

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

**Those in Attendance:**

Hudson L. Voltz, Chairman  
David A. Kirkner, Vice-Chairman  
Scott T. Piersol, Township Manager  
Mark Kocsi, Chief of Police  
Matthew T. VanLew, Roadmaster  
Mary Beth Smedley, Secretary/Treasurer

**Absent:**

Jay G. Fischer, Member

The East Brandywine Township Board of Supervisors meeting of Wednesday, November 19, 2008 was called to order by Chairman Voltz at 7:30 P.M. at the East Brandywine Township Municipal Complex. Also in attendance was Rebecca Corbin, Brandywine Regional Police Commissioner-at-Large, Corporal Steven Leifholt and three other visitors.

**Opening of Meeting**

Chairman Voltz opened the meeting with the Pledge of Allegiance.

**Public Comment for Non-Agenda Items**

Chairman Voltz asked if there were comments on non-agenda items. Mr. Scott Brown, a homeowner in the Hopewell Development said that he was attending the meeting in the event that the Board discussed the purchase of property near the Hopewell Development for the purpose of a composting site. Chairman Voltz stated that this item wasn't on the agenda for discussion and although the subject has been preliminarily discussed in the past, no decisions have been made. Mr. Piersol said that he hopes to gather more information this month and this may be an agenda item for the December 17<sup>th</sup> Board meeting.

**Minutes: Board of Supervisors – October 15, 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 October 15, 2008 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

**Minutes: Board of Supervisors – November 6, 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 November 6, 2008 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

**Minutes:                    Planning Commission Minutes – November 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 November 5, 2008 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

**Treasurer's Report**

Mrs. Smedley read the account balances as of November 19, 2008. Vice-Chairman Kirkner made a motion to approve the Treasurer's report and payment of the bills. Chairman Voltz seconded the motion, with both voting Aye.

**Report:                    Township Manager's Report**

The update to our Comprehensive Plan is proceeding. Mr. Piersol has tentatively scheduled a public meeting here on Tuesday evening, January 6, 2009, to present a draft of the Comprehensive Plan, and a final draft of the Guthriesville Master Plan, which was previously presented to the property owners within the proposed area.

Mr. Piersol and Mr. VanLew attended a kick-off meeting held at the Honey Brook Borough Municipal Building November 6<sup>th</sup> for a Delaware Valley Regional Planning Commission study of the Route 322 corridor from the Lancaster County line to the Business Route 30 intersection in Downingtown Borough, a 15-mile segment of this roadway. The meeting introduced the affected municipalities along the corridor to the purpose of this project, which is to study how best to integrate land use and transportation needs along the corridor. Delaware Valley Regional Planning Commission (DVRPC) has requested the assistance of each municipality by providing information on our respective land uses completed, in progress and planned, growth potential in the region, any transportation studies, such as our Act 209 Study, and other useful information. The study will look at the development within the study area, and make recommendations for access management and transportation improvement priorities for consideration. DVRPC expects to provide draft recommendations in March of 2009, with their final report due in June of 2009. We are gathering information in support of this project.

The Board, Mr. Piersol and Mr. VanLew continue to meet with representatives of Caln Township to discuss the East Fisherville Road Bridge, which was damaged in August of 2007 and closed to all traffic since that time, the Osborn Road Bridge, which is also in need of replacement, and the proposed flashing warning light on Rock Raymond Road. We have proposed creation of an area for a turn-around for larger vehicles near 3707 East Fisherville Road, and the study of the possibility to re-open this bridge on a limited basis only for passenger vehicles exiting East Fisherville Road onto Bondsville Road. Caln Township will contact the engineer used in 2007 to determine if the bridge can support a static load of jersey barriers to narrow the bridge from the damaged area so it could be re-opened to traffic. It was also suggested that grant funds originally designated for the flashing light on Rock Raymond Road be diverted to the engineering study needed for the East Fisherville Road bridge, and determine if a high-friction surface treatment would improve the situation on Rock Raymond Road.

Bids have been requested for installation of an audio/visual system for our meeting room. Intermedia Group of Exton will manage this project for the Township. The bids will allow us some flexibility to choose to do the entire project or portions of the project. The focus is to install an audio system for the meeting room. Bids are due Wednesday, November 26<sup>th</sup> at noon, and will be opened and read aloud at 12:15 PM. The bids will be reviewed by Intermedia Group, and a recommendation for award to the Board at the December 4<sup>th</sup> Work Session

Historical Consultant Jane Davidson is working with the Township's Historical Commission on the process of the architectural salvage of artifacts from the Guthriesville General Store Building. Mrs. Davidson will attend the Bondsville Mill Committee meeting November 20<sup>th</sup> to discuss the possibility of storage of some of the artifacts at the Mill property. The Historical Commission will then issue their written report to the Board of Supervisors for their consideration.

Our Open Space program continues proceeding with several projects.

1. White Acres Farm - the attorney for the Whittaker family is working with Natural Lands Trust to resolve their final concerns. The Open Space Committee is trying to encourage the family to move quickly, as the grant funding is nearing a final deadline.
2. Robb property on Hadfield Road - our Solicitor has been provided with draft conservation easement documents for review and comment. This property is adjacent to the Thornbury farm, located in East & West Brandywine Townships, adjacent to the Applecross Country Club project.
3. Brown farm – the Township has authorized an appraisal of the property, and will begin negotiations with the Brown family for the fee-simple purchase of this 19.4 acre tract, located adjacent to the Community Park.

Forge Hill tract, Dowlin Forge and Creek Roads – an appraisal of this property has been received and is being reviewed. Natural Lands Trust has submitted a draft agreement for the Township's consideration to proceed with securing an Agreement of Sale from the Owners, and drafting the conservation easement documents. Vice-Chairman Kirkner expressed a concern about the open-ended statement in the draft Agreement about payment for work performed should the conservation easement fail. Mr. Piersol contacted Jack Stefferud from NLT, and they have revised the section entitled "Contractual Agreement" to state the costs will not exceed their estimated cost of \$25,000 for work completed and expenses incurred without authorization from East Brandywine Township. With that change, Mr. Piersol respectfully requested the Board authorize me to sign this Agreement to allow us to proceed with the next step. Chairman Voltz made a motion to authorize Mr. Piersol to sign the National Lands Trust agreement. Mr. Kirkner seconded the motion, with both voting Aye.

Mr. Piersol received word late today that our application for a grant to underwrite 50% of the cost of a Master Plan for Bondsville Mill Park has been approved the by State. Funding for this project, in the amount of \$30,700, will be administered by the Department of Conservation and Natural Resources.

**Report: Building Inspector/Zoning Officer – Report for October 2008**

Mr. Piersol read the Building Inspector/Zoning Officer's Report for October, 2008. There were ten building permits issued, twenty use and occupancy permits issued, and seventy-eight inspections conducted during the month. The total fees collected were \$3,776.00

**Brandywine Regional Police Commission**

Vice-Chairman Kirkner reported that the BRPC pension portfolio value decreased from \$2,397,619.30 to \$2,017,060.18 in the first 3 quarters of 2008. Notice was received from the PA Department of Labor and Industry that \$7,923.30 in unemployment benefits paid by the BRPC will be credited to future BRPC unemployment charges. Also, the Police Commission granted permission for full-time police officers to accept part-time work with other police departments.

**BRPC Dissolution Agreement**

Chairman Voltz moved that East Brandywine Township be authorized to enter into, and that the East Brandywine Township Board of Supervisors be authorized to execute a Dissolution Agreement with the Brandywine Regional Police Commission and Wallace Township subject to receipt of a fully executed Agreement by Brandywine Regional Police Commission and approved by Wallace Township, in form and substance satisfactory to the East Brandywine Township Board of Supervisors and the East Brandywine Township Solicitor. Vice-Chairman Kirkner seconded the motion, with both voting Aye.

Mr. George Holmes asked for clarification on the Agreement. Vice-Chairman Kirkner responded that effective December 31st East Brandywine Township, Wallace Township and the Brandywine Regional Police Commission have agreed to dissolve the Brandywine Regional Police Commission and distribute all assets. Mr. Scott Brown asked how this would affect East Brandywine Township. Vice-Chairman Kirkner said that East Brandywine Township will be served by the newly created East Brandywine Township Police Department; Wallace Township will likely be served by the Pennsylvania State Police.

The next Dissolution meeting between East Brandywine Township and Wallace Township will be held Tuesday, December 2, 2008 at 9:00 A.M. at the East Brandywine Township building.

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

Police Activity Report – October 2008

Investigations	182
Traffic Citations	167
Traffic Warnings	50
Traffic Accidents	15
Criminal Arrests	3
Summary Arrests	2

Criminal Investigations – October 2008

Burglary/Criminal Trespass	3
All Assaults	2
Theft/Fraud	11
Disorderly Conduct/ Harassment	1
Disturbances	4
Suspicious Activity/ Persons	18
Domestics	4
Criminal Mischief	3
Juvenile Complaints	0
Missing Persons/ Runaways	0
Driving Under the Influence	3
Fugitive Warrants	0
Drugs	0
Soliciting	0
Other	0

Chief Kocsi stated that the Brandywine Regional Police Commission unanimously voted to donate all of the money in the Nelo Fund to help offset the cost of treating West Brandywine Township's canine, Rudy, who had been diagnosed with cancer. The fund totals approximately \$1,800.00. Mrs. Corbin said that she spoke to Rudy's owner Corporal Gary Williams, who was extremely appreciative for the donation.

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

Mr. Piersol read the Activity Report for the month of October, 2008, as submitted by Fire Chief Robert Zynn, Jr. There were sixty-nine total incidents. In East Brandywine Township there were eight fire calls and twenty-five QRS calls. In West Brandywine Township there were four fire calls and twenty QRS calls. The Fire Company provided assistance in Wallace Township, Caln Township, West Bradford Township, Coatesville City and Newtown Square.

The Fire Company's annual Breakfast with Santa will be held Saturday, December 13, 2008 beginning at 8:00 A.M.

## **New Business - 2009 Preliminary Budget**

### General Fund - Revenues

Due to the economy projections, revenues in 2009 are projected to see a very small increase. 2008 saw an increase in real estate tax payments, plus collection of delinquent taxes and fees. To cover the increase in the landfill costs and the contractor's collection fee in the final year of their contract, the Township Manager is initially recommending a \$10 increase in the trash & recycling fee to \$215.00. This fee remains comparable to most municipalities in our area. The Township millage rate is proposed to remain at 2.5 mills.

Building permit fees will flatten due to the downturn in development construction expected next year. Development activity has slowed significantly over the past six month period.

Revenues from all sources, including inter-fund transfers, are projected at \$4,500,438.00, with an anticipated year-end General Fund cash balance of \$75,000.00.

### General Fund - Expenses

Public safety costs will increase by \$165,001.00 in 2008, most of this in police protection. Engineering fees for land development project reviews will continue as significant expense in 2009, although decreased from 2008 expenses. The expense for building inspections are expected to also be reduced.

Three projects are anticipated for 2009. Bids for an audio-visual system for our meeting room are currently being requested. The cost for this project is expected to be between \$27,000.00 and \$55,000.00. There are 3 separate components to this project, which will allow the Township to choose whether to complete the project in total or defer portions of the project until a later date.

Replacement of the roof on McCausland Hall is projected for 2009.

The third project is the master plan for the Bondsville Mill Park project. The anticipated cost of this project is \$62,500.00; a DCNR grant will underwrite up to \$30,700.00 of this project.

To reduce expenses in 2009, one or both anticipated road projects may be deferred until 2010. We will review the scope of work to determine if one of the projects can be bid for 2009. A new full-time hire for the Public Works Department will also be deferred until a later date.

Total expenses are projected to be \$4,469,600.00. A capital reserve allocation is anticipated in the amount of \$105,839.00.

### State Fund - Revenues

A slight decrease in the State Liquid Fuels allocation is anticipated for 2009. Income is projected to be \$155,228.00. The year-end State Fund balance is anticipated to be approximately \$35,000.00.

### State Fund - Expenses

As indicated in the General Fund Report, two road projects may be deferred for 2009. The Roadmaster plans to replace a 1988 pickup truck, which would not pass inspection without significant expense, with a heavy-duty truck chassis provided with utility body. This vehicle will

be placed in service for the Roadmaster's on-call use, as well as carrying tools for the various public works projects throughout the Township. Total State Fund expenses, including a capital reserve allocation of \$44,053.00, are anticipated to be \$189,928.00.

**Additional Public Comment**

Chairman Voltz asked if there were any additional public comments. Mr. Holmes asked if the Supervisors have had an opportunity to review the questions he provided them for the next Milemarker Newsletter. Vice-Chairman Kirkner said he would have those answers no later than this Friday.

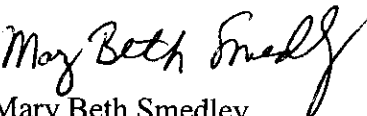
**Notices**

The East Brandywine Township Board of Supervisors and the Wallace Township Board of Supervisors met in executive Session with their respective solicitors on October 21<sup>st</sup>, October 30<sup>th</sup> and November 12<sup>th</sup> to discuss the dissolution of the Brandywine Regional Police Department.

**Adjournment**

There being no further business, Chairman Voltz made a motion to adjourn the meeting. Vice-Chairman Kirkner seconded the motion, with both voting Aye. The meeting was adjourned at 8:07 P.M.

Respectfully submitted,

  
Mary Beth Smedley  
Secretary/Treasurer