

## **EASTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF MARCH 20, 2017**

The March 20, 2017 Regular 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: James W. Oram, Jr.; Chairman; Marc J. Hepe, Vice Chairman; Betsy Fadem; Fred Pioggia; and Christopher D. Polites. Also attending were Dan Fox, Township Manager; Eugene C. Briggs, Jr., AICP; Assistant Township Manager and Director of Planning and Zoning; Dave Obzud, Police Chief; Karen Wertz, CPA, Finance Director; Don Curley, PE, AICP; Kate Jones, Administrative Coordinator; and Andrew D.H. Rau, Esq., Township Solicitor.

### **PLEDGE OF ALLEGIANCE**

### **MINUTES**

On a motion by Mr. Polites, and seconded by Mrs. Fadem, the minutes of the regular business meeting of March 06, 2017 were unanimously approved.

### **ANNOUNCEMENTS**

Chairman Oram announced that the Board met in executive session prior to this meeting to discuss legal and personnel matters.

ARCH (Area Residents Caring & Helping) is holding a presentation and discussion entitled "Technology & Kids (K-6): Negotiating Their Tech Dependency" on Wednesday, March 29, 7 – 8:30 pm at Hillside Elementary School.

The Township's Annual Egg Hunt will be held on Saturday, April 08, 11 am at Frank Johnson Park. For more information, including the scheduled rain date, please [visit www.easttown.org](http://www.easttown.org).

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

- Parks and Recreation Board meeting on Tuesday, March 21, 7 pm
- Board of Supervisor Conditional Use Hearing for Devon Yard project on Wednesday, March 22, 7 pm at Hilltop House
- Comprehensive Plan Task Force meeting on Monday, March 27, 6 pm
- Next Board of Supervisors meeting on Monday, April 03, 7 pm

### **LIST OF BILLS**

On a motion by Mrs. Fadem, and seconded by Mr. Polites, the Board unanimously approved the payment of \$274,247.59; a total of Warrants (\$102,193.88) and Payroll (\$172,053.71), date ending March 16, 2017, with Mr. Polites abstaining from voting upon check #25659 in accordance with the Public Officials and Employee Ethics Act.

## **SUPERVISOR LIAISON REPORTS**

### **Citizens Advisory Committee** - *Betsy Fadem, Christopher D. Polites*

Mr. Fadem stated that she and Mr. Polites were at the Committee meeting on March 13. The Committee welcomed new member Ronald Mintz and discussed the Fire Funding information. They are working on what the deliverable will be for the Supervisors on this fire funding topic and what work remains to prepare that deliverable. The next meeting is Tuesday, April 18.

### **Comprehensive Plan Task Force** - *Betsy Fadem, Fred Pioggia*

No update. The next meeting is Monday March 27.

### **Fire Company Task Force** - *Betsy Fadem, Marc J. Heppe*

Mr. Fadem stated that she and Mr. Heppe met with the Tredyffrin-Easttown Fire Company Funding Coalition on March 07, which was the first meeting of this Coalition for 2017. They established that the priority of the BFC new building project is lower compared to the effort of identifying the funding solution and are working on establishing goals for this year. The next meeting is Tuesday, May 09.

Mr. Heppe added that the Berwyn Fire Company provided financials to Ms. Wertz for analysis.

### **Historical Commission** - *James W. Oram, Jr.*

Mr. Oram stated the Historical Commission met on Wednesday, March 08 and reviewed the Fritz Lumbar Property Demolition Application with Applicant Stacey Ballard of Eadah Enterprises. The Commission has recommended the Application to the Planning Commission. After the Planning Commission makes a recommendation, the Application will go before the Board of Supervisors. The Historical Commission next meets on Wednesday, April 12.

### **Library Board** - *Christopher D. Polites*

Mr. Polites stated that, at its meeting on March 15, the Board recommended the appointment of Heidi Turley to fill the vacancy on the Library Board, and the Board of Supervisors will vote on this appointment at a future meeting. The Library Board next meets on Wednesday, April 19.

### **Municipal Authority** - *Fred Pioggia*

No update. The March meeting was cancelled and the Authority will next meet on Tuesday, April 12.

### **Neighborhood Watch** - *Marc J. Heppe, Chief David J. Obzud*

No update.

**Park & Recreation Board - Fred Pioggia**

Mr. Pioggia announced that the Parks and Recreation Board will be holding its annual Egg Hunt at Johnson Park on Saturday, April 08 at 11 am with a rain date of April 09 at noon. The next Board meeting is on Tuesday, March 21.

**Pension Committee - Betsy Fadem, James W. Oram, Jr.**

No update. The next quarterly meeting is on Tuesday, March 21.

**Planning Commission - Betsy Fadem, Marc J. Heppe**

Mr. Heppe updated the Board on the Commission meeting on March 07, which both he and Mrs. Fadem attended. He stated that the Commission had given a preliminary land development and conditional use recommendations to Board of Supervisors for Devon Yard. The Board of Supervisors will consider the conditional use application at a public hearing on Wednesday, March 22. In addition, he added, the Audi Car Dealership has also has submitted a preliminary land development and conditional use application, and is proposing consolidating two lots for the demolition of the adjacent bank building to extend Audi Devon's parking lot for vehicle storage and display. The discussion regarding this joint application will continue at the Planning Commission meeting on Tuesday, April 04.

A discussion regarding a potential parking study commissioned by the Township began after Mr. Heppe updated the Board regarding a conditional use application submitted by La Cabra Brewing for additional parking in downtown Berwyn. The Board requested that the Comprehensive Plan Task Force develop a scope and boundary of services that the Township will use to evaluate a cost estimate. These analyses will be brought back to the Board by Staff at a future meeting for consideration.

Louise Story, of 2060 Buttonwood Road, suggested that the Township consider including the Easttown Library in the scope of the potential study.

**Police Department - Marc J. Heppe, James W. Oram, Jr.**

Mr. Oram thanked Chief Obzud for his 2016 Annual Report. He highlighted the several year span of forming a more proactive police force, rather than a typical reactive type, and thanked the Chief for his strategic and creative planning that made this a reality. The liaisons will be meeting with the Chief in the coming week.

In addition to the regular liaison reports, Mrs. Fadem announced that on March 09, she attended the Chester County Association of Township Officials (CCATO) Spring Conference in Malvern, PA. She attended a County Planning session conducted by the head of the Chester County Planning Commission and will bring some information from the session back to the Easttown Comprehensive Plan Task Force. The afternoon session panel educated the group on the opioid epidemic in Chester County.

Mr. Pioggia announced that he, too, had attended the CCATO Spring Conference, but went to the morning session on MS4 (Municipal Storm Sewer System) Program.

## CHAIRMAN'S INITIATIVES

The Board provided updates for the following, if available:

1. *Continue to focus on communication with residents and stay abreast of the latest technological platforms for communication and increase presences at Township events – Mr. Heppe and Mr. Pioggia.* Mr. Heppe stated that he will attend the Township Egg Hunt on Saturday, April 08. He also said he attended the 30 Main Restaurant's Berwyn Fire Company fundraiser. Mr. Heppe and Mr. Pioggia met on March 14 to discuss overall communications. Mr. Pioggia and Ms. Jones met on March 17 with an INCommunity editor to discuss upcoming magazine content.

Mr. Oram asked Ms. Jones to explain the potential for creating "welcome packets" for new residents in folders created by a third party vendor and completely paid for through advertising. Mr. Polites asked the Solicitor to look into the potential issues that could be associated with the Township distributing material with third party advertisements.

2. *Resolve short-term space building space issues, especially as it pertains to the needs of the Police Department – Mr. Oram and Mr. Pioggia.* Mr. Oram and Mr. Pioggia announced that they had met with Mr. Fox and Chief Obzud to discuss this and asked the Chief to present their conclusions. Chief Obzud explained that providing a trailer in the back parking lot and near the back entrance of the police station is an economically feasible way to fill the Department's needs in the short-run while not causing a disruption to overall Township functions.
3. *Document Township policies and procedures, including but not limited to the Supervisor Discretionary Fund, appointments to Boards and Commissions, and governance issues – Mr. Oram and Mrs. Fadem.* Mrs. Fadem stated that she and Mr. Oram have drafted two policies covering the appointments of Supervisors to liaison positions the Township authorities, boards, and commissions and of volunteers who would serve on these authorities, boards, and commissions. These drafts are currently being reviewed by the Township Solicitor and will be up for approval at a future Board meeting.
4. *Explore options with the Tredyffrin-Easttown School District regarding the need for parking at Easttown Library – Mrs. Fadem and Mr. Polites.* After discussion, the subcommittee decided to schedule a meeting to solidify next steps for this initiative.
5. *Continue to explore Hilltop House as a performing financial asset for the Township – Mr. Polites and Mr. Pioggia.* Mr. Polites announced that the Hilltop House subcommittee will meet on Thursday, April 06.

6. *Work towards a sustainable funding solution for the Fire Companies with the TE Fire Companies Funding Coalition – Mrs. Fadem and Mr. Heppe.* Mrs. Fadem and Mr. Heppe covered this update under Supervisor Liaison Reports of the agenda.
7. *Work with the Planning Commission to complete a sidewalk plan for the Township – Mrs. Fadem.* No update.
8. *Spend time with employees of the Township to get reoriented with their duties - Mr. Heppe.* Mr. Heppe stated that he rode with the Public Works crew during the last snow storm to get a better understanding of Township plow operations.
9. *Work with Planning Commission and Staff to redefine the Township ordinance regarding fencing and signage - Mr. Heppe.* No update.
10. *Modernize the Township in ways that can reduce its expenses, such as through LED lighting for street lights – Mr. Pioggia.* Mr. Pioggia stated that he has met with staff members and will consolidate their input to report upon at a future meeting.

## **DEPARTMENTAL REPORTS**

Ms. Wertz updated the Board on financial matters, including the timing of the upcoming 2016 Township audit, an overview of the 2016 financials, and reports on collections for overdue sewer and trash bills and real estate transfer taxes.

Mr. Briggs updated the Board on planning and zoning applications, including the withdrawal by the applicant of the land development plan for 4 Midland Avenue and the applications previously discussed by Planning and Historical Commission liaisons Mr. Heppe and Mr. Oram, respectively.

Chief Obzud updated the Board on police-related matters.

Buck Buchanan, of 683 Wetherby Lane, asked the Chief about permitted parking in the Borough of Berwyn and the two agreed to meet and discuss the specifics of his inquiry.

Mr. Curley updated the Board on public works projects, leading to a conversation regarding township road milling and paving. Mr. Polites requested that the Township create a multi-year schedule.

## **NEW BUSINESS**

### **SD 512; 2240 South Valley Road – Final Minor Subdivision Plan**

Mr. Briggs introduced the Board to this item. The Subdivision and Land Development Application for 2240 South Valley Road was received by the Township on January 11, 2017. The Applicant proposes to change the lot line between Lots 1 and 2. The Planning Commission reviewed the Application on March 07, 2017 and recommends that the Board considers approving the lot line change with the following waivers from Chapter 400, Subdivision and Land Development of the Township Code of Ordinances:

- Section 400-34.A – To not require a minimum half cartway width of 14 feet for South Valley Road.
- Section 400-41 – To not require curbs and sidewalks along the onsite frontage of South Valley Road. (Please note that the prior owner paid a fee in lieu of sidewalks to the Township as a condition of the originally approved 2-lot subdivision back in November of 2014.)

On a motion by Mr. Heppe, seconded by Mrs. Fadem, the Board approved of Subdivision Application 512 for 2240 South Valley Road Final Minor Subdivision Plan, subject to the following conditions:

1. The Applicant shall conform to the conditions of the Township Planning Commission's recommendation letter dated March 08, 2017 as follows:
  - a. The Applicant shall comply with the Township Engineer's review letter dated January 31, 2017;
  - b. The Applicant shall comply with the Township Planner's review letter dated January 31, 2017; and
  - c. The Applicant shall comply with the Township Transportation Engineer's review letter dated February 01, 2017.
2. The 2 waivers as requested by the Applicant and referenced above are granted.
3. The Applicant shall comply with Township permitting and development requirements, including but not limited to, execution of final land development agreements and financial security, and permit applications.
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 the public meeting.

**SD 510; 15 Leopard Road – Subdivision Time Extension Agreement**

Mr. Briggs updated the Board on this item. The Planning Commission first reviewed this Subdivision Application on July 06, 2016. The Applicant proposes to subdivide the Trinity House Property into two lots with the new property line generally following the VB / VR Zoning District Boundary. The Applicant submitted revised Plans and Mr. Briggs, as Township Zoning Officer, determined that the Zoning Chapter does not allow the creation of a nonconforming lot, as Lot 2 will not have the minimum Net Lot Area required of 5,000 square feet per dwelling unit for the 133 apartments of Trinity House. The Applicant appealed his determination to the Zoning Hearing Board and it denied the appeal on December 07, 2016.

Section 400-15.D.(3) of the Township Code establishes a 90-day deadline for the Board of Supervisors (Board) to render a decision on this Application. The original decision deadline was to expire on October 04, 2016, but was extended by three agreements between the Applicant and Board to March 21, 2017. The Applicant has submitted a letter granting a fourth extension to the Township for the Board's decision. If agreed to by the Board at tonight's meeting, then the new deadline for its SD decision will be June 20, 2017.

On a motion by Mrs. Fadem, seconded by Mrs. Pioggia, the Board agreed to a fourth time extension proposed by the Applicant establishing a new deadline of June 20, 2017, in which to render a decision on Subdivision Application 510.

### **Contract; Asset Management Software**

Mr. Briggs introduced the Board to this item. Last year, the Township took its first step in modernizing its information technology (IT) infrastructure and enhancing its IT capabilities. In doing so, the Township now offers the best solution to secure, manage, and network all Police, Public Works, and Administrative data. The migration has positioned the Township to bolster its operations and allow for future growth in servicing the public. To further this growth, Township Staff turned its focus on finding a replacement for the existing Permit Tracking Software that was put in place by the Township Engineer, ARRO Consulting, Inc. The Township has outgrown the capabilities of ARRO's Permit Tracking Software and ARRO advised that it could not provide the Township with desired upgrades to increase staff efficiency in managing the Township's various permitting processes.

During the 2017 budget Process, Ms. Wertz, Ms. Jones, Ms. Navarro, the former Public Works Director, and Mr. Briggs met with three software providers to evaluate software replacement options. Staff found Traisr, by McMahon Associates, to be the most user friendly and its cost fits within the approved amount of \$12,500 in the 2017 Budget. Mr. Briggs contacted four local townships who already utilize Traisr and received only positive reviews.

Mrs. Fadem asked if the software will interface with existing and proposed financial software and Mr. Briggs responded that it would and that the Township's IT consultant had been involved in the selection process to ensure overall compatibility. She followed up by inquiring about the timeframe for implementation. Mr. Briggs answered that it would take approximately two months after the contract was executed.

On a motion by Mrs. Fadem, seconded by Mr. Pioggia, the Board unanimously authorized the Township Manager to execute the Trair Asset Management Software Contract with McMahon Associates, Inc. subject to Township Solicitor review.

#### **Contract; Trash & Billing Software**

Ms. Wertz introduced the Board to this item. The MasterTrak software that has been used by the Township for over 20 years to invoice for trash and sewer bills is no longer supported and is not compatible with the Township's current infrastructure. The Finance Department, along with the representatives from the Township's IT consultant firm and bank, met with three new billing vendors, and confirmed that the proposed software is compatible with Township's infrastructure and will automate banking processes going forward. The Finance Department recommends MuniBilling software with a one-time set-up fee of \$3,825 and \$5,100 annual fee. This is under the amount set aside in the 2017 Budget. If approved, the data extraction, integration and training would begin in April and the Township would be live for the July 01 billing for Trash and the July 31 billing for sewer.

On a motion by Mrs. Fadem, seconded by Mr. Pioggia, the Board unanimously authorized the Township Manager to execute the MuniBilling Software Contract subject to Township Solicitor review.

#### **Contract Extension; Landscaping**

Mr. Curley updated the Board to this item. In June of 2015, the Board approved a Landscaping Support Services contract with M&M Landscaping LLC and the initial term of the contract is complete. In general, service includes spring clean-up, lawn mowing, fall clean-up, and weed control for 19 Township properties. As per the original term of the contract, continuation of the contract requires one-year extensions of the contract on an annual basis. The base year annual cost was \$63,500. Annual cost for Year 2 is \$43,455. These costs are budgeted in the 2017 budget.

Mrs. Fadem asked if the Hilltop House property is included in this contract, and Mr. Curley responded that landscaping for that property is completed as part of a separate contractual process.

On a motion by Mrs. Fadem, seconded by Mr. Heppe, the Board unanimously approved the extension of the Landscaping Support Services contract with M&M Landscaping LLC through February 01, 2018.

#### **Contract; Spring 2017 Landscape Bed Maintenance**

Mr. Curley introduced the Board to this item. Easttown Township has traditionally used Doyle & McDonnell, Inc. to perform a variety of landscape services. These services included routine watering, planting, weeding, applying fertilizer, applying herbicide, mulching, and edging at the parks, the government buildings, and the pump stations. This work is separate from the service provided by M&M Landscaping LLC (M&M) for Landscape Support Services.

Spring necessitates weeding, fertilizing, applying herbicide, and mulching at the township building, Hilltop House, Hilltop Park, the Library, and Johnson Park. In 2015, Doyle & McDonnell, Inc. performed these services for \$8,400. In 2016, Doyle & McDonnell, Inc. performed these services for \$8,255. For 2017, Doyle & McDonnell, Inc. proposes to perform these services for a fee not to exceed \$8,500. Payment for these services would come from the Park and Rec Fund and the General Fund.

On a motion by Mrs. Fadem, seconded by Mr. Polites, the Board unanimously approved the proposal for *Spring 2017 Landscape Bed Maintenance* with Doyle & McDonnell, Inc. for a price not to exceed \$8500.

### **Agreement; Police Services**

Mr. Rau introduced the Board to this item, which is an agreement between the Easttown Police Department and the Devon Horse Show that memorializes scope of police coverage, pricing, and services for 2017 – 2019 events and 2016 events retroactively. It has been reviewed by the Township Solicitor and deemed satisfactory.

On a motion by Mrs. Fadem, seconded by Mr. Heppe, the Board unanimously approved a Police Services Agreement with the Devon Horse Show, in accordance with all terms and conditions of the Agreement document.

### **Tree Removal and Replacement Plan; 1295 Meadow Lane**

Mr. Briggs introduced the Board to this item. On February 02, 2017, the Applicant submitted a Zoning Permit Application to remove 18 trees to make way for the construction of a new single-family detached dwelling at 1295 Meadow Lane. This property has been determined to be a Wooded Lot. Chapter 274, Natural Resources Protection of the Township Code, defines a Wooded Lot as, “Any building lot having more than one viable tree, six inches or greater in diameter dbh, per 1,500 square feet of gross lot area, exclusive of street right-of-way.” Section 274-30, states in part that “Tree replacement shall be provided where the applicant demonstrates to the satisfaction of the Board of Supervisors”...that...“tree removal beyond the permitted twenty-five-percent disturbance allowance is necessary to permit development in accordance with Chapter 455.” Eight trees represents 25% of the total trees on the property. Section 274-31.B.(1), states that, “For properties that are less than two acres in area, replacement plantings shall be provided at a ratio of: One shade tree for each tree six inches up to 36 inches dbh removed beyond the permitted twenty-five-percent disturbance allowance.” Ten trees are proposed to be cut down beyond the eight 8 trees (25%) that are allowed to be taken down without approval from the Board of Supervisors. Lisa Thomas, Township Landscape Architect, has reviewed the proposed tree replacement plan and finds it to be acceptable.

On a motion by Mr. Polites, seconded by Mrs. Fadem, the Board unanimously approved the tree replacement plan for 1295 Meadow Lane.

**Public Hearing; Ordinance 429-18 Emergency Communication Systems**

Mr. Fox updated the Board on this item. The Township has developed an Emergency Communication Systems ordinance based on county and area models and it has been satisfactorily reviewed by the Fire Chiefs at both Berwyn and Paoli Fire Companies. The draft ordinance has been publically advertised after review and authorization at the Board meeting on March 06, 2017.

On a motion by Mrs. Fadem, seconded by Mr. Heppe, the Board unanimously adopted Ordinance 429-18 Emergency Communications Systems.

**OLD BUSINESS**

None.

**PUBLIC FORUM**

None.

**ADJOURNMENT**

The meeting adjourned 8:50 pm.

Respectfully submitted,

Kate Jones  
Assistant Township Secretary