

East Bradford Township Board of Supervisors Meeting Minutes November 1, 2022

The November meeting of the East Bradford Board of Supervisors was held on November 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 October 28, 2022. Copies of the agenda were available for attendees.

Board members present:

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

Board members absent: None

Staff/Professionals present:

Andrea Campisi, Director of Planning and Zoning
Mandie Cantlin, Township Manager/Secretary
Peggy Lennon, Director of Finance

Staff/Professionals absent:

Randy Behmke, Director of Public Works
Mark Lucas, P.E., Township Engineer
Rich Phifer, Property and Recreation Director

Three guests were in attendance.

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

ANNOUNCEMENTS:

1. Winter History Hikes – Harmony Hill Nature Area (<https://www.eastbradford.org/208/Township-Events>)
 - a. Saturday December 10 (2:00 pm)
 - b. Saturday January 21 (2:00 pm)
 - c. Saturday February 11 (2:00 pm)

PUBLIC HEARING: See following pages.

PUBLIC COMMENT: Peter Batchelor was in attendance. While he is from Willistown Township, he was attending on behalf of a grass roots effort to stop the sale of municipal sewer systems to Aqua. There are also residents concerned over rate increases that have been assessed to systems Aqua purchased several years ago. East Bradford customers experienced a rate increase earlier this year after the PUC approved an increase in annual revenue of approximately \$18.741 million (50.55%) for Aqua wastewater service statewide. Mr. Batchelor asked whether there was a group of East Bradford residents that were opposed to the rate increase. Ms. Cantlin responded that while she has fielded calls/complaints from several residents pertaining to the rate increase, she is not aware of a group that has formed for that purpose.

BUSINESS

1. 2023 Budget – Ms. Lennon presented the final draft of the 2023 Budget for consideration. The draft was posted on the Township website last week. The Board did not have any questions. Mr.

Davis made a motion to authorize advertisement of the 2023 Budget. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

2. Volunteer Fire Relief Fund Distribution – Ms. Lennon reviewed the fund distribution (same as prior years):
 - West Chester Volunteer Fire Relief Association (VFRA): 45%
 - West Bradford VFRA: 45%
 - Good Fellowship Ambulance VFRA: 10%

The Board did not have any comments or questions.

3. Code Enforcement – Ms. Campisi provided updates with regard to several codes enforcement matters.
 - a. Cottage and River Bend Lanes – Ms. Campisi and Mr. McCue visited these properties in late October. Much has been cleaned up, with only a few open items remaining. The Board agreed to have staff reach out one more time to applicable property owners in an attempt to gain compliance before filing citations.
 - b. Picnic Park – Ms. Campisi is in the process of attempting to contact the new owners to schedule a visit. The Board noted that significant clean-up work has taken place.
4. 1104 Allerton Road (HR #105) – The property owner is seeking permission to install solar panels on the existing Class 1 barn. The Historical Commission reviewed the proposal in September. There are two barns on the property – one that is identified as a contributing historic resource and one that is not historic. The Commission recommended that all proposed solar panels be mounted on the non-historic barn, or in the alternative, that the panels be placed on the ground rather than the roof of the historic barn. (However, Ms. Campisi clarified that a ground mounted system would not be desirable because much of the property is within the floodplain.) Absent the applicant following those recommendations, the members recommended approval of the application subject to the existing roof not requiring replacement due to the installation of the solar panels and the preservation of the three existing ridge ventilators. Ms. Campisi reported that the ridge vents will not be impacted by the installation and that moving the panels to the non-historic barn would be problematic in terms of proximity to the utility meter. The Board observed that the panels will not be visible by the public. Mr. Davis made a motion to approve the building permit application. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
5. 1001 Skelp Level Road (Starr Farm) – The Township (applicant) is seeking the following variances (and any and all relief necessary) to enable the future owner of this property to use the property for by right agricultural uses:
 - Section 115-11D2, to allow the existing barn to be setback from the property line 45 feet where 100 feet is required.
 - Section 115-11D3, to allow two homes on the property, which consists of 15.8 acres instead of the required 20 acres.

A hearing is scheduled for November 3, 2022 at 6:00 p.m. Mr. Davis made a motion to support the application. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

6. Eagle Scout Project – Eagle scout candidate Ethan Winkelman presented a project proposal to the Parks and Recreation (P&R) Board in October. The P&R Board recommended approval of Ethan's project to clean out and re-expose historic ruins at Harmony Hill Nature Area so that they can be viewed by the public and incorporated into guided history hikes. Ethan would also

construct a small trail to the ruins from the main trail that runs past them. Mr. Davis made a motion to authorize the project, noting that it might be beneficial to cap portions of the exposed structure for the purpose of preservation. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

7. Security Improvements – The Board was in receipt of a draft Request for Bid (RFB) for the installation of ballistic paneling in the front office and meeting room. Mr. Davis made a motion to authorize bidding the project. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
8. Ambulance Coverage – Chaz Brogan and Justin Robbins were in attendance on behalf of Good Fellowship Ambulance. Good Fellowship is in the process of preparing three-year contracts for partner municipalities and asked the Board to consider designating Good Fellowship as the single-source EMS provider starting in 2023. He reviewed the organization's accomplishments and coverage areas. They currently cover the majority of the Township (82% of area, about 678 calls per year). If they assumed the northern region (currently covered by Minquas), they would add about 2.74 square miles to their coverage area and about 27 calls per year. With their new location on Route 322, they are able to reach most of the northern areas 1-10 minutes faster than Minquas's ambulances (depending on where an ambulance is coming from). (Minquas has moved one ambulance to Thorndale in response to the closure of Medic 93.) If Good Fellowship were to assume coverage of the northern portion of the Township, it would increase their contribution request by \$6,365. Ms. Lennon confirmed that there is adequate funding in the 2023 Budget to cover this additional expense. Recognizing the potential benefits of faster response times, the Board agreed to have Mr. Brogan raise this topic with Minquas. In addition, Mr. Davis inquired about the contribution that Toll Brothers is supposed to provide for emergency services (for West Chester Crossing). Ms. Cantlin confirmed that they have been paying it; she will check to see how the contribution is to be distributed.
9. December Meeting Schedule – Mr. Lavery will likely be unavailable for the December meetings, but the other members do not have conflicts. Therefore, the regular meeting dates (December 6 and 13) will remain on the schedule. If business is light, the Board could opt to cancel the December 6 meeting.
10. ASA 7-Year Review – Ms. Cantlin noted that the seven-year review of the Agricultural Security Area has commenced.
11. Brandywine Valley Scenic Byway – The Township is supposed to have two representatives on the regional Brandywine Valley Scenic Byway Commission, but for a number of years, there has only been one representative (Jim Haigney). Property and Recreation Director Rich Phifer (also a Township resident) has expressed interest in serving on the Commission. Mr. Snook made a motion to appoint Rich Phifer to the Brandywine Valley Scenic Byway Commission. Mr. Davis seconded the motion. There was no discussion and no public comment. The motion passed unanimously.
12. Reroofing Project – The Township received three bids for the roofing project, which were opened last week:
 - Detweiler Roofing. \$114,000.00. Cost per sheet of sheathing. \$230.00
 - A.H. Davis and Son Inc. \$54,376.00. Cost per sheet of sheathing. \$94.00
 - Budco Builders, LLC. \$43,200.00. Cost per sheet of sheathing. \$120.00

While the project was originally bid under the context of maintenance/repair, the Board agreed to rebid the work as a prevailing wage project. Mr. Davis made a motion to reject all bids and rebid the roofing project with prevailing wage. Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

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

1. Minutes from:
 - a. October 11, 2022 6:30 pm (work session)
 - b. October 11, 2022 7:30 pm (regular meeting)
2. Recognition of Executive Sessions on: None
3. Bills to Pay and Financial Report for November 2022

Mr. Lavery seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

ITEMS NOT ON THE AGENDA: None.

PUBLIC COMMENT: None.

EXECUTIVE SESSION: The Board met in Executive Session from 7:45 p.m. to 7:55 p.m. with Township staff to discuss litigation and personnel.

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

- November 8, 2022 – Cancelled
- December 6, 2022 at 6:30 pm (work session)
- December 13, 2022 at 7:30 pm (regular meeting)

ADJOURNMENT / CONTINUANCE: At approximately 7:55 p.m., Mr. Snook made a motion to adjourn the meeting. Mr. Lavery seconded the motion. The motion passed.

Mandie Cantlin, Secretary

**East Bradford Township
Board of Supervisors
Hearing to Consider
Amendments to Street and Zoning Regulations
November 1, 2022**

CALL TO ORDER: At approximately 7:38 p.m., Chair Snook convened a public hearing to consider an Ordinance amending Chapter 92 of the Code of the Township, titled "Streets", to add a new Article 1, entitled Definitions; by amending and renumbering Article II entitled "Street Openings and Installations"; by adding a new Article III entitled "Small wireless facilities in rights-of-way"; by amending Chapter 115 of the Code of the Township, titled "Zoning", at Article II, §115-6, entitled Definitions, by amending existing and adding new definitions, and by amending Article XII, entitled Supplemental Land Use Regulations at §115-51.1, by re-lettering subsection H as subsection I and adding a new subsection H to permit Small Wireless Facilities in Rights-of-Way; by amending Article VIII, entitled C-1, Neighborhood Commercial District, at §115-28 by re-lettering subsection H as subsection I and adding a new subsection H to include General Municipal Use as a permitted use; and by amending §115-31, entitled Design Standards; to apply to all uses except General Municipal Use. The hearing was advertised in the Daily Local News on October 18, 2022 and October 25, 2022.

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
Mandie Cantlin, Township Manager/Secretary
Peggy Lennon, Director of Finance

Staff/Professionals absent:

Randy Behmke, Director of Public Works
Mark Lucas, P.E., Township Engineer
Rich Phifer, Property and Recreation Director

No guests were in attendance.

The proposed amendment accomplishes two objectives. First, the ordinance modifies the Streets Chapter of the Code to accommodate small cell wireless legislation that was approved in 2021. Second, the ordinance amends the C-1 zoning to include general municipal use as a permitted use.

PUBLIC COMMENT: None.

ACTION: Mr. Davis made a motion to adopt Ordinance 04-2022 to amend Chapters 92 and 115 of the Township Code. Mr. Laverty seconded the motion. There was no discussion and no public comment. The motion passed.

CONCLUSION: The hearing closed at 7:40 p.m.