

East Bradford Township Board of Supervisors Work Session Meeting Minutes October 13, 2020

The October work session meeting of the East Bradford Township Board of Supervisors (BOS) was held on October 13, 2020. In an effort to minimize public exposure to COVID-19 and maintain social distancing, the meeting was held via Zoom teleconferencing. A public notice was published in the Daily Local News on September 28, 2020. The agenda and dial in numbers were posted on the Township website at <https://www.eastbradford.org/government/boards-commissions/> on October 13, 2020.

Board members present:

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

Board members absent: None

Staff/Professionals present:

Randy Behmke, Director of Public Works
Andrea Campisi, Director of Planning and Zoning
Mandie Cantlin, Township Manager/Secretary
Mark Lucas, P.E., Township Engineer
Michael Lynch, Director of Finance
Rich Phifer, Property and Recreation Director

Staff/Professionals absent:

Rich Hicks, Building Code Official/Fire Marshal/Codes Enforcement Officer/Deputy Zoning Officer

Approximately five guests (including applicants) were in attendance.

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by Chair Pompo.

PUBLIC COMMENT: Jackie Palm registered a complaint about her neighbor idling large trucks and landscaping equipment during the day. There is currently nothing in the noise ordinance that prevents this behavior, although the staff is planning to examine the noise ordinance after some of the other ordinance amendments are complete. The Board asked the staff to examine the facts and determine whether there are any other violations.

BUSINESS

1. 2021 Budget – The Board agreed to schedule a separate meeting to discuss the budget.
2. Planning / Zoning / Codes
 - a. Design Guidelines – On the recommendation of PHMC, we budgeted \$12,000 for the historic design guideline effort. We released the RFP to at least 10 firms and only received one proposal in the amount of \$19,000, which is considerably over budget. Andrea discussed options with PHMC and PHMC agreed to cover 90% of the increased cost. The 10% to be paid by the Township could be reimbursed as part of administrative time. Since the amount budgeted would be adequate, Mr. Davis made a motion to award the project to Patterhn Ives in the amount of \$19,000. Mr. Snook seconded the motion. There was no discussion and no public comment and the motion passed unanimously.
 - b. 955 Hillsdale Road – Last month, Peter Zimmerman and Jess Fisher made a presentation to the Historical Commission for a proposed roof replacement at the Shady Grove School property (Resource #87, 955 Hillsdale Road). The proposal is to remove and replace an existing copper roof and supporting posts. The new roof would be merged into the existing overhang. The Historical Commission recommended approval. Mr. Snook made a motion to approve the building permit for the porch alteration at 955 Hillsdale Road. Mr. Davis seconded the motion. There was no discussion and no public comment and the motion passed unanimously.

- c. Finnerty Bridge – Ms. Cantlin presented the Board with a timeline on this topic. The Township eliminated the conditional use requirement for the RBA with the recent amendment, so conditional use approval is not required. However, according to the Floodplain ordinance, the property owner needs a permit from the Floodplain Administrator showing that there will be no impact to the floodplain from the proposed construction. The Board advised the staff to inform Mr. Finnerty of his next steps.
- d. Red Hound Stables – For over a year, the Township has been working with DEP to remedy fill that was placed in the floodplain. Earlier this year, the property changed hands and money was escrowed to cover the cost of the fill removal. However, the contractor now says the money in escrow is not adequate to cover all the required removal. The Board instructed the staff to issue an enforcement notice to the new owner.
- e. Target Range – This target range inquiry has kind of gone in fits and starts. Given that the Zoning Ordinance is silent with regards to a target range as a use, the staff will engage the solicitor for input.
- f. CU Application for 1199 Muirfield Solar Panel – The Township is in receipt of a CU application for a ground-mounted solar panel. The applicant, Michael Earyes, was in attendance. Mr. Pompo inquired about the size and extent of the panels. Mr. Earyes explained that he removed some of the panels from the roof for maintenance reasons and is planning to install them on the ground. The Board agreed to schedule the hearing for November 10, 2020 at 7:00 p.m.

RECESS: The Board recessed the work session from 7:00 p.m. until 7:35 p.m. to conduct the regular meeting.

3. Parks / Trails / Recreation

- a. Shaw's Bridge Park Canoe Launch – The Township received two proposals earlier in the summer to complete the requisite site survey for the Shaw's Bridge Park canoe/kayak launch. The Township has \$10k in hand from PECO Green Region and a \$10k commitment from Brandywine Conservancy. The overall project (design, permitting, and construction) is expected to be about \$30k-\$40k, so the Township will have to be prepared to commit \$10k-\$20k towards the project. When this topic was discussed last month, the Board wanted to get further into the budget discussion before authorizing this work.

In the meantime, the Township learned that the Brandywine Red Clay Alliance, in partnership with the private Cabin Club, received grant funds and environmental clearance for the immediate removal of the earthen dam just downstream of our project site. It is uncertain how the full removal of the dam might impact the mean water line immediately upstream at Shaw's Bridge Park. Since the dam first breached two years ago, the mean water level has been noticeably lowered. The full removal of the dam could further the reduction. The Board would prefer to wait until more is known about the post dam removal water levels before proceeding. Mr. Phifer will discuss this matter with the grant funders.

- b. Brandywine Creek Water Trail Feasibility Study – The Brandywine Conservancy has completed the Brandywine Creek Water Trail Feasibility Study, which includes the east branch of the Brandywine through East Bradford Township. Several Township park locations that provide access to the Creek are proposed as formal water trailheads (i.e. launch sites). The Conservancy has requested that the Township consider endorsing the plan by way of a resolution which will demonstrate broad support for the project that will assist municipalities and the Conservancy in efforts to obtain funding in pursuit of implementing the plan's goals. Mr. Snook made a motion to recommend Resolution 19-2020 endorsing study. Mr. Davis seconded the motion. There was no discussion and no public comment and the motion passed unanimously.

4. Organization / Administration

- a. Director of Finance Search – The Township is in receipt of a proposal from W. Robert Stanley with Inter County Investigations, Inc. to perform a background check on the future Finance Director candidate. The estimated cost for the background investigation is about \$2,900. Since last meeting, Mr. Davis spoke to Mr. Stanley to get a better understanding of his recent investigations. Mr. Davis is supportive of his engagement. Mr. Davis made a motion to engage W. Robert Stanley to perform the background

investigation for the final Director of Finance candidate. Mr. Snook seconded the motion. There was no discussion and no public comment and the motion passed unanimously.

- b. ABC Appointments and Reappointments – The Board reviewed the list of pending appointments and/or vacancies. Given that the Traffic Committee has been having challenges with obtaining a quorum, Mr. Pompo made a motion to appoint Ed Nathan to fill the current vacancy. Mr. Snook seconded the motion. There was no discussion and no public comment and the motion passed unanimously. Mr. Pompo also commented that Rhona Klein could be a good fit for the Scenic Byway Commission and asked the staff to schedule an interview with the Board.

5. Other / Miscellaneous

- a. Strode's Barn Restoration – During the work session, the Board agreed to authorize the work outlined in Dan Campbell's proposal in the amount of \$11,200, subject to Brandywine Conservancy's approval of the grant. Mr. Davis seconded the motion. Mr. Schaum sent an email this afternoon asking whether the Supervisors would consider eliminating the condition that Brandywine Conservancy approve the grant from their motion. The Board agreed to leave the motion as is and wait until the BC acts on the grant.

PUBLIC COMMENT:

1. Planning Commission Chair Tony Biacchi raised several questions pertaining to the West Chester Crossing development.
2. Andrew Cabaletto and Paul Britt were present on behalf of Regimental Drive (West). The Township received a letter from Regimental residents requesting access to public sewer. The Supervisors considered this request during the work session and suggested that the interested residents should cover the cost of the 537 Plan amendment. Mr. Lucas will work with the residents to inform them about the process.

EXECUTIVE SESSION: The Board met in executive session with staff from 7:45 p.m. to 8:05 p.m. to discuss real estate and personnel matters.

ADJOURNMENT / CONTINUANCE: At approximately 8:05 p.m. the Board unanimously agreed to adjourn the meeting. There was no discussion and no public comment and the motion passed unanimously.

Mandie Cantlin, Secretary