

EASTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF JANUARY 21, 2020

The January 21, 2020 Regular Meeting took place in the Township meeting room at 566 Beaumont Road, Devon and was called to order at 7:00 pm. Supervisors present included: James Oram, Chair; Marc Heppe, Vice Chair; Betsy Fadem; Michael Wacey; and Beth D'Antonio. 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; William DeFeo, Finance Director; Kate Jones, Administrative Coordinator; Andrew D.H. Rau, Esq., Township Solicitor; and Brady Flaharty, PE, Alternate Township Engineer.

CALL TO ORDER

Chairperson Oram called the meeting to order at 7:00 pm, which was followed by the pledge of allegiance. He announced that the Board met in executive session prior to the meeting to discuss matters of litigation and will meet again after the meeting to discuss personnel matters. He also noted that tonight's regular Board of Supervisors meeting is being recorded.

INTRODUCTION TO NEW FULLTIME OFFICER

Chief Obzud introduced the Board to the Police Department's new fulltime officer, Jason Nickerson and the Board congratulated Officer Nickerson on his new position.

BOARD MOTIONS AND RESOLUTIONS

Consideration of Approval of Escrow Release No. 1 for Subdivision 521: 729 First Ave and 61 Knox Ave

Mr. Flaharty introduced the Board to this item. As provided in Section 4 of the Financial Security Agreement between the Township and Developer dated June 24, 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 the Township Engineer and has been found to be acceptable. The Township Engineer recommends the release of \$80,967.17.

Before discussion, Mr. Oram asked the Board for a motion. Mr. Heppe made a motion to 1) approve the request for Escrow Release No. 1 in the amount of \$80,967.17 pursuant to the Financial Security Agreement between the Township and Developer dated June 24, 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. Mrs. D'Antonio seconded the motion. Mr. Oram opened the floor to the Board. After

discussion, Mr. Oram then opened the floor to the public and there were no comments. Mr. Oram called for a vote and the motion passed unanimously.

Consideration of Appointment of PSATS Delegate

Mr. Fox introduced the Board to this item. Every year, the Township appoints a delegate to represent the Board at the annual Pennsylvania State Association of Township Supervisors (PSATS) conference. Moving forward, this appointment will be made during the Supervisors' annual organizational meeting. Mrs. Fadem offered to be the delegate, as she served in this position in 2019 and confirmed that she will attend the 2020 conference. Mr. Oram asked the Board for a motion. Mr. Heppe made a motion to appoint Betsy Fadem as the 2020 PSATS delegate. Mr. Wacey seconded the motion. Mr. Oram opened the floor to the Board and Mrs. Fadem stated that the Township needs to be more involved in the legislative process before legislation is voted upon at the annual conference. After discussion, Mr. Oram then opened the floor to the public and there were no comments. Mr. Oram called for a vote and the motion passed unanimously.

Consideration of Appointment of Keystone Municipal Services for Building Inspection Services

Mr. Briggs updated the Board on this item, which was tabled at the prior meeting and brought back to this meeting with additional information for reconsideration. Keystone Municipal Services has requested an hourly rate increase of 4.8% for building permit inspection services, after keeping the rates consistent for four years. Mr. Oram asked the Board for a motion. Mrs. Fadem made a motion to appoint Keystone Municipal Services for building inspection services. Mr. Heppe seconded the motion. Mr. Oram opened the floor to the Board. Mrs. Fadem asked Staff to follow proposed state legislation requiring Townships to use multiple inspection service groups. After discussion, Mr. Oram then opened the floor to the public and Margaret Dalesandro, of 610 Clovelly Lane, asked if permit fees have or will increase, and Mr. Fox responded that they will not. Mr. Oram called for a vote and the motion passed unanimously.

Consideration of Resignation of Volunteer

Mr. Oram stated that John McCarty, a five-year volunteer of the Planning Commission, has resigned from his position. He noted that Mr. McCarty will attend the first public Board meeting in February to receive a certificate for his service, and asked the Board for a motion. Mrs. Fadem made a motion to accept the resignation of John McCarty from his term on the Planning Commission, expiring December 31, 2020. Mr. Heppe seconded the motion. Mr. Oram opened the floor to the Board and then to the public and there no comments. He then called for a vote and the motion passed unanimously.

Presentation of Planning Commission Vacancy Recommendations

Mr. Briggs introduced the Board to this item. On November 07, 2019, Timothy Brennan resigned from the Planning Commission. At its November 18, 2019 meeting, the Board announced this vacancy and asked interested residents to submit emails/letters of interest to the Township by December 13, 2019. A vacancy notice was also placed on the Township website at that time. Six candidates expressed interest and were

all invited to attend the Planning Commission meeting on January 07, 2020. Five attended and one formally withdrew from consideration. After this meeting adjourned, Commissioner John McCarty resigned and left another vacancy on the Planning Commission. The Commissioners individually ranked the five candidates and a recommendation was made to the Board for appointments. In accordance with Board Operating Policy #111, the Chair of the Board and one of the Supervisor Liaisons to the Planning Commission will recommend two candidates at this meeting for the Board's consideration of appointment at the Board's February 03, 2020 meeting.

After thanking everyone for applying, Mr. Heppe stated that the Planning Commission recommended residents Nik Kharva and Fred Pioggia to fill the vacant terms. He then proposed that the Board consider these two nominees. Mr. Oram suggested that the Board consider appointing candidates at this meeting, due to the unusual situation of having only three members currently sitting on the Planning Commission.

Mrs. D'Antonio stated that she would like to consider additional applications to round out the Planning Commission in terms of professional expertise. Mr. Pioggia, she added, is an architect and the Commission already has an architect serving. Other candidates bring either legal expertise or a working knowledge of the Township's commitment to the creation of bicycle and pedestrian connections.

Mr. Wacey noted that this process deviates from the Board's Policy for appointments by not reopening the application process for the second vacancy and suggested that the Policy Committee consider revising Policy 111 to accommodate this type of scenario.

Mrs. Fadem suggested that the Board vote on the vacancy left by Mr. Brennan tonight and table the other vacancy left by Mr. McCarty. After discussion, the Board decided to advertise the second vacancy with a closing date of February 14, 2020, with the caveat that candidates who have already applied need to express continued interest in serving but do not need to reapply.

Mr. Oram called for a vote. Mrs. Fadem made a motion to appoint Nik Kharva to the Planning Commission to a term expiring December 31, 2021. Mrs. D'Antonio seconded the motion. Mr. Oram opened the floor to the public and there were no comments. He then called for a vote and the motion passed unanimously.

Consideration of Policy 160: Township Building Conference Room Use

Mrs. Fadem stated that the Policy Committee would like to table this item until after its next meeting so its members may have time to review prior to bringing it back to the Board. The item was tabled.

DEPARTMENTAL REPORTS

After Mr. DeFeo introduced the Finance Report, dated January 21, 2020, Mr. Oram opened the floor to the Board. Mr. Wacey stated that PSATS recommends changing auditors every five years. After discussion, Mr. Oram opened the floor to the public and there were no questions.

After Mr. Briggs introduced the Planning and Zoning Report, dated January 21, 2020, Mr. Oram opened the floor to the Board. After discussion, Mr. Oram opened the floor to the public. Mark Ward, of 208 Dorset Road, sought clarification regarding the Township's zoning determination for the Devereux facility on Highland Avenue. Michael Deflavia, of 125 Bartholomew Road, sought clarification regarding the Road Diet Evaluation. Stacey Ballard, of 72 Main Avenue, asked the Township to consider striping parking spots on roads within the Village of Berwyn.

After Chief Obzud outlined the Police Report, dated January 2020, Mr. Oram opened the floor to the Board. After discussion, Mr. Oram opened the floor to the public and there were no questions.

REGULAR TOWNSHIP BUSINESS

Minutes

Before discussion, Mr. Oram asked the Board for a motion. Mr. Heppe made a motion to approve the Board of Supervisors organizational and regular meeting minutes of January 06, 2020. Mrs. D'Antonio seconded the motion. Mr. Oram opened the floor to the Board. After Mr. Heppe and Mrs. Fadem made changes, Mr. Oram opened the floor to the public and there were no comments. He then called for a vote and the motion passed unanimously, with Mr. Heppe's and Mrs. Fadem's corrections.

Authorize Payment of Bills, Date Ending January 06, 2020

Before discussion, Mr. Oram asked the Board for a motion. Mr. Heppe made a motion to authorize payment of the bills totaling \$603,720.17; date ending January 21, 2020. Mrs. Fadem seconded the motion. Mr. Oram opened the floor to the Board and it questioned the staff on miscellaneous aspects of the bills. Mr. Oram then opened the floor to the public and there were no questions. He then called for a vote and the motion passed unanimously.

BOARD OF SUPERVISOR REPORTS

Mr. Oram announced the following supervisor liaison assignments for 2020: Citizens Advisory Committee: Jim Oram and Betsy Fadem; Fire/EMS: Marc Heppe and Betsy Fadem; Historical Commission: Jim Oram (Alternate: Betsy Fadem); Library Board: Marc Heppe (Alternate: Beth D'Antonio); Municipal Authority: Beth D'Antonio (Alternate: Michael Wacey); Neighborhood Watch: Beth D'Antonio (Alternate: Marc Heppe); Parks and Recreation Board: Michael Wacey (Alternate: Beth D'Antonio); Pension Committee: Jim Oram and Michael Wacey; Planning Commission: Marc Heppe and Betsy Fadem; Police Department: Jim Oram and Michael Wacey; and Policy Committee: Betsy Fadem and Michael Wacey.

Municipal Authority: Mrs. Fadem stated that the Municipal Authority met on January 14 and discussed the now completed and on-budget emergency repair on Argyle Road. The Authority also authorized Staff to draft a Notice of Intent to award the Sharps Woods Gravity and Force Main project to Almeida Hudak as the lowest bidder.

Neighborhood Watch: Mr. Heppe stated that the Neighborhood Watch met on January 14 and discussed its content for the upcoming INCommunity Magazine and a 2020 fund drive.

Parks and Recreation Board: Mr. Fox stated that the Parks and Recreation Board did not meet in December.

Pension Committee: Mr. Wacey stated that the Pension Committee met on January 21 and reviewed the 2019 report, which is over target. He also provided an overview of the 2020 forecast. Mr. Deflavia asked several questions related to the Township's pension funding processes.

Planning Commission: Mrs. Fadem stated that the Planning Commission met on January 07. Commissioners reviewed the first subdivision and land development submittal for Fritz Town Center and received a presentation from the Delaware Valley Regional Planning Commission regarding its Devon Station Multimodal Study. The presentation may be viewed on the Township's website, www.easttown.org. Mr. Heppe added that that the Commission elected Mary Hashemi as its Chair and Ann Rothmann as its Vice Chair.

Policy Committee: Mrs. Fadem stated that the Policy Committee met on January 13 to review the proposed Meeting Room Use Policy which was tabled earlier in the meeting. At the next meeting on February 10, the members will revisit this policy and begin working on a policy that addresses the Township process of taking meeting minutes and exploration of conflicts of interest within Township Authorized Groups.

Easttown Citizens Advisory Committee: Mrs. Fadem stated that the Citizens Advisory Committee met on January 13 to discuss in detail the scope for its analysis space needs in the Township Building. At its next meeting on February 10, the Committee will discuss its other 2020 project which is the creation of an in-house fire/EMS Township financial operating model. Committee members also recommended that the Board amend its code to allow for three year terms instead of the current two year ones.

Fire/EMS: Mrs. Fadem stated that members of Easttown and Tredyffrin Townships attended the opening of the Berwyn Fire Company's substation in the eastern portion of Tredyffrin Township. She added that when the Fire/EMS group last met, the medical directors from both Berwyn and Paoli Fire Companies voiced their support for Paoli's implementation of ALS and presented no concerns for Easttown or Tredyffrin Townships' residents. In addition, these directors stated three action items for the Fire Companies: 1) Negotiate and finalize a billing agreement for those patients where both Fire Companies assist; 2) Work to determine and implement a uniform report structure, including data elements for the information provided to the Townships on a monthly and annual basis; and 3) Strive to institute consistency in the "subscription drive" and fundraising efforts for both Fire Companies.

Library Board: Mr. Heppe stated that the Library Board met on January 15 and discussed grant opportunities for new building infrastructure and a succession plan to prepare for the Library Director's retirement in several years.

Other Liaison Items: In addition to the reports, the Board discussed Tredyffrin-Easttown School District's interest in developing the land next to the Easttown Library for an elementary school and agreed to appoint two members as liaisons to the School District. These liaisons will be Mrs. Fadem and Mrs. D'Antonio.

OLD BUSINESS

Mrs. Fadem began a discussion regarding the attendance of Supervisors at public meetings of which they are not liaisons. After discussion, members of the Board noted that they are interested in attending other Township Authorized Group meetings when they are not the assigned liaisons. Since there is no policy or code to prohibit this, the Board will discuss this topic again at a public meeting in June to assess if there are any unintended consequences to having additional Supervisors present at these meetings.

ANNOUNCEMENTS

The following public meetings will take place at the Township Building unless otherwise stated:

- Parks and Recreation Board meeting on Wednesday, January 22, 7:00 pm
- Next Board of Supervisors meeting on Monday, February 03 at 7:00 pm

PUBLIC FORUM

Louise Story, of 2060 Buttonwood Road, sought clarification regarding disclaimers on the Township's new Maplink software and stated her concern with the traffic generated by the public schools in Tredyffrin and Easttown Townships.

Paula Salvo, of 72 Bridge Avenue, also addressed this traffic concern and added that the traffic light at Bridge and Lancaster Avenues has a timing issue.

Joan Bergquist, of 217 Devon Boulevard, stated that she would like to see more diverse skillsets on the Planning Commission and sought clarification regarding how the Township coordinates with utility companies for road paving projects.

Mark Ward, of 208 Dorset Road, noted a perceived conflict of interest with one of the Township consultants and sought clarification regarding what uses would be currently allowable under the draft Devon Center ordinance amendments.

Mr. Deflavia commented on development and density patterns in the Township and asked that the Township reexamine the 2013 Berwyn Village code amendments. Mr. Ward and Ms. Story also contributed to this discussion.

ADJOURNMENT

The meeting adjourned at 9:11 pm.

Respectfully submitted,

Kate Jones
Assistant Township Secretary