

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
Thursday, March 5, 2009**

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
Matthew T. VanLew, Roadmaster
Mary Beth Smedley, Secretary/Treasurer

The East Brandywine Township Board of Supervisors meeting of Thursday, March 5, 2009 was called to order by Chairman Voltz at 7:30 A.M. at the East Brandywine Township Municipal Complex. There were three visitors present.

Public Comment for Non-Agenda Items

Chairman Voltz asked if there were comments on non-agenda items. There were no comments.

Resolution 11 of 2009 – Declaring intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008.

Mrs. Smedley explained that the Municipal Records Manual provides guidelines as to when certain records can be expunged or destroyed. East Brandywine Township normally destroys records on a yearly basis and the Supervisors will approve this by resolution. Mr. Fischer made a motion to adopt Resolution 11 of 2009. Mr. Kirkner seconded the motion, with all voting Aye.

Roadmaster Report

Year end report leaf collection and chipping

During the past year we collected an estimated 632,000 pounds, or 316 tons of leaves. We collected 72 loads between the spring and fall cleanup at 25 cubic yards per load. Our spring of 2009 collection dates are the weeks of April 6th and 20th.

During 2008 the Township chipped for 275 residents at an average of 30 minutes per resident or 275 man hours. We collected \$2,335.00 in fees. The policy for 2009 has not changed.

Mr. VanLew reported that leaf collection increased by 36% from 2007 to 2008, chipping slightly decreased.

Lyndell Bridge

Over the past six months Mr. VanLew has been in discussions with Richard Strayves of PennDOT's bridge unit over the ownership of Lyndell Bridge. This bridge is a pre-stressed concrete structure built in the early 1970s. According to Mr. Strayves, PennDOT does not have the bridge listed on their bridge list and apparently it has not been inspected. In the past few

years the bridge deck has been deteriorating and East Brandywine Township has been receiving complaints from residents. Last year the Township was contacted by Upper Uwchlan Township about the condition of the bridge and possible ownership. Neither Township has record of ownership.

Mr. Strayves recently completed his investigation and discovered PennDOT is the owner of the bridge and will send a letter to his maintenance division to make necessary repairs. He also said the bridge will be inspected every two years as is required for any structure over a twenty foot span.

Little Washington Bridge over Culbertson Run

On Saturday February 14th Mr. VanLew was contacted by East Brandywine Township Police about a hole in the bridge that crosses Culbertson Run on Little Washington road. PennDOT was notified by the police and requested the roadway be closed.

PennDOT's maintenance supervisor Bob Laird stated during a phone call on Tuesday that he expected the bridge to be closed until Friday to allow for repairs and for the concrete to cure. Due to PennDOT maintenance crews' hard work the bridge was opened Thursday morning, one day ahead of schedule. Mr. VanLew commended Bob Laird and his crew for a quick response.

Zynn Road and Caln Meetinghouse Road Intersection

The Road Department planned to install the stop signs and warning signs at the intersection of Zynn and Caln Meetinghouse Roads yesterday, but was unable to install them due to inclement weather. It is now scheduled for the beginning of next week if the snow has cleared. PA One Calls were made and utilities have marked their underground services in the area of installation.

Previously, drivers on Zynn Road could continue through the intersection with stop signs only on Caln Meetinghouse Road. Although there were no accidents recorded at this intersection, numerous near misses were reported to the Township. The changes made should improve safety at the intersection and reduce the number of near misses. We ask the driving public to remember when two vehicles enter a stop sign controlled intersection at the same time the vehicle to the right has the right-of-way.

2009 Road Projects

In lieu of a spring road inspection Mr. VanLew will send a memo to the Board outlining the road projects he plans to complete this year. Basically, those projects will be maintenance of the Township's portion of Hopewell Road and Highspire Road.

Creek Road (Rt. 282) and Hopewell Road Intersection

Mr. VanLew sent a letter to PennDOT dated January 15, 2009 asking that they consider installation of all-way Stop signs at this intersection. To date, the Township hasn't received a response.

Over the past few years the Township has received numerous complaints about near miss accidents at this intersection. The geometry of both roadways leads to difficulty with sight distance when stopped on Hopewell Road looking both east and west. The Township has an

agreement with the resident that owns the property on the southeast corner to periodically trim the trees and shrubs to maintain maximum sight distance. The southwest corner sight distance is blocked by a steep embankment with large rocks and boulders protruding from the embankment.

Traffic has increased substantially over the last five to ten years due to increased development within our Township and neighboring Townships. Hopewell Road has become a cut through for many commuters wanting to get to the Turnpike or to the Eagleview Corporate area. During the morning and evening rush hours there is a steady stream of traffic on Hopewell Road. It also appears, due to morning traffic congestion at Rt. 322 and the 30 Bypass entrance an increasing number of motorists are using Rt. 282 to get to the Bypass.

The Board of Supervisors, Mr. Piersol and Mr. VanLew agreed that installation of an all-way Stop will make the intersection safer for motorists. The Board suggested that a copy of the letter sent to PennDOT be forwarded to Representative Curt Schroder, as he may be of assistance with this matter.

Disclosure of Gawthrop Greenwood previously serving as Downingtown Area School District Special Counsel

Mr. Piersol said that Robert Adams from Gawthrop Greenwood had previously served as Special Counsel for the Downingtown Area School District. Township Solicitor Stacey Fuller informed Mr. Piersol of this in the event the Board thought it might create a conflict of interest. The Supervisors agreed that they didn't think there was a conflict.

Applecross Country Club

Mr. Piersol reported that Pulte has signed an agreement with new golf course operator Bob Levy. Mr. Levy will manage the golf course, restaurant facility and fitness center in Applecross. He owns other golf courses in Pennsylvania, as well as North and South Carolina.

Mr. Levy proposes to operate the Country club as a private club. His attorney, Neil Stein, was not aware of the issue of the referendum presentation, or the representation by Club Corp regarding the proposed operation of the golf course and restaurant facilities. Mr. Stein indicated that private country club liquor licenses operate differently than other licenses. The license does not permit the club to prohibit public access. He indicated that anyone could walk into the facility and be served a drink, but they could not walk into the restaurant and be served a sit-down meal. Mr. Piersol stated that the Township was given the impression that the restaurant would be open to the general public. Mr. Piersol will schedule a meeting with the golf course operator to discuss this. Mr. Fischer suggested that Mr. Piersol also contact Horsham Township Manager Michael McGee to learn more about the Talamore Golf Course, which is also operated by Mr. Levy.

Historic Commission February 27, 2009 Letter regarding the Guthriesville General Store

The Historic Commission sent the February 27, 2009 letter to the Board of Supervisors suggesting that they send a letter to Claudio DiGiamberardino in order to point out potential

issues that the Historic Commission believes Mr. DiGiamberardino should consider prior to demolishing or selling the property. The Board reviewed the letter and decided that Mr. DiGiamberardino is well aware of his rights and responsibilities with regard to the building and it is unnecessary for the Board to send a letter at this time.

Fire Company request for land acquisition consideration – Weaver Tract

Marc Crusemire, President and Eileen Amatrudo, Vice-President of the of the East Brandywine Fire Company approached the Supervisors to request the Board's assistance in acquiring approximately five acres of the Weaver property for a new Fire House.

Mr. Crusemire said that the East Brandywine Fire Company serves the townships of East Brandywine, West Brandywine and a portion of Upper Uwchlan. Growth in these areas has also impacted the future needs of the Fire Company. Mr. Crusemire stated that the current building on Bondsville Road is in need of replacement or rehabilitation and it is probably not feasible at the current site.

A donation of property on the Weaver Tract would afford the Fire Company the opportunity to replace its current facilities with little or no impact to the finances of the Fire Company or taxpayers. The Fire Company Officers hopes that funds for the new station would be derived from the sale of the current property.

Mr. Fischer commended Fire Company officers for their foresight. He did ask that Mr. Crusemire provide additional information for the Supervisors to consider. The Board would like to see projections about future call volumes, data regarding the community the Fire Company is serving and the logical location for the future Fire Department complex.

Chairman Voltz wondered if the Fire Company might consider purchasing a portion of the property across the street. Mr. Crusemire said he didn't think there was sufficient room across the street and a portion of the property is in wetlands.

Mr. Crusemire was asked where he thought would be the best location for the Fire Company on the Weaver Tract. Ideally, Mr. Crusemire thought the Fire Department should be located near Rt. 322 and Bollinger Road. Mr. Fischer stated that is where the School District plans to locate their disposal fields, so that location might not work.

Mr. Piersol said that the Pennsylvania State Department of Community and Economic Development might be of assistance with resources to help the Fire Company. He will contact them to see how they might be of service.

Comments from the Audience

Chairman Voltz asked if there were additional comments from the audience.

Mr. George Holmes mentioned that the School District's plan shows the entire school campus on the western portion of the Weaver property. He wondered if there might be plans for an

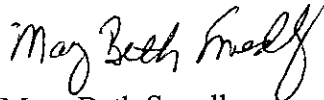
additional high school on the property. Mr. Fischer stated there had been some discussion of a magnet school which would be a smaller building that could house a larger group of students. At this point School District officials have indicated they have no plans for further expansion on the site. The Board is going on good faith that this is the case.

Mr. VanLew mentioned that he has called Verizon several times about removing wires from a pole on North Buck Road and hasn't received a response. There are also other locations where Verizon needs to remove poles, which also hasn't been done. The Board suggested that Mr. VanLew send a letter outlining his concerns and request a meeting with a Verizon representative. If all else fails, it was suggested that Mr. VanLew contact the Public Utilities Commission.

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 8:25 A.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer