

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
Wednesday, April 21, 2010**

Those in Attendance:

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

The East Brandywine Township Board of Supervisors meeting of Wednesday, April 21, 2010 was called to order by Chairman Kirkner at 7:30 P.M. at the East Brandywine Township Municipal Complex. There were two visitors present.

Opening of Meeting

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

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 – March 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 March 17, 2010 minutes as presented. Mr. Voltz seconded the motion, with all voting Aye.

Minutes: Board of Supervisors – April 1, 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 April 1, 2010 minutes as presented. Chairman Kirkner seconded the motion, with both voting Aye. Mr. Voltz abstained from voting since he wasn't present at the meeting.

Minutes: Planning Commission – March 3, 2010

Chairman Kirkner asked if there were any additions or correction to the minutes. There were none. Mr. Voltz made a motion to approve the minutes as presented. Vice-Chairman Fischer seconded the motion, with all voting aye

Minutes: Planning Commission – April 7, 2010

Approval of the minutes was deferred until the May 6, 2010 Board of Supervisors meeting.

Treasurer's Report

Mrs. Smedley read the account balances as of April 21, 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 Bondsville Mill Committee is currently reviewing an initial final draft report from Rettew Associates on the creation of a Master Site Plan for Bondsville Mill Park. This Plan is partially funded by a matching grant from DCNR. A draft of this report is being provided to the Supervisors this evening for their review and comment. This report is the result of a series of planning meetings held by the Mill Committee, including a public presentation of the draft plan earlier this year to the residents near the Park property, and other interested persons. There is still work to be completed on this plan, such as inclusion of the key person interviews of former Mill employees, and other details. The Mill Committee expects to have the final document to the Supervisors this summer.

Mr. Piersol received word earlier this week that President Obama did approve Presidential Declaration FEMA 1898-DR, which included Chester County, for assistance with the snow events of February 5th through February 11th. There will be an applicant's briefing scheduled at some date in the near future, to be scheduled by the County and PEMA, which we will need to attend. The declaration allows for up to 75% reimbursement for the costs of the work done during the period, which in East Brandywine Township's case is February 5th through February 7th. Roadmaster Matthew VanLew prepared the majority of the information needed to justify our submission under the federal regulations. We were uncertain until Tuesday evening that Chester County would qualify for disaster funding due to the quirk in the regulations. We expect to see a reimbursement of approximately \$11,100.00 once the reimbursement request passes through the various state and federal approval processes. As late as last week, Mr. Piersol was advised not to expect word of approval or declination for 4 or 5 weeks, so this quick approval came as a surprise.

The Supervisors will consider Resolution 05 of 2010 later this evening, in support of a Multi-Jurisdictional Hazard Mitigation Plan created by the County's Emergency Management Planning Group. This plan was first discussed in the summer of 2003, and has finally reached the stage where the County is requesting each municipality adopt a resolution in support of the County's Hazard Mitigation Plan. This Plan identifies 5 natural events which could impact Chester County. Those hazards are extreme heat and drought, earthquakes, floods, severe thunderstorms and windstorms, and winter storms. The first step is seeking FEMA's final approval of this plan, which includes suggestions for possible avenues for mitigation of some of these hazardous conditions, where grant funds might be available. Adoption of this plan by Chester County and its municipalities makes each municipality eligible for grant mitigation funds such as the funds referenced in the disaster declaration referenced above.

Mr. VanLew and Mr. Piersol attended the 88th Annual Pennsylvania State Association of Township Supervisors' Convention from Sunday until today. There were many educational opportunities we took advantage of during the course of this event, as well as the networking with other municipal officials. Mr. Piersol attended a session on multi-municipal trash and recycling programs presented by the Centre County Region. The Region's enabling ordinance includes a provision whereby the service can be suspended for non-payment by a user, which Mr. Piersol was previously told could not be done. Supervisor Catherine Tomlinson of Upper Uwchlan Township also attended this session and was interested in determining if other municipalities in our immediate area would be interested in a joint venture. The Region provided statistics showing how this joint program was able to significantly reduce their per-household cost over the period. We will also be discussing this potential with others in the near future. One concern is when each municipality's current contract expires, which we will need to consider.

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

Mr. Piersol read the Building Inspector/Zoning Officer's Report for March 2010. In March there were thirteen permits issued, no zoning permits, eleven use and occupancy permits issued, and one hundred and fourteen inspections conducted during the month. The total fees collected were \$21,220. Mr. Piersol mentioned that the Township collected \$1,160.00 for failed inspections, most from Pulte Homes. Mr. Piersol and Mr. Cantlin have discussed this issue and have also spoken to Pulte representatives trying to determine how to resolve it. Vice-Chairman Fischer suggested that the Township could consider imposing escalating penalties for numerous failed inspections or not rescheduling inspections for a specified length of time, perhaps three or four days. Mr. Piersol has asked Mrs. King, Mr. Cantlin and Mr. Newhams to review the permit fee schedule, as well as penalty fees. Any change in the fees is done by adopting a new Resolution.

Minutes: Park and Recreation Board

This year's "Family Day in the Park" will be held Saturday, May 22, 2010 from 12 Noon to 5:00 P.M. The Board is scheduling activities that will include 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.

Park and Recreation Board – Recommendation regarding sports field usage

Mr. Paul Heinmiller, President of East Brandywine Youth Association attended the meeting to discuss the Park and Recreation Committee's April 7th memo with the following recommendation to the Board of Supervisors:

1. Requests for field usage should be given to the Township who will in turn provide those requests to one designated EBYA official.
2. The designated official will provide field availability within 5 business days whenever practical.

3. Costs for field usage should be determined by East Brandywine Township. It is recommended that the current fee schedule be reviewed and increased, as appropriate.
4. All funds should be deposited into the East Brandywine Township General Fund Park and Recreation account.
5. The Township might consider providing some of those funds to EBYA, with a written request and cost estimates, when appropriate.
6. The baseball proposal put forth earlier this year should be denied.
7. No requests should be considered without a completed application form provided to the Township.
8. EBYA indicated that field availability continues to be limited and that additional usage will be on a limited basis.

Mr. Heinmiller was not able to attend the Park and Recreation Meeting on April 5th where this recommendation was discussed and asked the Supervisors to postpone action until the recommendation can be revisited at the May Park and Recreation Meeting. Mr. Heinmiller said that most of the recommended items are already in place, but he wanted to discuss #6, which references the Affiliated Teams Proposal put forth by EBYA earlier this year.

There are a number of teams that want to affiliate with EBYA, primarily because they want field space and would use EBYA equipment. In return they would pay EBYA for their field usage. Mr. Heinmiller estimates that EBYA spends \$20,000 a year to maintain the fields. Vice-Chairman Voltz has agreed to write a "hold harmless" agreement that would be signed by each prospective team.

Mr. Bob Karpovich is in the process of developing a Google calendar, which can be accessed by EBYA and Township staff.

Mr. Piersol said that he was approached earlier this year regarding EBYA affiliating with several outside organizations. At that time it seemed like it was an internal mechanism, but now it seems to have grown larger than what was originally explained to him.

The Supervisors agreed to postpone making a decision about field usage until further discussions take place at the May 3rd Park and Recreation meeting.

Mrs. Smedley said that currently outside organizations are charged \$30 for field usage. She and Mr. VanLew have discussed this and will be making a recommendation to increase the rates for field usage. Until they have an opportunity to review this in detail they are recommending that the rates increase to \$50 per use. Mr. Voltz then made a motion to increase the field usage rate to \$50 per use with a maximum two hour period. Vice-Chairman Fischer seconded the motion, with all voting Aye.

Mr. Heinmiller said that EBYA's Open Day festivities were a big success this year. Over 400 children took part in the day's activities. He thanked the Supervisors for their continued support.

East Brandywine Township Police Chief's Report

Chairman Kirkner read the Police Chief's Report for March

Police Activity Report – March 2010

Incidents Reported	133
Criminal Arrests	5
Summary Arrests	3
Accidents Investigated	15
Traffic Citations Issued	189
Warnings Issued	27
Vacation House Checks	36

The new Ford Explorer has been delivered to the Police Department and is in the process of being outfitted. Chief Kocsi expects the vehicle to be in service by the end of April.

The new ballistic vests purchased under the JAG grant have been delivered. Some minor fit adjustments need to be made for some of the officers, but the project will be completed by the end of April. All the officers have new ballistic vests.

Report: Fire Company's Activity Report for March 2010

Mr. Piersol read the Activity Report for the month of March 2010, as submitted by Fire Chief Joseph Edwards. There were forty-eight total incidents. In East Brandywine Township there were six fire calls and fourteen QRS calls. In West Brandywine Township there were four fire calls and twenty-two QRS calls. The Fire Company provided assistance in Wallace Township, Coatesville and Honeybrook Borough. There was no estimated fire damage for the month.

Resolution 05 of 2010 – Multi-Jurisdictional Hazard Mitigation Plan

The Chester County Department of Emergency Management has requested the municipalities in Chester County consider adoption of a municipal resolution adopting the County's Multi-Jurisdictional Hazard Mitigation Plan. If East Brandywine Township or other Chester County municipalities want to be eligible for federal disaster funding in the future, approval of the resolution, along with the submission of a worksheet documenting potential hazards to be mitigated is necessary. Mr. Piersol cited repairs to the bridge at the Lyndell Store as an example of a funding opportunity. Mr. Voltz made a motion to adopt Resolution 05 of 2010. Vice-Chairman Fischer seconded the motion, with all voting Aye.

Resolution 06 of 2010 – Resolution for Plan Revision for New Land Development – Pulte Homes of Pa.

Mr. Piersol said that PADEP has requested this Resolution to update the original planning module permit because of recent changes made to the Pulte Plan. This revision has been reviewed, and is supported, by the Chester County Health Department, Chester County Planning Commission and the East Brandywine Township Planning Commission. Mr. Voltz made a motion to adopt Resolution 06 of 2010. Vice-Chairman Fischer seconded the motion, with all voting Aye.

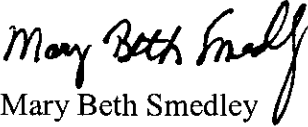
Additional Public Comment

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 8:20 P.M.

Respectfully submitted,


Mary Beth Smedley
Secretary/Treasurer