

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
Monday, February 23, 2009**

Those in Attendance:

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

The East Brandywine Township Board of Supervisors meeting of Monday, February 23, 2009 was called to order by Chairman Voltz at 7:30 P.M. at the East Brandywine Township Municipal Complex. Also in attendance were John Black and James Buczala from the Historical Commission, Arne Jensen and Carl Walker from the Bondsville Mill Committee, George Holmes, the Milemarker Editor, and four 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. George Holmes asked if the Board was aware that one of the statues was missing from the Park. Mr. Piersol responded that the Township was aware that it was missing, but it has since been recovered. He went on to say that all statues will now be bolted down to prevent future thefts.

Minutes: Board of Supervisors – January 21, 2009

Chairman Voltz asked if there were any additions or corrections to the above minutes. There were none. Mr. Fischer made a motion to approve the January 21, 2009 minutes as presented. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Minutes: Board of Supervisors – February 5, 2009

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 February 5, 2009 minutes as presented. Mr. Fischer seconded the motion, with all voting Aye.

Minutes: Planning Commission Minutes – January 7, 2009

Chairman Voltz asked if there were additions or correction to the minutes. There were no suggested changes. Mr. Fischer made a motion to approve the January 7, 2009 minutes as presented. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Minutes: Planning Commission Minutes – February 4, 2009

Chairman Voltz asked if there were additions or correction to the minutes. There were no suggested changes. Mr. Fischer made a motion to approve the February 4, 2009 minutes as presented. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Treasurer's Report

Mrs. Smedley read the account balances as of February 23, 2009. Vice-Chairman Kirkner inquired about a check made out to Reino's Printing. Mrs. Smedley stated the payment was for printing the Township newsletter. Vice-Chairman Kirkner made a motion to approve the Treasurer's report and payment of the bills. Chairman Voltz seconded the motion. All Supervisors voted aye with the exception that Mr. Fischer abstained from voting on check #12030.

Report: Township Manager's Report

Thirty-nine persons attended the public meeting to present the draft revisions proposed to the Township's Comprehensive Plan on Tuesday evening, February 17th. Supervisor Jay Fischer welcomed the public and explained this work is to update the 1987 version of the Plan. He provided a brief overview of the process, and explained the primary purpose of the Plan is to create a framework for long-range planning in the Township. Several displays of the land use maps and portions of the important implementation activities proposed were discussed during this meeting, which Township Planning Consultant David Sweet reviewed. Mr. Sweet explained this plan looks at a 10-year planning horizon. The final draft of the Master Development Strategy for the Village of Guthriesville, which will be a chapter in the Plan, was also discussed.

The meeting was designed to obtain public comment on the revisions, and integrate comments into the final draft. There were residents who requested additional information in the form of maps or text for review, which will be provided. One additional idea was to make information available on our web site for further review. The anticipated time frame for consideration by the Supervisors, after review by the County Vision Partnership Program, then the County Planning Commission is May – June of this year.

The Supervisors signed an Agreement of Sale with Alexander & Phoebe Robb for acquisition of conservation and trail easements on their Hadfield Road property. Settlement is scheduled for March 6th here in the Township Office.

Township resident Deb Collins has agreed to take over the responsibilities of updating and managing the Township web site. Our goal is to make the site more user friendly, including the ability for the Township staff to post information such as meeting agendas and minutes directly to the web site in a timely manner. We are hoping the re-work will be done this spring.

The Supervisors, Roadmaster VanLew and Mr. Piersol met with representatives of Caln Township Friday, January 23rd to discuss re-opening of the East Fisherville Road bridge to limited vehicular traffic, reducing the width of the bridge to allow for one traffic lane with concrete median barriers. The barriers were to be ordered February 12th, with a two-week lead

time for fabrication. Once we have confirmed a date for the installation of these barriers and the necessary signage, we will notify the residents along the roadway, and the emergency services providers, of the limited access available across this bridge.

The Bondsville Mill Committee has submitted a revised request for proposal document for the Master Development Plan to DCNR for their review and approval. Mr. Piersol hopes to have this document returned for distribution to interested vendors in late March, with an April due date for proposals, to allow for review by the Mill Committee late in April, and consideration for approval by the Supervisors in May.

Bids for the partial demolition of the buildings in Section "G" and "H" of the Bondsville Mill were received by the Board of Supervisors earlier this month. Haines & Kibblehouse was the apparent low bidder at \$21,000.00. Review by the Township Engineer of the apparent low bid was completed after the Supervisors' February 5th meeting, and was determined to satisfy the bid requirements. The Board asked the Mill Committee to review the proposal and make a recommendation on the award, since the funds budgeted to the Bondsville Mill project consisted only of funds for the Master Plan match, and the funds remaining from a PECO grant and a grant from Senator Rafferty. Mill Committee Chairman Gerry Kirkpatrick has provided the Board with a memo about the Committee's February 19th recommendation, which the Board will consider under the Old Business section of tonight's meeting.

The string of intentionally-set fires has worked its way out of the City of Coatesville into the neighboring municipalities over the past few weeks. Investigation is on-going by a variety of law enforcement officials, including the FBI, Bureau of Alcohol, Tobacco & Firearms, County Detectives, in support of the County Fire Marshal's Office, and the local police departments. In spite of the two arrests made last week, 3 school buses stored at the North Brandywine Middle School in West Brandywine Township were destroyed by fire, with 4 additional buses damaged. Chief Kocsi, Fire Chief Michael Conlan and Mr. Piersol discussed areas of potential concern in our community during a recent meeting. Mr. Piersol is asking our residents and businesses to be more vigilant, because our community is no less vulnerable than others to those who would commit similar acts as have occurred since these fires began. It is highly suggested that exterior lights be left on at night, any combustible materials be removed from the exterior of homes, and any suspicious activities, vehicles or persons be reported immediately to the Police Department or directly to the County Arson Task Force hot line at (484) 356-6109. The eyes and ears of those in our community can help bring these events to conclusion.

Report: Building Inspector/Zoning Officer – Report for January 2009

Mr. Piersol read the Building Inspector/Zoning Officer's Report for January, 2009. In January there were seven building permits issued, ten use and occupancy permits issued, and thirty-four inspections conducted during the month. The total fees collected were \$3,332.00.

Report: DARC

Chairman Voltz reported that DARC programs continue to be used by East Brandywine Township residents and fortunately, the municipal contribution did not increase for 2009.

Park and Recreation Board

Chairman Voltz stated that the Family Day in the Park will be held June 28, 2009 and the Board annual golf event, Fore the Park, will be held May 27, 2009.

Brandywine Regional Police

Vice-Chairman Kirkner said that the Brandywine Regional Police Commission will continue to have monthly meetings in order to perform administrative functions. Mrs. Deborah Rozette has resigned her position as secretary to the Police Commission and those duties will now be performed by Mrs. Rose Jamison.

East Brandywine Township Police Chief's Report

Chief Kocsi notified the Board of Supervisors that the East Brandywine Township Police Department, along with the Caln Township Police Department, have been asked by the County to participate in testing the State's Law Enforcement Justice information System (LEJIS) program beginning in April. The County has been testing the system with two agencies using the CODY records management software. The next phase of testing involves the METRO ALERT software, which both agencies use. Earlier this month Chief Kocsi and Officer Steve Tyree met with Mike Welsh from the County and Ron Plummer, senior consulting manager on the project. As the Police Department has planned to replace their computer server later this year, they are going to use this opportunity to do the upgrade in the spring Chief Kocsi estimates that there will be a savings to the Police Department of approximately \$2,000.00 because the County is going to pay for a portion of the equipment and software updates to the METRO ALERT program, free of charge to the department. He will keep the Board updated on the progress of this program.

Earlier this year the Department of Community and Economic Development (DCED) approved a grant in the amount of \$5,000 for the purchase of ballistic shields. As a result of the Brandywine Regional Police Dissolution Chief Kocsi has filed a request to DCED to have the grant transferred to the East Brandywine Township Police Department. The funds, which were recently received, will be used to purchase the shields in the next few months.

Chief Kocsi congratulated Officer Steve Tyree on his graduation this past month from the Crime Scene Investigator's course. The course, which was sponsored and taught by members of the Chester County District Attorney's Office, Pennsylvania State Police, Federal Bureau of Investigation, and the Chester County Chief's of Police Association was an intensive eleven month training class. Training included both lectures and practical exercises in all areas of criminal investigations. Officers attended classes once or twice a month during the period and were responsible for out-of-class reading and research assignments, class presentations, simulated court room exercises and written and practical testing. Steve put a lot of time and hard work into the course and he should be commended on his efforts and his graduation from the program. The Supervisors asked Chief Kocsi to pass along their congratulations as well.

Police Activity Report – January 2009

Incidents Reported	155
Criminal Arrests	6
Summary Arrests	1
Accidents Investigated	17
Traffic Citations Issued	156
Warnings Issues	27
Vacation House Checks	52

Training Completed: Sgt. Gene Babetski attended a Hostage Negotiations Seminar, Officer Steve Tyree completed the Crime Scene Investigators course and several officers attended the Pennsylvania Act 180 Training.

Report: Fire Company's Activity Report for January 2009

Mr. Piersol read the Activity Report for the month of January 2009 as submitted by Fire Chief Michael Conlan. There were sixty-four total incidents. In East Brandywine Township there were seven fire calls and fourteen QRS calls. In West Brandywine Township there were six fire calls and nineteen QRS calls. The Fire Company provided assistance in Wallace Township, Caln Township, Valley Township, the City of Coatesville, Honeybrook Borough and Honeybrook Township.

Subdivision – Dilworth Tract

Rouse/Chamberlin Homes withdrew their subdivision application for the Dilworth Tract effective February 1, 2009.

Ordinance 02 of 2009 – An Amendment to East Brandywine Township Ordinance No. 80-1, an Ordinance providing for the establishment of speed limits, through and stop intersections, and the erection of appropriate traffic control signs on certain roads within East Brandywine Township

Mr. Piersol explained that this Amendment allows the Township to post the speed limits at 25 mph on certain Township Road under Act 151. The roads included are those in the Applecross Development, Cumberland Ridge, HeatherWynd East and HeatherWynd West and Hide-A-Way Farms. In addition the permit allows stop signs to be placed at certain intersections. Chairman Voltz asked if there were questions or comments from the Supervisors or the audience. There were no questions. Mr. Fischer made a motion to adopt Ordinance 02 of 2009. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Historic Commission – Recommendation to revise Historical Resource Inventory and hold a public meeting to discuss recommendations with affected property owners

Mr. Black stated that the Historic Commission has updated the Historical Resource Inventory and are recommending additions to the Class I and Class II inventory. Mr.

Buczala explained that Section 399-62.B(2) of the Zoning Ordinance requires that property owners which are subject to the change be given written notice of the recommendation at least 10 days prior to the public hearing at which the Board will consider such action. Mr. Piersol is recommending the public hearing be held Wednesday, May 20th during the regular Board of Supervisors meeting and that notice be sent to the property owners 30 days prior to the public meeting. Mr. Buczala provided a draft of the notice for the Board's review and approval.

The Supervisors asked that Mr. Piersol contact Township Solicitor Stacey Fuller, Esq. to determine whether each property needed to be posted, in addition to being provided written notice.

Chairman Voltz made a motion to hold a public hearing on May 20, 2009 at 7:30 P.M. to consider the Historical Commission's recommendation to update the Historical Resources Inventory and to send notices to affected property owners 30 days prior to the hearing. Mr. Fischer seconded the motion, with all voting Aye.

Bondsville Mill – Partial Demolition Project

Mr. Piersol, representing the Bondsville Mill Committee, presented a memo from Committee Chairman Gerry Kirkpatrick regarding their recommendation for partial demolition. The Bondsville Mill Committee met on February 19, 2009 to discuss the results of the January 30, 2009 bid relative to the Request for Proposal titled "Partial Demolition of the Bondsville Mill."

The RFP was published to facilitate the collection of bids for partial demolition of two sections of the Mill known as Sections "G" and "H". At the time the RFP was published, their hope was that the residual value of demolished materials removed and sold by a contractor might equal the cost of the demolition itself. Unfortunately, that was not the case. Results of the bid were received and evaluated, and based on that evaluation, the Committee believes the lowest responsible and qualified bidder is H&K Environmental Services, Inc. of Skippack, Pa. The bid amount offered by H&K is \$21,500.00

Currently, the available Mill fund stands at \$11,676. If the Committee committed all remaining Mill funds to the demolition project, the project would be underfunded in the amount of \$9,824. The Committee understands that the Supervisors have possibly offered spending \$9,824.00 of Township monies to completely fund the project.

Committee members noted that work on roof repair to Building "F" was well underway. This roof repair work has been done to date by volunteers who have carefully spent Mill monies for roof material purchases. The money spent to date was from a combination of private donations and a portion of a \$5,000.00 PECO grant.

Through discussions during the February 19th meeting, it was determined that the Mill Committee needs approximately \$3,300.00 of additional materials to complete the roof stabilization. The Committee considers stabilization of the Building "F" roof to be an important aspect of the over-all Mill project. Without funds for additional materials, it is more likely than not that the roof repairs done to date will have been done for no purpose.

The Bondsville Mill Committee is asking that the Supervisors consider allocating \$12,024.00 of Township monies to fund H&K's work and materials to complete the roof

repair to Building "F". If the Board is only willing to fund the partial demolition the Committee will forgo roof stabilization and commit all of the Mill funds to the project.

Vice-Chairman Kirkner stated that he is very concerned about spending unbudgeted money at this time. Mr. Fischer stated that he has the same concerns as Vice-Chairman Kirkner, but feels that the demolition is needed to help secure the area, the lowest responsible bid is reasonable, and the opportunity to complete this work may not happen again. Unfortunately, this was not a zero bid, in part because the price of steel and scrap metal has dropped. Chairman Voltz stated that a lot of work has been done on the property and a lot of progress has been made.

Mr. Fischer asked Mr. Walker how much the materials would cost to finish the roof on Building "F". Mr. Walker stated approximately \$3,300.00, not including gutters and downspouts. The quote for the materials came from A.B. Martin of Ephrata. Mr. Walker was asked if he had obtained other quotes. He said that he hadn't. The Supervisors asked Mr. Walker to obtain at least three quotes and submit them for their consideration.

Mr. Fischer made a motion to award the bid for partial demolition to H&K Environmental Services, Inc. in an amount not to exceed \$21,500.00. Vice-Chairman Kirkner seconded the motion, with all voting Aye.

Mr. Fischer then made a motion to allocate \$12,024.00 from the General Fund and \$9,476.00 from budgeted Bondsville Mill Park Funds to complete the partial demolition project. Chairman Voltz seconded the motion, with all voting Aye.

Additional Public Comment

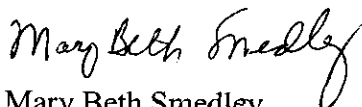
Chairman Voltz asked if there were any additional public comments.

Mr. George Holmes asked Chairman Voltz if he had a comment on the proposed Comprehensive Plan. Chairman Voltz stated that he wasn't prepared to comment this evening, but would have one for Mr. Holmes shortly.

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 8:30 P.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer