



## BOARD OF SUPERVISORS APPROVED

### Regular Meeting Minutes

April 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 (Township Manager), Dave Obzud (Chief of Police), Don Curley (Assistant Township Manager and 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** – Chairman Heppe called the meeting to order at 7:00 PM. Mr. Heppe announced that this meeting is being recorded and made brief remarks regarding meeting protocol. Mr. Heppe announced that the Board met in Executive Session on April 14, 2021 to discuss legal issues. Mr. Heppe noted it has been almost one year to the day since the Township started holding these virtual meetings.
2. **Pledge of Allegiance** – Mrs. D'Antonio led the Pledge of Allegiance.
3. **Recognition of Volunteers:**
  - A. Mr. Oram, on behalf of the Board of Supervisors, recognized Mr. Palmer Dalesandro, who moved from the Easttown Citizen's Advisory Committee (ECAC) to the Historical Commission and thanked him for his service to the Township on ECAC.
  - B. Mr. Heppe, on behalf of the Board of Supervisors, recognized Mr. Michael Tierney, who resigned from the Zoning Hearing Board and thanked him for his service to the Township.
4. **Board Motions, Presentations and Resolutions:**
  - A. **Consideration to Designate Two Board Members to Review All Zoning Hearing Board Vacancy Candidate Submissions, Consider Zoning Hearing Board Recommendation, and Recommend Candidate** – Mr. Briggs gave a brief summary of the process to fill the vacancy on the Zoning Hearing Board (ZHB). In accordance with Policy #111, since there are no liaisons to the ZHB, the Board of Supervisors (BOS) should appoint two BOS members to act as liaisons to review the candidate submissions and the recommendation of the ZHB Chair. This designation is not a permanent appointment and will be revisited each time there is a vacancy on the ZHB. The following two supervisors were

nominated to be the designated Supervisors to review the Zoning Hearing Board applications and recommendation from the Chair: Mrs. Fadem nominated Mr. Wacey. Mr. Heppe seconded that nomination. Mrs. D'Antonio nominated Mr. Oram. Mrs. Fadem seconded that nomination. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion passed 5-0.

- B. Consideration to Engage Michael G. Crotty from Siana Law as Alternate Planning Commission and Board of Supervisors Solicitor** – Mr. Briggs summarized that to avoid potential conflict of interests at Board of Supervisors or Planning Commission meetings, Township should engage an Alternate Solicitor. Mr. Briggs would like to engage Mr. Crotty to fill in as an Alternate Solicitor on an as-needed basis. Mr. Heppe called for a motion to engage Michael Crotty from Siana Law as Alternate Planning Commission and Board of Supervisors Solicitor. Mr. Oram made the motion. Mrs. D'Antonio seconded the motion. Mr. Heppe called for public comment. Joe Kohn, 240 Sugartown Road, commented on conflict of interest, 119 Lancaster Avenue, and Mr. Crotty. Mr. Heppe called for the vote. The motion passed 5-0.
- C. Consideration of Tree Removal and Replacement at 1004 Signal Hill Lane** – Ms. Susanna Smith, Interim Assistant Zoning Officer, summarized that the property owner is constructing a new, single family dwelling on a vacant lot. The submitted plot plan proposed removing 20 trees and replanting 30 replacement trees. The Township Landscape Architect finds the removal and replacement plan to be acceptable. Mr. Heppe called for a motion. Mrs. Fadem made a motion that the Board of Supervisors approve the removal of twenty (20) trees over the permitted 25% and replacement in accordance with the Tree Replacement Plan prepared by Charles Hess Landscape Architects, LLC dated November 23, 2020, last revised March 04, 2021 for 1004 Signal Hill Lane which shows that the homeowner will plant 30 replacement trees. The motion was seconded by Mr. Wacey. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion passed 5-0.
- D. First Read of Board of Supervisors Policy #135 Granting Exceptions to Board Policies** – This is the first read and the first time the Board will discuss this policy which addresses the fact that some policies over time might need to have an exception made. After general agreement from the Board, Mrs. Fadem clarified that a Board member who makes a request for an exception would be allowed to vote on whether or not to grant the exception. Mrs. Fadem made a motion to adopt the first reading of Policy #135, Granting Exceptions to Board Policies. The motion was seconded by Mr. Heppe. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion passed 5-0.
- E. Consideration of Next Steps for the Devon Center District Zoning Amendments** – Mr. Briggs gave a brief summary of the Devon Center District Zoning Amendments process, which began with the Township receiving a Vision Partnership Program grant in 2018. At its March meeting, the Board requested that the Manager contact Chester County to see about the Township receiving a full or partial reimbursement if the Supervisors didn't move forward with the draft Devon Center Zoning District. The County said they would be willing to provide a partial reimbursement but did not specify the dollar amount. Mrs. D'Antonio made a motion to terminate the Vision Partnership Program Contract and see what kind

of reimbursement the Township can get. The motion was seconded by Mrs. Fadem. Mr. Heppe called for public comment. Joe Kohn commented on the conclusion, civic involvement, the post mortem analysis and removing the signs. Cheryl Harper, 214 Pheasant Run Drive, commented on the Historical Commission's role in the process. Mr. Heppe called for the vote. The motion passed 5-0.

## 5. Departmental Reports

- **Finance Report** – Mr. DeFeo summarized the key elements of his report and the Board discussed some of those elements. Mr. DeFeo pointed out the new, improved format of the report which is a result of the meetings with the Finance Work Group.
- **Planning and Zoning** – Mr. Curley summarized the key elements of his report and the Board discussed some of those elements. Michael DeFlavia, 125 Bartholomew, commented on the Berwyn Square Plans reviewed at the April 06, 2021 Planning Commission meeting. Scott Carpenter, 539 Woodside Avenue, also commented on the plans submitted for the Berwyn Square parcels.
- **Police** – Chief Obzud summarized the key elements of his report and the Board discussed some of those elements.

## 6. Regular Township Business

- A. Consideration of the April 05, 2021 Regular Meeting Minutes** – Mr. Heppe called for a motion. Mrs. Fadem made a motion to approve the minutes and Mrs. D'Antonio seconded it. Mr. Heppe asked if the Board had any comments or prospective edits to the minutes. There was several edits and corrections including a correction to the vote count during the "opening the bathrooms discussion" where Mr. Wacey voted nay. Mr. Heppe called for the vote with these corrections. The motion passed unanimously.
- B. Authorize the Payment of Bills:** \$566,558.99; a total of Warrants (\$414,173.17), and Payroll (\$152,385.82) date ending April 19, 2021. Mr. Heppe called for a motion to authorize the payment of bills in the amount of \$566,558.99; a total of Warrants (\$414,173.17) and Payroll (\$152,385.82) for date ending April 19, 2021. Mr. Oram made the motion to pay the bills. The motion was seconded by Mrs. D'Antonio. 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 no public comment. Mr. Heppe called for the vote. The motion passed 5-0.

## 7. Board of Supervisors Liaison Reports

- A. Pension Committee** – Mr. Wacey reported that the Fund Manager recommended moving the long-term rate of return assumption to 7% down from the current 7.5% since future expectations for investment returns are lower than what they had been in the past.
- B. Historical Commission (HC)** – Mr. Oram summarized the Historical Commission meeting as follows: Members met with a property owner (at his

request) regarding his historic property. They also continued their discussion on how to best present historical locales, dividing the Township into sections with each section assigned to a different Historical Commission member; historic designation criteria, the update to code amendments, the HC goals, and the article for the next IN Community magazine.

- C. Police Department (PD)** – Mr. Wacey reported that the Police are working with Mr. Curley to allow the Public Works (PW) department to use one of their cars since the PW car is out of commission. The PD Policy Manual Update is continuing and will be released in sections for the Board of Supervisors to review.
- D. Fire/Emergency Medical Services** – Mrs. Fadem reported that the Task Force met on March 17<sup>th</sup> and discussed the status of the search for a second station location for each of the two fire companies. The Berwyn Fire Company is looking for potential sites and gathering preliminary costs and plans for their station. The Paoli Fire Company is evaluating a potential site and analyzing data. The Task Force also discussed the next steps Mr. Heppe and Mr. Wysocki are taking to explore a fire tax.
- E. Library Board** – Mr. Heppe reported that the Library reopened on April 05, 2021 with restrictions similar to those in place in October. The recent shredding event raised almost \$3,000. The Little Library fundraiser silent auction is being held May 1–14, 2021; they are auctioning off six (6) fully stocked Little Libraries for communities to bid on. The opening bid is \$350. The Little Libraries are constructed by a Library Board member’s husband and are designed and painted by the art students of Conestoga High School. On September 18, 2021, the Library will hold an outdoor craft show. The Library also has two job openings.
- F. Parks and Recreation Board (PRB)** – Mr. Wacey reported that at their recent meeting, the PRB discussed the volleyball court, equipment at Hilltop Park, a July 4<sup>th</sup> outdoor event, the Boy Scout basketball court project, community gardens and farmers markets.
- G. Planning Commission (PC)** – Mrs. D’Antonio reported that the Planning Commission met on April 06, 2021. Aside from land development and Zoning Hearing Board reviews, PC member, Nik Kharva presented a road diet and complete streets overview as part of the Village of Berwyn Parking Study project. The Planning Commission’s recommendation on the Study will be presented to the Board in early summer. The PC suggested that beekeeping be included in the Omnibus Zoning Amendment Project. The “Public Comment Rules and Procedures” document was edited and the final draft will be presented at the PC’s next meeting.
- H. Finance Work Group** – This group has met twice since the last meeting (on March 24 and April 7). Mr. Wacey reported that the audit process continues to move ahead smoothly. The Audit will be presented to the Finance Work Group in May.
- I. Policy Committee** – Mrs. Fadem noted that the Committee met on March 22, 2021 and finalized Policy #115 - Appointments to Township Ad Hoc Task Forces and Policy #111 - Appointments to Township Authorized Groups. They also identified their next policy priority and finalized their goals for 2021.
- J. Environmental Advisory Council (EAC)** – Mr. Wacey reported that this group had their second meeting on March 25, 2021 where they elected their officers. Additionally, they finalized their Charter and identified a liaison to the Planning

Commission. They will present a formal recommendation and seek approval for the Trex receptacles at the Library.

- K. Easttown Citizens Advisory Council (ECAC)** – This group met on April 12, 2021. Mrs. Fadem summarized that Mr. McGurk provided an update on the HSA Space Needs Study presentation (which was before the Board at their last meeting) and their next steps. The reimbursable accounting process discussion was moved to the next meeting. ECAC is doing a Fee Analysis Project, the scope of which includes: 1) a top down, high level analysis of Township fees making sure they cover costs; 2) a sampling of other township fees compared to ours; 3) a deep dive into fees related to residential and building permits.
- L. Neighborhood Watch** – Mrs. D’Antonio stated that this group met on April 13, 2021. The Neighborhood Watch will be submitting an informational flyer on things to do to keep your home safe while on vacation for the Summer IN Community magazine. They also discussed the Ring Doorbell (and similar products) and how residents can use this in conjunction with the Police Department to help solve crime. The Police will provide a presentation at a future meeting.
- M. Easttown Municipal Authority (EMA)** – Mr. Wacey attended for Mrs. D’Antonio and reported on the many activities of the Authority including the flow report, new pumps, the engineering contract for the Berwyn Force Main project, the Saybrook project, and the Sharps Wood project.

## 8. Other Business

- A. Basketball Backboards and Rims at Johnson Park** – Margaret DePiano was in attendance and discussed this Boy Scout project to attach basketball backboards and rims to the current handball wall. The Board discussed wanting the public to be involved with projects as much as possible but noted that some projects need to be arranged and executed by the Township. The Board would like the Scout and a member of the PRB to come to a Board meeting and give a presentation on this project.
- B. Easttown Bucks** – as part of a Government COVID-19 Relief Program, the Township could receive \$1,000,000 in reimbursement for COVID-related expenses incurred by the Township. Although the Township does not have this money yet, the Board agreed that discussion should start now. The Board decided that all ideas should be given to Mr. Briggs who will organize them for discussion at the next Finance Work Group meeting. Additionally, the public is encouraged to share their ideas with the Board.
- C. Permanent Ballot Box at Library** – Mr. Briggs is seeking direction from the Board on both the temporary ballot box and a permanent ballot box at the Easttown Library. Chester County Voter Services asked if the Township would again allow a temporary ballot box at the Library in May. The Library is supportive of this. When the Township allowed this last fall, it entered into an agreement with the County which included a certificate of insurance. Mr. Heppe called for a motion. Mrs. Fadem made a motion to allow a temporary ballot box at the Easttown Library. The motion was seconded by Mrs. D’Antonio. Mr. Heppe called for the vote. The motion passed 5-0. Additionally, Mr. Briggs would like Mr. Rau to review the agreement for a permanent ballot box at the Library before the Board considers approval. Mr. Heppe called for a motion that the Board of Supervisors authorize the Township Solicitor to review the agreement for a permanent ballot box at the

Library as requested by Chester County. Mrs. Fadem made the motion and Mr. Wacey seconded the motion. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion passed 5-0.

## **9. Announcements**

Mr. Heppe read the following announcements:

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:

- Parks and Recreation Board, April 20<sup>th</sup> at 7:00 PM
- Environmental Advisory Council, April 22<sup>nd</sup> at 7:00 PM
- Policy Committee, April 26<sup>th</sup> at 6:30 PM
- Library Board, April 28<sup>th</sup> at 7:00 PM
- Board of Supervisors, May 3<sup>rd</sup> at 7:00 PM

Please visit the Township website at [www.easttown.org](http://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.

## **10. Public Comment**

Mr. Heppe called for public comment. Cheryl Harper commented on the Historical Commission report and asked the location of the second fire station.

## **11. Adjournment**

The meeting adjourned by unanimous consent at 9:17 PM.

Respectfully submitted,

*/s/ Sharon Norris*

Sharon Norris  
Administrative Assistant to the Township Manager