

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

Wednesday, November 16, 2005

Those in Attendance:

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

The East Brandywine Township Board of Supervisors meeting of Wednesday, November 16, 2005 was called to order by Chairman Kirkner at 7:30 P.M. at the East Brandywine Fire Company.

Opening of Meeting

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

Moment of Silence – Charles “Tucker” Thomas

Chairman Kirkner asked that a moment of silence be observed for Charles “Tucker” Thomas, a long-time East Brandywine Township resident and a founding member of the East Brandywine Fire Company who recently passed away. He will be missed.

NOTICES

1. The 2006 annual reorganization meeting will be held on Tuesday, January 3, 2006, because Monday, January 2, 2006 is a legal holiday. The auditor’s annual reorganization meeting will be held on Wednesday, January 4, 2006.
2. The Historic Commission will meet November 17, 2005 at 7:30 P.M. at the East Brandywine Fire Company to review an application to demolish the former Mama Lena’s Building located at 1192 Horseshoe Pike, Downingtown, Pa.
3. The Board of Supervisors will meet December 8, 2005 at 7:30 P.M. at the East Brandywine Fire Company to consider the application to demolish the former Mama Lena’s Building.

Public Comment for Non-Agenda Items

Chairman Kirkner asked if there were comments on non-agenda items. There were none.

East Brandywine Fire Company – 50th Anniversary – Presentation of the Board of Supervisors

Mr. Piersol offered Congressman Gerlach’s apologies for not being able to attend the presentation. Unfortunately, Congress was called back into session. At a later date, he would like to present the East Brandywine Fire Company a Commendation for their 50th Anniversary.

Chairman Kirkner said that the East Brandywine Township Board of Supervisors wanted to permanently recognize the East Brandywine Fire Company's first 50 years of service. The Board appreciates the past and present efforts of the Fire Company members, especially since there are so many additional demands on their time with the increasing population in the Fire Company's service area.

Vice-Chairman Fischer echoed Mr. Kirkner's sentiments. He conveyed his gratitude for all of the hard work and dedication shown by the members of the Fire Company. Vice-Chairman Fischer also suggested that an article in one of our future newsletters should focus on the work done by firefighters and the amount of time and dedication it takes to run a successful volunteer fire company.

Mr. Voltz stated that he appreciated the Fire Company's ability to increase public awareness about fire safety by hosting their Open House in October and also providing education to schools and other groups during Fire Safety Week, and throughout the entire year. He said that it has been a pleasure and honor to have the Fire Company serve the community for the past 50 years.

Mr. Piersol stated that on behalf of the Board of Supervisors he was pleased to present a custom black granite plaque with the following inscription:

The East Brandywine Township Board of Supervisors commend the past and present members of the East Brandywine Fire Company for their 50 years of dedicated service to our community.

1955 – 2005

Presented this 16th day of November, 2005

Fire Company President, Todd Shaffer thanked the Board of Supervisors for their continued support. Other members in attendance included Vice-President Kevin Shaffer, Secretary, Patti Piersol, Fire Police Captain, John Neff, Fire Police Member Eileen Amatrudo, and Firefighters Andrew Young, Daniel Ciarlone, and Brett King.

Subdivision: Lyndell Pointe

Mr. Tim Townes from J. Loew and Associates informed the Board that Southdown Homes will be selling the Lyndell Pointe Subdivision to Gambone Brothers by the end of the month. They will be changing the name of the subdivision to HeatherWynd East. All other aspects of the plan will remain the same.

Minutes: Board of Supervisors – October 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 October 19, 2005 minutes as presented. Mr. Voltz seconded the motion, with all voting Aye.

Minutes: Board of Supervisors – November 3, 2005

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 November 3, 2005 minutes, as presented. Vice-Chairman Fischer seconded the motion, with all voting Aye.

Minutes: Planning Commission Minutes – November 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 as presented. Mr. Voltz seconded the motion, with all voting Aye.

Minutes: Municipal Authority Minutes – October 11, 2005

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 as presented. Vice-Chairman Fischer seconded the motion, with all voting Aye.

Minutes: Municipal Authority Minutes – November 8, 2005

The November 8, 2005 minutes will be available for review at the December 21, 2005 Board of Supervisors meeting.

Treasurer's Report

Vice-Chairman Fischer made a motion to approve the Treasurer's Report for the period ending October 19, 2005, and authorize payment of the bills. Mr. Voltz seconded the motion, with all voting Aye.

Report: Township Manager – Report for October/November

Construction on our municipal complex is proceeding. Much of the initial earthwork has been completed. Work on the underground services such as water and sewer lines, and storm water management facilities have been installed. We hit a significant outcropping of rock at our public works area, and in certain locations where storm sewer and sanitary sewer lines are to be located. Plans are being made to deal with these issues. Footings for the public works building and salt storage shed have been completed, and the garage foundation walls are currently under construction. The temporary electrical service has been installed to the site. The access driveway has been installed, which will now be used as the construction entrance, and the concrete driveway curbs have been poured. The two former access driveways have been abandoned, the macadam removed and replaced with soil. We expect the footers for the municipal building will be started this Friday, November 18th. We are making progress, and are hopeful the weather will continue to cooperate. The contractors have a deadline for completion of the public works area, with the exception of final paving, by December 18th.

The Township was successful in obtaining a grant for the construction of Phase IV of the Community Park, to go along with the grant approved by the County Commissioners in 2004 for the Phase III construction. The amount of this matching grant is \$212,000, which is slightly less than the grant amount requested. We will begin design work with our Township Engineer on the plans for these two construction phases.

Mr. Piersol was pleased to advise the grant applications submitted on our behalf by the Natural Lands Trust for the preservation of a significant portion of the White Acres Farm were approved by the County Commissioners. The grants approved were in the amounts of \$35,000 for the fee-simple acquisition of approximately 18 acres of open space meadow along the Brandywine Creek, and \$500,000 for the acquisition of a conservation easement on the 60 acres overlooking Creek and Dowlin Forge Roads. Mr. Piersol thanked Jack Stefferud of NLT for his hard work in submitting those two applications. He also acknowledged the continued support of the County Commissioners, whose grant programs have supported our open space and recreation efforts of the past 6 years with over 2.8 million dollars in grant funds.

Mr. Piersol was contacted by a member of the Whittaker family last week. They are still working on deciding as a family how they wish to proceed with the White Acres Farm open space discussions. They have decided their next step will be to seek an appraisal on the entire 170 + acre parcel, and continue discussions with developers recommended by the Brandywine Conservancy who have provided conceptual proposals to the family for limited development of the non-encumbered portions of the farm, of between 15 and 18 home sites. Dr. Richard Whittaker has promised to keep the Township and Brandywine Conservancy informed of their progress.

The work on the Buck Road Bridge has been completed by the contractor. The proposed opening date is Friday, November 18th. Guide rail still must be installed, which was not part of this contract; the Township has contracted for that work separately. Reflective cones will be placed along the bridge abutments until the guide rail is installed. The School District and the school bus contractor will be notified so school bus traffic can resume along this portion of Buck Road.

Final preparations are being made for the resident survey to be mailed within the next week, as part of our Comprehensive Plan & Open Space / Recreation Plan update. The survey can be returned by mail at no cost to our residents. The survey is now available online through our website, where applicants can complete and submit the survey electronically. The results will be published on our web site and our winter 2006 newsletter. Deadline for responses will be Friday, January 6, 2006. We are encouraging all residents to participate in the survey, as this is their opportunity to help plan for the Township's future.

Report: Building Inspector/Zoning Officer – Report for October 2005

Mr. Piersol read the Building Inspector/Zoning Officer's Report for October 2005. There were twenty-three building permits issued, eight use and occupancy permits issued, and fifty inspections conducted during the month. The total fees collected were \$12,131.40.

Report: DARC

Mr. Voltz stated that the Downingtown Area School District is proposing a new policy that would require any outside group wishing to use school facilities and fields to pay a fee. This includes DARC and other agencies. These facility usage fees will cause DARC to adjust their program pricing to compensate for these additional fees. DARC plans to work this increase in gradually, when possible. They will also be pursuing alternative locations for some of their programs.

Report: Park and Recreation Board

The Park and Recreation Board will be interviewing candidates for an open position on the Board. To date, three residents have expressed interest in the position.

The Board has posed several questions for the Township's consideration. These questions are:

1. How the Park and Recreation Board can use money donated for memorials in a timely manner vs. long term bids?
2. Can the Board form a foundation "Friends of East Brandywine Parks and Recreation"?
3. What is the status of the demolition and clean-up of the Bondsville Road Mill property?
4. What is the status of finishing the wood sealing of the pavilions and gazebo?

Mr. Voltz will work on answering these questions.

Report: Brandywine Regional Police Commission

The Brandywine Regional Police Commission received \$102,437.04 in general municipal pension system state aid for 2005. This has been forwarded to the pension administrator.

Chief Kocsi presented the 2006 BRP budget and allocation chart to the Commission. The Commissions will present the budget to their respective Township Boards and report back to the Commission.

Report: Police Chief - Police Activity Report for October 2005

Chief Kocsi reported on the Regional Police Activity Report for October 2005

Investigations	197
Traffic Citations	185
Traffic Warnings	39
Traffic Accidents	18
Criminal Arrests	6
Summary Arrests	1

Chief Kocsi also provided a breakdown on criminal investigations for the month of October.

Burglary/Criminal Trespass	0
All Assaults	1
Theft/Fraud	8
Disorderly Conduct/ Harassment	3
Disturbances	5
Suspicious Activity/ Persons	15
Domestics	3
Criminal Mischief	10
Missing Persons/ Runaways	0
Driving Under the Influence	2
Fugitive Warrants	2

Mr. Voltz thanked the Police Department for their quick action in responding to a vandalism complaint that occurred in the Brandywine Hunt Development. Sixteen mailed boxes were knocked down, but because of the timely response of the Brandywine Regional and Caln Township Police Departments, the perpetrators were caught. Officer Denise Knoke responded to the complaint on behalf of the Brandywine Regional Police. Three juveniles will be going in front of the Brandywine Regional Police Youth Aid Panel and they will be assigned community service projects, along with being responsible for the monetary damages to the mailboxes. Chief Kocsi stated that if the juvenile's don't complete their assignments, they will be sent to District Court for further action.

Report: Fire Company's Activity Report for October 2005

Mr. Piersol read the Activity Report for the month of October 2005, as submitted by Fire Chief James Witmer. In August there were eighty-one total incidents. In East Brandywine Township there were twelve fire calls and thirteen QRS calls. In West Brandywine Township there were eight fire calls and twenty-nine QRS calls. There was no fire damage for the month.

New Business: 2006 Preliminary Budget

General Fund

Revenues

Revenues in 2006 will increase significantly over 2005 revenues. Building permit fees will continue to rise due to the projected construction expected next year, particularly the Hide-Away Farms subdivision, and the potential for the first two phases of Pulte's Applecross development and golf course construction to proceed. New construction will create another modest increase in earned income taxes. We anticipate a significant increase will occur again in late spring of 2006, once the Berkheimer returns are filed, or with interim real estate tax filing which occurs several months after these new properties settle, and the County assessment figures are finalized.

Due to the projected cost of the new municipal building, a second bond issue in the amount of \$3.915 million was approved November 3rd by the Supervisors. The repayment costs for this bond issue will wrap around the end of the 2003 bond issue, to create a level cost for the entire repayment term. The repayment cost for this new borrowing will create a .41 mill tax increase.

At this time, Mr. Piersol is recommending the millage rate increase to 2.0 mills pending further review and discussion prior to the final budget adoption December 21st. A primary reason for this recommendation is to continue to build a capital reserve; a recommended target for a reserve fund is between 10 and 12% of annual estimated revenues.

Revenues from all sources are projected to be \$3,175,495.00. These revenues are exclusive of proceeds from the 2005 bond issue.

Expenses

Public safety costs will remain nearly level in 2006, due largely to a correction in the allocation of the police budget. An error was discovered which allocated a disproportionate number of incident responses to East Brandywine Township. Our share of the police budget this year will actually decrease by \$16,158.00. Legal and engineering fees for land development projects will continue as a significant expense in 2005. Developers reimburse the majority of these fees for engineering plan reviews, and, due to a change in the law, legal expenses are now reimbursable. Health care costs will actually decrease approximately \$25,000 in 2006, due to a recommended change in plan coverage. The Road Department has recommended milling and widening of Crawford Road, an overlay of the streets in the Echo Dell development, and widening of portions of Hadfield Road. These costs will be shared with the State Fund. Total expenses are projected to be \$2,911,906 net of the projected building project expenses to occur during 2006. We anticipate the construction project will be completed late in 2006.

State Fund

Revenues

An 8.5% increase in the State Liquid Fuels allocation is anticipated, which is the most significant increase in several years. The year-end State Fund balance is anticipated to be approximately \$200,000.00.

Expenses

Several projects are planned for 2006. The Crawford Road project will finally begin. This project will include drainage improvements, widening and repaving in the first phase. Also included in the 2006 road budget is widening of Hadfield Road from North Bailey to Zynn Road, and the overlay of the streets in the Echo Dell development. These costs are to be shared with the General Fund. Total projected expenses are \$176,350.00.

The Final Budget will be presented at the December 21, 2005 Board of Supervisor's meeting.

Additional Public Comments

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

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Adjournment

There being no further business, Vice-Chairman Fischer made a motion to adjourn the meeting. Mr. Voltz seconded the motion, with all voting Aye. The meeting was adjourned at 8:15 P.M.

Respectfully submitted,

Mary Beth Smedley
Secretary/Treasurer