



BOARD OF SUPERVISORS

Regular Meeting Minutes

May 17, 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 May 14, 2021 to discuss legal and personnel issues.
- 2. Pledge of Allegiance** – Ms. Alessandra Nicolas led the Pledge of Allegiance.
- 3. Recognition of Service and Retirement of Lieutenant Scott Albee** – The Board of Supervisors thanked Lt. Albee for his 28 years of dedicated service to the Township and its residents. Supervisor Oram read aloud a certificate of recognition outlining Lieutenant Albee's many accomplishments.
- 4. Board Motions, Presentations and Resolutions** – Before the discussion began, Mr. Heppe noted a change to the order of the agenda. Additionally, Vice Chairperson Fadem requested that the Board consider rescheduling the discussion of SD 537 to allow the Board to discuss SD 533 at the same time. These two plans are similar and SD 533 is being considered by the Planning Commission at their June 1st meeting. The majority of the Board felt it made sense to take into account both of the plans at the same time to avoid confusion. Mrs. Fadem made a motion to table the discussion of SD 537 until June 21, 2021 or to a special meeting before then. Mr. Wacey seconded the motion. Mr. Heppe called for public comment, explaining that public comment is regarding only the motion. Mr. Michael DeFlavia, 125 Bartholomew Road, confirmed which plan was being tabled and commented on the Board tabling the discussion. George Broseman, Esquire, the Applicant's attorney, commented that he had no issues with tabling the discussion and the date of the special meeting. Francine Danenhower, 552 Woodside Avenue, commented on opportunities to speak and her perception of the PC. Mr. Heppe called for the vote. The motion carried 4-1 with Mrs. D'Antonio voting nay.

- A. Consideration of Emergency Medical Services Recognition Week Resolution 2021-14** – Mrs. Fadem made a motion to adopt Resolution 2021-14 recognizing May 16 – May 22 as Emergency Medical Services Week. The motion was seconded by Mr. Oram. Andrea Testa, Chief of Paoli Fire Company, Tim Wert, Paoli EMS Coordinator and Michael Baskin, Berwyn EMS Captain, each thanked the Board for their support and then recognized the outstanding EMS staff members from their respective companies. The Board voiced their appreciation for all of the efforts of the EMS volunteers and staff and for all they do for the Township and its residents. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0.
- B. Consideration of Public Works Recognition Week Resolution 2021-15** – Mr. Oram made a motion to adopt Resolution 2021-15, recognizing Public Works Week. Mrs. Fadem seconded the motion. The Board thanked the members of the Public Works Department. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0. Mrs. Fadem asked the Staff to develop a list of all of the Recognition weeks so moving forward no organization or department gets missed.
- C. Consideration of Appointment of New Member to the Easttown Citizens Advisory Committee** – Mr. Oram began by thanking the residents for all the expertise and talent they bring to the Township volunteer Boards and Commissions. The Board received two letters of interest for this opening. Mr. Oram made a motion to appoint Bob Winters to the Easttown Citizens Advisory Committee to a term to expire on December 31, 2021. The motion was seconded by Mrs. Fadem. The Board discussed the appointment. Mr. Heppe called for public comment. There was none. Mr. Heppe called for the vote. The motion carried 5-0.
- D. Consideration of the 2021 Township Audit and Municipal Authority Audit** – Mr. Michael Mood, from BBD, the Township Auditor, reviewed the audits with the Board, noting they were both clean audits. (Copies of the audit reports are available on the Township website www.easttown.org.) The Board had questions for Mr. Mood and thanked him for the thorough audit and informative presentation. Mr. Heppe called for a motion. Mr. Oram made a motion to accept the 2020 Audits for both the Township and Municipal Authority. Mrs. D'Antonio 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.
- E. Consideration of Stormwater Management Waiver Request for 323 Abbey Road** – Bryan Kulakowsky, Township Engineer, reviewed this project, which includes the removal of the existing dwelling and improvements to construct a new dwelling, driveway and associated walks. The proposed design cannot meet the ordinance requirements with regard to stormwater due to seasonal high groundwater but does follow all the requirements that the site is able to follow. Mr. Heppe called for a motion that the Board grant the follows waivers from the Stormwater Ordinance for this property: Section 388-17 Water quality and runoff volume requirements and Section 388-18 Infiltration requirements. Mrs. Fadem made the motion. The motion was seconded by Mr. Oram. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0.

F. Consideration to Engage the Services of a Human Resources Consultant – Mr. Heppe called for a motion. Mr. Oram made a motion that the Board of Supervisors hire Roseann McGrath as a part-time Human Resource Consultant, at a rate of \$125/hour at a cost not to exceed \$8,750.00. Mrs. D'Antonio seconded the motion. It was noted that Ms. McGrath has over 25 years of municipal HR management experience. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0.

G. Consideration of SD 526 – 422 Waterloo and 205 Exeter Road – Final Minor Subdivision Plan – George Broseman, Rob Lambert and Ted Babiy were in attendance to present this plan which intends to subdivide one parcel into 3 lots with two new houses proposed. The Planning Commission recommended approval of this plan at their May 04, 2021 meeting. The Board asked questions and discussed details of the plan with the applicant. Mr. Heppe called for public comment. Mr. Joe Kohn, 240 Sugartown Road, requested clarification on what part of the historical house is being preserved. Mr. Heppe called for a motion. Mr. Oram made a motion that the Board of Supervisors approve the plan subject to the conditions listed in Tom Oeste's letter dated May 11, 2021. The recommended conditions of approval are as follows. Mrs. Fadem seconded the motion. Mr. Oram amended the motion, seconded by Mrs. Fadem, to include item #6 below.

- 1) That the Applicant comply with all outstanding comments and recommendations in the following review memorandum and letters:
 - a) McMahon Associates, Inc. letter dated April 21, 2021;
 - b) ARRO letter dated April 27, 2021;
 - c) Glackin Thomas Panzak letter dated April 26, 2021;
 - d) Eugene Briggs Zoning Officer Memorandum dated April 28, 2021.
- 2) That a note be added to the Plan that the structure labeled "Stone Accessory Structure" on Lot 2 shall be used only for uses permitted by the Zoning Ordinance.
- 3) That the structure labeled "Stone Accessory Structure" on Lot 2 shall be inspected by the Zoning Officer to confirm no kitchen or cooking facilities are located in the structure.
- 4) Prior to plan recording, issuance of an NPDES permit and General Permits by the Commonwealth of Pennsylvania that authorize the disturbance of the riparian buffer zone on Lots 2 and 3 for the construction of stormwater management facilities, driveways and any other improvements depicted on the plan located in the Buffer Zone. If said permits cannot be obtained to permit disturbance of the riparian buffer zone, the plan shall be revised to comply with ZO Section 274-19.A and resubmitted for Township review.
- 5) The 205 Exeter Road lot, UPI 55-3-52.1 shall be removed from the subdivision and all references to the Exeter Road lot shall be deleted from the plan as it is not part of the plan.
- 6) Provide the Township staff with and confirm all fee in lieu calculations and measurements prior to plan recording.

The Planning Commission recommends that the Board approve the following waivers:

- 1) Section 400-22.B to not provide the required plan sheet size;

- 2) Section 34.A to not require the Applicant to widen Exeter Road along the site frontage subject to the payment of a fee-in-lieu of widening equal to \$10/square foot of widening;
- 3) Section 400-41 to not require the Applicant to provide curb and sidewalk along the Exeter Road site frontage subject to the payment of fee in lieu of construction of curb and sidewalk of \$33.00 per lineal foot of curb and \$12.00 per square foot of sidewalk.

Mr. Heppe called for the vote. The motion carried 5-0.

H. Consideration of SD 536 – 2133 and 2155 Buttonwood Road – Final Minor Subdivision Plan – The owner, Scott Johnson, Applicant Engineer, Chris Yohn and Denise Yarnoff, Esquire, were in attendance to present the plan which proposes to make a minor adjustment to the existing internal lot line that divides 2133 and 2155 Buttonwood Road to improve the internal issues relating to setbacks. They noted that this plan received Planning Commission approval at their May 04, 2021 meeting. Mr. Heppe called for public comment. Michael DeFlavia commented on the historical structure that was demolished on this property. Mr. Heppe called for a motion. Mrs. Fadem made a motion, which was seconded by Mr. Oram that the Board of Supervisors grant approval for the Lot Line Change Plan subject to the following conditions as outlined in Tom Oeste's letter of May 11, 2021.

- 1) The Applicant shall comply with all outstanding comments and recommendations in the following review memorandum and letters:
 - a. McMahon Associates Letter dated April 21, 2021;
 - b. ARRO letter dated April 19, 2021;
 - c. Eugene Briggs Zoning Officer memorandum dated April 27, 2021.
- 2) A note shall be added to the Plan that no new lots are approved by this plan. The purpose of the plan is to permit conveyance of 0.6322 acres to and from Parcel A and Parcel B as indicated on the plan.

The PC also recommended that the BOS approve the following waivers:

- 1) Section 400-34.A to not require the Applicant to widen Buttonwood Road along the site frontage and waive the payment of a fee-in-lieu of widening because no new lots are being created;
- 2) Section 400-41 to not require the applicant to provide curb and sidewalk along the Buttonwood Road site frontage and waive the payment of fee-in-lieu of construction of curb and sidewalks because no new lots are being created.

Mr. Heppe called for public comment. Michael DeFlavia commented on the historic structure that had been on this property and the historic property on SD 526. Mr. Heppe called for the vote. The motion carried 4-1 with Mr. Wacey voting nay.

I. Consideration of Resolution 2021-16 Regarding Disposal of Surplus Items – Mr. Curley explained that the Township had been using an old Chevy Tahoe, a former police vehicle which was repurposed for general use, for the last four years. Recently the vehicle did not pass inspection and would need a few thousand

dollars' worth of work to be able to pass. It was determined that the older vehicle should be replaced with one that is being retired from police service. This resolution allows for the Township to dispose of the vehicle through Municibid or the auto action. Mr. Heppe called for the motion. Mr. Oram made a motion that the Board adopt Resolution 2021-16 regarding the sale of surplus property. Mrs. D'Antonio seconded the motion. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0.

J. Consideration of Purchase and Installation of Exercise Equipment at Hilltop Park – Mr. Curley had been tasked by the Board to evaluate substituting exercise stations made from natural materials like wood for similar equipment made from plastic or metal. He outlined his findings and discussed the details with the Board. Mr. Heppe called for a motion. Mrs. Fadern made the motion to purchase five exercise stations available from Miracle Recreation, who will also install the equipment. Additionally, the Park and Recreation Board should choose the colors, in earth tones. Mrs. D'Antonio seconded the motion. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0.

K. Consideration of Renovations to the Volleyball Court at Johnson Park – At their April 21, 2021 meeting, the Board requested the Staff to assess the condition and identify improvements that may be needed for the Courts to sustain play. Mr. Curley evaluated the condition of the Volleyball Court and determined that the courts are fully functional for recreational play. For organized play (i.e., leagues or school teams) a boundary system is required. Mr. Curley noted that easily adjustable nets to facilitate rapid changes in net height and a small amount of sand are worthy of consideration. Mr. Curley discussed fees for the courts which would be fully laid out if anyone showed interest in using the courts.

5. Departmental Reports – Due to the late hour, Mr. Heppe asked that these reports not be presented, but asked for any questions the Board and/or Public may have:

- **Finance Report** – No questions.
- **Planning and Zoning** – Mr. Wacey asked about new Zoning Hearing Board applications. Mr. Curley noted that ZHB 618 was postponed and ZHB 619 will be held on June 16. Joe Kohn, 240 Sugartown Road, asked about some zoning recommendations from the Devon Center process specifically regarding the overlay. Bruce Norcini, 202 Bella Vista Road, commented on including the overlay. Mrs. D'Antonio asked for an Omnibus Code Amendment update. Mr. Briggs offered that he and the Solicitor are working on this and hope to have the draft ready for a first review by the Planning Commission at their July 6th meeting. He invited members of the public to email him with their suggestions, comments and/or questions.
- **Police Report** – No questions.

6. Regular Township Business

A. Consideration of the May 03, 2021 Regular Meeting Minutes – Mr. Heppe called for a motion. Mrs. Fadern made a motion to approve the May 03, 2021 minutes. Mrs. D'Antonio seconded the motion. Mr. Heppe asked if the Board had any comments or prospective edits to the minutes. Mrs. Fadern noted that during agenda Item 4A, the ARLE Signal discussion, the Board discussed the costs of

battery backups and she would like that discussion documented in the minutes. The Board was in agreement. Mr. Heppe called for the vote with this addition. The motion passed 5-0.

- B. Authorize the Payment of Bills:** \$754,271.61, a total of Warrants (\$460,660.63), and Payroll for April 30, 2021 (\$145,757.39) and Payroll for May 14, 2021 (\$147,853.59) date ending May 17, 2021. Mr. Oram made the motion to pay the bills. The motion was seconded by Mrs. Fadem. The Board of Supervisors reviewed the bills with Mr. DeFeo and had no questions, noting that the input from the Finance Work Group has made the review of bills more efficient. Mr. Heppe called for the vote. The motion passed 5-0.

7. Board of Supervisors Liaison Reports

- A. Municipal Authority (EMA)** – Mrs. D’Antonio summarized that the EMA met on May 11, 2021. Notable items were that the Sharps Wood project requested a time extension due to rainfall levels and the discussion of the short-term investment of EMA funds.
- B. Environmental Advisory Council (EAC)** – Mr. Wacey reported that the EAC last met on April 22, 2021. They placed Trex Recycling bins in the Library and Township building and encouraged everyone to bring their plastic bags to these bins. The Council set their goals for 2021, wrote two articles for IN Community magazine and updated their charter to align with the enabling legislation.
- C. Easttown Citizens Advisory Committee (ECAC)** – Mr. Oram reported that at their May 10, 2021 meeting, ECAC reviewed the HSA Space Analysis Block Planning interim results and made changes with input from Chief Obzud and Mr. Briggs. Mrs. Fadem added that the ECAC Fee Reimbursement Project Analysis has been completed and ECAC, (along with staff) has implemented internal procedures to improve the process and no further action was recommended at that time.
- D. Fire/Emergency Medical Services (Fire/EMS)** – Mrs. Fadem announced that their next meeting is Wednesday, May 19th. The group continues to explore a fire tax and discussed the new stations for Paoli and Tredyffrin. These discussions include identifying the needs for the stations, the location and the financing.
- E. Historical Commission (HC)** – Mr. Oram summarized that the HC last convened on May 12th. They met with an architect who is working on a property at 501 Waterloo whose owners wish to maintain the original historic character of that structure. The HC also updated historic designation criteria, reviewed their code amendments, and discussed their 2021 goals. Pattye Benson, President of the Tredyffrin Historic Preservation Trust contacted the HC about a metal detection fundraiser, where a metal detection club looks for treasure on local historical property. This organization is interested only in coins and anything they find that are not coins goes to the owner of the property. Their primary interest is in Revolutionary War properties over 10 acres. The HC thought this could be a great opportunity to raise awareness of historic Waynesborough.
- F. Library Board (LB)** – Mrs. D’Antonio noted that the Library Board met on April 28th and discussed their most recent author engagements, funding for 2022 and their plan to fully reopen. The new business manager, who brings a wealth of experience from other library systems, starts next week. They continue to search

for a Head of Youth Services. Mrs. D'Antonio concluded by stating that the Little Library Fundraiser was a big success.

- G. Parks and Recreation Board (PRB)** – Mr. Wacey reported that the PRB met on April 20th. They discussed the newly repaired fountain at Hilltop, what to do with the money that gets thrown into the fountain, exercise stations, basketball and volleyball courts and the July 4th celebration, which the PRB feels they can pull together quickly.
- H. Planning Commission (PC)** – Mrs. Fadem summarized the meeting by stating that the PC discussed the two Berwyn Plans (Multi Use and Multifamily), the Waterloo/Exeter property and Buttonwood. They didn't get to the Parking Study or Meeting Protocol Guidelines due to the late hour.
- I. Finance Work Group** – Mr. Wacey reported that the Finance Group has met twice since the last meeting. Streamlining reporting, COVID expense reimbursements from the Federal government and the audit were the key topics of discussion.
- J. Policy Committee** – Mrs. Fadem reported that the Policy Committee met on April 26 and discussed the Conflict of Interest and Board Granting Exceptions policies. They will discuss Board of Supervisors leadership rotation, responsibilities of liaisons and policies regarding meeting recordings that need editing (for inappropriate language for example) at their next meeting.
- K. Police Department (PD)** – Mr. Wacey reported that the Department is waiting on the new car. The Chief had comments on the Space Needs Analysis Block Planning Report. They discussed the Policy Manual and the benefit of having an expert create and maintain the Department policies.

8. Other Business

- A. Temporary Outdoor Restaurant Business, Retail and Commercial Activities Resolution 2020-22** – This Resolution allows for business to do business outdoors due to COVID through the end of June. Mr. Wacey asked the Board to consider what they would like to do moving forward since this Resolution is in effect only through the end of June. The Board directed the staff to reach out to the business community to gauge their interest. Mr. Rau noted that some of the original resolution ties into the statewide declaration of emergency so if the Board were to keep these activities going, it might require a new resolution with different wording. The Board of Supervisors will continue this conversation in June.
- B.** Mr. Wacey reminded everyone that May 18 is Election Day and encouraged everyone to go out and vote.
- C.** Mr. Wacey suggested that the Board discuss how Police policies are adopted.

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:

- Easttown Library Board, May 19th at 7:00 PM
- Parks and Recreation Board, May 20th at 7:00 PM
- Policy Committee, May 24th at 6:30 PM
- Environmental Advisory Council, May 27th at 7:00 PM
- Planning Commission, June 1st at:
Workshop at 6:30 PM; Regular Meeting at 7:00 PM
- Zoning Hearing Board, June 2nd at 7:00 PM
- Board of Supervisors, June 7th 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.

May 18 is Primary Election Day. Polls are open from 7:00 AM to 8:00 PM. Additionally, the drop off ballot box at the Easttown Library accepts your mail-in ballot until 8:00 PM.

The Township Office will be closed on Monday, May 31, 2021 in observance of Memorial Day.

The Devon Horse Show Carriage Ride Parade will occur on May 30 beginning at approximately 11 AM.

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

10. Public Comment

Mr. Heppe called for public comment. Joe Kohn commented on submitting public input to the Omnibus Code Amendment project.

11. Adjournment

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

Respectfully submitted,

/s/ Sharon Norris

Sharon Norris
Administrative Assistant to the Township Manager