

**EASTTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES OF FEBRUARY 19, 2018**

The February 19, 2018 Regular Meeting took place at the Township Building, 566 Beaumont Road, Devon and was called to order at 7:00 p.m. Supervisors present included: Marc J. Heppe, Chair; Betsy Fadem, Vice Chair; Christopher D. Polites; James W. Oram, Jr.; and Karl A. Romberger, Jr. Also attending were Dan Fox, Township Manager; Eugene C. Briggs, Jr., AICP, CZO, Assistant Township Manager and Director of Planning and Zoning; Dave Obzud, Police Chief; Kate Jones, Administrative Coordinator; Brady Flaharty, PE, Township Engineer; and Andrew D. H. Rau, Esquire, Township Solicitor.

**MINUTES**

Mr. Oram made a motion to approve the minutes from the February 05, 2018 Regular Meeting. Mrs. Fadem seconded the motion. Chairman Heppe opened the floor to the public. There were no comments. The Chair called the vote. The motion passed unanimously.

**ANNOUNCEMENTS**

Chairman Heppe read the following announcements:

Easttown Township seeks a volunteer for a vacant position on its Planning Commission. As an advisory body, the Planning Commission makes recommendations to the Board of Supervisors on all land development and subdivision applications that are submitted to the Township. The Planning Commission plays an important role in developing the Township's Comprehensive Land Use Plan, as well as keeping the Subdivision and Land Development Codes up to date and in compliance with Pennsylvania's Municipalities Planning Code.

Interested candidates must be residents of the Township and have availability on the evenings of the first Tuesday each month for regular business meetings. Additional time will be required for special planning commission meetings, projects, and plan review, as necessary. The term of this vacancy expires December 31, 2019. Regular Planning Commission terms are four years.

Please submit a resume and letter of interest to Township Manager, Dan Fox via email, [dfox@easttown.org](mailto:dfox@easttown.org), by end of business day on Friday, March 09, 2018.

The following public meetings will be held at the Township Building unless otherwise stated:

- Parks and Recreation Board on Tuesday, February 20, 7 pm at Hilltop House
- Zoning Hearing Board on Tuesday, February 20, 7 pm
- Library Board on Wednesday, February 21, 7 pm at Easttown Library
- Next Board of Supervisors meeting on Monday, March 05, 7 pm

## **LIST OF BILLS**

Mr. Oram made a motion to approve the list of bills totaling \$515,786.64, with warrants in the amount of \$371,572.85 and payroll in the amount of \$144,213.79, date ending February 14, 2018. Mrs. Fadem seconded the motion. The Board questioned the staff on miscellaneous aspects of the bills. Chairman Heppe opened the floor to the public. Michael Wacey, of 1049 Beaumont Road sought clarification regarding reimbursement for a Police Officer's higher education, a charge from a risk management agency, and water billing at Township pump stations. The Chairman called the vote. The motion passed unanimously.

## **LIAISON REPORTS**

Board members provided the following updates:

### **Citizens Advisory Committee:**

Betsy Fadem, James W. Oram. Jr.

Mrs. Fadem and Mr. Oram attended the meeting on February 12 and the Committee reviewed the Supervisors' 2018 project list. The Committee also discussed what they want to review with Chief Obzud when he attends their next meeting concerning police call and crime data for the Township. The Committee next meets on March 12.

### **Comprehensive Plan Task Force:**

Betsy Fadem, Marc J. Heppe

Mrs. Fadem updated the Board. The Comprehensive Plan was approved by the Planning Commission at its February meeting and it is now out for review and comment to neighboring Townships, the T/E School District, and the County. The Plan is on track for consideration by the Board at its April 16 meeting.

### **Fire Company Task Force:**

Betsy Fadem, Marc J. Heppe

Mrs. Fadem updated the Board. With coordination from the Comprehensive Plan County Planners and Mr. Briggs, Mr. Heppe, and Mrs. Fadem met with the Township Manager of Kennett Township to hear about his Township's efforts concerning its Fire Companies and its study titled the "Kennett Area Conceptual EMS/FIRE Delivery Model." These efforts resulted in the formation of a six township Fire Commission. The Commission sets the annual compensation each township pays to its three area Fire Companies. The starting point to determine the current level of funding was based on the total money now provided to the Fire Companies and then the new formula determined the appropriate amount for each township based on the percent or assessed value, total population, and fire calls. For equipment purchase, the Fire Companies have to solicit approval from the Fire Commission. To better understand its operation structure and authority, Mrs. Fadem attended the Fire Commission on February 13. Its experience, data, and efforts will be very helpful when the Task Force reconvenes.

**Historical Commission:**

Karl A. Romberger, Jr.

Mr. Oram stated that he took Mr. Romberger to the meeting on February 14 to introduce him to the Commission and updated the Board on Commission projects. The Commission next meets March 14.

**Library Board:**

Christopher D. Polites

There is no update. The Board next meets on February 21.

**Municipal Authority:**

Karl A. Romberger, Jr.

Mr. Romberger stated that Mrs. Fadem introduced him to the Municipal Authority at its February meeting and that he found them to be professional and knowledgeable volunteers.

**Neighborhood Watch:**

Marc J. Heppe (and Chief Obzud)

There is no update.

**Park & Recreation Board:**

Christopher D. Polites

Mr. Polites stated that the annual Egg Hunt, which is always a successful and well-attended Township event, will be held on Saturday, March 17. The Board next meets on February 20.

**Pension Committee:**

James W. Oram, Jr., Christopher D. Polites

The Committee’s next quarterly meeting will be in March 2018.

**Planning Commission:**

Betsy Fadem, Marc J. Heppe

Mr. Heppe deferred to Mr. Brigg’s departmental report. The Commission next meets on March 06.

**Police Department:**

Marc J. Heppe, James W. Oram, Jr.

Chairman Heppe announced that the marijuana dispensary opened on Saturday, February 17 and asked Chief Obzud to update the Board.

**Policy Committee:**

Betsy Fadem, James W. Oram, Jr.

Mrs. Fadem stated that the Policy Committee met February 19 and reviewed the initial draft of a policy for the Township’s Sidewalk Fund. Also discussed was a list of policy ideas for consideration this year. Next meeting is March 19 at 5:30 pm.

Chairman Heppe opened the floor to the public and there were no comments.

## **DEPARTMENTAL REPORTS**

Mr. Fox, Township Manager, outlined the contents of the finance memo, dated February 19, 2018. After discussion, Chairman Heppe opened the floor to the public and Mr. Wacey requested that the Township post monthly financial reports on its website.

Mr. Briggs, Director of Planning and Zoning, outlined the contents of his memo, dated February 14, 2018. After discussion, Chairman Heppe opened the floor to the public and Buck Buchanan, of 638 Wetherby Lane, began a conversation regarding the Planning Commission and the Zoning Hearing Board and noted that he wished the latter would take more consideration of the former's application reviews and recommendations.

## **NEW BUSINESS**

### **Consideration of a Motion to Approve SD 515 749 First Avenue Minor/Final Subdivision Application**

Mr. Briggs introduced the Board to this project. This Subdivision and Land Development Plan Application was submitted to the Township on September 05, 2017. The Applicant proposes to demolish the existing Single-family Detached Dwelling and construct two new Single-family Detached Dwellings with a shared driveway. The Plan was reviewed by the Planning Commission and on February 06, 2018, it recommended that the Board consider approving it.

The Commission recommends that the Board considers approving the Plan subject to the conditions listed in its February 13, 2018 recommendation letter prepared by Buckley Brion McGuire & Morris LLP. The recommendations of approval are for the Applicant to comply with the outstanding comments in the following Township Consultant review letters: Lisa L. Thomas letter dated December 13, 2017; Brady L. Flaharty letter dated December 13, 2017; and Eugene C. Briggs memorandum dated December 18, 2017.

In its February 13, 2018 letter, the Commission also recommends that the Board take the following action based upon Items No. 1 through 4 as set forth in Chris Williams' traffic engineering review letter of December 18, 2017.

- Section 400-34.A – that a waiver, to the extent required, be granted from any requirement to dedicate additional right-of-way as described in Item No. 1;
- Section 400-34.A – compliance with the recommendations as set forth in Item No. 2;
- Section A490-41 – compliance with the recommendations as set forth in Item No. 3 with the understanding that full compliance will be dependent upon the cooperation of Tredyffrin/Easttown School District, which owns the property across First Avenue; and

- Sections 455-74.C(7) and 455-74.D(2) – the Applicant not modify the plan to provide for an additional parking area as recommended in Item No. 4 as this is not required by a strict reading of the Zoning Ordinance.

After discussion, Mrs. Fadem made a motion to approve Subdivision Application 515 for 749 First Avenue, subject to the following conditions:

1. That the Applicant comply with the outstanding comments in the following Township Consultant review letters:
  - a. Lisa L. Thomas letter dated December 13, 2017;
  - b. Brady L. Flaharty letter dated December 13, 2017; and
  - c. Eugene C. Briggs memorandum dated December 18, 2017.
2. That the Applicant comply with the outstanding comments in Chris Williams' traffic engineering review letter of December 18, 2017 as stipulated in the February 13, 2018 recommendation letter prepared by Buckley Brion McGuire & Morris LLP.
3. The Applicant shall comply with the Township's development and permitting requirements, including but not limited to, execution of development agreements, posting the necessary financial security for the proposed public and quasi-public improvements and obtain all necessary permits for the development.
4. The Applicant shall reimburse the Township for all outstanding fees and charges incurred by the Township in processing and considering the Subdivision and Land Development Application, including but not limited to legal, engineering, and consulting review fees.
5. The proposed use and development, and intensity thereof, shall be consistent with the testimony and evidence provided at this Public Meeting.

Mr. Oram seconded the motion. Chairman Heppe opened the floor to the public and there were no comments. The Chair called the vote. The motion passed unanimously.

#### **Consideration of a Motion to Adopt Resolution 2018-10 for SD 514 Armstrong Subdivision Sewer Planning Module**

Mr. Briggs updated the Board on this item. On October 16, 2017, the Board conditionally approved the Preliminary/Final Subdivision and Land Development Plan to allow for the renovation of the existing Single-family Detached Dwelling and construction of six new Single-family Detached Dwellings at the Armstrong Subdivision. A condition of approval was that a Sewage Facilities Planning Module (Planning Module) be provided to the Pennsylvania Department of Environmental Protection (PADEP) for its approval.

The Applicant is in the process of preparing the Planning Module for submission to PADEP. What remains to be completed before the Planning Module can be submitted to PADEP is the Board's adoption of the attached Resolution 2018-10 for Plan Revision for New Land Development. The Township Engineer has reviewed the Planning Module and recommends that the Board adopts Resolution 2018-10 and authorize the Township Manager to complete and sign Resolution 2018-10, as well as the Transmittal Letter for Sewage Facilities Planning Module and Checklist.

Mrs. Fadem made a motion to adopt Resolution 2018-10 for Plan Revision for New Land Development and authorize the Township Manager to complete and sign the Resolution, Transmittal Letter, and Checklist. Mr. Oram seconded the motion. Chairman Heppe opened the floor to the public. There were no comments. The Chair called the vote. The motion passed unanimously.

**Consideration of a Motion to Authorize Staff to Execute Contract for Village of Berwyn/Easttown Library Parking Study**

Mr. Briggs updated the Board on this item. On February 05, 2018, the Board authorized Staff to negotiate contracts with the McMahon Associates, Township Transportation Engineer, for the completion of the Village of Berwyn Parking Study and the Library Parking Study with input from the Board. The proposal combines the two Studies into one contract. The Study is designed to engage the Public through meetings, workshops, and a survey. It will be led by an Advisory Committee appointed by the Board, begin in March 2018, be completed within 12 months, and not exceed \$44,700. These Studies are recommended in the Township's Draft Comprehensive Plan, which will be considered for adoption by the Board at its Public Hearing on April 16, 2018. The Studies were also anticipated in the 2018 Budget with an earmarked cost of \$46,300.

John Yurick, from McMahon Associates, was in attendance to answer questions that the Board and Public had regarding the Study. After Board discussion regarding study methodology, Chairman Heppe opened the floor to the public. Louise Story, of 2080 Buttonwood Road, sought clarification regarding the study boundaries. Margaret D'Alesandro, of 610 Clovelly Lane, sought clarification regarding public versus private parking facilities. Mr. Wacey asked how the study would factor in the Township at-large. Mr. Buchanan stated this study should be helpful in determining whether parking issues in Berwyn are more of a logistical problem or a problem of public perception.

Mrs. Fadem made a motion to authorize the Township Manager to execute the contract and any related documents with McMahon Associates for the completion of the Village of Berwyn and Library Parking Study at a not-to-exceed cost of \$44,700. Mr. Polites seconded the motion. The Chair called the vote. The motion passed unanimously.

**Consideration of a Motion to Execute the Year-Four Option for Solid Waste Processing and Recycling with Waste Management Inc.**

Mr. Fox updated the Board to this item. In June of 2015, the Township executed a three-year contract with Waste Management of Pennsylvania, Inc. (WM). The agreement expires on June 30, 2018. The Township has the unilateral authority to twice extend the contract on an annual basis. The year-four extension (July 1, 2018 thru June 30, 2019) requires notice to WM by March 31, 2018. If extended, the Township would again have the unilateral authority to extend the contract for a fifth year towards the end of this term. The Township and Staff are satisfied with WM's performance to date.

At the Board meeting on February 05, 2018, the decision on the extension was tabled to gather additional information. This information has been provided. Accordingly, if the Board of Supervisors wishes to extend the contract then it should approve the extension via a motion to extend the agreement with WM using the year-four option of the current agreement.

Mr. Oram made a motion to exercise the year-four extension of the Waste Management of Pennsylvania, Inc. contract through June 30, 2019. Mrs. Fadem seconded the motion. Chairman Heppe opened the floor to the public. There were no comments. The Chair called the vote. The motion passed unanimously.

**OLD BUSINESS**

None

**PUBLIC FORUM**

None

**ADJOURNMENT**

The meeting adjourned at 8:31 pm.

Respectfully submitted,

Kate Jones  
Assistant Township Secretary