

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS  
WORK SESSION  
Thursday, November 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, November 5, 2009 was called to order by Chairman Voltz at 7:30 A.M. at the East Brandywine Township Municipal Complex. Also in attendance were George Holmes, the Milemarker Editor, John Black and Jim Buczala from the Historical Commission, and one other visitor.

**Public Comment for Non-Agenda Items**

Chairman Voltz asked if there were comments on non-agenda items. Mr. Holmes said that he would like to do an article on the 2010 budget for the Winter 2010 Newsletter. He asked if he could meet with one of the Supervisors and Mr. Piersol to review the budget. Mr. Holmes was asked to contact Vice-Chairman Kirkner to schedule a meeting.

Mr. John Carrigan asked for suggestions about leaf removal for his property. Mr. Carrigan lives on a flag lot, so he can't place his leaves at curbside. In the past he has taken them to a farm in Willistown Township, which has proven to be time-consuming and impractical. One of his neighbors has given him permission to put the leaves on their property. One suggestion was to bag the leaves and leave them at curbside. Mr. Carrigan said that he would be able to fill over 100 bags. He asked the Township for other ideas. Mr. VanLew said that there would be a leaf collection next week and again the week of November 30<sup>th</sup>. He said that if Mr. Carrigan placed his leaves on his neighbor's property, within six feet of the roadway, the Township could vacuum and remove them.

**Revised Historic Inventory – Resubmission to the Chester County Planning Commission for their Act 247 Review**

Mr. John Black, Chairman of the Historical Commission and Mr. Jim Buczala, a member of the Historical Commission attended the meeting to discuss revisions to the Historic Resource List and Historic map. The list was previously sent to the Chester County Planning Commission to review and subsequently a hearing took place before the Board of Supervisors. At that time, it was determined that some properties were misidentified, and some property owners took exception to including their homes or other structures on the list. The Historical Commission has since refined the list and is recommending that it be forwarded to the Chester County Planning Commission for their Act 247 review.

After the Chester County Planning Commission comments on the revised list, the Board of Supervisors will hold a public hearing to consider adopting the revised inventory and map. Although not required by the Municipalities Planning Code, the Township will post each affected property to ensure that all property owners are aware of the hearing.

Vice-Chairman Kirkner asked what steps should be taken if a property owner doesn't want to be included on the list. Per the Ordinance, any property owner can petition to have their property removed from the list. Inclusion on the list requires property owners, in part, to take an extra step if they wish to demolish a historic structure. They must go before the Historical Commission and show why the building can't be adaptively re-used.

Chairman Voltz asked if there were any comments. There were none. Vice-Chairman Kirkner made a motion to forward the revised Historic Resource List to the Chester County Planning Commission for their Act 247 review. Mr. Fischer seconded the motion, with all voting Aye.

### **Tax Collection Committee By-Laws – Comments from the Board of Supervisors**

Last week Mr. Piersol forwarded the Tax Collection Committee By-Laws to the Board of Supervisors for their consideration. He wanted to make sure they had no further comments before the By-Laws are considered for adoption by the Chester Tax Collection Committee. The estimated budget allocation for East Brandywine Township for 2010 is \$1,135.77, or .79% of the total collection. Mr. Piersol said he wanted to make sure the Supervisors were agreeable to the allocation. Mr. Fischer clarified that the allocation amount is used to pay the appointed agency to collect income tax and possibly other taxes; the amount of taxes to be levied is left solely to the discretion of the individual municipality. The Supervisors were satisfied with the terms of the By-Laws.

### **Lyndell Bridge**

Mr. Piersol reported that he, Chairman Voltz, Mr. VanLew, Stacey Fuller, Esq., and Patrick McKenna, Esq. met with Supervisors Kevin Kerr, Township Manager Cary Vargo, Roadmaster Michael Heckman and Township Engineer David Leh from Upper Uwchlan Township on November 2<sup>nd</sup> to discuss the upcoming meeting with PennDOT, scheduled for later today. Becky Corbin, Legislative Aide to State Representative Curt Schroder, also attended. The purpose of the meeting is to determine ownership of Lyndell Bridge. It is the position of East Brandywine Township and Upper Uwchlan Township that the bridge was never properly abandoned to the municipalities. The Board of Supervisors remains very concerned with ownership of the bridge. If there is a major flood or other disaster repair or replacement of the bridge could be cost-prohibitive. It was also noted that all other bridges over the East Branch of the Brandywine are owned either by PennDOT or the County of Chester. Mr. Piersol will report back to the Supervisors on the outcome of the meeting.

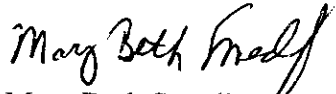
**Comments from the Audience**

Chairman Voltz asked if there were questions or comments from the audience. There were none.

**Adjournment**

There being no further business, Vice-Chairman Kirkner made a motion to adjourn the meeting. Mr. Fischer seconded the motion, with all voting Aye. The meeting was adjourned at 8:05 A.M.

Respectfully submitted,



Mary Beth Smedley  
Secretary/Treasurer

The Board of Supervisors met in Executive Session directly following this meeting to discuss Police personnel issues and dissolution of the Brandywine Regional Police.