

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS  
REGULAR SESSION  
Wednesday, March 19, 2008**

**Those in Attendance:**

Hudson L. Voltz, Chairman  
David A. Kirkner, Vice-Chairman  
Jay G. Fischer, Member  
Scott T. Piersol, Township Manager  
Mark Kocsi, Chief of Police

The East Brandywine Township Board of Supervisors meeting of Wednesday, March 19, 2008 was called to order by Chairman Voltz at 7:30 P.M. at the East Brandywine Township Municipal Complex. There were 8 visitors present.

**Opening of Meeting**

Chairman Voltz opened the meeting with a Salute to the Flag.

**Public Comment for Non-Agenda Items**

Chairman Voltz asked if there were comments on non-agenda items. Several persons asked if the ATV Ordinance was on the agenda. Mr. Voltz indicated this issue was not on the agenda this evening. Several members of the audience left the meeting.

**Minutes: Board of Supervisors – February 20, 2008**

Chairman Voltz asked if there were any additions or corrections to the above minutes. Mr. Fischer indicated there was a spelling error in one of the minutes, was not certain which set of minutes, but would locate the item for correction. Mr. Fischer made a motion to approve the February 20, 2008 minutes as presented. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

**Minutes: Board of Supervisors – March 6, 2008**

Chairman Voltz asked if there were any additions or corrections to the above minutes. Mr. Fischer stated that on Page 7, there was a reference to Ordinance Task "Forge" rather than "Force." With that correction, Mr. Fischer made a motion to approve the March 6, 2008 minutes as revised. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

**Minutes: Planning Commission Minutes – March 5, 2008**

Chairman Voltz asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Kirkner made a motion to approve the minutes as presented. Mr. Fischer seconded the motion, with all voting Aye.

### **Treasurer's Report**

Mr. Piersol read the account balances as of March 19, 2008. After review of the Treasurer's Report/Financial Statement, Mr. Fischer made a motion to approve the Treasurer's report and payment of the bills. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

### **Report: Township Manager's Report**

Mr. Piersol reported on the following items:

At their February 20<sup>th</sup> meeting, the Supervisors agreed to postpone consideration of proposed revisions to our All-Terrain Vehicle ordinance until a meeting with the residents who were concerned about certain portions of the ordinance, and other affected residents, could meet to discuss their respective concerns. Mary Beth is still trying to coordinate a date and time for this meeting, to include Chairman Voltz and myself, and Corporal Mark Twadell of the Brandywine Regional Police Department, who is familiar with the Vehicle Code and State ATV regulations, along with the concerned citizens.

Representatives of East Brandywine and Caln Townships met with members of the County Planning Commission, PennDOT and State Representative Curt Schroder on Friday, February 22<sup>nd</sup> to discuss funding options for the repair or replacement of the East Fisherville Road bridge. This bridge was closed in August of 2007 due to damage to the bridge structure which made it unsafe for any use. The group also discussed the proposed renovation or replacement of Osborne Road. Both of these roads are important connector roads between East Brandywine and Caln Townships.

PennDOT has indicated there may be some additional funding which trickles down to the local municipalities from Act 44 of 2007, a transportation funding bill. This additional funding would occur in our State Liquid Fuels monies which we receive annually from PennDOT. Additional funding could be used for debt service, possibly for both bridge projects.

PennDOT's program also includes a retro-reimbursement program. The Townships would need to submit these bridge projects to pursue State and Federal funding through PennDOT. The Townships would need to fund the design, right-of-way and construction of the projects, possibly through issuance of a bond, and then seek reimbursement through PennDOT once the project or projects are completed.

The Townships will continue to work cooperatively on this matter. I have contacted Solicitor Fuller to discuss the need for an intergovernmental cooperation agreement for this type of cooperative arrangement.

Caln and East Brandywine Townships are also proceeding on the planning for the flashing light on Rock Raymond Road above the Middle School. Because the light will be located in East Brandywine Township, we will need to submit the plans and specifications to PennDOT. Caln Township received the funding for this project from Representative Schroder last summer, so we are hopeful to have this work completed this summer.

We received several bids on the Phase III Community Park project. The total of the bids for the three components were excess of the budget for this project. We have worked with B & J Excavating to reduce the scope of their project by eliminating paving the parking lots, sections of perimeter trails, dugouts for the baseball fields, and steps to the comfort station. We are also working with Fry Electric, low bidder on the electrical component, as some of their work will not be completed at this time.

Mr. Piersol requested the Supervisors approve the revised bid of B & J Excavating for Component 1, including site work, trails, driveway and parking lot construction, and construction of the memorial garden in Phase II, in the amount of \$908,821.25. For Component 3, the electrical work, Fry Electric, Inc. was the low bidder with a bid of \$54,475.00, although we expect the final cost will be less. Lastly, we ask the Board to decline the bid of McComsey Builders of Coatesville for Component #2, the pavilion, with a bid of \$110,628.00.

After some discussion, Mr. Fischer made a motion to award the Component 1 bid to B & J Excavating of Downingtown in the amount of \$908,821.25; to award the Component 3 bid for the electrical work to Fry Electric, Inc. of West Chester, in an amount not to exceed \$54,475.00, subject to revision as detailed in Mr. Piersol's report, and lastly to decline the bids received for the pavilion component, Component 2, with the low bid submitted by McComsey Builders of Coatesville.

Mr. Piersol mentioned receiving a proposal of InterMedia Group of Exton for specifications for an audio-visual system. Mr. Piersol advised the Board of the work InterMedia Group did for Uwchlan Township. InterMedia Group would act as project manager for the project, including creation of the bid specifications and documents, oversight of the bidding process, answering questions, and providing a recommendation for bid award. Mr. Piersol explained how InterMedia Group would be paid. The Board is primarily concerned with the audio portion of the proposal at this time. After additional discussion on this subject, the Board asked Mr. Piersol to have John Cucinotta of InterMedia Group attend their April 3<sup>rd</sup> Work Session to discuss his draft proposal.

**Report: Building Inspector/Zoning Officer – Report for February, 2008**

Mr. Piersol read the Building Inspector/Zoning Officer's Report for February, 2008. There were 19 building permits issued, 4 use and occupancy permits issued, and 102 inspections conducted during the month. The total fees collected were \$22,914.20.

**Report: Brandywine Regional Police Commission**

Mr. Kirkner reviewed the Brandywine Regional Police Commission minutes for January 24, 2008. This was the Commission's reorganization meeting.

Mr. Kirkner reported that he was selected as Commission Chairman for 2008, with Mrs. Rebecca Corbin selected as Vice-Chairman. The Commission welcomed Rob Jones from Wallace Township as the new representative a Commission member.

The Police Commission has decided to give up the Wallace substation as the Commission no longer needs the space.

The next Brandywine Regional Police meeting will be held Wednesday, March 26, 2008 at 8:00 A.M. at the East Brandywine Township Municipal Complex.

**Report: Police Chief - Police Activity Report for January 2008**

Police Chief Mark Kocsi highlighted the February, 2008 Police Activity Report.

Investigations	217	Criminal Investigations			
Traffic Citations	311	Burglary/Criminal Trespass	0	Criminal Mischief	2
Traffic Warnings	86	All Assaults	6	Juvenile Complaints	0
Traffic Accidents	19	Theft/Fraud	9	Missing Persons	2
Criminal Arrests	8	Disorderly Conduct/Harassment	9	Driving Under the Influence	2
Summary Arrests	6	Disturbances	4	Fugitive Warrants	5
		Suspicious Activities/Persons	18	Drug Offenses	1
		Domestics	5		

Representative Curt Schroder's office recently notified the Commission that a DCED grant in the amount of \$5,000.00 has been approved. These funds will be used to purchase a computerized bar code evidence system. Chief Kocsi expects this system to be operational by this summer. Chief Kocsi publicly thanked Commissioner Rebecca Corbin who was in the audience for obtaining a significant amount of grant money through Representative Schroder's office.

Chief Kocsi reported on starting a project funded through a \$30,000.00 grant through Senator Rafferty's office last year. A Ford E-250 van will be outfitted with equipment to act as a mobile office for emergency management and a variety of special services needs. Chief Kocsi expects this project to be completed by the end of this summer.

**Report: Fire Company's Activity Report for January 2008**

Mr. Piersol read the Activity Report for the month of February, 2007, as submitted by Fire Chief Robert Zynn, Jr. There were 69 total incidents. In East Brandywine Township there were 10 fire calls and 16 QRS calls. In West Brandywine Township there were 7 fire calls and 22 QRS calls. There was 1 fire call and 1 QRS call in Upper Uwchlan Township. The Fire Company provided assistance in Wallace Township, Caln Township, Downingtown Borough, Valley Township and Coatesville City during February.

Mr. Piersol reported on a joint meeting between East Brandywine and Glen Moore Fire Companies and the municipalities served by the two companies. The purpose of this meeting was to discuss the concept of increased partnerships between the companies. One of the first steps is to discuss with the municipalities their involvement and support of this program. This is not a short-term commitment; Colton Weber from the Governor's Center for Local Government Services was present at this meeting, and explained the process, which generally takes 2 years to complete.

If the Fire Companies decide to proceed, a committee comprised primarily of residents from the communities served would be formed to look at the business aspects of running the Fire Department. The state is promoting the concept of regionalization, not only for Police but also for the volunteer emergency services. Mr. Piersol commented that the Commonwealth of Pennsylvania has more volunteer emergency service organizations than any other state in the nation.

Mr. Kirkner stated the Supervisors will have the opportunity to choose members of this committee from our community members if the Fire Companies decide to proceed, and recommended the Board think about residents they would recommend to serve on this committee.

**Subdivision Extensions**

**Weaver Tract** - The Planning Commission is recommending the Board accept an extension to review this subdivision application until May 30, 2008. Mr. Fischer made a motion to accept this extension. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

**Brandywine Village / AWI** – The Planning Commission is recommending the Board accept an extension to review this subdivision application until June 30, 2008. Mr. Fischer made a motion to accept this extension. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

**Pulte Homes Pump & Haul Permit** – John Curtin was present representing Pulte Homes. Mr. Piersol stated this permit is an extension of the Agreement between Pulte Homes, the Township and the Municipal Authority. Because of the value engineering done to reduce the original cost estimates for the wastewater treatment facility, the original permit timeframe must be extended.

Mr. Piersol noted that the documents had two signature lines for East Brandywine Township, and that one should be for the Municipal Authority, who is party to this permit. With that change made, Mr. Kirkner made a motion to approve the pump and haul extension. Mr. Fischer seconded the motion, with all voting Aye. Mr. Voltz will sign the numerous copies of this agreement on behalf of the Township. Mr. Curtin will have Mr. Corbin sign the additional copies on behalf of the Municipal Authority.

**Additional Public Comment**

Chairman Voltz asked if there were additional public comments. Mr. George Holmes thanked the Supervisors and Mr. Piersol for their efforts to provide a sound system in the meeting room.

There were no additional public comments.

**Adjournment**

There being no further business, Chairman Voltz made a motion to adjourn the meeting. Vice-Chairman Kirkner seconded the motion, with all voting Aye. The meeting was adjourned at 8:15 P.M.

Respectfully submitted,



Scott T. Piersol, Township Manager