

EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
Wednesday, March 17, 2010

Those in Attendance:

David A. Kirkner, Chairman
Jay G. Fischer, Vice-Chairman
Hudson L. Voltz, Member
Scott T. Piersol, Township Manager
Lt. Ronald Marshman
Matthew T. VanLew, Roadmaster
Mary Beth Smedley, Secretary/Treasurer

The East Brandywine Township Board of Supervisors meeting of Wednesday, March 17, 2010 was called to order by Chairman Kirkner at 7:30 P.M. at the East Brandywine Township Municipal Complex. Also in attendance from the East Brandywine Township Police Department were Sgt. Gene Babetski and Corporal Mark Twaddell, Walter Dawson from East Brandywine Township, and five other visitors.

Opening of Meeting

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

Township Commendations – Meghan S. Campbell and Caitlin E. Oeste

The Girls Scouts of Eastern Pennsylvania recently informed the Township that two members of our community have completed requirements for the Girl Scout Gold Award, the highest honor in Girl Scouting.

The Gold Award requires a special commitment from these girls. Many hours have gone into meeting the requirements, including the completion of interest projects, leadership projects, career exploration and a personal challenge. Each Girl Scout has planned and carried out a Girl Scout Gold Award Leadership Project using her combined talents and strengths. This project demonstrates her commitment to serving her community.

Nationally, fewer than six percent of all Girl Scouts attain this award, so this is certainly a commendable achievement.

Meghan Campbell has received the Alpha Kappa Alpha scholarship, the Florence A. Moore Scholarship, the Varsity Volleyball Highest GPA Award and was speaker of the class at her 2009 graduation. She was also on Student Council, the yearbook newspaper, lacrosse, volleyball, soccer, choir, track, Spanish Club, National Honor Society, and the Girls Athletic Association.

Caitlin Oeste participated in the Frederick Douglas Scholars Program and was awarded the Who's Who Among American High School Student award. She was on Student Council, the National Honor Society and was in the band, French Club and was a student at Chester Valley Dance Academy for 12 years. She is currently a student at West Chester University and a member of the Brandywine Ballet Theater in West Chester.

The Board of Supervisors commends and offers their congratulations to these young ladies for their accomplishments.

Public Comment for Non-Agenda Items

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

Minutes: Board of Supervisors – February 17, 2010

Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Vice-Chairman Fischer made a motion to approve the February 17, 2010 minutes as presented. Mr. Voltz seconded the motion, with all voting Aye.

Minutes: Board of Supervisors – March 4, 2010

Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Mr. Voltz made a motion to approve the March 4, 2010 minutes as presented. Vice-Chairman Fischer seconded the motion, with all voting Aye.

Minutes: Planning Commission – March 3, 2010

Approval of the minutes was deferred until the April 1, 2010 Board of Supervisors meeting.

Treasurer's Report

Mrs. Smedley read the account balances as of March 17, 2010. Vice-Chairman Fischer made a motion to approve the Treasurer's Report and authorize payment of bills. Mr. Voltz seconded the motion, with all voting Aye.

Report: Township Manager's Report

The Township hosted a Lyme Disease seminar entitled "Under My Skin" on Thursday, March 11th. The seminar was presented by the Lyme Disease Association of Southeastern Pennsylvania. The seminar was well attended by approximately 110 persons. This seminar presented information on prevention of Lyme disease and other tick-borne infections in anticipation of the spring tick season. The northeastern part of the United States is particularly prone to this issue. Mr. Piersol said that he would like to especially thank Planning Commission member Sandy Moser and Don Hannum from West Caln Township for making this very informative seminar available to our residents. This is a very important health issue particularly in the Northeast portion of the United States. Many health insurance agencies fail to acknowledge the long-term impacts of tick bites that this organization, through these types of seminars, and their web site, are trying to publicize.

We have received many calls about the delay in mailing our Township Real Estate, Refuse/Recycling & Hydrant Tax bills. The delay of approximately 5 weeks from the February, 2009 mailing date was due primarily to the transition from the previous software package provided to us by Berkheimer Associates, and Windows-based software Berkheimer Associates is currently providing. This transition took place early in January. Tax Collector Patti Piersol discovered numerous errors in the property owner information, including issues where certain fees were not collected for several years. Due to the layout of the former program, catching these errors previously has been very difficult. The 2010 bills were mailed on March 10th, and residents began receiving them on March 16th. This delay should not occur in 2011. The software offers a streamlined interface, and will allow Mrs. Piersol to accomplish many tasks such as printing receipts or duplicate bills, and making changes to assessment values, without the intervention of Berkheimer Associates personnel, which delayed processing these requests.

We were notified by West Brandywine Township that the PA DEP grant for the horizontal grinder has finally been approved. This grant was a joint application for West Brandywine, West Bradford, Caln and East Brandywine Townships. The amount of the grant is \$171,810.00, and was originally expected to be awarded in July of 2009. Roadmaster VanLew and Mr. Piersol met yesterday with representatives of the other three townships to discuss the grant, and the fact that the original equipment bidder is no longer a recognized contractor under the State's Department of General Services bidding program, as their registration lapsed without notice. As no other contractors currently on the DGS contracts for this type of equipment sells a comparably-sized unit, we decided to solicit bids for a unit which meets the required specifications, in particular a unit which can be towed from one location to another. West Brandywine Township will submit the bid specifications for the two required bid advertisements, and each municipality will attend the bid opening. This bid opening should occur later this spring. Each municipality will share in the 10% match required, which we anticipate will be approximately \$4,700.00. This horizontal grinder will allow the municipalities to create marketable mulch from the wood chips and leaves we are collecting at curbside.

Our Bondsville Mill project continues. Recently, Eagle Scout candidate Zach Rhines undertook a project which included clearing brush and excavating the area of the former guard station near the western site entrance. Mr. Piersol said he would like to express our appreciation to Zach Rhimes for his work on this project. For his revised work scope for his Eagle project, Zach created a building plan for use during future interviews of former Mill employees.

Lyndell Bridge update – representatives of Upper Uwchlan and East Brandywine Township met with PennDOT representatives and Engineer Sandy Martin from McCormick Taylor to discuss the possibility of using the Department's retroactive reimbursement program they had originally suggested at our November 4, 2009 meeting. Mrs. Martin provided a summary of the meeting highlights recently, which Mr. Piersol provided for the Board's information. It is certain that, if we decide to proceed with the project as a Bridge Preservation Project under the Department's guidelines, the municipalities would have to fund the entire project up front and hope to receive reimbursement after completion of the project. We are still trying to determine the extent of additional cost involved with following the Department's guidelines for this undertaking, versus the two municipalities simply allocating the work in their respective

budgets. This morning, Mr. Piersol met with Supervisor Kevin Kerr and Manager Cary Vargo from Upper Uwchlan Township at the County Commissioner’s breakfast meeting, and they agreed to meet in the near future to determine how best to proceed. There are a couple of small areas on the bridge deck which need repair, which should occur now that spring weather is upon us.

From the Township Supervisors and Staff Mr. Piersol wished everyone a happy St. Patrick’s Day.

Report: Building Inspector/Zoning Officer – Report for February 2010

Mr. Piersol read the Building Inspector/Zoning Officer’s Report for February 2010. In February there were two permits issued, three zoning permits, two use and occupancy permits issued, and thirty-seven inspections conducted during the month. The total fees collected were \$1,131.00.

Minutes: Park and Recreation Board

This year’s “Family Day in the Park” will be held Saturday, May 22, 2010 from 1 P.M. to 5:30 P.M. The Board is scheduling activities that will include the antique car show, tethered balloon rides, additional crafters and a band.

The Annual Golf Outing is scheduled for Tuesday, October 5, 2010 at the Applecross Golf Club, starting at 11:30 A.M.

Report: DARC

Mr. Voltz said that the Downingtown Area Recreation Consortium Board will be meeting tomorrow evening.

East Brandywine Township Police Chief’s Report

Lt. Marshman read the Police Chief’s Report for February.

Police Activity Report – February 2010

Incidents Reported	118
Criminal Arrests	4
Summary Arrests	9
Accidents Investigated	8
Traffic Citations Issued	152
Warnings Issued	20
Vacation House Checks	36

Sgt. Babetski issued a recognition report to Corporal Mark Twaddell and Officer John Williams in February. On February 20th Corporal Twaddell and Officers Williams responded to a report of juveniles taking beer from an unsecured garage. Their investigative actions led to another

location and the apprehension of several juveniles. They are to be commended for their actions and investigative initiative. Good job!

Resignation of Lt. Ronald Marshman

Chairman Kirkner said that Lt. Marshman has submitted his letter of resignation after over 28 years of service to the Police Department. The Board thanked Lt. Marshman for his service and commitment to East Brandywine Township. Chairman Kirkner made a motion to accept Lt. Marshman's letter of resignation, with regret. Vice-Chairman Fischer seconded the motion, with all voting Aye

Promotion of Detective Sgt. Gene Babetski

Chief Kocsi made the following recommendation to the Board of Supervisors. Sgt. Babetski was hired by the East Brandywine Township Police Department in January of 1993. He served as a patrol officer until November of 1999, at which time he was promoted to Patrolman First Class. In August of 2000, Sgt. Babetski was appointed as the Department's Detective. In December of 2002 he was promoted to the rank of Corporal, and in April of 2006 he was promoted to the rank of Sergeant.

During his career, Sgt. Babetski has attended numerous training schools at the local, state and federal levels, giving him the education and knowledge needed to carry out the responsibilities of Lieutenant. He has received many training certificates and diplomas in the areas of police agency leadership, management, criminal investigations, crisis and emergency management, hostage negotiations, evidence and property management.

Sgt. Babetski maintains certifications as an evidence technician, wiretap technician, Youth Aid Panel Director, electronic evidence collection specialist, crisis intervention specialist, hostage negotiator and drug task force coordinator. Sgt. Babetski is sought out by other officers and agencies for his expertise in these areas and often assists them with their investigations. Gene has received many letters of thanks, accolades and commendations for his performance over the years.

Chief Kocsi recommended that Sgt. Babetski attend the FBI National Academy in 2004. This is the most prestigious law enforcement school available to local law enforcement personnel and being selected is not only a difficult process, but a great honor. Based on his credentials and merit, Sgt. Babetski was selected, attended and graduated from the 230th session of the FBINA in September of 2007. He is presently completing college courses in order to obtain his Bachelor's Degree in Criminal Justice.

Chief Kocsi is recommending that the Board of Supervisors promote and appoint Sgt. Babetski as Police Lieutenant, effective April 1, 2010.

Mr. Voltz made a motion to promote Sgt. Babetski as Police Lieutenant on April 1, 2010. Mr. Kirkner seconded the motion, with all voting Aye.

Chairman Kirkner made a motion to approve Sgt. Babetski's contract as Police Lieutenant. Vice-Chairman Fischer seconded the motion, with all voting Aye.

Report: Fire Company's Activity Report for February 2010

Mr. Piersol read the Activity Report for the month of February 2010, as submitted by Fire Chief Joseph Edwards. There were fifty-four total incidents. In East Brandywine Township there were nine fire calls and eleven QRS calls. In West Brandywine Township there were twelve fire calls and thirteen QRS calls. The Fire Company provided assistance in Wallace Township, Coatesville, Downingtown and East Bradford Township. Estimated fire damage was \$3,500.00.

Act 537 Plan

The Municipal Authority is recommending the Board of Supervisors advertise the Act 537 Special Study and approve the public notification. Mr. Piersol said that this is the first step in the formal process before the Special Study can be submitted to the Pennsylvania Department of Environmental Protection for their review and approval. The plan has previously been submitted to the Chester County Health Department, the Chester County Planning Commission, the East Brandywine Township Planning Commission and Aqua Pennsylvania for their comments. Aqua Pennsylvania has expressed some concern about diverting sewage flow from the Little Washington Wastewater Treatment Plant to the Applecross Wastewater Treatment Plant. Mr. Piersol expects there will be ongoing discussions with Aqua Pennsylvania about this. Vice-Chairman Fischer made a motion to advertise the Act 537 Special Study and approve the public notice. Mr. Voltz seconded the motion, with all voting Aye.

Bond Issue

Several weeks ago Mr. Piersol contacted Michael Wolf from Boenning & Scattergood, Inc. to discuss restructuring the bond debt. Mr. Wolf attended this evening's meeting to discuss this and how it might save the Township money. Mr. Wolf said that the Township could restructure the 2003 Bond, but not the 2005 bond. Interest rates for municipal borrowers remain attractive. Since hitting the 42-year low in October, rates have only increased about 0.40%.

Depending on the rating given by Standard & Poor's the Township could save over \$200,000.00. Mr. Wolf said that usually clients are interested if savings are greater than 3%. The Township could take the savings over the life of the bonds, which would be between \$15,000 and \$20,000 per year, or it can be taken up-front in 2010. It can be used for any purpose.

Mr. Piersol was also asked about additional Open Space money. There are still unexpended open space funds, so this may not be something the Township wishes to pursue at this time.

Mr. Voltz asked if the savings described by Mr. Wolf have all the costs deducted. Mr. Wolf said that the net savings would be approximately \$198,000.00.

The next step is to prepare a package that will go to Standard and Poor's so they can provide an up-to-date rating for the Township. Mr. Piersol provided Mr. Wolf with copies of the Township audits for the past several years to help prepare the paperwork.

Mr. Wolf asked if the paperwork should be prepared for a one-time savings, or over the life of the bond. Vice-Chairman Fischer said that his inclination was to have it over the life of the bond. Mr. Wolf will prepare the paperwork that way, but it can be changed. He also asked what would be the minimum threshold savings. He was told that it would be \$150,000 net. Mr. Wolf will arrange for Mr. Piersol to have a telephone interview, as is required, to restructure the bond.

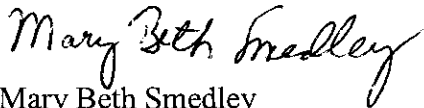
Additional Public Comment

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

Adjournment

There being no further business, Chairman Kirkner made a motion to adjourn the meeting. Vice-Chairman Fischer seconded the motion, with all voting Aye. The meeting was adjourned at 8:25 P.M.

Respectfully submitted,



Mary Beth Smedley
Secretary/Treasurer