

EASTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF APRIL 03, 2017

The April 03, 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. Heppe, 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; Don Curley, PE, AICP; Kate Jones, Administrative Coordinator; Joseph E. Brion, Esq., Planning Commission Solicitor; and Andrew D.H. Rau, Esq., Township Solicitor.

PLEDGE OF ALLEGIANCE

MINUTES

On a motion by Mr. Heppe, and seconded by Mrs. Fadem, the minutes of the regular business meeting of March 20, 2017 were unanimously approved, with one correction made by Mrs. Fadem.

ANNOUNCEMENTS

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.

Township Administrative Offices will be closed on Friday, April 14 in observance of Good Friday.

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

- Planning Commission on Tuesday, April 04, 7 pm at Hilltop House
- Municipal Authority on Tuesday, April 11, 7 pm
- Historical Commission on Wednesday, April 12, 7 pm at Easttown Library
- Next Board of Supervisors meeting on Monday, April 17, 7 pm
- This month, Easttown Citizens Advisory Committee will meet on Tuesday, April 18, 6:15 pm. It will be preceded by the Hilltop Subcommittee, which will meet at 5:15 pm.

LIST OF BILLS

On a motion by Mrs. Fadem, and seconded by Mr. Heppe, the Board unanimously approved the payment of \$457,872.47; a total of Warrants (\$338,068.50) and Payroll (\$119,803.97), date ending March 29, 2017.

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. Pioggia stated that one of his goals is to improve Easttown Township’s coverage in local media.
2. *Resolve short-term space building space issues, especially as it pertains to the needs of the Police Department – Mr. Oram and Mr. Pioggia.* No update.
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 a policy covering the appointments of Supervisors to liaison positions with Township authorities, boards, and commissions. This draft has been reviewed by the Township Solicitor and will be up for approval at tonight’s meeting under New Business. In addition, she announced that a Policy Committee, consisting of herself and Mr. Oram, will meet the third Monday of every month at 5:30 pm at the Township Building.
4. *Explore options with the Tredyffrin-Easttown School District regarding the need for parking at Easttown Library – Mrs. Fadem and Mr. Polites.* Mrs. Fadem and Mr. Polites discussed the outcome after a recent meeting between Board members and Library members. There will be two phases to adding additional parking to the Library, beginning with the immediate addition of six paved spaces. The second phase consists of a parking study for overall parking in downtown Berwyn.
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 Tuesday, April 18 at 5:15 pm at the Township Building. Mr. Pioggia requested a 2016 list of income and expenses for Hilltop House.
6. *Work towards a sustainable funding solution for the Fire Companies with the TE Fire Companies Funding Coalition – Mrs. Fadem and Mr. Heppe.* No update.
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.* Mr. Heppe stated that he met with Mr. Briggs and that a rough draft of the ordinance amendment is being reviewed.

10. *Modernize the Township in ways that can reduce its expenses, such as through LED lighting for street lights – Mr. Pioggia.* No update.

DEPARTMENTAL REPORTS

Mr. Fox updated the Board regarding administrative matters, including the 2018 closing of the Bridge Avenue Bridge off of Route 30 by PennDOT, which should take approximately five months to complete beginning in May of that year.

NEW BUSINESS

CU 96/LD 110: Devon Yard – Conditional Use and Preliminary Land Development Applications

Mr. Brion, Esq. updated the Board on this item. The Conditional Use Application 96 for a Unified Development under the provisions of the Devon Center Overlay District and Preliminary Subdivision/Land Development Plan 110 were submitted on December 19, 2016. The Applicant proposes to consolidate and develop approximately 6.18 gross acres of land located at 138 Lancaster Avenue, 19 South Waterloo Road, and 11, 13, 15, 19, 21 and 25 Devon Boulevard, and to construct a Unified Development consisting of approximately 49,220 square feet of buildings and associated improvements. The Unified Development is permitted by conditional use pursuant to Section 455-33.1.B(1)(a). The Conditional Use and Land Development Applications were reviewed by the Planning Commission on March 07, 2017 and the its recommended approval to the Board of Supervisors. The Conditional Use Public Hearing was held on March 22, 2017 and continued to tonight's meeting.

The Applicant requests the following three Waivers from:

- Appendix A490-39.C to construct curbs with a six inch reveal instead of eight inch reveal.
- Section 274-37.D to permit plantings to be spaced less than the minimum offsets required.
- Section 400-34.A to permit Berkley Road to remain at a cartway width of twenty-six feet.

On a motion by Mr. Polites, seconded by Mr. Pioggia, the Board unanimously approved Conditional Use Application 96 for a Unified Development pursuant to Section 455-33.1.B(1)(a) of the Easttown Township Zoning Ordinance, subject to the conditions set forth in the Decision and Order prepared by Buckley Brion McGuire & Morris LLP. The Decision and Order are on file with the Township at 566 Beaumont Road on Devon.

On a motion by Mrs. Fadem, and seconded by Mr. Pioggia, the Board unanimously approved Preliminary Land Development Plan 110 for Devon Yard prepared by Advanced GeoServices Corp. dated December 19, 2016 and last revised February 14, 2017, subject to:

1. The Applicant shall conform to conditions of approval set forth in the Conditional Use Decision and Order for Conditional Use Application 96.

2. The 3 Waivers 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 Conditional Use and 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 Hearing.

Appointments:

On a motion by Mr. Heppe, and seconded by Mrs. Fadem, the Board unanimously appointed Cheryl B. Harper to the Historical Commission for a three year term ending December 31, 2019.

On a motion by Mr. Polites, and seconded by Mrs. Fadem, the Board unanimously appointed Heidi K. Turley to the Easttown Township Library Board for a three year term ending December 31, 2019.

On a motion by Mr. Heppe, and seconded by Mrs. Fadem, the Board unanimously appointed R. Mitchell Shiles to the Uniform Construction Code Board of Appeals for a five year term ending December 31, 2021.

Policy 110: Township Authorized Groups/Township Authorized Operations and Supervisor Liaisons

Mrs. Fadem introduced this item to the Board, stating that the draft, written by the Policy Committee, has been reviewed and approved by the Township Solicitor.

On a motion by Mrs. Fadem, and seconded by Mr. Heppe, the Board unanimously adopted Policy 110: Township Authorized Groups/Township Authorized Operations and Supervisor Liaisons, with one typographical correction by Mr. Heppe.

Contract: Snowplowing & Deicing Support Services

Mr. Curley introduced the Board to this item. In October 2016, Easttown Township approved a contract for snow plowing and deicing with Northeastern Enterprises, Inc. The contract specifies an initial term of nine months, culminating on June 20, 2017. The Township has the sole discretion to extend the contract up to three times on an annual basis. Notification of the extension must be made to Northeastern by April 30 of each year. Accordingly, notification of the first extension must be made in April of 2017.

The contract is a time and material contract. The Township pays Northeastern only for the equipment and labor it supplies and the time that it supplies that equipment and labor. The contract specifies a \$12,000 retainer for each year of the contract. If the contract is extended then the Township will pay the retainer no later than January 10, 2018.

Mrs. Fadem sought clarification of retainer payment process.

On a motion made by Mr. Heppe, and seconded by Mr. Polites, the Board unanimously approved the one-year extension of the *Snowplowing and Deicing Support Services* contract with Northeastern Enterprises, Inc. for the term commencing July 1, 2017 and ending June 30, 2018.

Contract: Road Repairs – Request for Proposals

Mr. Curley introduced the Board to this item. In April of 2014, the Township engaged Dan Malloy Paving, Inc. to provide equipment and labor for paving and repairs. The term was a one-year agreement with two optional one-year renewals. Malloy is completing its third year of the three-year contract.

Its services include paving, repairing stormwater facilities, grading, repairing signs, and repairing curbs and the contract expires on April 14, 2017. Therefore, the Township must issue an Request for Proposals for paving and repairs.

Mr. Curley recommends the following schedule:

1. The Supervisors authorize the Township to develop and issue a Request for Proposals (RFP) for *Equipment/Operator Rental and Labor Services: Non Prevailing Wage*.
2. The Staff reviews the performance of the current contract with the employees of the streets/sewer department and with the contractor to provide informal feedback and recommendations for improvements.
3. The Township issues the RFP, including feedback and recommendations.

On a motion by Mrs. Fadem, seconded by Mr. Heppe, the Board unanimously authorized the Staff to develop and issue an RFP for *Equipment/Operator Rental and Labor Services: Non Prevailing Wage*.

Plan: 2017 Street Paving

Mr. Curley introduced the Board to this item. In May of 2016, the Township executed a contract for *Equipment Rental/Operator and Labor Services at a Prevailing Wage Rate* with Innovative Construction Services, Inc. This contract was used to pave around \$15,500 linear feet of local roads in 2016, and expires on May 14, 2017.

In 2016, the previous Public Works Director had developed a plan that identified five streets as the priorities for paving. The above-mentioned contract was used to pave four of those streets. South Fairfield Road (between Sugartown Road and Waterloo Road) was not paved, presumably due to budget constraints. Staff identified Twinbrook Road (between Rt. 252 and Grubbs Mill Road) as most in need of paving. That road has an intermittent combination of cracks, patches, edge deteriorations, and potholes.

The Township funds these paving projects using Liquid Fuels Funds and budgeted \$200,000 for material, labor, and equipment. That money was received. Consequently, the Township can proceed with paving if it sees fit to do so. The budgetary cost of paving these streets is around \$170,000. The unused portion would be kept in reserve and applied to paving initiatives for 2018.

Please note that South Fairfield Road contains an elementary school. Township staff is coordinating with the school regarding the feasibility of paving that street during the academic year.

On a motion by Mrs. Fadem, seconded by Mr. Heppe, the Board unanimously approved the paving of South Fairfield Road (between Sugartown Road and Waterloo Road) and Twinbrook Road (between Rt. 252 and Grubbs Mill Road) under the existing contract with Innovative Construction Services, Inc.

Extensions

Mr. Briggs introduced the Board to this items and there was discussion regarding changing the process of for granting extensions to land development, subdivision, or conditional use applications which was tabled for action to a future meeting.

CU 97: 230 Lancaster Avenue Conditional Use Application

On a motion by Mrs. Fadem, seconded by Mr. Heppe, the Board granted an extension for Conditional Use Application 97 extending the deadline to June 06, 2017.

CU 98: 642 Lancaster Avenue Conditional Use Application

On a motion by Mr. Heppe, seconded by Mrs. Fadem, the Board granted an extension for Conditional Use Application 98 extending the deadline to May 16, 2017.

OLD BUSINESS

Mrs. Fadem for clarification regarding maintaining the Historical Waynesborough property. Staff explained that the Township handled lawn mowing and yard waste spring clean-up.

PUBLIC FORUM

None.

ADJOURNMENT

The meeting adjourned 8:01 pm.

Respectfully submitted,

Kate Jones
Assistant Township Secretary