

East Bradford Township Board of Supervisors Regular Meeting Minutes November 13, 2018

The November regular meeting of the East Bradford Township Board of Supervisors (BOS) was held on November 13, 2018 in the East Bradford Township Building, 666 Copeland School Road, West Chester, Chester County, 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
Melissa Needles, Zoning Officer
Andrew Rau, Esquire, Township Solicitor

Staff/Professionals absent:

Rich Phifer, Property and Recreation Director
John Carroll, Director of Public Works

Others in attendance:

Approximately 25 guests were present.

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by Chair Pompo.

ANNOUNCEMENTS

1. Curbside Yard Waste Collection; November 17 and December 15
2. Plum Run Corridor Public Meeting; December 13 (5:30 p.m.) at the Township building

PUBLIC COMMENT: None

CONSENT AGENDA

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

1. Minutes from:
 - a. October 9, 2018 6:00 pm (work session)
 - b. October 9, 2018 7:00 pm (regular meeting)
 - c. October 25, 2018 2:00 pm (special meeting)
 - d. November 8, 2018 12:00 noon (work session)
2. Recognition of executive sessions on:
 - a. October 25, 2018 2:00 pm (real estate and personnel)
 - b. November 8, 2018 12:00 noon (real estate)
 - c. November 13, 2018 (real estate and legal)
3. Bills to pay for November 2018
4. Resolution to dispose of records (Resolution 28-2018)

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

BUSINESS

1. Brandywine Farm – In 2011, the Township acquired the 96-acre Brandywine Farm tract from the Sykes family. The tract is located at the northeast corner of Allerton and Bridge Roads – there are two parcels south of Bridge road and two parcels north of Bridge Road. The Township has always intended to retain ownership of the southern parcels and sell the northern parcels subject to a conservation easement. There has been significant discussion about the northern parcels during the last two years.

On October 29, 2018, the Township advertised the bidding of the northern parcels (about 74 acres) in the Daily Local News. Bids were due on November 9, 2018. The Township received one bid from Mark and Cindy Bedwell in the amount of \$1,501,000. The sale is subject to a declaration restricting the development potential of the property to three large lots as well as the right to construct a public recreation trail through the property. Mr. Snook made a motion to adopt Resolution 29-2018, accepting the bid and directing that the proceeds from the sale be used to redeem the bond that was used to acquire this property. Mr. Davis seconded the motion for discussion.

Tom Lechmanik asked whether the Township would profit from the sale of the property. Mr. Pompo replied that a simple examination of the numbers would not indicate a profit. However, the Township was essentially be able to ease the property for about \$1,300,000 and will be able to retire debt on which the Township pays about \$600,000 per year.

Jean Renshaw asked whether the three-lot restriction was consistent with the stewardship plan prepared by Natural Lands. Ms. Cantlin confirmed that it was.

Dottie Soland inquired whether the bid process was closed. The Board confirmed that it was.

There was no further discussion and the motion passed unanimously.

2. 2019 Budget – Director of Finance Michael Lynch provided an overview of the 2019 budget. While no tax increase is proposed for 2019, the staff will be examining the long-term stability of the budget in the months ahead. Expenses have increased by about 5% while revenue has only increased about 1%. On the revenue side, earned income tax has been flat, which appears to be at least in part due to changes in the top ten earners in the Township (e.g. retirement). Transfer tax has also performed below budget. On the expenditure side, police and fire contracts have been renegotiated this year (the police agreement was extended one year, so negotiations will continue in 2019). The combined impact of these contracts is an increase of about \$60,000-\$70,000. Legal expenses have increased, too. And, the Township will be outsourcing some of its mowing and property maintenance in 2019, which equates to a \$60,000 increase in the general fund. However, by outsourcing this function, the Township can handle more projects in house, circumvent hiring additional personnel, and avoid replacing about \$100,000 of mowing equipment.

There are five other budgets in addition to the General Fund Budget – Sewer, Open Space, Capital, Liquid Fuels, and Highway Improvement. With regards to the Sewer Fund Budget, the Township is schedule to close on the sale of its system to Aqua in December. There will be no change to the rates next year. The Open Space Fund consists of about 80% debt service. The sale of the Brandywine Farm property will help to create more flexibility in that budget. Finally, the Capital Reserve Budget, which is backed by the General Fund, is being used to pay for the Broad Run Bridge project in 2018 and 2019. Other bridge projects are planned in the next five years.

Mr. Davis made a motion to authorize the advertisement of the 2019 Budget to commence the 20-day public review and comment period. Mr. Snook seconded the motion. There was no further discussion and no public comment. The motion passed unanimously. The 2019 Preliminary Budget will be available at the Township Building and on the Township website (www.eastbradford.org) by Monday November 19. The Supervisors are scheduled to adopt the budget on Tuesday December 11, 2018.

3. Property Care Bid – The Township received three bids for the property care work:

	Term 2019	2020 (Optional Year Two)	2021 (Optional Year Three)
ZHS	\$63,793.00	\$63,793.00	\$63,793.00
Froio's	\$72,315.00	\$74,865.00	\$77,690.00

Kodiak	\$95,250.00	\$99,749.00	\$104,737.51
---------------	-------------	-------------	--------------

The lowest bid was ZHS at \$63,793 per year, which is approximately \$20,000 lower than originally estimated. Mr. Davis made a motion to award the bid to ZHS. Mr. Snook seconded the motion for discussion.

Tom Lechmanik asked where the bid was advertised. Ms. Cantlin responded that it was advertised in the Daily Local News.

There was no additional discussion and the motion passed unanimously.

PUBLIC COMMENT: None

NEXT MEETING: The next meetings of the Board of Supervisors are scheduled for December 6, 2018 at 12:00 noon (work session), December 11, 2018 at 6:00 p.m. (work session), and December 11, 2018 at 7:00 p.m. (regular meeting). Looking ahead, the Board will conduct its regular January 2019 meeting on Wednesday January 9, 2019 (6:00 p.m. work session and 7:00 p.m. regular meeting).

ADJOURNMENT / CONTINUANCE: At approximately 7:25 p.m., the Board unanimously agreed to adjourn the meeting.

Mandie Cantlin
Secretary

**East Bradford Township
Board of Supervisors
Public Hearing for Ordinance Amendment
(Fire Services Agreement with West Chester Borough)
November 13, 2018**

CALL TO ORDER: At approximately 7:25 p.m., Chair Pompo convened a public hearing to consider an ordinance titled: AN ORDINANCE OF THE TOWNSHIP OF EAST BRADFORD AUTHORIZING THE TOWNSHIP TO ENTER INTO AN INTERMUNICIPAL FIRE SERVICES AGREEMENT WITH WEST CHESTER BOROUGH, BIRMINGHAM TOWNSHIP, THORNBURY TOWNSHIP (CHESTER COUNTY), WEST GOSHEN TOWNSHIP AND WESTTOWN TOWNSHIP, PROVIDING FOR PROVISION OF FIRE PROTECTION SERVICES TO CERTAIN PORTIONS OF EACH RESPECTIVE MUNICIPALITY. Section 1 authorizes the Township to enter into an Intermunicipal Fire Services Agreement (IMA) with the named municipalities and incorporates its terms; Section 2 makes the IMA conditioned upon each municipality enacting an ordinance to authorize participation; Section 3 provides for the duration and term of the IMA; Section 4 provides for purposes and objectives; Section 5 sets forth the manner and extent of financing; Section 6 sets forth organizational structure; Section 7 provides for the manner in which real or personal property shall be acquired, managed, licensed or disposed of; Section 8 authorizes contracts or policies of group insurance and employee benefits; Section 9 provides for severability; and Section 10 provides that the amendment shall be effective 5 days following adoption.

The hearing was held in the McCardle Meeting Room in the Township Building, 666 Copeland School Road, West Chester, Chester County, PA 19380-1822. Public Notice was published in the Daily Local News on Monday October 22, 2018.

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
Mark Lucas, P.E., Township Engineer
Melissa Needles, Zoning Officer
Andrew Rau, Esquire, Township Solicitor

Staff/Professionals absent:

Michael P. Lynch, Director of Finance
Rich Phifer, Property and Recreation Director
John Carroll, Director of Public Works

Others in attendance:

Approximately 25 guests, including applicants, were present.

Mr. Pompo commented that the annual contributions from municipalities are essential to the continued operation of fire companies. It is becoming increasingly difficult to operate these organizations exclusively with volunteers.

PUBLIC COMMENT: None

ACTION: Mr. Snook made a motion to adopt Ordinance 03-2018, authorizing the Township to enter into an intermunicipal fire services agreement. Mr. Davis seconded the motion. There was no discussion and no public comment. The motion passed unanimously.

CONCLUSION: The hearing concluded at approximately 7:30 p.m.

**East Bradford Township
Board of Supervisors
Public Hearing for Bed and Breakfast Estate
November 13, 2018**

CALL TO ORDER: At approximately 7:30 p.m., Chair Pompo reconvened the public hearing to consider the conditional use application of John Marshall and Dara Gans-Marshall with respect to the property located at 415 Birmingham Road (parcel 51-7-113.1). The hearing was opened on April 10, 2018; the last hearing occurred on September 11, 2018. The hearing was held in the McCardle Meeting Room in the Township Building, 666 Copeland School Road, West Chester, Chester County, 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
Mark Lucas, P.E., Township Engineer
Melissa Needles, Zoning Officer
Andrew Rau, Esquire, Township Solicitor

Staff/Professionals absent:

Michael P. Lynch, Director of Finance
Rich Phifer, Property and Recreation Director
John Carroll, Director of Public Works

Others in attendance:

Approximately 25 guests, including applicants, were present.

Court Reporter Mark Hagerty was in attendance to record the complete official proceedings. Therefore, these minutes constitute only a summary of the hearing.

The following exhibits were added to the record:

Board Exhibits

B-31 – Township Engineer’s Review dated October 10, 2018
B-32 – Thomas Comitta Associates’ Review dated October 15, 2018

Applicant Exhibits

A-17 – Parking Exhibit dated May 22, 2018 (last revised September 5, 2018)
A-19 – Applicant’s response letter to the Township Engineer dated September 4, 2018
A-20 – Applicant’s response letter to Thomas Comitta Associates dated September 4, 2018
A-18 – October 19, 2018 septic testing forms

Public Comment Exhibits

PC-1 – Comments from Barrett
PC-2 – Comments from McGrath
PC-3 – Comments from Rep. Eric Roe
PC-4 – Comments from Kaplan

CONCLUSION: Testimony concluded at approximately 9:00 p.m. The Supervisors and applicant agreed to the following schedule:

- November 30, 2018 (4:30 pm) – Deadline for submittal of legal briefs; record closes.
- January 9, 2019 (7:00 pm) – Anticipated date the Board will render a decision (this will occur during the regular January meeting, which will be on Wednesday January 9 due to the Organization meeting date).

- January 14, 2019 – End of 45-day period during which the Board is required to render a decision.