

Easttown Township



BOARD OF SUPERVISORS Regular Meeting Minutes May 2, 2022 | 7:00 p.m.

The Regular Meeting took place in the Township meeting room and via an Authorized Telecommunication Device (ZOOM).

Present at Meeting: Supervisors Beth D'Antonio (Chair), Michael Wacey (Vice Chair), Alex Bosco, Erik Unger, Betsy Fadem, Andrew Rau (Township Solicitor), Eugene Briggs (Township Manager), Don Curley (Assistant Township Manager and Director of Public Works), David Fiorenza (Finance Director), Chief David Obzud (Easttown Police Department), Bryan Kulakowsky (Township Engineer), and Susan Greene (Assistant Township Secretary).

- 1. Call to Order** – Chair Beth D'Antonio called the meeting to order at 7:01 p.m. and reviewed meeting protocol.
- 2. Pledge of Allegiance** – Mrs. D'Antonio led the Pledge of Allegiance.
- 3. Swearing-In Ceremony for New Officer, Christopher Ward** – Mrs. D'Antonio was pleased to announce the swearing-in of the Township's newest officer, Mr. Christopher Ward. Mrs. D'Antonio read a brief bio, and welcomed Judge Mackenzie Smith, Magisterial District Judge from District 15-1-02, who performed the ceremony.
- 4. Consent Agenda** – Mrs. D'Antonio asked for questions or concerns from the Board regarding the Consent Agenda, which consisted of Agenda Items 4A (the April 18, 2022 Regular Meeting Minutes), and 4B (the payment of the bills). Supervisor Michael Wacey asked to discuss checks #1124, 1125, and 1126 from 4B separately. *Please refer to Agenda Item 7. Regular Township Business.* Mrs. D'Antonio then made a motion to approve Agenda Items 4A and 4B, as amended, removing check #1124, 1125, and 1126. Supervisor Betsy Fadem seconded the motion. Mrs. D'Antonio called for public comment. There was no public comment. Mrs. D'Antonio called for the vote; the motion carried 5-0.

5. Board Motions, Presentations and Resolutions

- A. Public Hearing and Consideration of Conditional Use 112 – 277 Blackburn Drive** – Township Solicitor Andrew Rau opened the Public Hearing and outlined the plan which was submitted to the Township on March 14, 2022. The Applicant proposes stormwater management facilities, storm pipes and sanitary sewer lateral to be located in the riparian buffer, and asserts unique physical circumstances/conditions of the lot and the location of the existing sewer main within the riparian buffer as reasons for the request. Mr. Rau outlined the

Township Exhibits, then introduced Fred B. Fromhold, Esq., who represents the Applicant. Mr. Rau then turned the hearing over to Mr. Fromhold. Testimony was presented by Peter L. Cokonis, P.E., of Site Engineering Concepts, LLC. Eleanor Schwandt, Court Reporter, was in attendance to record the proceedings. Peter L. Cokonis, P.E., of Site Engineering Concepts, LLC was sworn in as an expert witness and Corbett Hall, Managing Member of the CDHB Properties, LLC was also sworn in.

After thorough testimony and clarifying questions from the Board, Mrs. D'Antonio called for public comment. Timothy and Stephanie Connors of 271 Blackburn Drive commented on the conditional use as it relates to stormwater.

Mr. Rau then outlined the following as a proposed motion of approval:

1. Applicant must demonstrate compliance with the applicable Conditional Use Standards for review set forth in Section 455-104 of the Township Zoning Ordinance;
2. Applicant addresses all review comments to the satisfaction of the Township's consultants and staff;
3. Applicant demonstrate compliance with all conditions proposed by the Planning Commission, in accordance with the proposed terms of the Planning Commission Letter (Exhibit B-9) dated April 22, 2022, plus satisfying all the terms and conditions of the Tom Comitta Planning Review (Exhibit E-11) of April 25, 2022;
4. If the outlet for infiltration basin #3 is feasible to feed into the existing Township stormwater main to the south rather than using a level spreader into the riparian buffer, the applicant shall make that change in the permitting process;
5. The Applicant must meet all the Township permitting requirements;
6. The Applicant must reimburse all consultant costs to the Township;
7. Final permits as approved are consistent with the testimony and evidence we have heard tonight. If you had it done as a letter decision, that you would also reserve the right to issue a more formal decision with findings of fact and conclusions of law, if necessary. 274-19(c)

Mrs. Fadem made a motion to approve Conditional Use Application 112, subject to the conditions as articulated by Mr. Rau. Mrs. D'Antonio seconded the motion. Mrs. D'Antonio called for a vote, and the motion carried 5-0.

B. Consideration of Maintenance Bond for Subdivision 521 – 729 First Avenue and 61 Knox Avenue – Bryan Kulakowsky, Township Engineer, summarized the

request which asks the Board to adopt and accept the proposed 12-month Maintenance Agreement for SD 521. Mrs. D'Antonio opened up the discussion for comments and questions from the Board. There were none. Mrs. D'Antonio asked for public comment. There was none. Mrs. D'Antonio then made a motion to approve. Mrs. Fadem seconded the motion. The motion carried 5-0.

- C. Consideration of American Rescue Plan Act Funds Allocation – Mr. Briggs presented the proposed allocation of funds with the understanding that it can be modified up until December 31, 2024. Mr. Briggs highlighted the following changes based on comments received: (i) increase fire company allocation based on the total of the ARPA allocation rather than half of the amount (this was reflected on April 4), (ii) reduce money proposed to go to the MS4 program down to what is currently budgeted amount this year (it was previously higher than budgeted amount), (iii) remove some costs such as refreshing Township computers, electronic information display in the Township vestibule, and built-in meeting equipment for virtual hybrid meetings in the Township Building and Hilltop, and reduce costs for the remote intercom locking interface DoorBird system upstairs from \$4,000 to \$2,500 based on the actual proposal. Mrs. D'Antonio called for a motion for the Board of Supervisors to approve use of the Township's ARPA funds as listed in the allocation table. Mrs. Fadem made a motion to approve. Supervisor Alex Bosco seconded the motion. Mrs. D'Antonio called for public comment, to which there was none. Mrs. D'Antonio called for the motion, which carried 5-0.
- D. Consideration to Issue Request for Proposals for Library Wall and Roof Repair – Don Curley, Director of Public Works presented a proposal to authorize staff to issue a Request for Proposals for repairs at the Library and approve a professional service agreement of \$3,500 to the Architect for bidding and construction assistance. Mrs. D'Antonio asked for public comment, to which there was none, then made a motion to authorize Staff to issue the RFP and approve the PSA for \$3,500 to the Architect. Mrs. Fadem seconded the motion. The motion carried 5-0.
- E. Consideration to Appoint Susan Greene as Assistant Township Secretary – Mrs. D'Antonio called for a motion to appoint Susan Greene as the Assistant Township Secretary. Mr. Bosco made the motion. Mrs. Fadem seconded the motion. The motion carried 5-0.
- F. Consideration to Appoint Eugene Briggs as Interim Zoning Officer – Mrs. D'Antonio called for a motion to appoint Eugene Briggs as the Township's Interim Zoning Officer. Mrs. Fadem made the motion. Mrs. D'Antonio seconded the motion. The motion carried 5-0.

6. Departmental Repots

- A. Manager – Mr. Briggs presented his report and answered questions from the Board.
- B. Public Works – Mr. Curley presented his report and answered questions from the Board.

7. Regular Township Business – Mrs. D’Antonio opened the discussion regarding check #1124, 1125, and 1126 that were removed from Item 4B of the Consent Agenda. Mr. Wacey expressed concern going forward on who is ultimately financially responsible for a portion of pipe currently being maintained by the Township, but is located outside of the Township. The Board agreed that the checks should be paid, but that, moving forward, sewer pipe ownership should be clarified. Mrs. D’Antonio asked for public comment, to which there was none. Mrs. D’Antonio made a motion to approve the payment of check #1124, 1125, and 1126. Mrs. Fadem seconded the motion. The motion carried 5-0.

8. Other Business – Mr. Wacey asked the Board to consider adding a program to the 2023 budget to cover the cost associated with planting up to 25 trees in the Township right-of-way, where residents inhabit. The Board discussed this idea and showed interested. It was suggested the project could be explored by the new Recreation, Open Space and Environmental Plan Task Force Committee or the EAC.

9. Announcements – Mrs. D’Antonio read the following announcements:

MEETINGS:

The following meetings are scheduled and will be held in the Township meeting room with an option to attend the meeting virtually. Please visit the Township website at www.easttown.org to find information on how to view and participate in each of the meetings and for up-to-date information on all Township activities.

- Planning Commission, May 3rd at 7:00 p.m. with the workshop beginning at 6:30 p.m.
- Easttown Citizen’s Advisory Committee, May 9th at 6:15 p.m.
- Municipal Authority, May 10th at 7:00 p.m.
- Historical Commission, May 11th at 7:00 p.m.
- Board of Supervisors – Omnibus Zoning Amendments, May 12th at 7:00 p.m.

EVENTS:

For more information on how to participate or attend, please visit the website at www.easttown.org.

- Recycling 101 – Hybrid workshop on recycling best practices and overview of local recycling efforts, May 4th at 7:00 p.m.

- Household Hazardous Waste Event – to register, visit <https://www.chestercountyswa.org/121/Upcoming-Household-Hazardous-Waste-Event>, May 14th from 8:30 a.m. – 2:00 p.m.

VOLUNTEER OPPORTUNITY:

The Township is seeking three residents to serve on its Recreation, Open Space, and Environmental Resources Task Force. If interested send an email of interest and resume to ebriggs@easttown.org.

Mrs. D’Antonio also announced that Matt Lubitz has resigned. The Board members thanked him for his time and the Township and Mrs. Fadem presented a Special Events permit for Mr. Lubitz to process: “Matt’s Last Day on May 5th.”

10. Public Comment – Mrs. D’Antonio called for public comment. There was no public comment.

11. Adjournment – The meeting adjourned by unanimous consent at approximately 9:10 p.m.

Respectfully submitted by:
Susan B. Greene
Assistant Township Secretary

Minutes approved by:
Eugene Briggs
Township Manager

DRAFT