

## **EASTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF AUGUST 20, 2018**

The August 20, 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; Dave Obzud, Police Chief; Don Curley, PE, AICP, Public Works Director; Kate Jones, Administrative Coordinator; and Andrew D. H. Rau, Esquire, Township Solicitor.

### **MINUTES**

Mrs. Fadem made a motion to approve the minutes from the July 17, 2018 Regular Meeting. Mr. Romberger 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.

### **ANNOUNCEMENTS**

Chairman Heppe announced that the Board met in executive session for personnel reasons prior to this meeting and on July 31, 2018.

Township Administrative Offices will be closed on Monday, September 03 in observance of the Labor Day Holiday.

Berwyn-Devon Business Association and Easttown Library is hosting its Summer Movie Night Series behind the Easttown Library. Bring a blanket or chairs and enjoy *Dirty Dancing* at 8:30 pm, September 08.

The annual Taste of Berwyn is on Sunday, September 16, 12 – 5 pm, at Hilltop House, 570 Beaumont Road.

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

- Library Board on Wednesday, August 15, 7 pm at Easttown Library
- Planning Commission on Thursday, September 06, 7 pm (6:30 pm Workshop)
- Policy Committee on Monday, September 10, 5:30 pm
- Citizens Advisory Committee on Monday, September 10, 6:15 pm
- Municipal Authority on Tuesday, September 11, 7 pm
- Historical Commission on Wednesday, September 12, 7 pm at Easttown Library
- Next Board of Supervisors meeting on Monday, September 17, 7 pm

Mrs. Fadem noted that the Citizens Advisory Committee will not meet on Monday, September 10.

## LIST OF BILLS

Mr. Oram made a motion to approve the list of bills totaling \$1,073,817.27; a total of Warrants (\$927,709.06) and Payroll (\$146,108.21), date ending July 31, 2018. Mr. Polites seconded the motion. The Board questioned the staff on miscellaneous aspects of the bills. Chairman Heppe opened the floor to the public and there were no comments. The motion passed unanimously.

Mrs. Fadem made a motion to approve the list of bills totaling \$417,918.91; a total of Warrants (\$236,527.52) and Payroll (\$181,391.39), date ending August 15, 2018. Mr. Polites seconded the motion. The Board questioned the staff on miscellaneous aspects of the bills. Chairman Heppe opened the floor to the public and there were no comments. The motion passed unanimously.

## LIAISON REPORTS

Board members provided the following updates:

### **Citizens Advisory Committee:**

Betsy Fadem, James W. Oram, Jr.

Mrs. Fadem stated that she and Mr. Oram attended the Committee meeting on August 13 and reviewed various projects, including the Hilltop House, Fire Study, Devon Train Station, and Recovery Center of America (RCA) tour plans. Its tour of RCA has been scheduled for Sept 27 and as such there will not be a regular Committee meeting in September. The next meeting will be held on October 08.

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

Betsy Fadem, Marc J. Heppe

Mrs. Fadem stated that there have been many meetings and discussions concerning the Fire Companies Funding Coalition but no official Task Force meeting has been scheduled. Mr. Heppe added that a power point regarding funding has been distributed and reviewed by members.

### **Hilltop Subcommittee:**

Mr. Polites stated that the Committee will meet with potential third party catering companies in September.

### **Historical Commission:**

Karl A. Romberger, Jr.

Mr. Romberger stated that the Commission discussed various historical properties and next meets on September 12.

### **Library Board:**

Christopher D. Polites

No update as the Library Board next meets on August 29.

### **Municipal Authority:**

Karl A. Romberger, Jr.

No update. The Authority next meets on September 11.

**Neighborhood Watch:**

Marc J. Heppe (and Chief Obzud)

No update.

**Park & Recreation Board:**

Christopher D. Polites

No update.

**Pension Committee:**

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

No update as the Committee next meets on September 11.

**Planning Commission:**

Betsy Fadem, Marc J. Heppe

Mrs. Fadem and Mr. Heppe deferred to Mr. Brigg's Planning and Zoning departmental report. The Commission next meets on September 06.

**Police Department:**

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

No update.

**Policy Committee:**

Betsy Fadem, James W. Oram, Jr.

The Policy Committee met on August 13 and discussed the potential need for two different policies 1) guidelines for resident volunteers as far as their roles and responsibilities on Township Authorized Groups and 2) recognition of Township member's contributions to the community. Also still in the process of being discussed is whether the Township needs a policy that would identify the distinction between a board member's comment and a statement from the Board.

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

**DEPARTMENTAL REPORTS**

Mr. Fox, Township Manager, outlined the contents of his Administrative memo, dated August 17, 2018, including an update on the 2019 Budget process timeline and progress made by the Hilltop Subcommittee. After discussion, Chairman Heppe opened the floor to the public and there were no comments.

Mr. Briggs, Director of Planning and Zoning, outlined the contents of his memo, dated August 10, 2018, including an update on sidewalk analyses, the Berwyn Parking Study, and current Subdivision, Land Development, and Zoning Hearing Board applications. Mrs. Fadem asked Mr. Briggs how many responses the Township received regarding the Parking Study and he responded around 210 responses. He added that that is considered a good response rate for this type of survey. After discussion, Chairman Heppe opened the floor to the public and there were no comments.

Chief Obzud gave an update on the Police Department, including the implementation of body cameras in 2019. After discussion, Chairman Heppe opened the floor to the public and there were no comments.

Mr. Curley, Public Works Director, outlined the contents of his memo, dated August 15, 2018. Mrs. Fadem sought clarification regarding overflow of stormwater at pump stations. After discussing new gas and diesel providers, Mr. Heppe asked that the Township consider local vendors. After discussion, Chairman Heppe opened the floor to the public and there were no comments.

## **NEW BUSINESS**

### **Consideration of a Motion to Approve SD 517 – 30, 50, and 55 Price Avenue – Berwyn Village II – Preliminary/Final Subdivision and Land Development Plan**

Mr. Briggs introduced the Board to this item. This Subdivision and Land Development Plan Application was submitted to the Township on October 14, 2017. The Applicant is proposing to subdivide a total of four commercial lots into one lot with 18 new Single-family Detached Dwellings, of which 12 are considered Easttown residences. At the April 03, 2018 Planning Commission meeting, the Commission recommended that the Board of Supervisors consider approving the Preliminary Application and granting the following waivers:

- Section 400-22.B — to allow the plan sheets to measure 24 inches x 36 inches instead of 18 inches x 24 inches.
- Section 400-34.A — to allow cartway widths of 26 feet wide with parking on one side and 24 feet wide with no parking instead of 28 feet.
- Section 400-38.0 — to allow the centerlines of the intersecting side streets of Branch and Price Avenues to be separated by a minimum of 45 feet as opposed to 150 feet.
- Section 400-40.B — to not require a cul-de-sac bulb at the end of the dead end street but instead allow a hammerhead style dead end road.
- Section 400-41.D — to allow a partial waiver to not require sidewalks along the T-portion of the hammerhead style dead end road in front of units 13, 14, and 15 and not pay a fee-in-lieu of this sidewalk as that the Developer is voluntarily constructing a sidewalk connection between this development and the Berwyn Village I development.
- Section 400-44.A — to allow a block length of 165 feet for Branch Avenue as opposed to 600-foot minimum.

- Section 400-50.B — to not require a 75-foot setback between a dwelling and the railroad track and a 25-foot setback between a dwelling and railroad right-of-way line.
- Section 274-24.A.(1)— to allow more than 50% of the moderately steep slope areas to be disturbed.
- Section A490-36.J — to allow a common driveway for units 7-10 and units 16-17.

At its August 07, 2018 meeting, the Commission recommended that the Board consider approving the Final Application conditioned upon the Applicant complying with the outstanding comments in the following Township Consultant review letters: Township Engineer Review Letter dated July 24, 2018, Township Transportation Engineer Review Letter dated July 27, 2018, and Township Landscape Architect Review Letter dated July 30, 2018. The Commission recommendations are memorialized in its April 10, 2018 and August 08, 2018 recommendation letters prepared by Buckley Brion McGuire & Morris LLP. After discussion, Mr. Polites made a motion to approve SD 517 – 30, 50, and 55 Price Avenue – Berwyn Village II – Preliminary/Final Subdivision and Land Development Plan. Mrs. Fadem seconded the motion. Chairman Heppe opened the floor to the public and there were no further comments. The motion passed unanimously subject to the following conditions:

1. The approved plans shall be in accordance with the Easttown Planning Commission recommendations memorialized in the April 10, 2018 and August 08, 2018 recommendation letters, prepared by Buckley Brion McGuire & Morris LLP, and shall comply with the outstanding comments in the following Township Consultant review letters: Township Engineer Review Letter dated July 24, 2018; Township Transportation Engineer Review Letter dated July 27, 2018; and Township Landscape Architect Review Letter dated July 30, 2018.
2. The nine Waivers referenced in the above-cited Township Planning Commission’s April 10, 2018 recommendation letter are granted and are incorporated herein.
3. The Applicant shall make the required \$30,000.00 fee-in-lieu of recreation payment at the time of, and as a condition of, plan recordation.
4. 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.
5. 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.
6. The proposed use and development, and intensity thereof, shall be consistent with the testimony and evidence provided at this Public Meeting.

**Consideration of a Motion to Adopt SD 517 – 30, 50, and 55 Price Avenue – Berwyn Village II Sewage Facilities Planning Module Resolution 2018-15**

Mr. Briggs introduced this item to the Board. A condition of approval of the Berwyn Village II Preliminary/Final Subdivision and Land Development is 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 Resolution 2018-15 for Plan Revision for New Land Development. The Township Engineer has reviewed the Planning Module and recommends that the Board adopts Resolution 2018-15 and authorize the Township Manager to complete and sign Resolution 2018-15, as well as the Transmittal Letter for Sewage Facilities Planning Module and Checklist.

After discussion, Mrs. Fadem made a motion to adopt Resolution 2018-15 for Plan Revision for New Land Development and authorize the Township Manager to complete and sign the Resolution, Transmittal Letter, and Checklist. Mr. Romberger seconded the motion. Chairman Heppe opened the floor to the public and there were no further comments. The motion passed unanimously.

**Consideration of a Motion to Adopt Ordinance 2018-435 Amending Prohibiting Parking**

Mr. Rau updated the Board on this item. The Board approved the advertisement of this draft at its meeting on July 16 and it was legally advertised on Monday, July 30, 2018. It is now ready to be considered for adoption. After discussion, Mr. Oram made a motion to adopt Ordinance 2018-435 amending *Chapter 430: Easttown Township Traffic Ordinance of 1956* to provide for the addition of a no-parking area on a portion of Daventry Road. Mr. Romberger seconded the motion. Chairman Heppe opened the floor to the public and there were no further comments. The motion passed unanimously.

**Finance Director Appointment**

Mr. Fox introduced the Board to this item. The Township received 25 resumes for the vacant Finance Director position. After multiple rounds of interviews, the consensus is that the Township should hire William (Bill) DeFeo. After discussion, Mrs. Fadem made a motion to appoint William J. DeFeo III to the position of Finance Director. Mr. Oram seconded the motion. Chairman Heppe opened the floor to the public and there were no further comments. The motion passed unanimously.

**Library Board Appointment, term ending December 31, 2018**

Mr. Polites introduced the Board to this item. The Library Board has a vacancy left by Karl Romberger and it has recommended that Alessandra Nicholas be appointed to fill it. The process for an appointment to the Library Board has been satisfactorily completed in accordance with Policy 111: Appointments to Authorities, Boards, Commissions, Committees, and Task Forces (Township Authorized Groups). After discussion, Mr. Polites made a motion to appoint Alessandra Nicholas to the Easttown Library Board with a term ending December 31, 2018. Mrs. Fadem seconded the motion. Chairman Heppe opened the floor to the public and there were no further comments. The motion passed unanimously.

### **IPad Presentation**

Mr. Briggs gave a presentation regarding the possible upgrade to iPads for Board packet delivery. After discussion, Chairman Heppe opened the floor to the public and Michael Wacey, of 1049 Beaumont Road, made suggestions based upon his professional experience in information technology.

### **Devon Train Station Rehabilitation Support Letter**

Mr. Briggs introduced the Board to this item. One of the projects the Township Board of Supervisors and Easttown Citizen's Advisory Commission is working to advance, is to find support and funding to rehabilitate the Devon Train Station. This Station has been in a state of decline for some time and with the recent increase interest by both the Township and the Developers to redevelop Devon as a vibrant social center, it is important that this transit asset at the heart of the Devon be upgrade to serve and support redevelopment efforts. It is also important to note that the Township Comprehensive Plan identifies the Devon Train Station as a Class 1 Historic Resource and recommends coordination among the Township, SEPTA, Amtrak, and PennDOT for the long-term maintenance and upgrades to the Devon Station.

The Township has composed a draft letter intended to start the dialogue between the Township and those legislators and organizations that can play a vital role in helping the Township realize this goal. The intended recipients of this letter are: United States Senators Bob Casey and Pat Toomey, United States Congressman Ryan Costello, Pennsylvania State Senator Tom McGarrigle, Pennsylvania State Representative Duane D. Milne, Chester County Board of Commissioners, President and Chief Executive Officer of Amtrak, and Executive Director of Delaware Valley Regional Planning Commission.

After discussion, Mr. Polites made a motion to authorize Supervisor Fadem to send the letters and meet with the identified legislators and organizations, on behalf of the Board. Mrs. Oram seconded the motion. Chairman Heppe opened the floor to the public and Joan Bergquist, of 217 Devon Boulevard, thanked the Board for this initiative. The motion passed unanimously.

### **OLD BUSINESS**

Mrs. Fadem stated that the Berwyn Fire Company secured grant funding for dry hydrants for the area around Leopard Lakes.

### **PUBLIC FORUM**

Louise Story, of 2060 Buttonwood Road, expressed concern regarding drivers running stop signs.

### **ADJOURNMENT**

The meeting adjourned at 08:32 pm.

Respectfully submitted,

Kate Jones  
Assistant Township Secretary

