

EASTTOWN TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING MINUTES OF APRIL 15, 2019

The April 15, 2019 Regular Meeting took place in the Township meeting room at 566 Beaumont Road, Devon. Supervisors present included: Betsy Fadem, Chair; Christopher D. Polites, Vice Chair; James W. Oram, Jr.; Karl A. Romberger, Jr.; and Marc J. Heppe. Also attending were Dan Fox, Township Manager; Eugene C. Briggs, Jr., AICP, CZO, Assistant Township Manager and Director of Planning and Zoning; Dave Obzud, Police Chief; Bill DeFeo, Finance Director; Brady Flaharty, P.E., Alternate Township Engineer; Chris Williams, P.E., Township Transportation Engineer; and Andrew D. H. Rau, Esquire, Township Solicitor.

CALL TO ORDER

Chair Fadem called the meeting to order at 7:00 pm, which was followed by the pledge of allegiance. Mrs. Fadem announced that the Board met in Executive Session prior to the public meeting to discuss matters of personnel and litigation. Mrs. Fadem announced three changes to the agenda, which included the addition of Darby Creek Valley Association's recognition of Township, removal of agenda item 5 by applicant's request and the addition of the Pension Committee update under Board of Supervisor Reports.

PRESENTATIONS

Berwyn Parking Study – Mrs. Fadem thanked the entire Steering Committee.

Mr. Briggs updated the Board with this item. On February 19, 2018, the Board of Supervisors authorized the Township Manager to execute a contract with McMahan Associates, Township Transportation Engineer, to complete the Village of Berwyn/Easttown Library Parking Study. The Study, recommended by the Township's 2018 Comprehensive Plan, was led by an Advisory Committee appointed by the Board and is now complete. Chris Williams and John Yurick, of McMahan Associates, were in attendance to present the Study to the Board. The presentation included proposed recommendations. Mrs. Fadem added a few comments, Stacey Ballard inquired about the enforced time limit considerations, Michael Wacey asked about street markings, Mary Westervelt also inquired about better marking for parking spots and Louise Story inquired about parking at the Library. Mrs. Fadem said these items will be considered and asked Gene Briggs and Dave Ozbud to coordinate the next steps for the Parking Study.

RECOGNITION OF EASTTOWN TOWNSHIP BY THE DARBY CREEK VALLEY ASSOCIATION

Kate Doms and Mary Westervelt, of the Delaware Creek Valley Association (DCVA), were in attendance to honor the Township with a certificate for coordinating a four site stream clean up event within the Township on Saturday, April 13.

BOARD MOTIONS AND RESOLUTIONS

Consideration of Resolution 2019-14 for SD 521 729 First Ave and 61 Knox Ave - Sewer Facilities Planning Module

Mr. Flaharty updated the Board on this item. On February 19, 2019, the Board of Supervisors conditionally approved the Final Minor Subdivision and Land Development Plan application for SD 521 729 First Ave and 61 Knox Ave to allow for the demolition of the existing Single-family Detached Dwelling and construction of 4 new Single-family Detached Dwellings. A condition of approval was that a Sewage Facilities Planning Module (Planning Module) be provided to the Pennsylvania Department of Environmental Protection (PADEP) for its approval. The existing dwelling is connected to the public sewer system. The four new dwellings will connect to public sewer resulting in three new Equivalent Dwelling Units (EDUs) being allocated (825 gallons per day). The Applicant has obtained the required capacity from Easttown Municipal Authority. 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 the attached Resolution 2019-14 for Plan Revision for New Land Development. ARRO has reviewed the Planning Module and recommends that the Board adopt Resolution 2019-14 and authorize: 1) the Township Manager to sign Resolution 2019-14, as well as the standard Transmittal Letter for Sewage Facilities Planning Module, Mailer Checklist and Component 3 Checklist; and 2) the Township seal to be affixed to Resolution 2019-14.

Before discussion, Mrs. Fadem asked the Board for a motion. Marc Heppe made a motion to adopt Resolution 2019-14 for Plan Revision for New Land Development and authorize the Township Manager to sign the Resolution, Transmittal Letter, Mailer Checklist, Component 3 Checklist, and for the Township seal to be affixed to Resolution 2019-14. Chris Polites seconded the motion.

Mrs. Fadem opened the floor to the Board. There was no questions. Mrs. Fadem then opened the floor to the public, there were no questions. Mrs. Fadem called for a vote and the motion passed unanimously.

Consideration of Acceptance Letter and Resolution 2019-15 for Act 537 Plan Revision

Mr. Flaharty updated the Board on this item. On December 18, 2018, Tredyffrin Township Municipal Authority closed on the sale of its Valley Creek Trunk Sewer System to Aqua Resources, Inc. The Pennsylvania Department of Environmental Protection (PADEP) requested documentation from Tredyffrin Township in connection with the sale in the form of an Act 537 Special Study. Facilities included in this sale are: Valley Creek Trunk Sewer (VCTS), Wilson Road Pumping Station (WRPS); Wilson Road Force Main (WRFM); and Darby Road Pumping Station and Force Main. Portions of Easttown Township's public sewer system flow into each of the above facilities. Act 537 sewage facilities planning was previously completed and approved by PADEP for the VCTS (including Darby Road Pumping Station and Force Main), WRPS and WRFM. Relative to the recent sale, Easttown Township received an Act

537 Special Study for Valley Creek Trunk Sewer System prepared by Brown and Caldwell dated February 28, 2019 (Special Study). ARRO viewed the Special Study and found that it does not change any previously approved Act 537 planning other than identifying Aqua Resources, Inc. as the new owner of the Valley Creek Trunk Sewer System and providing the rationale for the sale as well as details associated with the sale. As part of the Act 537 planning process, the governing body of each affected municipality must be given the opportunity to review and comment on the Special Study. A letter should then be sent from each governing body to Tredyffrin Township either providing comments or stating that the governing body has no comment. The planning commission of each affected municipality also has the opportunity for comment. At its meeting of April 02, 2019, Planning Commission had no comment on the Act 537 Special Study. The governing body of each affected municipality must adopt a resolution to revise its official Act 537 Plan, similar to the sewage facilities planning module process. The public comment period for the subject Act 537 Special Study ended April 08, 2019. Easttown Township received no public comments.

Before discussion, Mrs. Fadem asked the Board for a motion. Jim Oram made a motion that a letter be prepared on Easttown Township letterhead for signature by the Easttown Township Manager stating that the Easttown Township Board of Supervisors has no comment on the Act 537 Special Study for Valley Creek Trunk Sewer System prepared for Tredyffrin Township by Brown Caldwell dated February 28, 2019, that the Township has received no public comment on the aforementioned plan, and that said letter be signed and submitted to Tredyffrin Township; and 2) that the Board of Supervisors adopt Resolution 2019-15, that it be signed by the Township Manager and that the Township seal be affixed to the Resolution. Marc Heppe seconded the motion. Mrs. Fadem opened the floor to the Board, there were no questions. Mrs. Fadem then opened the floor to the public, there were no questions and Mrs. Fadem called for a vote and the motion passed unanimously.

Consideration of Approval of Escrow Release 1 for SD 514 Berwyn Village 1

Mr. Flaharty updated the Board on this item. As provided in Section 4 of the Financial Security Agreement between the Township and Developer for SD 514 Berwyn Village 1, dated February 07, 2019, the Developer may periodically request releases of funds for work completed. The Township has received the first such request for this project. The Developer's release request has been thoroughly reviewed by ARRO and has been found to be acceptable.

Before discussion, Mrs. Fadem asked the Board for a motion. Marc Heppe made a motion to Approve the Request for Escrow Release No. 1 in the amount of \$48,340.96 pursuant to the Financial Security Agreement between the Township and Developer dated February 7, 2019 and that the Board Chair affix their signature to the Certificate of Completion and Authorization of Reduction and Release form; 2) authorize the Township Engineer to submit the approved release request to the Financial Institution (as defined by the Financial Security Agreement); and 3) authorize future release requests for this project to be approved at the staff level. Chris Polites seconded the motion. Mrs. Fadem opened the floor to the Board, there were no questions. Mrs. Fadem then opened the floor to the public, there were no questions. Mrs. Fadem called for a vote and the motion passed unanimously.

Consideration of Approval to Waive SWM for 1004 Signal Hill Road

Mr. Flaharty introduced the Board on this item. An infiltration bed has been designed to support the redevelopment of the existing 57,711 S.F. lot including the construction of a new dwelling, walkway, and driveway. The existing dwelling and improvements will be removed as part of this project. The proposed design does not meet the loading ratio guidelines for the stormwater management ordinance. The PA BMP Manual, Design Considerations Section E: *In general, the following Loading Ratio guidelines are recommended: 1) Maximum Impervious Loading Ratio of 5:1 relating impervious drainage area to infiltration area. 2) A Maximum Total Loading Ratio of 8:1 relating total drainage area to infiltration area.* The Applicant has proposed to increase the volume of the infiltration bed to compensate for not meeting the loading ratio guidelines. The Applicant has proposed control measures, inspections, and maintenance to ensure the infiltration facilities function properly. Geological mapping indicates that the area is not prone to sinkholes. ARRO has reviewed the plans and specifications for the proposed infiltration bed and determined that the applicant has proposed an adequate alternative stormwater design to comply with the requirements of the stormwater ordinance. ARRO recommends that the Board grant a waiver from §388-25.E of the Easttown Township Stormwater Management Ordinance.

Before discussion, Mrs. Fadem asked the Board for a motion. Jim Oram made a motion to grant a waiver from Section 388-25.E. of the Easttown Township Stormwater Management Ordinance for the infiltration bed at 1004 Signal Hill Lane to allow for a loading ratio of 16:1 for the total drainage area and a loading ratio of 6:1 for the impervious areas. Marc Heppe seconded the motion. Mrs. Fadem opened the floor to the Board, Chris Polites asked if this was new construction, it is. Mrs. Fadem then opened the floor to the public, there were no questions. Mrs. Fadem called for a vote and the motion passed unanimously.

DEPARTMENTAL REPORTS

Finance

Mr. DeFeo outlined the contents of his memo, dated April 15, 2019.

Planning and Zoning

Mr. Briggs outlined the contents of his memo, dated April 4, 2019.

Police

Chief Obzud asked the Board if there were any questions on his monthly report. Additionally, Mr. Oram and Mr. Romberger, Police Liaisons, reported that the car cameras have gone live.

REGULAR TOWNSHIP BUSINESS

Minutes

Mrs. Fadem asked the Board for a motion. Jim Oram made a motion to approve the Board of Supervisors meeting minutes of April 01, 2019. Marc Hepe seconded the motion. After making corrections, Mrs. Fadem opened the floor to the Board and there were no comments. Mrs. Fadem then opened the floor to the public and there were no comments. Mrs. Fadem called for a vote and the motion passed unanimously, with her corrections.

Authorize Payment of Bills

Mrs. Fadem asked the Board for a motion. Jim Oram made a motion to authorize payment of the bills totaling \$426,564.39, date ending April 10, 2019. Marc Hepe seconded the motion. Mrs. Fadem opened the floor to the Board and it questioned the staff on miscellaneous aspects of the bills. Mrs. Fadem then opened the floor to the public, there were no questions. Mrs. Fadem called for a vote and the motion passed unanimously.

BOARD OF SUPERVISOR REPORTS

Library Board (Marc Hepe and Alt Chris Polities): Mr. Hepe reported that the Committee met March 20 and the Easttown Library is the third most used library in Chester County. Since the program started last year, in July through February of this year, there have been 734 Passports issued, and 576 photos taken resulting in a net revenue of \$30K.

Municipal Authority (Karl Romberger and Alt Betsy Fadem): Mr. Romberger reported that the Committee met April 9. It was discussed that with a record level rainfall (71 inches), sewer system is having record flow levels and the sewer pipes are above the water table and as such I & I is high.

Neighborhood Watch (Marc Hepe): Mr. Hepe reported that the Neighborhood Watch met and the primary topics were the recent shooting at the WaWa in Radnor, NoMoRobo.com and that the Neighborhood Watch article missed the IN Community deadline so it will appear in the next issue.

Park & Recreation Board (Christopher Polites and Alt Karl Romberger): Mr. Polites reported that the Committee will meet on April 16 to discuss Spring Knoll proposed trail.

Planning Commission (Marc Hepe and Betsy Fadem): Mrs. Fadem reported that in addition to the Planning and Zoning Report, the Planning Commission requested her to reach out to the T/E School District Business Manager to ask if he could attend their May meeting to discuss how townships development projects affect school enrollment and impact. Mrs. Fadem noted they appreciated the invitation and asked Mr. Briggs to follow up to confirm the T/E School District's attendance.

Policy Committee (James Oram and Betsy Fadem): Board Policy committee met on April 7 and discussed general guidelines as to what to put on the Township Website. The next meeting is May 13.

Easttown Citizens Advisory Committee (James Oram and Betsy Fadem): Mr. Oram reported that the Committee conducted their regular business with included and update on the Emergency Operations Plan for the Supervisors, the Hilltop House facility Use Contract update, and the new project Charter Process for ECAC guided by ECAC member Mike Wacey.

Historical Commission (Karl Romberger and Alt Jim Oram): Mr. Romberger reported that the Committee met April 10 and discussed what information to put on the website for historical properties and the Devon Center Vision project.

Pension Committee (James Oram and Christopher Polites): Committee met on April 11, Chris Polites presented the Pension Committee Report. The Uniformed and Non-Uniformed Pensions mirror each other as far as our asset allocation goes.

The Township has invested approximately 43% in Domestic Equity, 23% in International Equity and 33% in Fixed Income. Both the Police and Non-uniformed Pensions took a hit in 2018 due to the following factors uncertainty in the market, trade war with China, and the Federal Reserve raised interest rates. Additionally, Brexit remains a focal point in international markets, the Monetary Fund and World Bank lowered growth estimates and fixed mortgage rates rose.

Because of the uncertainty and increased risks to the downside, PFM moved the asset allocation in our portfolio to be in line with a longer term strategic asset allocation plan. Therefore the Domestic and International equity now have equal weight in our portfolios. This was a positive move because the first quarter ending March 31, 2019 both portfolios have made up for all the losses for the year 2018. The downside is that 2018 is the target year for the Pension Audit and our minimum municipal obligation will be higher.

Our Consultant, Bikram Chadha told us PFM has forecast moderate growth in the 2.6% to 2.8% range, not as robust, but good for the rest of the year and they do not foresee any new interest rate hikes.

OTHER BUSINESS

The Board received a resignation letter from Doug Swope from the Park and Recreation Board and accepted his resignation and thanked him for his service. The Board will advertise that a position is open.

ANNOUNCEMENTS

Township Administrative Offices will be closed on Friday, April 19 in observance of Good Friday.

Easttown and Tredyffrin Townships are cohosting an electronics recycling event on Saturday, May 11, from 9 am to noon, at Wilson Farm Park. Fees are associated with certain items. Please visit www.easttown.org for more information.

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

- Park and Recreation Board on Tuesday, April 16, 7 pm at Hilltop House
- Devon Center Task Force will next meet on Wednesday, May 15, 7 pm at the Township Building
- Library Board on Wednesday, April 17, 7 pm at Easttown Library
- Next Board of Supervisors meeting on Monday, May 06, 7 pm

PUBLIC COMMENT

ADJOURNMENT

The meeting adjourned at 8:50 pm.

Respectfully submitted,

Bill DeFeo
Finance Director