford Township. West Bradford received five bids for the materials. The low bids were:

- Sodium Chloride – Eastern Salt Company – \$74.58 per ton
- Solar Salt – Chemical Equipment Labs – \$79.00 per ton

Both amounts are down slightly from last year.

Mr. Davis made a motion to approve the awards to Eastern Salt Company and Chemical Equipment Labs as outlined above. Mr. Snook seconded the motion. There was no discussion and the motion passed unanimously.

**PUBLIC COMMENT:** None.

**NEXT MEETINGS:** The Board agreed to cancel their meeting on August 10. The next scheduled meeting of the Board of Supervisors is September 7, 2023 at 6:30 pm (regular meeting).

**EXECUTIVE SESSION:** The Board met in executive session with staff from 7:40 p.m. to 7:52 p.m. to discuss real estate acquisition opportunities.

**ADJOURNMENT / CONTINUANCE:** At approximately 7:52 p.m., Mr. Davis made a motion to adjourn the meeting. Mr. Snook seconded the motion. There was no discussion and the motion passed unanimously.

Mandie Cantlin  
Secretary

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