

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
Thursday, July 3, 2008**

Those in Attendance:

David A. Kirkner, Vice-Chairman
Jay G. Fischer, Member
Scott T. Piersol, Township Manager
Matthew T. VanLew, Roadmaster
Mary Beth Smedley, Secretary/Treasurer

Absent:

Hudson L. Voltz, Chairman

The East Brandywine Township Board of Supervisors meeting of Thursday, July 3, 2008 was called to order by Vice-Chairman Kirkner at 7:30 A.M. at the East Brandywine Township Municipal Complex. There were two visitors present.

Announcement – The Board of Supervisors’ July 16, 2008 meeting has been cancelled.

Public Comment for Non-Agenda Items

Vice-Chairman Kirkner asked if there were comments on non-agenda items. Mr. Carl DiMattesa, a resident of the Hopewell Subdivision stated that recently he has put out yard waste with the trash and it wasn’t picked up by the waste hauler. When he called the Township he was told that contractually the waster hauler was not permitted to pick up the yard waste. Although A.J. Blosenski’s picked it up in the past, they were now adhering to the terms of their contract with the Township. Mr. DiMattesa asked if the Township had any plans to offer this service and asked about how he should dispose of yard waste in the interim. He said that there were several developments in the Township where there were smaller lots and he thinks that the lack of an area to take yard waste will become an even larger problem. Mr. DiMattesa suggested that Township residents would be willing to pay more for trash pick-up if this additional service were provided. He said that residents were only trying to beautify their property and this was a quality of life issue.

Mr. Fisher explained that the Township provides leaf pickup in the spring and fall and offers curbside chipping throughout the year. In addition, the Township is looking into purchasing property for a compost site. This plan will take some time and will require that the Township comply with applicable Pennsylvania Department of Environmental Protection Regulations. The Township doesn’t expect to be able to provide this site this within the next year. At present, the Township doesn’t have an area that would meet PADEP’s guidelines. The County is recommending that residents let their grass grow longer and compost naturally on their yard. East Brandywine Township has offered composting classes and has provided compost bins free of charge. If residents wish to dispose of their yard waste they can make arrangements with a waste hauler or take the material to the Lanchester Landfill outside Honeybrook, but there would be a charge for these services. It was also recommended that Mr. DiMattesa discuss this issue with his Homeowners’ Association to see how they can assist their residents.

Mr. DiMattesa stated that many residents would like to see yard waste removed by the waste hauler. He stated that he may want to bring a group of residents to the Supervisor's meeting to voice their opinions.

The Supervisors will take Mr. DiMattesa's concerns and suggestions under advisement. He will return in a few months to see if there are new developments on this issue.

Minutes: Board of Supervisors – June 18, 2008

Vice-Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Mr. Fischer made a motion to approve the June 18, 2008 minutes as presented. Vice-Chairman Kirkner seconded the motion, with both voting Aye.

Minutes: Board of Supervisors – June 25, 2008

Vice-Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Mr. Fischer made a motion to approve the June 25, 2008 minutes as presented. Vice-Chairman Kirkner seconded the motion, with both voting Aye.

Minutes: Planning Commission Minutes – June 4, 2008

Vice-Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Mr. Fischer made a motion to approve the June 4, 2008 minutes as presented. Vice-Chairman Kirkner seconded the motion, with both voting Aye.

Rouse Chamberlin Homes – Extension for Dilworth Tract Preliminary Plan

The Planning Commission is recommending that the Board of Supervisors accept an extension to review this subdivision plan until November 1, 2008. Mr. Fischer made a motion to accept the extension. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

DeCarli Zoning Hearing

Zoning Hearing Board Solicitor Thomas Oeste, Esq. contacted Mr. Piersol Friday afternoon regarding this zoning hearing application. This property is in the Hedgerow / Culbertson Run development, approved as a PRD in 1974. Mr. Oeste advised that our Zoning regulations technically do not apply to this land use application, in accordance with the Municipalities Planning Code regulations under Article VII – Planned Residential Development. Section 706 (3)(ii) states “no modification of the development plan may occur except upon findings by the governing body or planning agency, following a public hearing..... “since the request modifies the approved PRD plans”.

Mr. Piersol provided copies of Mr. Oeste's e-mails from June 27th and June 30th for the Board to review including the specific sections of the MPC he references as applicable. Per Mr. Oeste's memo, the Board has a choice in this matter. The Board may chose to treat this application as an appeal from the Zoning Officer's decision and allow the ZHB to hear the case, or the Board of Supervisors can choose to hear the request to modify the original PRD standards. Mrs. Smedley has tentatively scheduled a Zoning Hearing Board hearing date for July 29th.

The plans show the existing setbacks from the dwellings on either side of the DeCarli home, but not to the rear yard, which is adjacent to a narrow strip of open space, with the closest dwelling located to the rear at 7 Highland Court. It appears the existing separation distance (measured electronically through the GIS system) is between 52 and 55 feet to this dwelling. Mr. Piersol contacted the DeCarlis to request they measure the existing distance, and the proposed final distance from the sunroom to the dwelling at 7 Highland Court, to make certain the isolation distance between the dwellings is not less than 30 feet. Mr. DeCarli called Mr. Piersol late the morning of July 1st to indicate the sunroom will be approximately 54 feet 5 inches from the structure at 7 Highland Court.

Mr. Fischer was concerned that if this hearing was before the Zoning Hearing Board there wouldn't be an actual standard for them to review. He thought the applicant should request a hearing before the Board of Supervisors to modify the rear yard setback required by the planned residential development for the property. Mr. Fischer will contact Mr. Oeste to discuss this issue.

Second Amendment to the Settlement Agreement with Pulte Homes

This amendment to the Settlement Agreement allows Pulte to modify the signage requirements and provides for additional trails throughout the Applecross Development. Mr. John Curtin attended the meeting on behalf of Pulte Homes to discuss this. Mr. Piersol stated that the only outstanding issue is the location of the walking trail along Bollinger Road. The plan shows the trail location going a short distance up Bollinger Road. Although the Supervisors would like to see the trail extended to Applecross Blvd. Mr. Curtin stated that because of certain improvements and utilities in that area, this would be difficult to do. Additionally, the trail would be in close proximity to the golf course, which may cause problems for pedestrians should a golf ball stray into that area. The Supervisors asked if the trail could be extended at least another 100 ft. because it will be a better location for residents to cross the street into the proposed K. Hovnanian development. Mr. Curtin agreed to this extension. With that change Mr. Fischer made a motion to execute the Second Amendment to the Settlement Agreement dated July 3, 2008. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Roadmaster's Report

2008 Paving Project

On Friday June 20th at 12:05 pm the Township opened the bids for the 2008 paving project. Those present were Scott Piersol, Russell Yerkes and Matthew VanLew, along with representatives from Charlestown Paving and Macanga, Inc.

Mr. VanLew provided a copy of the bid results. The low bid is from Charlestown Paving for \$174,610.20. The project includes paving of Ridgewood Circle, Woodcrest Drive, and Laurelwood Drive. Also included are tar and chip of Osborne Road and a minor driveway adjustment for 104 Crawford Road (Flynn residence).

For the 2008 budget year we have \$159,500.00 budgeted for new construction equally from both the State and Township funds. There is an additional \$30,000.00 budgeted for repairs to roads. Traditionally, the Road Department spends about five to ten thousand dollars for repairs to roads. This would leave approximately \$185,000.00 available for road projects. It is also anticipated the \$174,610.20 contract would increase \$5,000 to \$7,000 due to the escalating asphalt prices. The contract has a clause which allows the contractors to charge additional funds

according to the asphalt index. Mr. Yerkes stated this clause gives the Township a competitive bid at the time of the bid. The contractor is not permitted to charge a mark up or profit on the asphalt index.

The total cost of the project is anticipated to be \$190,610.20 distributed as follows:

Charlestown Paving contract	\$174,610.20
Asphalt index increase	\$6,000.00
Yerkes professional services	\$10,000.00
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Total estimated costs	\$190,610.20

Total budgeted amounts:

Township fund new construction	\$79,750.00
Township fund repairs to roads	\$15,000.00
State fund new construction	\$79,750.00
State fund repairs to roads (remaining)	\$8,000.00
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Total 2008 budget	\$182,500.00

Mr. VanLew recommends accepting the bid from Charlestown Paving for \$174,610.20 and proceeding with the 2008 paving project at an anticipated cost of \$190,610.20 with \$94,750.00 from Township fund and the remaining costs from State fund. The contractor will have 45 days from approval to complete the project.

Mr. Fischer made a motion to accept the bid from Charlestown Paving for \$174,610.20 and proceed with the 2008 paving project. Vice-Chairman Kirkner seconded the motion with both voting Aye.

Escalating Fuel Costs

We have recently received fuel pricing from Sunoco, Inc. through the Chester County Intermediate Unit Joint Purchasing Board Bid Awards. This is for diesel, unleaded and propane fuels. The contract runs from August 1, 2008 through July 31, 2009.

The previous cost of diesel was \$2.19 per gallon and will be \$4.38 which will be a 100% increase from the previous year.

Unleaded increased from \$2.02 per gallon to \$3.78 or an 87% increase.

Propane was \$1.75 and will be \$3.11, a 78% increase.

For the Road Department this translates to fuel costs increasing from about \$8,500 per year to \$16,000 and heating costs for the Administration building will increase from \$14,300 to \$25,300 per year.

Conservation District Report

East Brandywine Township was recently featured in the Chester County Conservation District's 2007 Annual Report for the installation of Best Management Practices (BMPs) at our new municipal complex.

With the new DEP regulations, Townships and Developers are required to install and maintain certain stormwater quality management devices. Some examples at the Township site are a rain garden, grassy swales, and infiltration basin.

Mr. VanLew gave a special thanks to Adam Sauers and the other staff at the Chester County Conservation District for protecting our waterways and for featuring the Township in their report.

Mr. VanLew commented that with the new MS4 regulations the Township will be required to inspect BMPs on a yearly basis. He isn't sure how this will be funded, but he stated that the Township may partner with Chester County on this.

Resolution #08 of 2008 – Creation of an Emergency Services Task Force

This suggested resolution comes after a March 5th meeting held at East Brandywine Township with members of the East Brandywine and Glenmoore Fire Companies, who desire to further investigate some increased level of partnership between the two companies, and municipal officials from East Brandywine, West Brandywine, Upper Uwchlan and West Nantmeal Townships, who both fire companies service. Vice-Chairman Kirkner and Mr. Piersol attended this meeting representing the Township. The State is looking to consolidate emergency service organizations.

On Thursday, June 5th, Mr. Piersol attended the West Brandywine Township meeting where this issue was discussed. The West Brandywine Township Board of Supervisors requested a representative from DCED discuss this program with their Board. Colton Weber from the Governor's Center for Local Government Services attended to answer questions from the Board. At the West Brandywine Township June 19th meeting, representatives from Glenmoore, East Brandywine, Wagontown and Martin's Corner Fire Companies attended and agreed to participate.

The West Brandywine Township enacted a resolution similar to what the Supervisors are considering at this meeting. Each Township will be responsible to recruit representatives to be members of the group.

Vice-Chairman Kirkner asked if there were any questions. There were no questions. Mr. Fischer made a motion to adopt Resolution 08 of 2008. Vice-Chairman Kirkner seconded the motion, with all voting aye.

Guthriesville General Store Marketing Task Force Report

The Programmatic Agreement was signed by all parties last week and the marketing period for the Guthriesville General Store began on June 26th. Mr. Piersol stated that he attended two recent

meetings to discuss marketing strategies, financial opportunities and available incentives to attract buyers to the property, including the greater potential provided with the conceptual master development plan for the Village of Guthriesville. Participants in these meetings included Jane Davidson, the Township's Historical Consultant, Gary Smith from the Chester County Economic Development Council, Karen Marshall, the Chester County Historic Preservation Officer, John Black, Historical Commission Chairman, David Sweet, the Township's Planning Consultant and Charles Moore from DNB First.

Another meeting is scheduled for July 9th. The group will discuss the idea of having a "briefing". This can help dealing with infrastructure issues such as roads water, sewer and similar issues as early as possible. They also discussed hosting a meeting of interested developers to discuss the General Store, and Master Plan and conduct a tour of the Village.

Mr. Fischer also reported that the meeting to discuss the Master Plan with property owners in the Village was well attended. He stated that most of the responses to the plan were favorable.

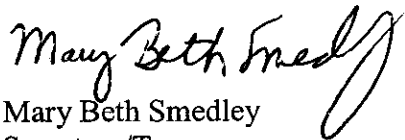
Additional Public Comment

Vice-Chairman Kirkner asked if there were any additional comments. Mr. George Holmes stated that there isn't any current information on the web site other than meeting minutes. He suggested hiring a group to manage the web site. It was suggested that an article could be put in the newsletter to see if anyone there is interest in helping with the web page. Also, Mr. Piersol stated he will look at budgeting this for next year.

Adjournment

There being no further business, Mr Fischer made a motion to adjourn the meeting. Vice-Chairman Kirkner seconded the motion, with all voting Aye. The meeting was adjourned at 8:50 A.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer