



BOARD OF SUPERVISORS

Regular Meeting Minutes

Tuesday, January 19, 2021

The Regular Meeting took place via an Authorized Telecommunication Device (GoToWebinar). Supervisors present included Marc Heppe (Chair), Betsy Fadem (Vice Chair), Michael Wacey, Beth D'Antonio and Jim Oram. Also attending were Eugene Briggs (Interim Township Manager and Zoning Officer), Dave Obzud (Chief of Police), Don Curley (Director of Public Works), Bill DeFeo (Finance Director), Sharon Norris (Administrative Assistant to the Township Manager), and Andrew Rau (Township Solicitor).

- 1. Call to Order** – The meeting commenced at 7:00 PM. Chairman Heppe announced that this meeting is being recorded and made brief remarks regarding meeting protocol. The Board discussed limits on public comment and referenced Board Policy #142. The Policy Committee will revisit this Policy.

Mr. Heppe announced that the Board met in Executive Session on January 06, January 08, January 11, and January 19, 2021 to discuss personnel and legal issues.

Additionally, Agenda Item 3C, SD 531 – 578 Lancaster Avenue, 4 Midland, and 5 Woodside Avenue (Berwyn Square) Preliminary Subdivision and Land Development Plan, has been removed from the agenda as the Applicant has offered an extension of time to February 19, 2021.

- 2. Pledge of Allegiance** – Resident, Tim Phelan, led the Pledge of Allegiance.

3. Board Motions, Presentations and Resolutions:

- A. Consideration of Environmental Advisory Council Appointments** – Mr. Wacey thanked the 12 highly qualified residents who expressed interest in serving on this Council and explained the process for narrowing the large pool of candidates to the five that were chosen. The Board discussed the great response from the residents and encouraged those who were not chosen to attend the EAC meetings or any other public meeting. Mr. Heppe called for a motion. Mrs. Fadem made a motion to appoint the following five volunteers: Gary Ellis to a one-year term to expire January 04, 2022; Kate Goddard Doms, to a two-year term to expire January 03, 2023; Heather Hill to a two-year term to expire on January 03, 2023; Radha Pyati to a three-year term to expire January 02, 2024 and Cara Lynch Rash to a three-year term to expire on January 02, 2024. The motion was seconded by Mr. Oram. The Board had a broader discussion regarding the

selection of volunteers. Mr. Heppe called for public comment. Mr. Michael DeFlavia, 125 Bartholomew Road, commented favorably on the EAC. Mr. Heppe called for the vote. The motion passed 5-0.

B. Consideration of Heckendorn Shiles Architects Proposal for Township Building Space Evaluation – Phase A – Mr. Tom McGurk, Chair of the Easttown Citizens Advisory Committee (ECAC) summarized ECAC’s role in the Township and the steps the Committee has taken to be able to present this Charter and Space Evaluation. Mr. Matt Heckendorn, principal at Heckendorn Shiles Architects, (HSA) summarized the evaluation process, and noted that Phase B would depend on the outcome of Phase A. The evaluation considered space requirements of the administrative staff, the Police Department and public meeting facilities at both the Township building and Hilltop House. The project will look for more efficient use of all space – existing and new space as required; secondary uses for public meeting space will be identified to efficiently use the total space. Leased space is in the scope of this project where warranted and beneficial. In 2015, HSA was contacted to do a space evaluation; and although no action had been taken from that evaluation, it was utilized as part of the current study. Since that time, the needs of the Police Department have grown and changed. There are two phases to this project. Phase (A) will determine whether the identified needs can be addressed in the current Hilltop campus. The answer to this question will provide the direction of Phase B. If requirements cannot be met, then Phase B will be expanded. Township representatives working together with Heckendorn Shiles Architects are: Jim Oram, Board liaison to ECAC, would be the Project Organizer; Gene Briggs, Dave Obzud and Tim McGurk will be Team leads and Alessandra Nichols, Pete Motel, Kristan Burgess and Palmer Dalesandro are team members. Mr. Heppe called for a motion. Mrs. Fadem made a motion to accept the Easttown Citizens Advisory Committee’s Project Charter for the Phase A Space Evaluation and to hire Heckendorn Shiles Architects to complete the Phase A Space Evaluation at cost not to exceed \$26,000. Mrs. D’Antonio seconded the motion. After the Board discussed the project, Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion passed 5-0.

C. Consideration of SD 534 – 2175 Buttonwood and 2110 Twinbrook Roads Final Minor Subdivision Plan – Mr. Brady Flaharty, Township Engineer, summarized the intent of the plan which is to reconfigure the lot line between these two lots that were created in a 2019 subdivision plan to increase the lot area of Lot 1 (2110 Twinbrook Road) by 3.0 acres for a total area of 13 acres, leaving Lot 2 (2175 Buttonwood Road) with a lot area of 16.775 acres. The applicant proposes no construction with this minor subdivision plan. The Planning Commission, at their January 05, 2021, meeting recommended that the Board of Supervisors approve the lot line change as proposed with the conditions listed in the following Township consultant review letters: ARRO’s review letter of November 23, 2020; McMahan’s review letter dated December 08, 2020; Glackin Thomas & Panzak’s review letter dated December 2, 2020; and the Zoning Officer’s review Memo dated December 17, 2020. The Planning Commission recommended the following waivers:

- Section 400-24B(9) requiring an inventory of all trees with a caliper size of over 4 inches;
- Section 400-34.A which would require road widening of Twinbrook Road and Buttonwood Road to a half width of 14 feet;
- Section 400-41 which requires curbing and sidewalks along Twinbrook Road and Buttonwood Road; and
- Section A490-36.C which allows the existing driveways to remain in their current locations provided that the Application installs driveway warnings signs in accordance with the Uniform Traffic Control Devices Manual Standards.

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. 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. As part of their 2019 approved subdivision plan, the Applicant has already paid \$39,590.88 as a fee-in-lieu of sidewalks. Mr. Heppe called for a motion. Mrs. Fadem made a motion that the Board of Supervisors accept the Planning Commission's recommendation and approve the Plan with the listed waivers and requirements. Mr. Oram seconded the motion. The Board discussed the project. The Board discussed waiver requests and fee-in-lieu. Mr. Briggs explained that the fee-in-lieu was requested for sidewalks on Buttonwood; however, there were environmental constraints on Twinbrook Road and no fee-in-lieu of sidewalks was requested for that road. Mr. Heppe called for public comment. Mr. Joe Kohn, 245 Sugartown Road, commented on the plan and waivers. Mr. Heppe called for the vote. The motion carried 4-1 with Mr. Wacey voting nay.

- D. Consideration of Board of Supervisors Policy #134 Township Conflict of Interest** - Mr. Heppe called for the motion. Mrs. Fadem made the motion to adopt Policy 134 and Mr. Wacey seconded the motion. This policy formalizes the expectations of Township Supervisors, volunteers, employees and contractors regarding conflicts of interest; if there is one, the form is available for sign off. The Board discussed this Policy specifically aggregate limits on gifts and enforcement. Mr. Heppe called for public comment. Ms. Francine Danenhowe, 552 Woodside Avenue, commented on the importance of Conflict of Interest policies, limiting the number of gifts and remedies of conflicts. Mr. DeFlavia, 125 Bartholomew Road, commented on the need to address conflicts. Mr. John Leone, 17 Woodside Avenue, commented on conflicts of interest surrounding members of the Boards and Commissions. Mr. Wacey confirmed that the resident volunteers can do business with developers but cannot benefit from any Township-related project. Ms. Cheryl Harper, 214 Pheasant Run Drive, noted she emailed her comments on revising the policy to Mr. Wacey. She also commented on the usage of offensive words. The Policy Committee is looking to the Board members for direction and comments on revising the policy and will take the comments into consideration. The motion was tabled.

4. Departmental Reports

- **Finance Report** – Mr. DeFeo summarized the key elements of his report and the Board discussed some of those elements. The Board congratulated Mr. DeFeo and his staff on the successful completion of all of the audits.
- **Police** – Chief Obzud noted that vaccinations of Police Officers are just beginning. The Board discussed Traffic Reports.
- **Planning and Zoning** – Mr. Briggs summarized the key elements of his report and the Board discussed some of those elements. Mr. Briggs will provide a quarterly subdivision tracking report to the Board of Supervisors. The Board discussed the Fire Department's use of a property for training. They also discussed the Zoning Ordinance Amendment process. Mr. Heppe called for public comment. Mr. Joe Kohn, 245 Sugartown Road, asked about his email to the Board and the logistics of the January 26 BOS Special Meeting. The Board wants ensure that they hear from all interested members of the public. There is no intent on the Board's part to make a decision at this meeting. As noted earlier by Solicitor Rau, zoning amendments must first go before the Chester County Planning Commission before being enacted by the Board of Supervisors at a public hearing.

5. Regular Township Business

- A. Consideration of the January 04, 2021 Organization Meeting Minutes** – Mr. Heppe called for a motion. Mrs. Fadem made the motion to approve the minutes and Mr. Wacey seconded it. Mr. Heppe asked if the Board had any comments or prospective edits for the minutes. Mrs. Fadem noted that Kristan Burgess's term on the ECAC should be revised to run through December 31, 2023 to reflect a three-year term. Mrs. Fadem made the motion that Kristan Burgess' term be revised and a parenthetical be added to the January 07, 2021 Continued Organization minutes reflecting this update. Mrs. Fadem made an additional motion to approve the minutes with the stated change. There were no additional questions or comments. Mr. Heppe called for public comment. There was none. Mr. Heppe called for the vote with the correction stated. The motion passed unanimously.
- B. Consideration of the January 07, 2021 Continued Regular Meeting Minutes** – Mr. Heppe called for a motion. Mr. Oram made a motion to approve the January 07, 2021 Continued Organizational Meeting Minutes. The motion was seconded by Mrs. D'Antonio. The Board discussed the way the minutes are prepared and any change to that would mean revising the policy. The meetings are recorded for people to review and get more details. Mr. Heppe called for public comment. There was none. Mr. Heppe called for the vote. The motion passed 5-0.
- C. Authorize the Payment of Bills: \$651,305.10; a total of Warrants (\$479,095.42), and Payroll (\$172,209.68) date ending January 19, 2021** – These numbers have been adjusted due to check #29311 in the amount of \$916.50 (page 7) being removed from the sequence. Mr. DeFeo went through the bills page by page. The Board of Supervisors discussed the bills and questioned Mr.

DeFeo and the Staff about specific expenditures. Mr. Heppe called for public comment. There was none. Mr. Heppe called for the vote. The Board approved the payment of bills in the amount of \$651,305.10, including a total of warrants of \$479,095.42 and Payroll of \$172,209.68 for date ending January 19, 2021 and the motion passed 5-0.

6. Board of Supervisors Liaison Reports

- A. Neighborhood Watch** – Mrs. D’Antonio updated the Board that the Neighborhood Watch is looking at signage around the Township either to be replaced or added. Their goals and objectives for 2021 were discussed. The link to the Neighborhood Watch can be found on the Police Department page of the Township website.
- B. Library Board** – the next meeting of the Library Board will be held on January 20, 2021.
- C. Policy Committee** – the Policy Committee met on December 28, 2020. At the January 25th meeting, the Committee will address the aspects of reappointments, review Policy 111, discuss a draft of Exceptions to Board Policies, and determine priority policies for 2021. Additionally, they will review the comments made at tonight’s meeting regarding the Conflict of Interest policy.
- D. Planning Commission** – Mr. Heppe and Mrs. Fadem had nothing to add to Mr. Briggs’ report.
- E. Easttown Environmental Advisory Committee (EAC)** – Mrs. Fadem reported that the Committee discussed the Space Project Proposal and the potential projects for 2021 which include: reimbursable/pass through accounting process; analysis of Township fees; benchmark comparison of Easttown Police to other Townships; audio/visual needs for in-person Township public meetings; and a review of the budget process.
- F. Easttown Municipal Authority** – Mr. Wacey reported that the EMA elected their new officers for 2021. They also discussed upcoming projects and how they will execute them.
- G. Historical Commission** – Mr. Oram reported that the HC elected their officers for 2021. The Zoning Amendments were sent to Chester County Historic Preservation Network (CCHPN) for review and the HC added their comments. There were three residents interested in the two open slots on the Commission. Ms. Cheryl Harper commented that the Commission is going to submit a request for funds to secure assistance from a Consultant.
- H. Fire / Emergency Medical Services** – Mrs. Fadem reported that the ESP group will meet on January 20th. Mrs. Fadem met as part of the Berwyn FC Infrastructure Steering Committee and with the Paoli Fire Company as they are exploring a substation location in Tredyffrin.
- I. Police Department** – Mr. Wacey reported that the Department is working on securing an additional vehicle for 2021. The Department has started with COVID-19 vaccinations. The Lexpro project was also discussed.

7. Other Business

- A. **Supervisor Liaison Assignments for 2021** - This topic was tabled until the February 16, 2021 Board of Supervisors meeting.
- B. **Supervisor Projects for 2021**- the Board discussed what they would like the staff to focus on this year, things they would like to accomplish in 2021 and what needs to be included in the 2022 budget.
- C. **Other** - Mr. Wacey would like to begin holding weekly virtual open houses for residents to virtually drop by and ask questions or talk about anything they would like. He invited other Supervisors to join in, pointing out that only two Supervisors could participate at a time.

8. Announcements

Mr. Heppe made the following announcement:

The Township building is open weekdays to the general public by appointment only and exclusively accommodates access by high risk members of the public between the hours of 8:00 AM and 9:00 AM.

The following virtual meetings are scheduled:

- Library Board, January 20th at 7:00 PM
- Parks and Recreation Board, January 21st at 7:00 PM
- Zoning Hearing Board, January 21st at 7:00 PM
- Policy Committee, January 25th at 6:30 PM
- Board of Supervisors Special Meeting for Devon Center District Zoning Amendments, January 26th at 7:00 PM
- Board of Supervisors, February 1st at 7:00 PM

Please visit the Township website at www.easttown.org to find information on how to view and participate in each of the meetings.

We also encourage you to visit the website for up to date information on all Township activities.

9. Public Comment

Mr. Heppe called for public comment. Francine Danenhower had a question about providing appropriate PPE to Police and staff and budgeting for those costs. Joan Bergquist, 217 Devon Boulevard, commented about the Devon Center District draft ordinance with regard to the Comprehensive Plan. Mr. Joe Kohn, 245 Sugartown Road, has information on the Devon Center for the Board which he will deliver to the Township office and asked about any action the Township has taken with regard to the condition of several properties in the Township. Mrs. Wacey commented that she was pleased to see a community member in attendance at tonight's Virtual meeting.

10. Adjournment

The meeting adjourned by unanimous consent at 10:21 PM.

Respectfully submitted,

/s/Sharon Norris

Sharon Norris
Administrative Assistant to the Township Manager