

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS**  
**WORK SESSION**  
**Thursday, September 1, 2005**  
**7:30 AM**

**Those in Attendance:**

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

The Board of Supervisors met in Work Session on Thursday, September 1, 2005.

**Opening of Meeting**

Chairman Kirkner opened the Meeting at 7:30 A.M.

**Public Comment for Non-Agenda Items**

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

**Resolution 05-13 – Act 537 Plan Revision – Overlook Road Farm**

Mr. Piersol stated that Municipal Authority Engineer Joseph Boldaz provided a letter dated August 31<sup>st</sup>, indicating that Pulte's engineer has addressed his comments and he feels the Sewage Facilities Planning Module submission is complete. He further recommends the Board adopt this Resolution. Mr. Voltz made a motion to adopt Resolution 05-13, a revision to the Township's Act 537 Plan. Chairman Kirkner seconded the motion, with both voting Aye.

**Overlook Road Farm Extension**

Mr. Ray Grochowski, Senior Land Manager from Pulte Homes discussed granting an extension for reviews of the Overlook Road Farm Plan. He is concerned about the timeliness of reviews for the plan. To date, two review letters have been received for the North portion of the tract and there have been no review letters for the southern portion of the tract. Mrs. Smedley stated she expected to receive a review letter on the southern portion of the tract by Friday at noon. Mr. Grochowski would like to discuss this issue with Township Engineer Al Giannantonio, but so far has not been able to speak to him. Mrs. Smedley will ask Mr. Giannantonio to contact Mr. Grochowski by the end of the week. Mr. Grochowski provided a letter granting the Township an extension to review the plans until October 7<sup>th</sup>. Mr. Voltz made a recommendation to accept the extension. Chairman Kirkner seconded the motion, with both voting Aye.

**Draft Contract from the Chester County Open Space Department – Round 17 of the Chester County 21<sup>st</sup> Century Fund Park Facilities Grant Program**

Kim Burgess, the County's Municipal Grants Coordinator, has written to advise that our grant application has passed the initial review round. The grant application has not yet been approved.

The date and amount section on the application are currently blank. She reported to Mr. Piersol that having the contracts signed by the Supervisors will expedite the award process, should the grant be approved for funding. Signing this contract in blank does not obligate the Township to proceed, should it be determined that signing the grant is not in its best interest. The Township would be contacted prior to any formal action being taken by the County. Mr. Piersol asked for the Board's approval for signing the contract in blank. Mr. Voltz made a motion to sign the Round 17 Chester County 21<sup>st</sup> Century Fund Park Facilities Grant Program application. Chairman Kirkner seconded the motion, with both voting Aye.

### **Hide-A-Way Farms Subdivision**

Mr. Piersol attended the settlement between Wilkinson Builders and Southdown Homes yesterday for Southdown's purchase of the Hide-A-Way Farms property. He received a check for \$50,000, which is an unencumbered contribution. . He also received a check in the amount of \$105,000, which was negotiated to pay for the installation of a traffic signal at the intersection of North Guthriesville Road and Horseshoe Pike. This intersection will be aligned with the proposed driveway location for the Municipal Complex. Mr. Piersol requested permission from the Board to work with our traffic consultant Heinrich and Klein, on the plans and PennDOT application for the traffic signal at this location, to be interconnected with the existing signals located at the Brandywine Village Center and Hopewell/Bondsville Road intersection, and planning for the future signal at Bollinger Road. Chairman Kirkner made a motion to allow Mr. Piersol to work with Heinrich and Klein on the traffic signal interconnections. Mr. Voltz seconded the motion, with both voting Aye.

**Vice-Chairman Fischer entered the meeting at 8:00 A.M.**

### **Traffic Signal Ordinance**

West Brandywine Township Manager Ron Rambo and Mr. Piersol discussed a proposal from McMahan and Associates for drafting an ordinance which creates specifications for traffic signal installations and equipment. Signal Service provided East Brandywine Township with specifications which Mr. Piersol used for the Wawa and Sunoco projects as equipment standards. Since Signal Services provides the equipment for both municipalities, and services the Township's equipment, Mr. Piersol asked Mr. Rambo to contact McMahan and Associates to see if we could join with West Brandywine Township and save costs for these ordinance standards. If McMahan is in agreement, Mr. Piersol requested the Board's permission to proceed, as long as the cost is reasonable. West Brandywine was quoted a not-to-exceed figure of \$2,500 for this project. There will likely be cost savings for both Townships by working with McMahan and Associates on a joint venture. Mr. Piersol stated that working together with West Brandywine Township would afford us the opportunity to interconnect traffic signals in both Townships along the Rt. 322 corridor. Mr. Voltz made a motion to join with West Brandywine Township to draft an ordinance which creates specifications for traffic signal installations and equipment. Vice-Chairman Fischer seconded the motion, with all voting Aye.

**Groundbreaking Ceremony – September 15, 2005 at 4:00 P.M.**

Mrs. Smedley discussed plans for the groundbreaking ceremony with the Board. The ceremony will take place at the Township Municipal Complex, but will be moved to the East Brandywine Fire House in case of inclement weather.

**Ordinance/Planning Task Force**

Planning Consultant David Sweet revised certain ordinance sections, at the recommendation of the Ordinance/Planning Task Force at their August 24<sup>th</sup> meeting. Due to the Work Session being held prior to the Planning Commission meeting this month, the entire Planning Commission has not had an opportunity to give their final review and blessing to these draft amendments, and make their formal recommendation to the Supervisors. The Task Force did recommend moving these items forward, pending their opportunity for a final review and possible minor revisions.

The revisions clarify the definition of Building Setback line, add definitions and specific sections on Day Care as a special exception in the Mixed Use and Village Commercial Districts, address vehicle towing issues, define Place of Religious Worship, expand on the regulations for keeping of animals, define various types of continuing care facilities and provide standards for these types of facilities, and make changes to definitions of Clear Cutting, Tract, Demolition, Common Open Space and Historic Structure or Site. There is also a proposal to modify the off-street parking standards in the Mobile Home Park Ordinance, increase the parking space size to 10 feet x 20 feet (from 9 x 18). Vice-Chairman Fisher made a motion to forward the above ordinance revisions to the Chester County Planning Commission for their Act 247 review. Mr. Voltz seconded the motion, with all voting Aye.

**Roadmaster's Report**

The work on Buck Road is proceeding. The north footers have been poured and the contractor is starting excavation on the south side of the bridge. The contractor is one week behind schedule due to the delay in relocation of a PECO pole. It is anticipated that the bridge will reopen the last week of September. Mike Mayhew from Yerkes Associates has reviewed the work so far and is pleased with how the job is progressing.

Mr. VanLew stated that demolition of the building at the municipal complex should be completed by tomorrow. It was originally thought that most of the block on the Township building could be recycled but it was determined that it was full of insulation and was not salvageable.

The contract with Wu Construction will be modified because Township personnel will be demolishing the existing ramp on the west side of the School House and the concrete walk in the back of the building. Mr. Szustak will issue a change order and will deduct approximately \$7,000 from the total contract price. Township personnel will also be taking down the siren and pole and moving them to the Fire House.

### **HeatherWynd/Hopewell Trail Interconnection**

Mr. Piersol reported that Mr. James Correll is still requesting that the possible trail easement in the open space adjacent to his home at 58 Tarrytown Lane be moved even though the Board granted contingent final plan approval August 17<sup>th</sup> that included a trail easement between Lots 15 and 14. He stated he and other Hopewell Subdivision residents would probably be attending the September 21<sup>st</sup> Supervisors meeting to discuss this issue and try to sway the Board to move the easement. Mr. Piersol told him that he needed to get his Homeowner's Association to provide a written response to the Township regarding the easement, which they failed to do as promised during a November, 2004 meeting held to discuss this issue.

Mr. Piersol told Mr. Correll he would contact Richard Burke of Gambone Brothers to discuss whether they would consider moving the trail easement, and consider locating the easement across Lot 13. Mr. Piersol also agreed to meet with Homeowner's Association representatives to walk to the site to determine if the plan to locate trail across the berm basin is feasible. The Board stated there might be safety issues with locating the trail across the berm basin and that it might need to be fenced for the length of the trail. There may also be additional issues with steep slopes or wetlands if the trail location were moved.

The Board agreed that Mr. Piersol could investigate moving the trail interconnection to a different location if Gambone Brothers agreed to it, but wanted to make it clear to the Hopewell residents that if an agreement was reached to move the trail, the Homeowner's Association would need to agree in writing to provide a trail interconnection.

### **Discussion of Fire Company Funding Status with West Brandywine Township**

The Fire Company Executive Committee met last night to discuss the results of the most recent negotiations with West Brandywine Township Manager Ron Rambo, Jr. on the subject of their providing an equitable level of funding for the Fire Company, based on the budget projections provided to their Supervisors and Mr. Rambo. Mr. Piersol will provide written confirmation of the position of the Fire Company Executive Board and the East Brandywine Supervisors to the West Brandywine Township Board of Supervisors.

Based on calculations provided by Mr. Rambo, and revised at a meeting held on August 26, 2005 that was attended by Mr. Rambo, Mr. Piersol and Todd and Kevin Shaffer, it was determined that each resident in East Brandywine Township currently pays \$7.80 per year toward fire protection through taxes, while West Brandywine residents pay only \$1.63 a year. The Fire Company is requesting that West Brandywine Township provide a one time contribution of \$32,673 from their Capital Reserve and increase the Fireman's Relief to \$33,552 per year. They also requested \$10,000 from the EMS Tax. This contribution request was based solely on fire calls; QRS responses were not included in the West Brandywine Township calculation.

The Fire Company Executive Committee is also asking that the West Brandywine Township signed a 3-year contract based on these numbers. There will be a 5% incremental increase for each successive year. The Fire Company will ask for a decision at the West Brandywine Township September 22<sup>nd</sup> Board of Supervisors meeting.

The East Brandywine Township Board strongly feels that they have been subsidizing fire and QRS calls in West Brandywine Township for many years. The Supervisors recommended that if this contract were not accepted by West Brandywine Township, the Fire Company take the appropriate, formal steps to discontinue providing fire service to West Brandywine Township beginning January 1, 2006.

**Public Comment**

Mr. George Holmes stated that PennDOT was conducting their third survey of the bridge on Little Washington Road due to problems or errors with the first two surveys.

Chairman Kirkner asked if there were additional comments from the audience. There were none.

**Adjournment**

There being no further business, Mr. Voltz moved to adjourn the meeting. Vice-Chairman Fischer seconded the motion, with all voting Aye. The meeting was adjourned at 9:10 A.M.

Respectfully submitted,

Mary Beth Smedley  
Secretary/Treasurer  
East Brandywine Township