

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS  
REGULAR SESSION  
Wednesday, February 16, 2005**

**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  
Sgt. Larry Pence  
Matthew T. VanLew, Roadmaster  
Norann King, Secretary  
Mary Beth Smedley, Secretary/Treasurer

The East Brandywine Township Board of Supervisors meeting of Wednesday, February 16, 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.

**Girl Scout Gold Project**

Jordan Fischer, a local high school senior, presented her Girl Scout Gold Project to the Board of Supervisors. Jordan interviewed long-time residents of East Brandywine Township and compiled their stories into a booklet that she presented to the Board. Jordan visited Marie Inslee, Beatrice Watters, Betty Mertz, Ethel Zynn, Harold Thompson, Ruth Lammey and Norma Plank. The Board thanked Jordan for her project and efforts to preserve the history of East Brandywine Township.

**Waring Drive Interconnection**

Mr. Joseph Iezzi, President of the Keats Glen Homeowners Association congratulated Jordan on completion of her Girl Scout Gold Project and thanked the Board of Supervisors for the opportunity to discuss the Waring Drive interconnection. He stated that fifty homeowners bought their homes with the impression that Keats Glen was a closed community. The residents are hoping that the Supervisors will approve installation of an access gate between the Keats Glen development and the proposed Lyndell Pointe development. Residents are concerned about the potential for increased volume of traffic and speeding through the development. The Homeowners' Association has agreed to finance ongoing maintenance for the gate.

Mr. Heinz Warmhold stated he was concerned about the safety of the children in the development due to the increasing traffic and speeding. He asked why the Supervisors wanted the road to be open between the two developments.

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Vice-Chairman Fischer stated there may be a problem with using a gate for emergency access since it could malfunction. He went on to say that one of the basic concepts in planning is that whenever possible roads would be connected for emergency access issues. Although Vice-Chairman Fischer doesn't see motorists using Waring Drive as a cut through, steps could be taken if there were problems.

Mr. Joe Yanez said that when he walks down Brantwyn Drive college students are going through the East Brandywine Baptist parking lot even though signs prohibit this. He has had to tell students to slow down on several occasions.

Mr. Mark Kelly doesn't want the development to be known solely as a community attached to a college. He stated that 30% of all accidents involve young adults. He said that some kind of deterrent is needed since the streets in Keats Glen are narrow and don't all have sidewalks.

Mr. Heinz Warmhold asked about placement of stop signs as a speed deterrent, citing an example where at a meeting last year Mr. Piersol discussed placement of stop signs at the Burger King. Mr. Piersol stated that what he said at the meeting was that stop signs inappropriately placed are dangerous and are not to be used as a speed deterrent. The stop signs erected at the Burger King were done by traffic study.

Mrs. Brenda Sindors stated that there were a portion of students that would go up Brantwyn Drive to Corner Ketch Road and a group of students that will look for a shortcut by using Waring Drive. She is concerned that the increase in traffic may cause safety issues.

Mr. Warmhold suggested compromising by constructing a smaller, closed road or installing grass pavers.

Mr. Tom Mazza wanted to know what the urgency was to have two access points for twenty-five houses. Vice-Chairman Fischer stated that the only alternative may have been to design a loop road. There are generally no developments designed with one access that are over 1,000 feet in length, per the Township Subdivision and Land Development Ordinance. There are some roads in the Township with only one access that were designed prior to current zoning regulations. Mr. Mazza is concerned that with the additional noise, pollution, and cars on the street, real estate values might decline.

Mr. Bruce Berry stated that he understood that there may be maintenance issues with a gate, and that might not be the best solution for Waring Drive. There was still the issue that residents felt misled by Southdown Homes. He wanted to know what other options were available for Waring Drive.

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Chief Kocsi stated that he was opposed to installing a gate on Waring Drive. He stated it may malfunction and if that happens as emergency personnel are responding to a call the Homeowners' Association might be sued. He went on to say that there were a number of traffic calming ideas such as rumble strips, speed humps, narrowing the road and installing stop signs both ways. Traffic could also be restricted during morning and evening rush hours. He suggested providing students with information about the restrictions on Waring Drive as a way to discourage using it as a through street. Part of the solution would be a strong police presence and strict enforcement of restricted traffic flow times and speeding in the development. Chief Kocsi also reminded residents that Township streets are not safe for children to play in and should not be used as a playground under any circumstances.

Mrs. Sinders asked who will pay for the construction of whatever is decided for Waring Drive. Anything that is done during the development phase will be paid for by Southdown Homes. Chief Kocsi stated that the options he discussed were not expensive ones.

Mr. Will Lally suggested that the Township investigate the use of grass pavers, rather than constructing a through road. Mr. VanLew was asked about snow plowing over pavers. He hasn't had any experience with plowing over pavers and will need to look into issues regarding plowing over them.

The Board was willing to look at different traffic calming concepts such as narrowing the road or installing an island where the two developments meet. They will also look at installation of cobblestone or grass pavers, although Vice-Chairman Fischer stated he would prefer another solution, particularly since there can be maintenance issues with pavers.

Mr. Antonie Goudemond stated that he has lived in several different countries that use grass pavers successfully. He stated that if emergency vehicles need to use the access, the grass can easily be replanted.

The Board of Supervisors decided to create a committee to review this issue and make a recommendation to the Board. The Committee will consist of Mr. Voltz, Mr. Piersol, Chief Kocsi, Sgt. Pence, Mr. VanLew and at least one representative of the Keats Glen Homeowner's Association. In the meantime, Chief Kocsi will contact PennDOT to see what they recommend as far as traffic calming devices.

The Supervisors updated the Keats Glen residents regarding the former farm dump in the proposed Lyndell Pointe development. The dump was used primarily by farmers to dispose of waste from the hog farm that was on the site. The developer has completed Phase I and Phase II environmental studies and is developing a remediation plan with PADEP, since they, not the Township, have jurisdiction over this issue. The site will be capped with a membrane and covered with two feet of clean fill. The developer has agreed to leave this portion of the property as open space.

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**Report: Police Chief - Police Activity Report for January 2005**

Chief Kocsi read the monthly activity report for January 2005, as follows:

Investigations	200	Traffic Citations	164
Traffic Warnings	31	Traffic Accidents	24
Criminal Arrests	3	Summary Arrests	5

**Minutes/Reports**

**Minutes: Board of Supervisors – January 19, 2005**

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 January 19, 2005 minutes, as presented. Mr. Voltz seconded the motion, with all voting Aye.

**Minutes: Board of Supervisors – February 3, 2005**

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 3, 2005 minutes, as presented. Mr. Voltz seconded the motion, with all voting Aye.

**Minutes: Planning Commission Minutes – February 2, 2005**

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 February 2, 2005 meeting, as presented. Mr. Voltz seconded the motion, with all voting Aye.

**Minutes: Municipal Authority Minutes – January 11, 2005**

Chairman Kirkner asked if there were any additions or corrections to the above minutes. There were none. Chairman Kirkner made a motion to approve the minutes of the January 11, 2005 meeting, as presented. Mr. Voltz 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 February 16, 2005, and authorize payment of the bills. Mr. Voltz seconded the motion, with both voting Aye.

**Report: Township Manager – Report for January 2005/February 2005**

At our February 3<sup>rd</sup> meeting, the Supervisors met with our Building Committee to discuss the proposed building location on our site. It has been decided to move forward with a plan to attach McCausland Hall to the new municipal building. This physical attachment will make

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McCausland Hall an integral part of the new municipal building. The new spaces will incorporate the same architectural style as the former Guthriesville School building. Our Building Committee has been meeting with Architect Patrick Szustak to discuss revisions to the interior building layout concepts. Some additional fine tuning will occur as these plans continue to evolve.

Construction of the building around the existing McCausland Hall will require the Police and Township Administrative functions to vacate their present office buildings during construction, since both buildings will be demolished to allow for construction of the new municipal building. We are investigating alternate locations, including siting mobile office structures at Phase II of our Community Park, and local office space for rent which may be suitable for the needs of Township Administration and the Brandywine Regional Police staff for the projected 12-month construction period. Public meetings will also occur at another location, yet to be determined. We will provide further information on these issues at future meetings, and in our spring newsletter.

The Township recently took possession of the 25-acre former Collins and Aikman mill site, located at 1625 Bondsville Mill. The site has been posted no trespassing, and secured with barriers across the two access bridges leading to the property. Solicitor John Halsted is completing the necessary legal steps to formalize transfer of the property to the Township's name. We have submitted a check in the amount of \$115,000 payable to Yaron Properties, previous owner of the property, which represents the fair market value of the property, based on a real estate appraisal the Township obtained. The proposed future use of this property is for passive open space. Once the legal issues with this transaction are final, we will begin planning for further securing the buildings on the site, which are in varying degrees of decay. We will also notify the residents of the homes on the opposite side of Bondsville Road of the Township's acquisition of the property, which secures the stone parking area used by those residents for many years.

Representative Curt Schroder has invited Township and Police officials to meet with PennDOT representatives on Friday February 25<sup>th</sup> to discuss traffic and other planning issues regarding Horseshoe Pike. Immediately following our meeting with PennDOT, we will discuss potential funding prospects for the work needed on the Bondsville mill property with Representative Schroder.

The Supervisors met with Robert Wise of Wise Preservation Planning to review his proposal to complete the next phase of the National Registry of Historic Places nomination for the Village of Guthriesville. Our Historic Commission requested the Supervisors consider this next step late in 2004. Due to the limited number of properties within the District, which was initially designated in 1990 after a PennDOT study for the Route 322 renovation project, then re-submitted by the Township in 1999, Mr. Wise has recommended the property owners in this historic district be contacted by letter, advising them of this project, and inviting them to a public meeting hosted by the Township. A certain percentage of property owners must be in favor of the project for it to proceed.

Mr. Piersol advised that we recently received notice from the County Tax Assessment Office that our Open Space acquisition of the 2-acre Tischler property on Dowlin Forge Road was granted a tax exemption by the Board of Assessment Appeals due to our proposed use of the property as a

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trail head / parking area for our trail interconnect with the Struble trail. We are also working with the County and Natural Lands Trust for grant reimbursements for both of the Tischler acquisitions, which the Township Open Space fund underwrote in full.

Our tax collector and H.A. Berkheimer Associates have been working to resolve several issues that occurred with exporting the data from the in-house program used through 2004 to the on-line system we will be using furnished by H. A. Berkheimer. We expect bills for real estate, refuse & recycling, and the new hydrant tax to be mailed on or about next Wednesday, February 23<sup>rd</sup>. As previously reported, we are using one bill for all three fees, rather than multiple bills as was done in past years, resulting in a cost savings to the Township. Checks for payment are still payable to East Brandywine Township, but mailed to the H. A. Berkheimer post office box address in Bangor, Pennsylvania for processing.

**Report: Building Committee**

Mr. VanLew reported that the Building Committee continues to meet with Architect Patrick Szustak. Greg Bogia of Stackhouse Bensinger is revising the site plan. Hopefully, the site work can be completed quickly so that construction can begin this year.

**Report: Building Inspector/Zoning Officer – Report for January 2005**

Mr. Piersol read the Building Inspector/Zoning Officer's Report for January 2005. There were 4 building permits issued, 8 use and occupancy permits issued, and 44 inspections conducted during the month.

**Report: Brandywine Regional Police Commission**

Chairman Kirkner reported Jane Shields will be the Vice-Chairman for the Brandywine Regional Police Commission, Rebecca Corbin will be the Member-at-Large, and he will be the Chairman for 2005.

Officer Joseph Glasgow, who had been called to full-time active duty, has recently been deactivated, and has returned to patrol duties with the Police Department.

Chief Kocsi has applied for an accident reconstruction grant. Once the grant is received the Commission will purchase a vehicle to be used by the accident reconstruction team.

**Report: Fire Company's Activity Report for January 2005**

Mr. Piersol read the 2004 Fire Company Activity Report and the Activity Report for the month of December 2004, as submitted by Fire Chief James Witmer. In 2004 there were 726 incidents. There were 293 fire calls and 433 QRS calls. One firefighter and 1 civilian injury occurred in 2004. Fire damage for 2004 was estimated to be \$1,314,150.00. In December there were 74 incidents. There were 29 fire calls and 45 QRS calls.

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It was with great sadness that Mr. Piersol reported on the death of his friend and fellow firefighter, Michael Wright from esophageal cancer. Mike was a volunteer firefighter and EMT with the East Brandywine Fire Company for the past three years. Mike was respected by all the men and women who volunteer with the Fire Company, particularly the younger members for whom he had become a mentor. Mike leaves behind his wife Amy and son Alex. He was thirty-eight years old.

**Resolution:                    Resolution 05-05 - Establishing the Procedure for Assessing and Collecting of the Fees of Professional Consultants**

Mr. Piersol stated that this Resolution allows the Township to collect fees from developers for costs incurred by our consultants in reviewing subdivisions and land development applications. Chairman Kirkner asked if there were public comments. There were none. Vice-Chairman Fischer made a motion to adopt Resolution 05-05. Mr. Voltz seconded the motion, with all voting Aye.

**Subdivision:                    DeCovny Tract**

Mrs. Smedley reported that the Planning Commission is recommending the Board accept an extension to review this subdivision application until March 31, 2005. Mr. Voltz made a motion to accept the extension until March 31<sup>st</sup>. Vice-Chairman Fischer 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 May 30, 2005. Vice-Chairman Fischer made a motion to accept the extension until May 30<sup>th</sup>. Mr. Voltz 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 March 31, 2005. Vice-Chairman Fischer made a motion to accept the extension until March 31<sup>st</sup>. Mr. Voltz seconded the motion, with all voting Aye.

**Additional Public Comments**

Chairman Kirkner asked if there were additional public comments. Mr. George Holmes stated that there was no heat in McCausland Hall for the Open Space Committee on Monday evening. Mrs. Smedley stated that the tank had run out of oil. some of the Committees who have been using the building haven't been turning the thermostat when they leave. Vice-Chairman Fischer suggested installing a timer so the heat automatically turns back at a certain hour.

**Adjournment**

There being no further business, Mr. Voltz made a motion to adjourn the meeting. Vice-Chairman Fischer seconded the motion, with all voting Aye. The meeting was adjourned at 9:00 P.M.

Respectfully submitted,

Mary Beth Smedley  
Secretary/Treasurer