

**EASTTOWN TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING MINUTES OF NOVEMBER 21, 2016**

The November 21, 2016 Business Meeting took place in the Township meeting room at 566 Beaumont Road, Devon and was called to order at 7:00 pm. Supervisors present included: Christopher D. Polites, Chairman; James W. Oram, Jr., Vice Chairman; Marc J. Heppe, Betsy Fadem, and Fred Pioggia. Also attending were Dan Fox, Township Manager; Eugene C. Briggs, Jr., AICP, Assistant Township Manager; Dave Obzud, Police Chief; Karen Wertz, Finance Director; Kate Jones, Administrative Coordinator; and Andrew D.H. Rau, Township Solicitor.

MINUTES

On a motion by Mr. Heppe, and seconded by Mr. Oram, the minutes of the regular business meeting of November 7, 2016 were unanimously approved.

ANNOUNCEMENTS

Chairman Polites announced that the Board met in Executive Session prior to this meeting to discuss matters of litigation and personnel.

Chairman Polites also stated the following: "The Board of Supervisors would like to take a moment to thank Gary Bernhard for his service to the Township. Mr. Bernhard was the Director of Public Works for six years and also served as the Municipal Authority Administrator for the past three years. Although Mr. Bernhard will be missed here at Easttown, we congratulate him on his new appointment at a neighboring Township and are excited to see him expand upon his career in the public sector."

The following public meetings will take place at the Township Building:

- Comprehensive Plan Task Force on Monday, November 28, 6 pm
- Next Board of Supervisors meeting on Monday, December 5, 7 pm

Township Offices will be closed on Thursday, November 24 and Friday, November 25 in observance of the Thanksgiving holiday.

LIST OF BILLS

On a motion by Mr. Heppe, seconded by Mr. Oram, the Board unanimously approved the payment of \$850,982.87; a total of Warrants (\$739,852.58) and Payroll (\$111,130.29), date ending November 16, 2016.

SUPERVISOR LIAISON REPORTS

Mr. Pioggia stated Valley Creek Trunk Sewer project taking place in Tredyffrin Township is virtually complete. In addition he added, the exterior of Hilltop House is approximately eighty percent painted. He also met with the Hilltop House subcommittee to discuss the 2017 Hilltop House budget and future plans.

Mrs. Fadem attended the Citizens Advisory Committee in November, where Berwyn Fire Chief Eamon Brazunas was in attendance to discuss the current state of the local fire companies and future budget needs. In addition, she and Mr. Pioggia will be meeting with the Comprehensive Plan Task Force later in the month, with the focus continuing to be on the Route 30 Corridor.

Mr. Polites announced that he had the privilege of presenting the 2016 Library Champion of the Year award to volunteer Margaret P. Mackenzie at the 2016 Easttown Library Donor Appreciation Event. He added that Ms. MacKenzie is a very deserving and very active volunteer within multiple organizations in the Township.

DEPARTMENTAL REPORTS

Ms. Wertz updated the Board on financial matters, including changes to the payroll process with part-time Easttown Library employees.

Mr. Briggs updated the Board on current planning and zoning projects, including Land Development Application 109, 4 Midland Avenue, which is on tonight's agenda and three zoning hearing board applications.

Chief Obzud updated the Board on police matters. Mr. Oram inquired about the traffic study being completed at the intersection of Berwyn and Woodside Avenues, and Chief Obzud answered that it is not yet complete.

NEW BUSINESS

LD 105; 28 Bridge Ave – Escrow Release #1

Mr. Briggs introduced the Board to this item. On June 15, 2015, the Board conditionally approved the Land Development Plan to subdivide one single-family detached dwelling lot with three single-family detached dwelling units. Since that time the project has begun construction. In accordance with the Subdivision and Land Development Agreement and Financial Security Agreement, the Developer provided a construction escrow in the amount of \$123,055.82 and is now requesting the first escrow release in the amount of \$73,161.00. The Township Engineer has reviewed the escrow release request and recommends that the Board release \$65,844.90 (less a 10% retainage amount of \$7,316.10). After this release, the remaining escrow amount will be \$57,210.92. As a matter of policy in approving first escrow

releases, the Board also authorizes its Chairman to sign a blank Certification of Completion and Authorization of Reduction and Release Form making the processing of all future escrow release requests a Staff function.

On a motion by Mr. Heppe, seconded by Mrs. Fadem, the Board unanimously approved Escrow Release Number 1 for 28 Bridge Avenue in the amount of \$65,844.90 and authorized the Chairman to sign the blank Certification of Completion and Authorization of Reduction and Release Form.

Devon Center Overlay Ordinance – Authorization to Schedule and Advertise Public Hearing

Mr. Fox updated the Board on this item. At its Special Meeting on November 7, the Planning Commission voted to recommend the proposed Devon Center Overlay Ordinance to the Board of Supervisors for consideration of adoption. At its regular meeting, the Board authorized staff to submit the Ordinance to the Chester County Planning Commission for review. The next step in this process is to authorize the Public Hearing date and for Staff to advertise this Public Hearing date. The date proposed is Tuesday, December 13, 7 pm and the Hearing will take place at Hilltop House.

Fred Fromhold, Esq. was in attendance representing Denise Lehmann. He reiterated that his client, the property owner of one of the parcels that is being considered for removal from the Overlay District, would like the Township to reconsider removing the parcel. Sound planning principles dictate, he argued, that the Lehmann property, which is currently zoned for a single family home use, should be zoned for multi-family use to serve as a transitional zone between the commercial and traditional residential areas. He stated that he will attend the Public Hearing to further discuss this.

Joan Bergquist, of 217 Devon Boulevard, stated that if the two additional properties are to be rezoned, it could create too much density.

On a motion by Mr. Oram, seconded by Mr. Heppe, the Board unanimously scheduled the Board of Supervisors Public Hearing date for Tuesday, December 13, 7 pm at Hilltop House to consider adoption of the Devon Center Overlay Ordinance and authorized Staff to advertise the Public Hearing.

LD 109; 4 Midland Ave – Land Development Decision Extension Agreement #4

Mr. Briggs updated the Board on this item. The Applicant proposes the demolition of a commercial building for the construction of three apartment buildings with a total of 18 condominium dwelling units. On September 19, 2016, the Board approved the Preliminary Land Development Plan subject to the Planning Commission's conditions and added that the Applicant submit architectural drawings for the three buildings that depict the building elevations from all four sides to demonstrate compliance with the maximum building height of three stories or 42 feet, whichever is lower.

Also on September 19, 2016, the Board agreed to a third time extension establishing a new deadline of November 22, 2016, in which to render a final decision on Land Development Application 109. The Applicant has not yet submitted a Final Land Development Plan for the Planning Commission to review. To further accommodate the Final Plan review and approval process, the Applicant has granted a fourth extension for the Board's Final Land Development decision. If agreed to by the Board tonight, then the new deadline for this decision is January 17, 2017.

On a motion by Mrs. Fadem, seconded by Pioggia, the Board unanimously agreed to a fourth time extension proposed by the Applicant establishing a new deadline of January 17, 2017, in which to render a final decision on Land Development Application 109.

Real Estate Tax Collection

Ms. Wertz updated the Board on this item. Township auditors have noted for several years that the automated tax system interface from the Township's real estate software is erroneously leaving balances in multiple accounts within the Real Estate Fund. Additionally, the current Real Estate Software (RBA) is antiquated and has not been updated in years and lacks reporting functionality.

Due to the expense to upgrade the software and the issues with the interface with Munis Software, Staff recommends that the Township transition the real estate billing and collection process to Chester County. There are currently 16 other municipalities within Chester County who have also transitioned this process to them. The County will be responsible for printing, mailing, collecting, processing, and reconciliation of all parcels within the Township. The fee also includes sending out delinquent notices, required audit reports, and monthly reports to the Township. The all-inclusive rate is \$1.65 per bill x 3,800 parcels which is \$6,270. However, the County has a contract with the 4 large mortgage companies who pay taxes electronically with the County and the Township will not be charged for these parcels. The entire cost will be offset by bank transaction fees because the Township will no longer have to pay the lockbox fees for these transactions.

Mr. Pioggia asked if it will be possible for residents to pay property taxes via credit card and Ms. Wertz responded yes.

On a motion by Mr. Oram, seconded by Mrs. Fadem, the Board unanimously authorized Staff to enter into a one year contract with Chester County for real estate billing and collection processes for 2017.

Preliminary 2017 Township Budget

Mr. Fox and Ms. Wertz presented the preliminary 2017 Township Budget with no proposed tax increase to the Board. Mr. Rau explained that the Township can change up to ten percent of the aggregate budget and five percent of individual sections of the preliminary budget proposal after it is advertised.

On a motion by Mr. Heppe, seconded by Mr. Pioggia, the Board unanimously adopted the preliminary 2017 Township Budget as presented with no tax or fee increases and authorized Staff to advertise it.

OLD BUSINESS

Mrs. Fadem provided Township Staff with information regarding 911 procedures for public education. She also stated, as consideration during the Township's ongoing and long term analysis of fire company funding streams, Haverford Township previously outsourced its ambulance service to Penn Medicine and after two years of that service went out for RFP again. This time it awarded the contract to Narberth Borough for Ambulance service with a subsidy being paid to Narberth by Main Line Health for service to its hospitals.

PUBLIC FORUM

Mr. Herbert Byer read a letter he stated was written by Ms. Virginia Horvath, of 556 Watford Lane, requesting that the Police Department stop completing wellness checks for her at her residence.

ADJOURNMENT

The meeting adjourned at 8:26 pm.

Respectfully submitted,

Kate Jones
Assistant Township Secretary