

Easttown



Township

BOARD OF SUPERVISORS

Regular Meeting Minutes

Monday, June 07, 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/Director of Public Works), Bill DeFeo (Finance Director), Andrew Rau (Township Solicitor), Mike Crotty, Alternate Township Solicitor, Susanna Smith, Assistant Zoning Officer, and Rob Schnorr (Emergency Management Coordinator).

1. **Call to Order** – Chairman Heppe called the meeting to order at 7:00 PM. He announced that the meeting is being recorded and reviewed meeting protocol.
2. **Pledge of Allegiance** – Finn Oram, a third grader at Beaumont Elementary, recited the Pledge of Allegiance.
3. **Emergency Management Coordinator COVID-19 Update** – Mr. Heppe began by thanking Mr. Schnorr for keeping the Board and residents up-to-date on the COVID-19 pandemic throughout the past 14 months. Mr. Schnorr presented his final report on COVID-19 cases in the Township and County. Most notable is that the County anticipates exceeding the 70% mark of fully vaccinated County residents by the end of June. Mr. Rau stated that in-person meetings are expected to resume June 28th. Mr. Briggs reported that once in-person meetings are required, the Township is considering a hybrid style of meetings allowing for both in-person and virtual public participation. Mr. Heppe called for public comment. There was no public comment.
4. **Board Motions, Presentations, and Resolutions**
 - A. **Consideration to Accept Devon Yard Dedication** – Mr. Mike Crotty, Township Alternate Solicitor, summarized the dedication process at the end of a project that includes the approval of the Board and acceptance of certain documents. These actions are included in this agenda. Mr. Heppe called for a motion to adopt Resolution 2021-17, accepting into the Township certain stormwater and street light improvements as laid out and dedicated to public use by Deeds of Dedication and Bills of Sale. Mr. Oram made the motion. Mrs. D'Antonio seconded the motion. Mr. Crotty answered questions from the Board and further explained the documents. Mr. Heppe called for public comment. There was none. Mr. Heppe called for a vote. The motion carried 4-1 with Mr. Wacey voting nay. For the next action, Mrs. Fadem made a motion that the Board of Supervisors approves the Maintenance Security Agreement. Mrs. D'Antonio seconded the motion. The Board discussed the Agreement with Mr. Crotty who answered their questions. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The

motion carried 5-0. Continuing, Mrs. D'Antonio made a motion that the Board of Supervisors approve the Street Light Easement and Maintenance Agreement as presented. Mrs. Fadem 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. For the final action, Mr. Oram made a motion that the Township approve the Amendment to the Drainage Improvement Maintenance Agreement as presented. Mrs. D'Antonio seconded the motion. Mr. Heppe called for public comment. John Leone, 17 Woodside Avenue, asked about street lights. Mr. Heppe called for the vote. The motion carried 5-0.

- B. Consideration of Municipal Separate Storm Sewer System (MS4) Professional Services Agreement** – Mr. Curley explained that the current MS4 permit specifies that the Township must complete a handful of projects as identified in the Township's Pollutant Reduction Plan (PRP). This project is the construction of a bioswale through common property in the Greens at Waynesborough. The next step is for the Board to approve the Professional Services Agreement (PSA) with ARRO to design the swale. Mr. Heppe called for a motion. Mr. Oram made a motion to authorize the Staff to execute the Professional Services Agreement with ARRO to proceed with the implementation of this project as listed on the Township's PRP. Mrs. D'Antonio seconded the motion. This project was selected since it requires the least amount of engineering and it drains a large area of the Township. The estimated construction cost is \$40,000. This is the first of four projects planned within the next four years. The Township will most likely enter into an agreement with the property owner once the project is designed. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 4-1 with Mr. Wacey voting nay.
- C. Consideration of 2021 Liquid Fuels Paving Contract** – Mr. Heppe made a motion to proceed with paving the streets specified in Don Curley's memo of May 28, 2021 and to issue a NOTICE TO PROCEED to Innovative Construction, the lowest responsive bidder, at a total cost of \$194,540. The motion was seconded by Mrs. D'Antonio. Mr. Curley noted that ARRO supervises the project, and the associated costs are paid with Liquid Fuels funds. Mr. Heppe called for public comment. John Leone commented on the markings on the roads in the Village. Mr. Curley explained that this is for upcoming PECO work. Mr. Curley also added that PECO will repave the road, edge to edge, once their work is completed. Mr. Heppe called for a vote. The motion carried 5-0.
- D. Consideration of 410 Lantern Lane Tree Removal and Replacement Plan** – Susanna Smith, Assistant Zoning Officer, summarized this project in which the owners propose to remove an existing single family dwelling and construct a new dwelling. As part of this process, the property owners will remove 10 trees, one of which is a specimen tree. Per the Township Code, three additional shade trees are to be planted to replace each specimen tree removed. The Township Landscape Architect has verified the tree to be removed and finds the proposed removal and replacements to be acceptable. Mr. Heppe called for a motion. Mr. Oram made a motion that the Board approve the removal of one specimen tree and replacing it with 3 shade trees in accordance with the Tree Replacement Plan prepared by Chester Valley Engineers, Inc. dated 4.23.2021 last revised 05.20.2021. The motion was seconded by Mrs. Fadem. Mr. Heppe called for public comment. There was no public comment. Mr. Heppe called for the vote. The motion carried 5-0.

E. Consideration of Environmental Advisory Council Education Seminar Series

– Cara Rash, Chairperson of the Environmental Advisory Council (EAC), presented three (3) workshops that the EAC would like to offer to residents at zero cost to the Township and to the residents who wish to participate. The Workshops are as follows: June 29th Composting 101 Workshop presented by Mother Compost; August 21st Introduction to Rain Gardens presented by Pam Koch, the Earth Care Team leader for Trinity Presbyterian Church and the Darby Creek Headwaters Community Monitoring Program on a date to be determined in October. This program is hosted at the YMCA and presented by Lauren McGrath, Director of Watershed Protection Program, Willistown Conservation Trust. Mr. Heppe made a motion that the Board authorize the EAC to move forward with the three workshops mentioned above. The motion was seconded by Mrs. Fadem. Mrs. Fadem asked that it be considered that these presentations be recorded for those who are unable to attend. Ms. Rash will pursue this request. Mr. Curley noted that these programs would be reportable as part of the MS4 permit. Mrs. D’Antonio suggested Facebook Live could be used as a method to record the Workshops, and also suggested that a summary of the workshops be included in the next edition of InCommunity magazine. Building on that, Mrs. Fadem suggested a photo from one or more of these workshops could be a great cover option for that same edition. Mr. Heppe called for public comment. There was none. Mr. Heppe called for the vote. The motion carried 5-0.

F. Consideration of Board of Supervisors Policy #135 Township Conflict of Interest

– Supervisor Wacey summarized the single change to the Policy which was a change to the dollar amount of gifts a Township representative or employee is able to accept. This change aligns with the state’s Statement of Financial Interest form. Mr. Heppe called for a motion. Mrs. Fadem made the motion to approve Policy 135 Township Conflict of Interest. Mr. Oram seconded the motion. Mrs. D’Antonio requested that language be added to the paragraph on the top of page 5 to include making the Board of Supervisors aware of complaints. The paragraph shall now read: “Upon receipt of a complaint (whether verbal or written), the Township Manager shall notify the Board of Supervisors and shall preliminarily investigate all complaints...”. Mr. Heppe made a revised motion to include this change. Mr. Wacey seconded the motion. Mr. Heppe called for public comment. John Leone, commented on the consequences for violating this policy. Cheryl Harper commented on conflict of interest with ABCs and training. Mr. Wacey explained that residents should contact the state Ethics Commission if they have genuine concerns regarding perceived conflicts of interest. Francine Danenhower, 552 Woodside Avenue, commented on the previous EAC workshops. Mr. Heppe called for the vote. The motion carried 5-0.

5. Departmental Reports

- A. Manager** – Mr. Briggs summarized the details of his report and the Board discussed those details. Mr. Heppe called for public comment. Michael DeFlavia, 125 Bartholomew Road, commented on the Zoning Hearing Board vacancy. Joe Kohn, 240 Sugartown Road, commented on the Omnibus Zoning Code Amendments. Cheryl Harper commented on Summer Camp.
- B. Public Works** – Mr. Curley summarized the details of his report and the Board discussed those details. Mr. Heppe called for public comment. There was no public comment.

6. Regular Township Business

- A. Consideration of the May 17, 2021 Regular Meeting Minutes** – Mrs. Fadem made a motion to adopt the May 17, 2021 meeting minutes. Mr. Wacey seconded the motion. Mrs. Fadem noted changes to the ECAC liaison discussion to better clarify the Fee Reimbursement Analysis discussion topic as follows: on Page 5, change the sentence to read, “Mrs. Fadem added that the ECAC Fee Reimbursement Analysis Project has been completed and ECAC, along with staff, has implemented internal procedures to improve the process and no further action is recommended at this time.” Mr. Heppe called for the vote with this revision. The minutes were approved 5-0 with the noted revisions.
- B. Authorize the Payment of Bills \$374,288.53; a total of Warrants (\$187,536.11), and Payroll 5/28/21 (\$186,752.42) date ending June 07, 2021** – Mr. Heppe made a motion to approve the payment of Bills \$374,288.53; a total of Warrants (\$187,536.11), and Payroll 5/28/21 (\$186,752.42) date ending June 07, 2021. Mrs. Fadem seconded the motion. 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. Other Business

- A. Recognition of the Weeders** – Mr. Heppe recognized and thanked the Weeders, a local Garden Club that voluntarily enhances and maintains the gardens at the Hilltop House. They have chosen this project as one of their many ongoing community service projects. More information on the Weeders, including the history of this club, can be found at www.theweeders.org. Ms. Nancy Holmes, Chair of the Beautification Committee, was in attendance representing this group. The Board expressed their appreciation to the Group and thanked them for maintaining the gardens.
- B. Annual Municipal Separate Storm Sewer System (MS4) Permit Update** – Mr. Curley noted that the Township’s newest permit, which runs for 5 years (July 2020 through June 2025), retained all of the last permit’s requirements and added new requirements which come with additional costs. The additional requirements are: annual reporting, developing a pollutant inventory for priority organic compounds; annual outfall screenings, implementing a Pollutant Reduction Plan (PRP); and resubmitting the Township’s stormwater ordinance.
- C. Metal Detecting at Township Properties Discussion** – Pattye Benson, President of the Tredyffrin Historic Preservation Trust, was in attendance to present this topic. She summarized that the Trust, for the last 17 years, has raised money with house tours which featured homes in Easttown over the years. With the onset of COVID, they could no longer do that and she looked for different ways to raise money for the Trust. Ms. Benson hosted a metal detector event on her property which gave her the idea to hold one as a fund raiser. The metal detectors keep any coins they find but anything else is the property of the owners. For 2021, she has already identified a property in Easttown. She is here to gauge the Board’s interest to hold such a fundraising event at the Hilltop House in spring or fall 2022. The Board discussed this type of event for the Hilltop House property. Mr. Heppe called for public comment. Bill Friedrich commented on this project. Nancy Holmes, 494 Beaumont Road, commented on the effects of this activity on the Hilltop gardens.
- D. Planning Commission Public Comment Rules and Procedure Discussion** – The Board discussed that there should be a Policy or at least general guidelines on how to accept public comment for all ABCs to follow. It was acknowledged that

the Planning Commission took the time to put a policy together which had been reviewed by the PC Solicitor. Mr. Heppe called for public comment. Michael DeFlavia, commented on the PC meeting protocols. John Leone, commented on relationships with the PC and their rules. Francine Danenhower, 552 Woodside Avenue, commented on PC meetings. Cheryl Harper commented on public comment experiences. Joe Kohn commented on public comment, posting documents and guidelines. The Policy Committee offered to begin developing public comment guidelines for ABCs and encouraged the Supervisors to offer their comments on the PC's Public Comment Rules to the Policy Committee.

- E. Friends of Historic Waynesborough Property Use Discussion** – Michelle Bradley, member of the Friends of Historic Waynesborough, presented ideas on two things: 1) how best to use this important historical asset; and 2) what was agreed to 40 years ago with regard to funding and oversight. She suggested that the agreement needs to be reevaluated to better promote this historical venue and manage its maintenance issues including the leaking roof. The Board will continue to review this subject.
- F. Berwyn Square Plans Discussion** – Mr. Heppe noted this was a request from the Applicant to answer any questions, and clear up any confusion the Board may have due to the fact there are two very similar plans for this property. Mr. Heppe noted that the Board would take no action after this discussion. The extension of time expires on July 05, 2021. Mr. George Broseman and Applicant, Todd Pohlig were in attendance. Mr. Broseman noted that the applicant would provide an extension through July. Mr. Pohlig presented their plans for this property. Mrs. D'Antonio asked about the need for this presentation. Mr. Pohlig noted they were looking for any suggestions or feedback the Board may have prior to the plan going back before the Board for official consideration. Each Board member was given the opportunity to weigh in on the plan(s). Mr. Heppe called for public comment. Mr. DeFlavia commented on placement of this item on the agenda and the plan; John Leone commented on placement of this item on the agenda and the plan; Cheryl Harper commented on lower density and scale of this project in relation to the neighborhood. Francine Danenhower commented on density limitations and the placement of this item on the agenda.
- G.** Mr. Wacey commented on an alternative to GoToMeeting due to the technical difficulties being experienced.

8. Announcements

Mr. Heppe read the following announcements: The Township building is open weekdays to the general public by appointment only.

The following meetings are scheduled and continue to be held virtually:

- Easttown Municipal Authority, June 8th at 7:00 PM
- Historical Commission, June 9th at 7:00 PM
- Easttown Citizens Advisory Committee, June 14th at 6:15 PM
- Parks and Recreation Board, June 15th at 7:00 PM
- Zoning Hearing Board, June 16th at 7:00 PM
- Board of Supervisors, June 21st 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.

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

9. Public Comment

Mr. Heppe called for public comment. Michael DeFlavia commented on the Berwyn Square agenda topic. Bill Friedrich commented on properties, on the former Mack Oil site, being advertised as located in Berwyn Village.

10. Adjournment

The meeting adjourned by unanimous consent at 11:15 PM.

Respectfully submitted,

/s/Sharon Norris

Sharon Norris
Administrative Assistant to the Township Manager