

**East Brandywine Township Board of Supervisors  
Organization Meeting  
Monday, January 4, 2010  
7:30 P.M.**

**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 Board of Supervisors met for the purpose of reorganizing (and other matters it wished to discuss) on Monday, January 4, 2010 with all Supervisors present. Also in attendance were Township Manager Scott T. Piersol, Chief of Police Mark Kocsi, Matthew T. VanLew, Roadmaster, Township Secretary/Treasurer Mary Beth Smedley and Patti W. Piersol, Tax Collector

Chairman Voltz called the Meeting to order at 7:30 P.M. with a Salute to the Flag.

**Oath of Office**

District Justice Jeffrey Valocchi administered the Oath of Office to Mr. Voltz who will serve another six-year term on the Board of Supervisors and Mrs. Piersol who will serve another four-year term as the East Brandywine Township Tax Collector.

**Reorganization**

Mr. Fischer made a motion to nominate Mr. Voltz as Temporary Chairman of this meeting. This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Kirkner made a motion to re-appoint Scott T. Piersol as Township Manager for 2010. Mr. Fischer seconded this motion, with all voting Aye.

Mr. Fischer made a motion to re-appoint Scott T. Piersol as the Township's Emergency Management Coordinator. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to re-appoint Scott T. Piersol as Fire Marshal for East Brandywine Township. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to appoint Mark Kocsi as Chief of Police for the East Brandywine Township Police Department for 2010. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Fischer made a motion to re-appoint Mary Beth Smedley as Secretary/Treasurer for 2010. Mr. Kirkner seconded this, with all voting Aye.

Mr. Kirkner made a motion to re-appoint Matthew T. VanLew as Roadmaster for 2010. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Kirkner made a motion to re-appoint Yerkes Associates as Building Inspector/Zoning Officer. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to re-appoint Yerkes Associates as the Township Engineer for 2010. Mr. Kirkner seconded this, with all voting Aye.

Mr. Fischer made a motion to re-appoint Stacey Fuller, Esquire, of Gawthrop, Greenwood, as Township Solicitor for 2010, and Thomas Oeste, Esquire of Parke, Barnes, Spangler, Oeste and Wood, as Planning Commission and Zoning Hearing Board Solicitor for 2010. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Fischer made a motion to appoint John Carrigan as a member of the Township's Zoning Hearing Board, James Rosato as an alternate to the Zoning Hearing Board, and to re-appoint Anthony Damiano as Chairman of the Zoning Hearing Board, Kevin Connors as Vice-Chairman of the Zoning Hearing Board and Rebecca Corbin as Secretary to the Zoning Hearing Board. This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Kirkner made a motion to appoint Hudson Voltz, David Kirkner, Jay Fischer, Bruce Rawlings, Stephen Cushman, Michael Corbin, Sandra Moser, Charles Giordano, Ray Crossan, Carl Croft, Michael Wagoner, Scott Piersol, John Black, James Worrell, as members of the Ordinance Task Force. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to re-appoint Sandra Moser and Charles Giordano to the Planning Commission, and to re-appoint Bruce Rawlings as Chairman and Sandra Moser as Vice-Chairman to the Planning Commission. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Fischer made a motion to re-appoint James Buczala to a five-year term on the Historical Commission and to re-appoint John Black as Chairman of the Historic Commission. This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Kirkner made a motion to reappoint Jane Davidson and Robert Wise as consultants to the Township Historical Commission for 2010.

Mr. Kirkner made a motion to re-appoint James N. Worrell, Jr. as Chairman, Sandra Lammey as Vice-Chairman and Edward Cooney as Secretary to the Park and Recreation Board, and re-appoint David Summers as a member of the Park and Recreation Board. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to re-appoint Hudson Voltz, Samuel R. Matthews, and L. William Kay to the Agricultural Security Area Advisory Committee. This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Fischer made a motion to re-appoint Michael Corbin to a five-year term on the East Brandywine Municipal Authority. This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Kirkner made a motion to re-appoint Robert Long, Carolyn Long, Louise Walker, Carl Croft, Alan Yefko, Michael Melesky and Dennis McCool to the Open Space Committee and appoint Robert Long as Chairman, Carl Croft as Vice-Chairman and Louise Walker as Secretary of the Open Space Committee. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Voltz made a motion to appoint Jay G. Fischer as a representative to the Open Space Committee and Mr. Voltz as the alternate representative. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Fischer made a motion to appoint Karen Elrod, Shelly Francies, Kristopher Givens, Jill Givler, Mitchell Goldfarb, Evelyn Samuels, and Sally Riddle to the East Brandywine Township Youth Aid Panel for 2010. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to appoint Sgt. Gene Babetski as the Police Liaison to the Youth Aid Panel for 2010. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Kirkner made a motion to re-appoint David Sweet and Brandywine Conservancy as the Township's Zoning and Comprehensive Plan Revision Consultants. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Fischer made a motion to appoint Gerald Kirkpatrick as Chairman and Gerald Kirkpatrick, Bruce Rawlings, Stephen Cushman, Scott Piersol, Sandra Moser, Carolyn Long, Arne Jensen, Steffenie Kirkpatrick, Matthew VanLew, Walter Dawson, Carl Walker, Dale Erickson, Deke Inslee, Rick Chennisi and Daniel Fallon as members of the Bondsville Mill Committee. Mr. Voltz seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to appoint Mr. Voltz as the Supervisors' representative to the Bondsville Mill Committee. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to re-appoint John Neff, Eileen Amatrudo, Allan Cunningham, Tim Cunningham, Terry Jameson, Faye Conner, Jim Jameson, John Sciandra, Ruth Ann Sciandra, Joel Gramling, Clair Whiteman and James Mostyn as active members of the Township's Special Fire Police. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Fischer made a motion to appoint Mr. Voltz as a representative to the Downingtown Area Recreation Consortium. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to appoint Holmes and Simmons, P.C. as appointed Township Auditor for 2010. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Kirkner made a motion to set the Treasurer's Bond at \$800,000 subject to approval by the Board of Auditors. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Kirkner named DNB First and National Penn Bank as depositories for all Township Funds. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Kirkner made a motion to appoint Berkheimer Associates as the collector of the Earned Income Tax for 2010. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to appoint Berkheimer Associates as the collector of the Open Space Tax and to continue the tax at .125% for 2010. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to set the refuse and removal fees at \$235.00 for 2010. The refuse fee portion will be \$165.00 and the recycling portion will be \$70.00. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to continue the one percent (1%) Transfer Tax for 2010. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Fischer made a motion to appoint the Board of Supervisors as the Local Tax Appeals Board (Act 50). This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Voltz made a motion to appoint Mr. Kirkner as the voting representative and Mr. Piersol as the alternate representative to the Chester County Tax Collection Committee. Mr. Fischer seconded the motion with all Aye.

Mr. Kirkner made a motion to adopt Resolution 01 of 2010 "Resolution Fixing Millage Tax for 2010" a resolution for fixing Millage Tax at 2.75 Mills for 2010. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to adopt Resolution 02 of 2010 "Final 2010 Budgets for the General and State Liquid Fuels Funds". Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to adopt Resolution 03 of 2010 "Designation of Emergency Service Providers". Mr. Fischer seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to adopt Resolution 04 of 2010 "Actuarial Findings for the Non-Uniformed Pension Plan for the Year 2010". Mr. Fischer seconded the motion, with all voting Aye.

Mr. Fischer made a motion to certify the Board of Supervisors and Scott T. Piersol as delegates to the State Association's Annual Convention. This was seconded by Mr. Kirkner, with all voting Aye.

Mr. Fischer made a motion to appoint Scott T. Piersol as Voting Delegate and Mr. Voltz as Alternate Delegate to the State Association's Annual Convention. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Kirkner made a motion to re-appoint Mary E. Hinebaugh as East Brandywine Township's representative to the Downingtown Library. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Kirkner made a motion to appoint David Summers to the Vacancy Board to the Vacancy Board for 2010. Mr. Fischer seconded the motion, with all voting Aye.

Mr. Voltz nominated David A. Kirkner for Chairman of the Board of Supervisors for 2010. This was seconded by Mr. Fischer, with all voting Aye.

Mr. Voltz nominated Jay G. Fischer for Vice-Chairman of the Board of Supervisors for 2010. Mr. Kirkner seconded the motion, with all voting Aye.

Mr. Voltz made a motion to appoint a David A. Kirkner as Police Commissioner to the Brandywine Regional Police and Supervisor Liaison to the East Brandywine Township Police Department for 2010. Mr. Fischer seconded the motion, with all voting Aye.

**Round 22 Grant Contracts – Fee-simple and easement acquisition for the Brown Property**

Mr. Piersol said that Kim Merritt from the Chester County Open Space Preservation Department asked that the Board sign three additional contracts, due to the separate fee-simple and easement grant applications for the Brown property. Mr. Fischer made a

motion to approve signing additional copies of the Round 22 grant applications. Mr. Voltz seconded the motion, with all voting Aye.

**Bondsville Mill Committee – Parking issues for homes across from the Mill Property**

At the last Bondsville Mill Committee meeting the group discussed issues with the parking lot proposed along Bondsville Road. Residents living in the row houses across from the property have historically parked on the Mill property. One Committee member thought it would be difficult for the Township to deny parking for these people when they have used the area for many years. Mr. Piersol wrote a letter to the property owners in 2005, which indicated that owners or tenants could continue parking there. Township Solicitor Stacey Fuller's opinion is that since the Township acquired the property through the condemnation process, this wipes out potential claims by the property owners or tenants. Bondsville Mill Chairman Gerry Kirkpatrick would like to know the Board's position on this matter.

The Supervisors discussed whether there were other areas where the residents might park. Mr. Piersol said that there may be some areas adjacent to 1640 Bondsville Road that might allow three or four cars; there is no space to park in back of the row houses. Until the park is developed, there isn't really a problem with parking except for potential liability issues.

Mr. VanLew said that during the daytime there were three or four cars in the lot and there may be a dozen cars in the evening. The proposed parking lot would have 28 stalls, so there probably wouldn't be room for residents using the park plus an additional twelve cars.

Although completion of the park is several years away, the Board suggested that Mr. Piersol send a letter to the owners and tenants of the row houses to let them know that they can continue parking on the Mill property at their own risk, but once the park improvements are complete they will likely lose access to the parking.

Chief Kocsi will have officers monitor the parking situation to get an accurate count of how many vehicles are using the parking lot on a daily basis.


**COMMENTS FROM THE AUDIENCE**

Mr. Kirkner asked if there were comments from the audience. There were none.

**Adjournment**

There being no further business Mr. Fischer made a motion to adjourn at 8:10 P.M. Mr. Voltz seconded the motion, with all voting Aye.

Respectfully submitted,

  
Mary Beth Smedley  
Secretary/Treasurer  
East Brandywine Township