

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS  
REGULAR SESSION**

**Wednesday, December 15, 2004**

**Those in Attendance:**

David A. Kirkner, Chairman  
Jay G. Fischer, Vice-Chairman  
Hudson L. Voltz, Supervisor  
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 Wednesday, December 15, 2004 was called to order by Chairman Kirkner at 7:30 P.M. in McCausland Hall.

**Opening of Meeting**

Chairman Kirkner opened 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 none.

**Executive Session**

Chairman Kirkner stated that the Board of Supervisors met in Executive Session on Wednesday, December 15, 2004 at 7:00 P.M. with members of the Open Space Committee to discuss the possible acquisition of a property in East Brandywine Township.

**Brandywine Conservancy Conservation Plan Proposal**

Vice-Chairman Fischer made a motion to approve the Brandywine Conservancy Conservation Plan proposal dated December 15, 2004. Mr. Voltz seconded the motion, with all voting Aye.

**Minutes/Reports**

**Minutes: Board of Supervisors – November 17, 2004**

Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Chairman Fischer made a motion to approve the November 17, 2004 minutes, as presented. Vice-Chairman Fischer seconded the motion, with all voting Aye.

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**Minutes: Board of Supervisors – Work Session – December 2, 2004**

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 minutes of the December 2, 2004 meeting, as presented. Mr. Voltz seconded the motion, with all voting Aye.

**Minutes: Planning Commission Minutes – December 1, 2004**

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 minutes of the December 1, 2004 meeting, as presented. Mr. Voltz seconded the motion, with all voting Aye.

**Minutes: Municipal Authority Minutes – December 14, 2004**

Approval of the December 14, 2004 Municipal Authority Meeting minutes was deferred until the January 19, 2005 Board of Supervisors meeting.

**Minutes: Pension Committee Minutes – December 2, 2004**

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 minutes of the December 2, 2004 meeting, as presented. Chairman Kirkner seconded the motion, with all voting Aye.

**Treasurer's Report**

Vice-Chairman Fischer made a motion to approve the Treasurer's Report for the period ending December 15, 2004, and authorize payment of the bills. Mr. Voltz seconded the motion, but abstained from voting on check #8528. Chairman Kirkner seconded the motion for check #8528. All Supervisors voted Aye.

**Report: Township Manager – Report for November/December 2004**

The auction of the Moore house at 1220 Horseshoe Pike occurred on Tuesday afternoon, November 23<sup>rd</sup>. We had a full house in McCausland Hall that afternoon for the bidding. The bidding began slowly, but quickly involved several individuals who were interested in the property, due to its location and character. Since it is located in our Village Commercial District, several possibilities for uses exist. Mr. Piersol was pleased to announce the successful bidders were Ann and Ted Trethewey, who reside in the Township on Jefferis Road. Mr. Trethewey plans to create an office for his business in the home, and eventually have a carpentry shop in an accessory structure on the property. The Tretheweys plan to do some restoration work to the home, and keep its historic character intact, which pleases the Township. Their bid for the house, two outbuildings at 1+ acre was \$261,000.00.

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Thursday morning, December 16<sup>th</sup>, the Township will finalize the acquisition of two open space parcels along Rock Raymond and Dowlin Forge Roads from the Tischler family. These are the first acquisitions from our Open Space Program. The Township will acquire a fee simple interest in a 2-acre parcel from Philip and Krisztina Tischler; the final cost is \$148,835.30 including settlement fees. Later this evening, the Supervisors will consider adoption of Resolution 04-22 which authorizes this acquisition. The Township plans to create a parking area for access to the cross-Township walking trail we hope to construct, which would provide access to the Struble Trail approximately ½ mile north.

The second acquisition is the purchase of a conservation easement and trail easement across the 39-acre property of Philip and Nancy Tischler. The Township is purchasing the development rights to the property. The Tischlers may sell the property to an individual or an organization subject to the easements, which permanently preserves the natural, historical and open space characteristics of this property. A 30-foot easement for construction of a walking trail is also granted within a 100-foot area from the roadways. The final purchase cost is \$847,045.00. The Natural Lands Trust will administer the easements across this property; the County and East Brandywine Township are Co-Grantees.

The Chester County Commissioners announced that East Brandywine Township was successful with its grant applications submitted to the County's Landscapes 21<sup>st</sup> Century Fund Grant Program. The grants approved were:

1. \$88,200 to acquire 2 acres from Philip and Krisztina Tischler;
2. \$90,000 to acquire approximately 7 acres of land adjacent to Phase II of the existing Community Park, to be used for future Park expansion, including a trail connection into the Hopewell subdivision;
3. \$237,000 to develop Phase III of the Community Park, north and west of Phase I;
4. \$440,000 to the Natural Lands Trust, for purchase of a 39-acre conservation easement from Philip and Nancy Tischler.

PECO Energy has announced they will fund planning grants for open space acquisitions. The Township will consider an application for funding the planning for our Phase III of our Community Park. The grant maximum is \$10,000.00.

The Supervisors have accepted a proposal from Berkheimer Associates to bill and collect our real estate and fire hydrant taxes, and the refuse fees for 2005. We have agreed to a one-year service contract. One significant change in the program is that only one bill will be generated, rather than two bills as we had previously done, which creates a significant savings in stationery and postage costs. Berkheimer will also post the payments to the separate accounts; because of the size of their operation, they are able to electronically process the payments, creating a significant time savings. Our tax collector will still administer the collection programs, particularly the follow-up on delinquent accounts, and answering questions pertaining to the program. This information will be a principal topic in our winter newsletter, which should be completed and mailed in mid-January.

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Later this evening, the Supervisors will consider Resolution 04-21, which outlines the methods and agencies chosen to provide emergency services in East Brandywine Township. This resolution is normally done during the Township Reorganization meeting in early January. The Minquas Fire Company of Downingtown (Station 46) has decided to add Advanced Life Support (ALS) service in areas where they provide Basic Life Support ambulance transport service. Presently, ALS service is provided by Medic 93 of Brandywine Hospital. The Supervisors have agreed to assign a territory to Medic 46 based on road access and proximity. With the Supervisor's approval, this re-districting will occur effective January 1, 2005.

**Report: Building Inspector/Zoning Officer – Report for November 2004**

Mr. Piersol read the Building Inspector/Zoning Officer's Report for November 2004. There were 13 building permits issued, 11 use and occupancy permits issued, and 63 inspections conducted during the month.

**Report: Building Committee**

Mr. VanLew reviewed the proposals for design of the Municipal Complex (not including site design). Mr. Piersol and Mr. VanLew met with Patrick Szustak, a local architect who has designed several schools for the Archdiocese of Philadelphia; Bernardon Haber Halloway Architects who have designed the East Bradford Township Building and the proposed Chester County Justice Center; Hitt Contracting Inc. located in Fairfax Virginia; Cornerstone Design Architects from Lancaster and; Wohlsen Construction Company of Lancaster. It was the Building Committee's recommendation that East Brandywine Township accept the proposal of Patrick Szustak at a cost of \$215,500.00.

After review of the proposals, Mr. Voltz made a motion to hire Patrick Szustak for services as outlined in his November 30, 2004 proposal. Vice-Chairman Fischer seconded the motion, with all voting Aye. The Supervisors thanked the Building Committee for their work in the selection process.

**Report: Brandywine Regional Police Commission**

Mr. Kirkner stated that the Police Commission is investigating whether an officer buying back military time must make a one lump sum payment or whether there are other payment options available. Mr. Kirkner will discuss this with Mr. Thomas Zimmerman, F.S.A., from Conrad Siegel Actuaries.

The 2005 BRP Budget was adopted. The total 2005 Budget is \$1,786,930.00.

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**Report: Police Chief - Police Activity Report for November 2004**

Chief Kocsi read the monthly activity report for November 2004, as follows:

Investigations	152	Traffic Citations	149
Traffic Warnings	26	Traffic Accidents	10
Criminal Arrests	5	Summary Arrests	3

In early 2004 Chief Kocsi made application through the Arcadia Foundation for a grant. BRP was recently notified that the grant was approved and they will be receiving \$15,000 to assist with the purchase of truck scales and other equipment. The total amount of the grants awarded to BRP this year totaled \$60,010.00.

**Report: Fire Company's Activity Report for November 2004**

Mr. Piersol read the Fire Company Activity Report for the month of November 2004, as submitted by Fire Chief James Witmer. There were 16 total fire calls and 31 total QRS calls. The estimated fire damage was \$584,000.00 (due to a fire in the Hopewell Development). One firefighter had a minor fracture and bruises sustained in a training exercise.

**Subdivision: DeCovny Tract**

Mrs. Smedley reported that the Planning Commission is recommending the Board accept an extension to review this subdivision application until January 31, 2005. Mr. Voltz made a motion to accept the extension until January 31<sup>st</sup>. Vice-Chairman Fischer seconded the motion, with all voting Aye.

**Subdivision: AWI Croppers**

Mrs. Smedley reported that the Planning Commission is recommending the Board accept an extension to review this subdivision application until February 28, 2005. Vice-Chairman Fischer made a motion to accept the extension until February 28<sup>th</sup>. Mr. Voltz seconded the motion, with all voting Aye.

**Subdivision: Brandywine Heights**

Mrs. Smedley reported that the Planning Commission is recommending the Board accept an extension to review this subdivision application until February 28, 2005. Mr. Voltz made a motion to accept the extension until February 28<sup>th</sup>. Vice-Chairman Fischer seconded the motion, with all voting Aye.

**Resolution:           Resolution 04-21 – Designation of Emergency Providers for East Brandywine Township**

This Resolution outlines the methods and agencies chosen to provide emergency services in East Brandywine Township. The Minquas Fire Company (Station 46) has decided to add Advanced Life Support service in areas where they provide Basic Life Support ambulance transport service. The Supervisors have agreed to assign a territory to Medic 46 based on road access and proximity. The re-districting will occur effective January 1, 2005. Mr. Voltz made a motion to adopt Resolution 04-21. Vice-Chairman Fischer seconded the motion, with all voting Aye.

**Resolution:           Resolution 04-22 – Acquisition of Property of Philip and Krisztina Tischler**

Mr. Piersol explained that this Resolution authorizes the acquisition of the above property where we hope to create a parking area for access to a future walking trail. Vice-Chairman Fischer made a motion to adopt resolution 04-22. Mr. Voltz seconded the motion, with all voting Aye.

**Old Business:       2005 Budget**

Mr. Piersol stated that because of some late changes the Final Budget will be presented on December 30, 2004 at 7:30 A.M. He also reported that there will be an increase in the cost for trash collection to \$175 per year because of a significant increase in these services from the waste hauler and the land fill. Compared to other municipalities in the area, the costs will remain very reasonable. The 2005 millage will remain at 1.5 mils.

**Additional Public Comment**

Chairman Kirkner asked if there were additional public comments. There were none.

**Adjournment**

There being no further business, Mr. Voltz made a motion to adjourn the meeting. Vice-Chairman Kirkner seconded the motion, with both voting Aye. The meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Mary Beth Smedley  
Secretary/Treasurer