

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
Wednesday, November 18, 2009**

Those in Attendance:

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

Absent:

Jay G. Fischer, Member
Matthew T. VanLew, Roadmaster

The East Brandywine Township Board of Supervisors meeting of Wednesday, November 18, 2009 was called to order by Chairman Voltz at 7:45 P.M. at the East Brandywine Township Municipal Complex. Also in attendance were ten visitors.

Opening of Meeting

Chairman Voltz opened the meeting with a Salute to the Flag.

Announcement

Chairman Voltz announced that the East Brandywine Township Board of Supervisors met in Executive Session with their legal counsel earlier today to discuss personnel issues.

Public Comment for Non-Agenda Items

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

Minutes: Board of Supervisors – October 21, 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 October 21, 2009 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

Minutes: Board of Supervisors – November 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 November 5, 2009 minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

Minutes: Planning Commission – November 4, 2009

Chairman Voltz asked if there were any additions or correction to the November 4, 2009 Planning Commission Minutes. There were none. Vice-Chairman Kirkner moved to approve the minutes as presented. Chairman Voltz seconded the motion, with both voting Aye.

Treasurer's Report

Mrs. Smedley read the account balances as of November 18, 2009. Vice-Chairman Kirkner made a motion to approve the Treasurer's Report and authorize payment of bills. Chairman Voltz seconded the motion, with both voting Aye. Chairman Voltz abstained from voting on check # 12916, so that check will be considered for approval at the December 2nd Board of Supervisors meeting.

Report: Township Manager's Report

Mr. Piersol reported that the East Reeceville Road Bridge re-opened to traffic on Friday, November 6th. PennDOT approved the work of Blooming Glen Contractors for the bridge project at a site meeting held that morning. This structure is a dramatic improvement from the single-lane, wooden structure bridge that existed there for many years.

The Municipal Authority has authorized additional costs for the update of the Township's Act 537 Plan, which is required by PA DEP to be reviewed and revised, typically every 10 years. The additional costs are due to a change in part of the project scope to include revisions from the Applecross Country Club project, the School District's Middle School project, and the potential changes associated with the Master Development Strategy for the Village of Guthriesville. The Municipal Authority did recommend approval of the revised work scope, and has requested the Board of Supervisors also approve the additional work scope and accompanying cost increase. PA DEP will need to approve this request to enable the Township to request reimbursement upon completion and adoption of the revised Act 537 Plan. The additional costs, and the grant reimbursement, are provided in the 2010 Preliminary Budget. Vice-Chairman Kirkner made a motion to approve the additional scope of work and cost increase for the Act 537 Plan. Chairman Voltz seconded the motion, with both voting Aye.

Representatives of East Brandywine and Upper Uwchlan Townships met with PennDOT representatives on November 4th to discuss the ownership of the Lyndell Bridge. The Department maintains it properly gave notice to both municipalities they were vacating the ownership of the structure, and therefore the responsibility for on-going maintenance, in 1971. PennDOT did acknowledge they were unable to locate copies of correspondence to East Brandywine Township. PennDOT did agree to assist with sponsorship of getting the renovations to the bridge on the regional Transportation Improvement Program, referred to as the "TIP" by discussing with the Delaware Valley Regional Planning Commission. Mr. Piersol has been in contact with Natasha Manbeck of the Chester County Planning Commission, who initially had reservations about the project jumping ahead of other bridge projects. She has spoken with PennDOT and DVRPC representatives, who agreed that, due to the small project cost, this project could be included in the current TIP, although it will take some time to complete the application for submission in accordance with PennDOT and DVRPC guidelines. The project is currently estimated to cost \$55,000.00. The municipalities would share the expenditure of the required funds, and apply for retro-reimbursement. There are no guarantees for reimbursement with this program, but the small project cost makes the process more likely. Mr. Piersol and Mr. VanLew will be contacting Sandra Martin of the firm of McCormick Taylor, who has past experience with this reimbursement program, for guidance on how to proceed. We will then meet with Upper Uwchlan Township to decide how to proceed.

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

Mr. Piersol read the Building Inspector/Zoning Officer's Report for October, 2009. In October there were twenty-four permits issued, five zoning permits, eleven use and occupancy permits issued, and sixty-three inspections conducted during the month. The total fees collected were \$20,282.80.

East Brandywine Township Police Chief's Report

Police Activity Report – October 2009

Incidents Reported	171
Criminal Arrests	2
Summary Arrests	6
Accidents Investigated	10
Traffic Citations Issued	219
Warnings Issued	34
Vacation House Checks	44

Chief Kocsi reported there was no officer training in October. He also provided two letters commending Corporal Mark Twaddell for his recent work on two cases.

Report: Fire Company's Activity Report for October 2009

Mr. Piersol read the Activity Report for the month of October 2009, as submitted by Fire Chief Michael Conlan. There were seventy total incidents. In East Brandywine Township there were thirteen fire calls and eighteen QRS calls. In West Brandywine Township there were five fire calls and twenty-one QRS calls. The Fire Company provided assistance in Wallace Township, Caln Township, West Nantmeal Township and South Coventry Township. Estimated fire damage for the month was \$2,500 for a vehicle fire in East Brandywine Township.

Hillendale

The Planning Commission is recommending that the Board of Supervisors accept an extension of the preliminary plan approval until December 31, 2010. Southdown Homes is still in the process of obtaining all necessary State permits for the project. Vice-Chairman Kirkner made a motion to accept this extension. Chairman Voltz seconded the motion, with all voting Aye.

Downingtown Area School District Zoning Hearing

The Downingtown Area School District has submitted a zoning application and is requesting special exceptions from Sections 399-27.B(1) and 399-33.B(1) of the zoning ordinance to build a school facility in the R-2 and R-3 Zoning Districts and a variance from Section 399-28.A to construct a building in excess of 35 feet in height.

The plan consists of a middle school, two parking lots, three multi-purpose sports fields, a football, and track and field area, a baseball field, a softball field, a maintenance shed and three stormwater management facilities. Mr. Lee Snodgrass and Joe Fraim from the School District, Greg Newell and Keith Marshall from Nave-Newell, Chris Williams from McMahon Transportation Engineers and Planners, George Cacan from Fanning-Howey and Guy Donatelli, Esq., the School District's Solicitor attended the meeting to discuss the application. The Zoning Hearing is scheduled for Monday, December 7, 2009 at 7:30 P.M.

Mr. Cacan provided diagrams of the proposed school showing elevations from different levels and from different angles. The lowest level is shown at an elevation of 546 ft, the view from the Township parking lot is at 548 ft, from Bollinger Road it is 550 ft., from Horseshoe Pike it is 596 ft. and the ridge elevation is shown at 60 ft. The highest point of the building is what will be the science wing. The roof line shows architectural details that will break up its length and flatness. Mr. Cacan said that air conditioning units on the roof will be concealed with decorative screens.

Heat will be provided to the building via a gas-fired central boiler plant using heat pumps that will be ducted into the classrooms.

The main entrance will face Bollinger Road, with the bus drop-off to the right of the entranceway. Mr. Snodgrass said that an analysis was done on the most efficient way for buses to be loaded and exit the school complex.

In order to take advantage of the natural topography, which has a significant grade, the school building is proposed to be three stories on one side and two stories on the other. The side facing the entrance (Bollinger Road) will be two stories in height. Mr. Snodgrass stated that this fits well with daylight orientation. He described it as similar to a home with a daylight basement. The roof line is the same for the entire building. The predominant side of the building of 24 ft. and the lower side is 58 ft. The mean average height is 40 ft. Without the peak shown on the plan, the roof is 44 ft. in height. The building will be 170,000 S.F.; three floors will minimize the footprint and create less impervious cover on the property. Mr. Snodgrass anticipates that the construction period will be twenty-two months. The building design is 90% complete. Mr. Piersol wants to make sure that that the Fire Company's aerial ladder will be able to reach all sections of the building.

Mr. Marshall pointed out several stormwater basins on the site; one near Bollinger Road, one near the stream in close proximity to the football field, and another, also along the stream bed. Mr. Marshall explained that the stormwater management plan proposes to capture some of the water that currently runs along Bollinger Road. The road will be widened to 28 ft. and a swale will be constructed along the roadway.

The plan shows 444 parking stalls. Mr. Snodgrass guessed that 250 of those spaces would be occupied during a regular school day. There will be approximately 105 staff members and 10 custodial staff, plus parents and other visitors. Parking will not be allowed along Bollinger Road. In fact, there will be a swale along the road that makes parking difficult. The School District recognizes that within the school roadways and parking areas and property there will some parking on grass and other areas during special events, but they have tried to minimize this. Although the School District wants an adequate number of parking spaces, they don't want to create spaces that are rarely used. Chief Kocsi asked how parking would be handled for large

events. Mr. Snodgrass said that the School District will have grounds and maintenance staff assist with parking and will allow cars to park in the back of the building or where buses load and unload students. Fire Police may be used for larger events. Chief Kocsi and Mr. Snodgrass will discuss this during land development.

The Protection Bureau will install security cameras in the school and parking lots. If there is an incident, the School District has a protocol in place so that a staff member will meet Police and or Fire personnel onsite in the event of an emergency situation.

Traffic Engineer Chris Williams prepared a traffic impact study that has been reviewed by the Township's traffic consultant. He said that he evaluated traffic conditions now and through 2017, when the school could be at maximum capacity. He said that he used numbers from the Downingtown Middle School and looked at traffic conditions during peak hours and in good and inclement weather. Mr. Williams discussed that in 2012, when the school is scheduled to open, a turning lane isn't warranted for either proposed access. In 2017, the southern-most access will warrant a turning lane. The turning lanes will be installed at the time the school is constructed. Chairman Voltz asked if any students would walk to school. Mr. Donatelli stated that the School District provides bus service to every student.

The Township's traffic consultant, Andy Heinrich has indicated that a traffic light must be installed and working prior to the school opening. Mr. Snodgrass said that meetings have taken place with Pulte and he has assured the Planning Commission that the light will be installed and working prior to the school opening.

The Township asked that the School District provide an easement for an emergency access road from the Township Municipal Complex to East Reeceville Road. Mr. Donatelli said that the School District was agreeable to that as long as it didn't count against the net lot area calculation.

Vice-Chairman Kirkner said that he would like to see Bollinger Road widened across from the four existing homes. The School District will be widening Bollinger Road from East Reeceville up to the four homes. They were asked to coordinate the additional widening with Pulte Homes.

After review of the application, Chairman Voltz and Vice-Chairman Kirkner were in support of the special exception and variance requests. A copy of these minutes will be forwarded to the Zoning Hearing Board so they are aware of the Board's wishes and concerns with regard to the application. Chairman Voltz will attend the Zoning Hearing on December 7th.

2010 Preliminary Budget

General Fund

Revenues - Due to the recovering economy projections, revenues in 2010 are projected to see a small increase. 2009 revenues have remained basically on target as projected. To cover the increase in the landfill costs and the contractor's anticipated collection fee for a new contract, our Budget Committee is initially recommending a \$20 increase in the trash & recycling fee to \$235.00. This fee remains comparable to most municipalities in our area, and will include paying for a new supply of recycling containers. A ¼ mill increase in the Township real estate millage rate is proposed to take the rate to 2.75 mills for 2010.

Building permit fees are expected to increase slightly with the start of Phase II of the Applecross development. The Township took a conservative approach to permit fees for 2009 due to the economy. The School District's current projected timeline for a construction start of the middle school is in late Fall, although we have not included any allocation for that project in our 2010 projections.

Revenues from all sources, including inter-fund transfers, are projected at \$4,425,906.00, with an anticipated year-end General Fund cash balance of approximately \$20,000.00.

Expenses - Public safety costs will decrease by nearly \$94,000.00 in 2010, most of this in the area of police protection. Public safety accounts for 36.9% of the Township's annual budget. Chief Kocsi has worked hard to identify areas where cuts could be made.

Engineering fees for land development project reviews will continue as a significant expense in 2010 with the Applecross project and the DASD Middle School land development plan review. Expenses for building inspections will increase due to anticipated increased activity in this area. These expenses are covered by the building permit fee income.

Replacement of the McCausland Hall roof is projected for 2010, deferred in 2009. Other maintenance for this portion of our facility will be deferred and considered for the 2011 budget.

The master plan for the Bondsville Mill Park project will be completed in 2010. The remaining cost for this project is \$30,000.00; a grant will underwrite up to \$30,700.00 of this project, of which \$15,350.00 will be realized upon completion and approval of the plan by DCNR.

To further reduce expenses in 2010, the reconstruction of Highspire Road be deferred until 2011. Reconstruction of Hopewell Road will be bid in 2010, with costs shared with the State Fund. The allocation from the General Fund for this project is \$60,000.00. Mr. VanLew worked on these revisions to his initial proposal for consideration. Total expenses are projected to be \$4,391,672.00. A capital reserve allocation is anticipated in the amount of \$54,234.00.

State Fund

Revenues - A slight decrease in the State Liquid Fuels allocation is expected again in 2010, similar to the 2009 decrease. Income is projected to be \$146,500.00. The year-end State Fund balance is anticipated to be approximately \$110,000.00, depending on the scheduled delivery of a new maintenance vehicle currently on order shared by the 2009 State and General Fund budgets.

Expenses - As indicated in the General Fund Report, one of the two road projects will be deferred until 2011. The State Fund will allocate \$135,000.00 of the anticipated \$195,000.00 cost for the Hopewell Road reconstruction project. Total State Fund expenses, including a capital reserve allocation of \$46,700.00, are anticipated to be \$257,700.00.

Vice-Chairman Kirkner and Mr. Piersol expressed their appreciation to Budget Committee members Carl Croft, Chief Kocsi, Mr. VanLew and Mrs. Smedley for their assistance with preparing the budget.

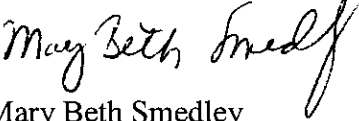
Additional Public Comment

Chairman Voltz asked if there were additional comments. There were no additional comments.

Adjournment

There being no further business, Vice-Chairman made a motion to adjourn the meeting. Chairman Voltz seconded the motion, with all voting Aye. The meeting was adjourned at 8:55 P.M.

Respectfully submitted,


Mary Beth Smedley
Secretary/Treasurer