

East Bradford Township Board of Supervisors Work Session Meeting Minutes March 13, 2018

The March work session meeting of the East Bradford Township Board of Supervisors (BOS) was held on March 13, 2018 at 4:30 p.m. in the East Bradford Township Building, 666 Copeland School Road, West Chester, County of Chester, PA 19380-1822.

Board members present:

Vincent M. Pompo, Esquire, Chair
John Snook, Vice Chair
J. Patrick Davis, Member

Board members absent: None

Staff/Professionals present:

Mandie Cantlin, Township Manager/Secretary
Michael P. Lynch, Director of Finance
Mark Lucas, P.E., Township Engineer
Rich Phifer, Property and Recreation Director
John Carroll, Director of Public Works

Staff/Professionals absent:

Melissa Needles, Zoning Officer
Andrew Rau, Township Solicitor

Others in attendance:

Approximately four guests were present.

CALL TO ORDER: The meeting was called to order at 4:30 p.m. by Chair Pompo.

PUBLIC COMMENT: None

PRESENTATIONS: None

EXECUTIVE SESSION: The Board of Supervisors convened in executive session from 4:30 p.m. to 4:45 p.m. to discuss real estate. All Supervisors were in attendance along with staff.

BUSINESS

1. Public Works / Roads / Facilities

- a. Ravine Road Bridge Inspection Report – The Township is in receipt of the underwater bridge inspection report for the Ravine Road bridge, which downgrades the rating of the substructure. Based on the cost estimates provided in the inspection report, the staff estimates that it will cost approximately \$32,000 to complete the high priority work and up to \$200,000 to complete all recommended work. Permitting (likely a general permit) will probably be required. This project will be incorporated into the 2019 budget recommendations.
- b. ARLE Grant – Staff met with representatives from West Chester Borough last week to discuss the ARLE grant that was awarded for pedestrian improvements between Hannum Avenue and the Bradford Plaza, across Rt. 322. The total cost of work is estimated at \$88,700. The grant covers \$78,700 with West Chester Borough and East Bradford Township each contributing \$5,000 to make up the \$10,000 match. In order to proceed with the grant, the Township has to execute the ARLE agreement with PennDOT. Mr. Snook made a motion to adopt Resolution 10-2018, authorizing the Township Manager to sign the ARLE agreement. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.

- c. Skelp Level Road Truck Traffic – Residents along Skelp Level Road have expressed concern about tractor trailers using Skelp Level Road as a cut through to Boot Road. PECO has had to replace the pole at the corner of Skelp Level Road and Rt. 322 due to damage from impact caused by large vehicles. In January, the Traffic Committee inquired about obtaining a traffic study to gain a better understanding about the speed, direction, and size of vehicles on Skelp Level Road. McCormick Taylor provided a cost estimate of \$1,885.00 to do this work. Mr. Snook made a motion to authorize the traffic study. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.
- d. 2018 Road Program – Mr. Carroll presented the Board with the bid results for the 2018 road program, which will include Frank Road (322 to Creek Road), Creek Road (322 to Strasburg Road), Skelp Level Road (Harmony Hill Road to municipal line), and Sconnelltown Road (Shropshire to Birmingham Road). The results of the bid are provided below:

Road resurfacing

<u>Company</u>	<u>Bid</u>
DiRocco Brothers	\$149,581.00
Dan Malloy Paving	\$153,450.00
Unitex	\$164,400.00
Innovative Construction	\$192,370.00
S.A. Macanga	\$271,750.00

The bid prices listed above exclude blacktop, which the Township purchases separately. The cost of blacktop will increase the overall cost of the project by about \$200,000 (total of \$350,000).

Pavement Markings

<u>Company</u>	<u>Bid</u>
Alpha Space Control	\$23,805.00
Midlantic Markings	\$23,840.00

Fuel Bid – None Received

Mr. Davis made a motion to award the road resurfacing bid to DiRocco Brothers in the amount of \$149,581.00 and the pavement marking bid to Alpha Space Control in the amount of \$23,805.00. In addition, Mr. Davis made a motion to authorize reissuing the fuel bid. Mr. Snook seconded the motion. There was no discussion and the motion passed unanimously.

2. Subdivision / Land Development / Planning

- a. SD #635 WCU Student Center – The timeclock for the application will expire on March 14, 2018. The applicant submitted a letter seeking a time extension until September 11, 2018. 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.

3. Public Services

- a. Sale of Sewer System – The Board discussed Aqua’s resistance to accepting the Township’s three capped sewer systems. The Board understands Aqua’s position regarding the capped sewers in the Nobb Hill and the Deerfield Greene developments since the sewers are outside the Act 537 Service Territory and will not be serving customers in the foreseeable future. The Board agreed to direct AUS to remove the Nobb Hill and Deerfield Greene sewers from the Original Cost Study, but asked that Aqua reimburse the Township for those revisions. The Board is not willing to entertain any reduction in the sale price due to the removal of the capped sewers from the AUS study.

The Board desires to have Aqua acquire the capped sewer system along North Benjamin Drive (and other connecting sewers), since those sewers are within the Act 537 Service Territory and future connection to the existing functional system appears to be feasible.

Finally, the Board agreed to direct Carroll Engineering to revise the PUC service map as requested by Aqua (excluding all properties not connected to the public system), but would like to be reimbursed by Aqua for the cost of those revisions.

- b. Refuse and Recycling – The staff is seeking Supervisor input on three topics pertaining to refuse and recycling collection:
 - i. Cessation policy – Staff has expressed concern about their ability to fairly and consistently administer and enforce the cessation policy that was adopted by resolution in 1992 and has asked the Supervisors to reconsider the functionality and intent of the program. The uncollected fees associated with the cessation program amounts to about \$4,200/year (annual cost per user is about \$260). The Board discussed the pros and cons associated with maintaining this policy. If the program was abandoned, advance notice to residents would be warranted. It could also be phased out over time. The Board will give this further consideration in the future.
 - ii. Re-sale certification – Staff is supportive of enabling the hauler to require certifications of payment upon resale of property. The Board agreed.
 - iii. Property liens – The Code enables the Township to file a municipal lien to recover any costs incurred for the program. Currently, there are 34 accounts that are on “stop service” as a result of non-payment (\$15,139.81 owed) and 25 accounts in collections (\$4,035.60 owed). The hauler has included language in their most recent billing (to delinquent accounts) that failure to pay could result in a lien. The Board is not opposed to filing liens, but indicated that AJB’s counsel should evaluate the logistics of this approach and present a plan for implementation to the Township. It is possible that Portnoff Associates could assist.
- c. Police and Fire Agreement Renewals – Both fire and police contracts expire at the end of 2018 and it is time to begin discussions with all entities. Mr. Davis will assist with these renewals. This topic will remain on the Board agendas throughout the year.

4. Advisory Boards and Commissions

- a. EAC Vacancy – The Board met with EAC candidate Ed McConnell whom the EAC recommended to fill the remaining vacancy on the council. Mr. Davis made a motion to appoint Ed McConnell to the EAC. Mr. Snook seconded the motion. There was no further discussion and the motion passed unanimously.

5. Parks / Trails / Recreation / Open Space

- a. Agricultural Security Area (ASA) Addition Request – The hearing for the Rappolt ASA application is scheduled for 7 p.m.
- b. Strode's Barn / Plum Run Corridor VPP Project – The Board will consider the steering committee composition once proposals have been received and reviewed (proposals are due at the end of the month).
- c. Jane Reed Park – Eagle Scout Candidate Luke Maganas presented his proposed Eagle Scout Project to the Parks and Recreation Board in February. He would like to build a GaGa Pit at Jane Reed Park. The Parks and Recreation Board recommended the project proceed. Mr. Davis made a motion to approve the GaGa Pit project. Mr. Snook seconded the motion. There was no discussion and the motion passed unanimously.
- d. Skelp Level Park Restriction – Staff has identified a preferred location for the temporary stockpiling of materials like topsoil, gravel, etc. Mr. Phifer is in the process of drafting a letter to the County to formally request that they remove the desired stockpiling location from the deed restrictions and, in exchange, place restrictions on a portion of property that is currently unrestricted.
- e. Skelp Level Park Pump Track – In December 2015, a small group of volunteers approached the Township about constructing a pump track at the Skelp Level Park property. At the time, the Supervisors indicated that the Parks and Recreation Board should vet the concept and return to the Supervisors with

a detailed assessment of the viability of the use. The Board agreed that it could commit to the project, provided that 1) issues pertaining to cost, construction, and maintenance, are satisfactorily addressed and 2) the pump track use does not impinge on future (unknown) recreational use.

Given the duration of time that has passed since this topic was last before the Supervisors, the volunteer group is seeking reaffirmation from the Township before it forms a 501(c)3 and begins raising funds for the effort. The group has a conceptual plan for the pump track, associated parking, and stormwater infrastructure. They anticipate that parking would be provided via a gravel lot (except for a paved, ADA-compliant space). The surfacing of the track would be dirt or clay and the group would like to have a small maintenance shed to store maintenance supplies. The group is not expecting the Township to pay for, construct, or maintain the amenity. The Parks and Recreation Board remains supportive of the effort. The Board reaffirmed their support of the concept with the same conditions as in 2015 – provided the volunteers 1) satisfactorily address issues pertaining to cost, construction, and maintenance and 2) the pump track use does not impinge on future (unknown) recreational use. In addition, the Board asked that the volunteer group provide periodic updates (every six months) of their progress.

6. Financial

- a. Continuing Disclosure Agreement – In order to comply with IRS Code and the continuing disclosure requirements of the SEC and Municipal Securities Rulemaking Board, DVRFA has asked that the Township execute a new Continuing Disclosure Agreement. DVRFA is also asking for feedback with regards to future borrowing needs. Mr. Snook made a motion to authorize the Chair to execute the agreement. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.

7. Other

- a. Giant Food Store Renovation – Giant Food Store is planning to enclose a portion of the sidewalk area to create interior space for the sale of beer and wine. The Board agreed that this improvement can be dealt with as a building permit and that it is not necessary to reopen the conditional use approval provided the applicant address some of the issues that would have been associated with an amended CU order. For example:
 - i. All lighting changes must comply with the Township ordinance.
 - ii. All landscaping areas must be maintained as shown on the approved final plans. Specifically, the roses planted on the retaining wall tier were supposed to cascade over the retaining wall to soften the appearance of the wall.
 - iii. The stormwater facilities must be inspected now and routinely as required by the management plan.
 - iv. The original plan required that the sidewalk along the east side of the entranceway extend to the corner of 322. Since this work is planned as part of the ARLE grant, the applicant could contribute to the project in lieu of completing the work themselves.
- b. The Farm at 415 Birmingham Conditional Use – The Township is in receipt of a conditional use application for a bed and breakfast estate use at 415 Birmingham Road. Mr. Snook made a motion to authorize advertisement of the hearing for April 10, 2018. Mr. Davis seconded the motion. There was no discussion and the motion passed unanimously.

ADJOURNMENT / CONTINUANCE: At approximately 7:00 p.m. the Board unanimously agreed to adjourn the meeting.

Mandie Cantlin
Secretary

