



EAST BRANDYWINE TOWNSHIP

Board of Supervisors

1. Re-Org Agenda January 5th, 2026

Documents:

[2026 BOS AGENDA REORG 2026.PDF](#)

2. Items For 01/05 Meeting

Documents:

[10 A. RESOLUTION 01 OF 2026 DESIGNATING EAST BRANDYWINE TOWNSHIP EMERGENCY PROVIDERS.PDF](#)

[10. B. MEMO RE COMPENSATION.PDF](#)

[10. C. TREASURERS REPORT.PDF](#)

[10. D. MUNICIPAL DECLARATION MCQUEEN PROPERTY .PDF](#)

**East Brandywine Township Board of Supervisors
Annual Organization Meeting Monday, January 5, 2026 at 9:00 AM**

A G E N D A

NOTICE: A RECORDING DEVICE WILL BE IN USE DURING THIS MEETING

I. OPENING OF MEETING – PLEDGE OF ALLEGIANCE

II. APPOINTMENT OF TEMPORARY CHAIRMAN FOR ORGANIZATION MEETING

III. OATHS OF OFFICE

- A. Township Supervisor, Emily Keller Judge Feldman
- B. Police Chief, Jeff Yankanich Judge Feldman

IV. PUBLIC COMMENT ON AGENDA ITEMS

Rules for Conduct of Public Meetings, established by Resolution 2001-08. The time allocated to each individual making a comment shall be three (3) minutes unless otherwise set by the presiding officer. Additional public comment may be granted at the discretion of the presiding officer at the conclusion of the meeting.

V. APPOINTMENT OF 2026 TOWNSHIP OFFICERS

- A. Motion to appoint **Francis Taraschi** as Chairman for the Board of Supervisors..... S T K
- B. Motion to appoint **Kyle Scribner** as Vice-Chairman for the Board of Supervisors..... S T K
- C. Motion to appoint **Tom Oeste of Buckley Brion** as Township Solicitor..... S T K
- D. Motion to appoint **Luke Reven** as Township Manager..... S T K
- E. Motion to appoint **Noah Stribrny** as Asst. Township Manager S T K
- F. Motion to appoint **Lisa Taraschi** as Township Secretary..... S T K
- G. Motion to appoint **Emily Albert** as Township Treasurer..... S T K
- H. Motion to appoint **Derrick Claas** as Township Roadmaster S T K
- I. Motion to appoint **Jeff Yankanich** as Chief of Police..... S T K
- J. Motion to appoint **Kyle Scribner** as Supervisor Liaison to the East Brandywine Township Police Department S T K
- K. Motion to appoint **Lisa Taraschi** as Right-to-Know Officer for East Brandywine Township, the East Brandywine Municipal Authority..... S T K
- L. Motion to appoint **Luke Reven** as Assistant Right-to-Know Officer for East Brandywine Township, the East Brandywine Municipal Authority..... S T K
- M. Motion to appoint **Chief Jeffery Yankanich** as Right-to-Know Officer for the East Brandywine Township Police Department..... S T K

- N. Motion to appoint **Chief Jeffery Yankanich** as the Accreditation Manager for the East Brandywine Township Police Department for matters pertaining to the Pennsylvania Law Enforcement Accreditation Program S T K
- O. Motion to appoint **Benjamin Serfass** as Emergency Management Coordinator S T K
- P. Motion to appoint **Bob Nye** as Deputy Emergency Management Coordinator S T K
- Q. Motion to appoint **PJ Groff** as Fire Marshal..... S T K
- R. Motion to appoint **ARRO Consulting, Inc.** as Residential Building Codes Official, Commercial Building Codes Official, and Zoning Officer with all of the enforcement and interpretation powers of the Zoning Officer, as provided by the Municipalities Planning Code and the East Brandywine Township Zoning Ordinance as amended..... S T K
- S. Motion to appoint **Pennoni Associates** as Township Engineer S T K
- T. Motion to appoint **CEDARVILLE Engineering** as Stormwater Management Engineer S T K
- U. Motion to appoint **Tom Oeste** as Planning Commission Solicitor..... S T K
- V. Motion to appoint **Eckert, Seamans, Cherin & Mellott** as Labor Attorney..... S T K
- W. Motion to appoint **Jane Dorchester** as Consultant to the Township Historical Commission..... S T K
- X. Motion to appoint **Noah Stribrny** as Recycling Coordinator S T K
- Y. Motion to appoint **Luke Reven** as Floodplain Administrator S T K

VI. APPOINTMENTS TO TOWNSHIP BOARDS, COMMISSIONS, AND COMMITTEES

- A. Motion to appoint **Dante DiSantis** as an alternate member of the Zoning Hearing Board S T K
- B. Motion to appoint **Frank Nazzario** as member of the Historical Commission for additional four-year terms S T K
- C. Motion to appoint **Ben Dilks, Alan Yefko, Mark Bevacqua, Matt Anthony, Carl Croft and Linda Morrison** to the Budget Committee for 2026..... S T K
- D. Motion to appoint **Scott Piersol** to the East Brandywine Township Municipal Authority for an additional five-year term S T K
- E. Motion to appoint **Mike Melesky** to the Vacancy Board for 2026 S T K
- F. Motion to appoint **Francis Taraschi and Samuel Matthews** to the Agricultural Security Area Advisory Committee S T K
- G. Motion to appoint **James Buczala, Charles Lindsay, David Culp, Douglas Freeman, Arne Jensen, Sandra Moser, Rocky Stone, Carl Capriotti, Beth & Bob Watts** as voting members of the Bondsville Mill Committee S T K

- H. Motion to appoint **Michael Wagoner, Leslie Herr, David Summers, Charles Lindsay and Leonard Alansky** as members of the Trails Committee S T K
- I. Motion to appoint **Louise Walker, Alan Yefko, Ed Huston, Mark Smith, and Jay G. Fischer,** to the Open Space Committee..... S T K
- J. Motion to appoint **Kyle Scribner, Francis Taraschi, Emily Keller, Chief Jeffrey Yankanich, Sgt. James Ferraro, and Officer John Hayes** as members of the Uniformed Pension Committee S T K
- K. Motion to appoint **Kyle Scribner, Francis Taraschi, Emily Keller** and **Luke Reven** as members of the Non-Uniform Pension Committee..... S T K
- L. Motion to appoint **Bud Bruton** to the East Brandywine Township Foundation to serve two-year term S T K

VII. SUPERVISOR LIAISONS TO TOWNSHIP BOARDS, COMMISSIONS, AND COMMITTEES

- A. Motion to appoint **Francis Taraschi** as Supervisor Liaison to the Historical Commission..... S T K
- B. Motion to appoint **Kyle Scribner** as Supervisor Liaison to the Parks & Recreation Board S T K
- C. Motion to appoint **Emily Keller** as Supervisor Liaison to the Open Space Committee..... S T K
- D. Motion to appoint **Emily Keller** as Supervisor Liaison to the Trails Committee S T K
- E. Motion to appoint **Kyle Scribner** as Supervisor Liaison to the Bondsville Mill Committee..... S T K
- F. Motion to appoint **Francis Taraschi** as Supervisor Liaison to the Budget Committee S T K
- G. Motion to appoint **Kyle Scribner** as Supervisor Liaison to the Traffic Impact Committee..... S T K
- H. Motion to appoint **Francis Taraschi** as Supervisor Liaison to the Planning Commission S T K

VIII. FINANCIAL

- A. Motion to appoint **Barbacane Thornton & Company (BTCPA)** as Township Appointed Auditor..... S T K
- B. Motion to set Manager’s, Treasurer’s and Tax Collector’s Bond at \$1,500,000..... S T K
- C. Motion to name **Fulton Bank** as depository for the General Funds, Open Space Referendum Fund, Traffic Impact Fund, State Liquid Fuels Fund, Capital Projects Fund, Fire Services Fund, & Solid Waste Fund S T K

- D. Motion to appoint **Keystone Collections Group** as the collector of the Earned Income Tax (EIT) for 2026, including all delinquent earned income taxes from previous years S T K
- E. Motion to appoint **Keystone Collections Group** as the collector of the Local Services Tax (LST) for 2026, including all delinquent earned taxes from previous years S T K
- F. Motion to appoint **Keystone Collections Group** as the collector of the Open Space Earned Income Tax, and to continue the tax at 0.125% for 2026 S T K
- G. Motion to continue the one percent (1%) Real Estate Transfer Tax for 2026 S T K
- H. Motion to appoint the **Board of Supervisors** as the Local Tax Appeals Board pursuant to Pennsylvania Act 50 of 1998 S T K
- I. Motion to appoint **Kyle Scribner** as voting representative and **Luke Reven** as alternate voting representative to the Chester Tax Collection Committee S T K

IX. INTERMUNICIPAL AGREEMENTS, REGIONAL SERVICES, AND STATE ASSOCIATIONS

- A. Motion to certify the **Board of Supervisors** as Delegates to the Pennsylvania State Association of Township Supervisors’ Annual Convention..... S T K
- B. Motion to appoint **Luke Reven** as Voting Delegate and **Noah Stribrny** as alternate to the Pennsylvania State Association of Township Supervisors’ Annual Convention S T K
- C. Motion to appoint **Kyle Scribner** as the voting representative and **Luke Reven** as the alternate representative to the Western Chester County Council of Governments S T K
- D. Motion to appoint **Francis Taraschi** as the voting representative and **Kyle Scribner** as the alternate representative to the UCC Appeals Board S T K
- E. Motion to appoint **Mary Hinebaugh** as the East Brandywine Township representative to the Downingtown Library S T K

X. OTHER BUSINESS

- A. Resolution 1 of 2026: Designation of Emergency Service Providers.....L. Reven
- B. Approval of Compensation for Non-Police PersonnelL. Reven
- C. Authorization to Pay Bills & Approve PayrollL. Reven
- D. Authorization to Record County Grant Deed Restrictions on McQueen AcquisitionN. Stribrny

XI. PUBLIC COMMENT ON NON-AGENDA ITEMS

XII. NOTICES

There will be an executive session following this meeting to discuss personnel matters.

XIII. ADJOURNMENT

RESOLUTION 01 OF 2026**A RESOLUTION OF EAST BRANDYWINE TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA,
DESIGNATING EMERGENCY SERVICE
PROVIDERS FOR EAST BRANDYWINE TOWNSHIP**

WHEREAS, the Board of Supervisors of East Brandywine Township is responsible under the Second Class Township Code for the public safety of the residents of East Brandywine Township; and

WHEREAS, the Board of Commissioners of the County of Chester has requested that East Brandywine Township provide a resolution outlining the methods and agencies chosen to fulfill the public safety needs of East Brandywine Township for the efficient administration of the integrated emergency communications system of the Chester County Department of Emergency Services.

NOW, THEREFORE, BE IT RESOLVED the East Brandywine Fire Company will provide fire protection. East Brandywine Fire Company chooses a combination of designated primary coverage area and the use of Automatic Vehicle Location services; and,

FURTHER, BE IT RESOLVED the Minquas Fire Company Ambulance of Downingtown will provide Basic Life Support and Advanced Life Support ambulance services; and,

FURTHER, BE IT RESOLVED the East Brandywine Township Police Department will provide full-time police protection; and,

FURTHER, BE IT RESOLVED that the East Brandywine Fire Company will provide rescue service; and,

FURTHER, BE IT RESOLVED that Benjamin Serfass is designated as the Township's Emergency Management Coordinator; and

FURTHER, BE IT RESOLVED that Bob Nye is designated as the Township's Deputy Emergency Management Coordinator; and

FURTHER, BE IT RESOLVED that the Board of Supervisors of East Brandywine Township have reviewed and revised, if necessary, and adopted the East Brandywine Township Emergency Operations Plan; and has reviewed and adopted the National Incident Management System as a common operating practice.

AND FURTHER, BE IT RESOLVED, the contact person between said organizations and the Chester County Department of Emergency Services shall be Luke Reven, Township Manager.

ENACTED this 5th day of January, 2026, by the Board of Supervisors of East Brandywine Township, Chester County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS
EAST BRANDYWINE TOWNSHIP

ATTEST:

Francis X. Taraschi, Chairman

Lisa Taraschi, Township Secretary

Kyle P. Scribner, Vice Chairman

Emily Keller, Member



EAST BRANDYWINE TOWNSHIP

Board of Supervisors

Kyle P. Scribner

Francis X. Taraschi

Emily Keller

M E M O R A N D U M

DATE: January 5, 2026
TO: Members of the Board of Supervisors
CC: Township Solicitor Thomas Oeste, esq.
FROM: Luke Reven, Township Manager

RE: 2026 Hourly Rates for Non-Police Personnel Including Service Anniversaries

On December 18, 2025, the Board of Supervisors adopted a 2026 Final Budget for the General Fund. This document contained annual compensation for employees. For clarity, these annual compensation amounts have been presented in the table below as hourly rates which will be used for payroll purposes. Of particular note:

1. Public Works Employees are offered 90% of the base compensation at hire, and make 100% of the base compensation by their second anniversary. This necessitates mid-year raises in excess of the annual cost-of-living increase applied in the first paycheck of each year.
2. Not all personnel are regularly scheduled to work the same number of hours per year—Public Works personnel work 2,080 hours per year while the administrative team work 1,820 hours per year.

Staff Member	Hourly Rate	Notes
Albert, Emily	36.03	
Brown, Gabrielle	27.33	
Claas, Derrick	37.99	Per Offer Letter of 10/24/2025.
Hensel, Matthew	29.23 30.78	Service Anniversary July 22—New Rate on July 30 Payroll (95% to 100%).
King, Norann	40.57	
Lelii, Jeremy	29.23 30.78	Service Anniversary January 3—New Rate on January 15 Payroll (95% to 100%).
Mortzfield, Kyle	30.78	
Reven, Luke	73.26	
Stribrny, Noah	36.80	
Taraschi, Lisa	36.03	
Trout, Joshua	27.69 29.23	Service Anniverary September 29—New Rate on October 8 Payroll (90% to 95%).

At this time, I respectfully request the Board authorize the Township Manager and Township Secretary to use the hourly rates in this memo for the purpose of processing payroll for the remainder of 2026.

East Brandywine Township
Bank Account Balances
 As of January 2, 2026

ASSETS	
Current Assets	
Checking/Savings	
101 General Fund Operating	
101.01 General Checking - Fulton 8380	1,609,335
101.01P Payroll - Fulton 8448	8,841
102.000 Due from Developer	
Total Due From Developer	-29,073
Total 101 General Fund Operating	<u>1,589,103</u>
103-107 Special Revenue Funds	
103.01 Fire Services Fund - Fulton 8353	13,171
104.01 Solid Waste Fund - Fulton 8439	161,265
105.02 Traffic Impact - Fulton 6790	2,425,812
106.02 Open Space Ref - Fulton 6802	4,222,468
107.01 Open Space SALDO - Fulton 5420	118,319
Total 103-107 Special Revenue Funds	<u>6,941,034</u>
118-121 Capital Projects Funds	
118-21 Capital Fund - Fulton 6820	
118.02 Capital Projects	<u>2,552,689</u>
135 State Funds	
135.01 State Fund - Fulton 8401	<u>5,128</u>
160-165 Pension Trust Funds	
160.01 Uniform Pension - Fidelity 7628	8,789,795
165.01 Non-Uniform Pension - RJ 4666	2,749,793
Total 160-165 Pension Trust Funds	<u>11,539,587</u>
Total Checking/Savings	<u>22,627,542</u>
Total Current Assets	<u>22,627,542</u>
TOTAL ASSETS	<u>22,627,542</u>
LIABILITIES & EQUITY	0

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01/02/26

East Brandywine Township
Solid Waste Check Detail
December 18, 2025 through January 2, 2026

<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Name</u>	<u>Memo</u>	<u>Paid Amount</u>
01/02/2026	507	104.01 Solid Waste-Fulton 8439	Chester County Solid Waste Auth...	2010LC INV 77072, 77150	
		427.49 Refuse Tipping Fees		INV 77072 Refuse Tipping 12/9/...	-5,062.17
		427.49 Refuse Tipping Fees		INV 77150 Refuse Tipping 12/1...	-4,296.08
TOTAL					<hr/> -9,358.25

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01/02/26

East Brandywine Township
State Liquid Fuels Check Detail
December 18, 2025 through January 2, 2026

<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Name</u>	<u>Memo</u>	<u>Paid Amount</u>
01/02/2026	3800	135.01 State Fund-Fulton 8401	EM Kutz Inc	INV 46708	
		437.37 Tools+Machinery Repairs		Plow maintenance	-749.58
TOTAL					-749.58

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**East Brandywine Township
General Fund Check Detail
December 18, 2025 through January 2, 2026**

Date	Num	Account	Name	Memo	Paid Amount
01/02/2026	31691	101.01 · General - Fulton 8380	Staples	PHL 1590852 Summary 7008108581	
		410.21C · Office Supplies		PD office supplies	-242.57
TOTAL					-242.57
01/02/2026	31692	101.01 · General - Fulton 8380	iManaged Inc	(6) INV	
		406.27 · IT + Broadband		INV 123917-i Twp iManaged Gold	-854.45
		406.24 · General Operating Supplies		INV 124019-i Twp Huntress	-85.50
		406.27 · IT + Broadband		INV 123945-pa Twp PA Backup	-360.00
		410.241 · IT + Software		INV 123976-i PD iM Proofpoint	-178.20
		410.241 · IT + Software		INV 124011-i PD Huntress	-112.50
		410.241 · IT + Software		INV 123932-pa PD PA Backup	-536.50
TOTAL					-2,127.15
01/02/2026	31693	101.01 · General - Fulton 8380	Cody Computer Services Inc	INV 12846	
		410.241 · IT + Software		CODY Term Subscription License	-8,823.00
TOTAL					-8,823.00
01/02/2026	31694	101.01 · General - Fulton 8380	Hatt's Industrial Supplies Inc	INV 3156609	
		437.37 · Tools + Machinery Repairs		shop supplies	-38.95
TOTAL					-38.95
01/02/2026	31695	101.01 · General - Fulton 8380	CC Association of Township Officials	Annual Dues	
		406.46 · Mtgs, Conferences, Educ		Municipalities population 5K-10K annual dues	-350.00
TOTAL					-350.00
01/02/2026	31696	101.01 · General - Fulton 8380	Kencor LLC	C0020856 INV-437811-Z1F3	
		409.37 · Repairs + Maint		INV 11/20/2025 elevator shut down below floor level	-277.79
TOTAL					-277.79
01/02/2026	31697	101.01 · General - Fulton 8380	PECO Energy	0041842000 BMP	
		409.36 · Electric		BMP electric 11/14 - 12/15/2025 (31 days)	-132.45
		409.36 · Electric		BMP late payment charge	-0.85
		409.36 · Electric		BMP late payment charge	-0.94
TOTAL					-134.24
01/02/2026	31698	101.01 · General - Fulton 8380	The Standard	00-634273-0001	

10:59 AM

01/02/26

East Brandywine Township General Fund Check Detail December 18, 2025 through January 2, 2026

Date	Num	Account	Name	Memo	Paid Amount
		487.18 · Life + Disability 410.19M · Life, Disability		Twp PD	-695.25 -1,536.89
TOTAL					-2,232.14
01/02/2026	31699	101.01 · General - Fulton 8380	Comcast Cable	8499-10-096-0023819	
		406.27 · IT + Broadband		PD Cable 1/1 - 1/31/2026	-10.52
TOTAL					-10.52
01/02/2026	31700	101.01 · General - Fulton 8380	Witmer Public Safety Group	INV 807095	
		410.24P · New Police Equip		rain caps	-48.97
TOTAL					-48.97
01/02/2026	31703	101.01 · General - Fulton 8380	ARRO Consulting Inc	INV 115348, 115352, 115350, 115351	
		102.034 · Brandywine Walk Failed Inspec		INV 115348 NVR (Brandywine Walk) Failed Inspec's	-288.75
		102.034 · Brandywine Walk Failed Inspec		INV 115351 NV Homes (Brandywine Walk) Failed Inspec's	-525.00
		102.035 · StonemillToll Bros FailedInspec		INV 115350 NVR (Stonemill Village) Failed Inspec's	-52.50
		413.31 · Bldg Inspec + Review		INV 115352 Residential Admin 2025 Code Svs	-7,076.25
		413.31 · Bldg Inspec + Review		INV 115352 Residential Plan Review 2025 Code Svs	-3,491.25
		413.31 · Bldg Inspec + Review		INV 115352 Residential Inspections 2025 Code Svs	-14,165.55
		413.31 · Bldg Inspec + Review		INV 115352 Commercial Plan Review	-217.50
		413.31 · Bldg Inspec + Review		INV 115352 Commercial Inspections	-674.20
		414.31 · Planning + Zoning		INV 115352 Zoning Admin 2025 Code Svs	-2,127.50
		414.31 · Planning + Zoning		INV 115352 Zoning Plan Review 2025 Code Svs	-862.50
TOTAL					-29,481.00
01/02/2026	31704	101.01 · General - Fulton 8380	Pennoni	INVs dated 12/23/2025	
		408.30 · Engineering Special Projects		EBWT0000 General INV 1306681	-119.25
		102.003 · Estates at Dowlin Forge MDG		EBWT1001 Estates at Dowlin Forge INV 1306682	-5,677.25
		102.010 · Mapleview		EBWT1006 Mapleview INV 1306684	-431.00
		102.009 · Brandywine Walk (NVR)		EBWT1013 Brandywine Walk INV 1306685	-6,315.00
		102.042 · Carlino Proj Reboot		EBWTP01023 Carlino INV 1306686	-7,164.50
		102.028 · Stonemill Village (Toll Bros)		EBWTP01026 Stonemill Village INV 1306687	-365.75
		102.001 · Applecross Phase I		EBWTP01041 Applecross INV 1306688	-278.25
		408.30 · Engineering Special Projects		EBWTP01045 Bryant, 525 Reeds Rd INV 1306689	-573.00
		102.025 · Preserve at Horseshoe Meadows		EBWTP01048 Preserve at Horseshoe Meadows INV 1306690...	-213.75
		408.30 · Engineering Special Projects		EBWTP01057 (3) Creeks, 2069 Bondsville INV 1306691	-397.50
		102.040 · Arbo Hills SubDiv		EBWTP01058 Arbor Hills INV 1306692	-3,178.25
		102.039 · Economides2018, 2020 Bondsville		EBWTP01061 Economides, 2018+2020 Bondsville Rd INV 13...	-79.50
TOTAL					-24,793.00
01/02/2026	31705	101.01 · General - Fulton 8380	Cedarville Engineering Group LLC	INVs dated 12/31/2025	
		436.31 · Stormwater Engineer, MS4 Permit		228-25-0005 2024 General Eng INV 19763	-26.60

East Brandywine Township General Fund Check Detail December 18, 2025 through January 2, 2026

Date	Num	Account	Name	Memo	Paid Amount
		436.31 · Stormwater Engineer, MS4 Permit		228-25-0014 2025 General Eng INV 19764	-115.25
		436.31 · Stormwater Engineer, MS4 Permit		228-25-0219 2018 Bondsville Rd INV 19765	-92.25
		436.31 · Stormwater Engineer, MS4 Permit		228-25-0220 2020 Bondsville Rd INV 19766	-61.50
		436.31 · Stormwater Engineer, MS4 Permit		228-25-0227 2089 Bondsville Rd INV 19767	-222.75
		436.31 · Stormwater Engineer, MS4 Permit		228-26-0014 155 Crawford Rd (Hahn)	-1,072.00
TOTAL					-1,590.35
01/02/2026	31706	101.01 · General - Fulton 8380	EKOS	INV 225554	
		430.33 · Vehicle Fuel		Fuel Station Module Annual Billing 1/1/2026 - 12/31/2026	-2,928.00
TOTAL					-2,928.00
01/02/2026	31707	101.01 · General - Fulton 8380	Wilson Oil & Propane	114245 INV 11584189	
		409.23 · Heating Fuel		Propane (Heating oil)	-966.71
TOTAL					-966.71
01/02/2026	31708	101.01 · General - Fulton 8380	Overhead Door	12437 INV L153094, L153435	
		409.37 · Repairs + Maint		2025 INV L153094 garage door maintenance (Svs date 12/12/...	-1,596.00
		409.37 · Repairs + Maint		2025 INV L153435 garage door maintenance (Svs date 12/29/...	-3,395.00
TOTAL					-4,991.00

Prepared by:

Noah Stribrny
East Brandywine Township
1214 Horseshoe Pike
Downingtown, PA 19335

Return to:

Noah Stribrny
East Brandywine Township
1214 Horseshoe Pike
Downingtown, PA 19335

UPI #: 30-6-77, 30-6-78, 30-6-79

DECLARATION OF PUBLIC TRUST, COVENANTS, CONDITIONS, AND RESTRICTIONS

CHESTER COUNTY MUNICIPAL GRANT PROGRAM

THIS DECLARATION OF PUBLIC TRUST, COVENANTS, CONDITIONS, AND RESTRICTIONS is made this 17th day of December, 2025, by East Brandywine Township, Chester County, Pennsylvania, (hereinafter "Declarant").

BACKGROUND

WHEREAS, Declarant is a Township of the 2nd class of the Commonwealth of Pennsylvania and is the owner of a parcel of land containing 14.6 acres identified as Tax Parcel Number(s) 30-6-77, 30-6-78, 30-6-79 located in East Brandywine Township whose ownership is on record at the Chester County Recorder of Deeds in Deed Book 11291 Page 1012; and

WHEREAS, Article 1, Section 27 of the Pennsylvania Constitution states that: Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people; and

WHEREAS, this Declaration affirms the Land as a public natural resource benefitting the people as described in the Pennsylvania Constitution, dedicating the Land or confirming the Land's dedication to the Public Purposes and subject to the protections provided by, but not limited to, the Donated or Dedicated Property Act of December 15, 1959 P.L 1772, 53 P.S. §§3381-3386 (the "Donated or Dedicated Property Act"); and

WHEREAS, Counties are authorized to acquire interests in real property to protect and conserve natural or scientific resources; to protect scenic areas; to preserve sites of historic, geologic or botanic interest; to promote sound, cohesive and efficient land development by preserving open spaces between communities; and for purposes consistent with the terms of the Conservation and Land Development Act (the "Conservation Act"), Pa. Stat. Ann. Title 32, Section 5001 et seq; and

WHEREAS, the Commissioners of Chester County have therefore designated County funds for municipal partners to promote the health, safety, and public welfare of the citizens of Chester County by providing grants to municipalities for the acquisition and preservation of significant natural, recreational, historic, cultural, scenic, and agricultural resources; and for the development of parks and trails; and

WHEREAS, pursuant to the guidelines and criteria of the Chester County Municipal Grant Program (Acquisition and Park and Trail Improvement grants), Declarant submitted an application to the applicable County grant program; and

WHEREAS, as a specific condition of the aforesaid County grant programs, the Declarant agrees to record a covenant running with the land requiring the continuous use of the Property for open space, natural areas, natural resource conservation, agriculture and/or public parks, trails and greenways, and to hold and manage the property on behalf of the Public Trust including protections afforded under the Donated or Dedicated Property Act; and

WHEREAS, the Property possesses natural, scenic, open space, historical, agricultural, educational, and/or recreational values (collectively "conservation values") of great importance to Declarant, the people of Chester County, and the people of the Commonwealth of Pennsylvania; and

WHEREAS, Declarant further intends, as owner of the Property, to permit public access and/or agriculture, and further to preserve and protect the conservation values of the Property in perpetuity; and

NOW, THEREFORE, intending to be legally bound hereby, Declarant shall utilize Property solely and exclusively for the uses stated herein and as further specified in Article III.

ARTICLE I - DEFINITIONS

The following words and terms, which are used in this Declaration, shall have the following meanings:

1. "DECLARATION" shall mean and refer to this instrument, as amended from time to time.
2. "DECLARANT" shall mean and refer to the Municipality to be bound by this agreement.
3. "SUCCESSOR DECLARANT" shall mean each entity to which Declarant shall have specifically, by writing, assigned or conveyed any or all of Declarant's rights in and to the Property.

ARTICLE II - PROPERTY

1. "PROPERTY" shall mean the existing property or parcel of land referenced above and more particularly described in Article II and Exhibit "A" (legal description) and shown on Exhibit "B" (map) attached hereto. The property subject to the restrictions herein is all or part of a parcel of land containing 14.6 acre(s), identified as Tax Parcel Number(s) 30-6-77, 30-6-78, and 30-6-79 located in East Brandywine Township. In the event of any additions to the existing property, which shall be made subject to this Declaration, then, from and after the recording of an appropriate Supplementary Declaration, the term "Property" shall mean the existing property and any such additions.

ARTICLE III - RESTRICTIONS

1. The use of the Property as defined in this Declaration shall be restricted to open space, natural areas, natural resource conservation, agriculture and/or public parks, trails and greenways. If, when, and as it is deemed inappropriate to utilize the Property for the originally intended permitted uses, it is agreed, understood and hereby declared that the utilization of the Property shall be for open space and free of any use or encumbrance prohibited by this Declaration. The term of this restriction shall be perpetual and it shall be a covenant running with the land.

2. The following list serves to highlight uses that are specifically prohibited, but does not represent the full extent of uses that are in violation of this Declaration: cellular telecommunication towers, disposal of sewage effluent generated off-site (including disposal of offsite-generated sewage at any stage of treatment or post treatment using any technology including but not limited to spray or drip irrigation), and conveyance of surface or subsurface water for commercial or consumptive purposes (including public or private companies or authorities). Any composting materials, waste products or any other items

that are generated off site may not be placed on site for any reason including disposal or processing.

3. Property subject to this Declaration shall not be available to count toward satisfying any open space or preserved land requirements as stipulated under applicable municipal land use laws, ordinances, or codes. Furthermore, owners may not transfer for use outside the Property (whether or not for compensation) any development rights allocated to the Property under any applicable law.

4. The Declarant shall manage and develop the property for authorized uses in a manner that maximizes public access consistent with the respective use and preserves the integrity of natural resources such as stream corridors, steep slopes, wetlands, and state, national or globally rare species.

5. No additional restrictions may be placed on the Property without permission from the County Department responsible for programmatic oversight. Express written consent of the Commissioners of Chester County Pennsylvania is required if the County finds that the additional restrictions proposed will reduce public access or diminish the conservation values of the property.

ARTICLE IV – RESERVATION

1. Declarant reserves the right but not the obligation to install, or allow the installation of, underground improvements provided: such improvements are otherwise permitted by federal, state and local laws, rules and regulations and the improvements are not extractive of natural resources that are part of the bundle of rights that comprise the Property. Any permissible underground improvements must only serve Public Purposes and must be designed and located so as not to materially affect the Public Purposes being financed in part by the County grant.

2. Declarant may lease or license portions of the surface of the Land to others to provide or assist the Declarant in providing facilities, programs, goods, services, or other amenities to the public that are consistent with the Public Purposes of the Municipal Grant Program.

ARTICLE V - ENFORCEMENT

1. The County of Chester shall have the right and power to enforce the terms of this Declaration, by any proceedings at law or in equity, against the Declarant, Successor Declarant, or any person or persons violating or attempting to violate any provision of this Declaration; to restrain violations; to require specific performance; and/or to recover damages.

2. In execution of its monitoring and enforcement rights, the County of Chester has the right to enter and inspect the Property for compliance with this Declaration by way of land, through the use of an unmanned aerial vehicle, or a combination of both.

3. Rights and remedies arising out of this declaration are cumulative; they neither limit nor are limited by any rights or remedies arising from the Donated or Dedicated Property Act or other applicable authority available for upholding the Public Purposes.

4. If the County determines that Declarant, Successor Declarant, or any other person is in violation of the terms of this Declaration or that a violation is threatened, the County shall give written notice to the party in violation and demand corrective actions sufficient to cure the violation, and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the permitted uses of this Declaration, to restore that portion of the Property so injured. If violator fails to cure the violation within thirty (30) days after receipt of notice thereof from the County, or under circumstances where the violation cannot reasonably be cured within a thirty day period, fails to begin curing such violation within the thirty (30) day period, or fails to continue diligently to cure such violation until finally cured, the County may bring an action at law or equity in a Court of competent jurisdiction to enforce the terms of this Declaration, to enjoin the violation, ex parte as necessary, by temporary or permanent injunction to recover any damages to which it may be entitled for violation of the terms of this Declaration or injury to any public interest protected by this Declaration, and to require the restoration of the Property to the condition that existed prior to such injury.

5. Without limiting Declarant's, Successor Declarant's, or any other person's liability therefore, the County, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property. The County's rights under this paragraph apply equally in the event of either actual or threatened violations of the terms of this Declaration and Declarant and Successor Declarants agree that the County's remedies at law for any violation of the terms of this Declaration are inadequate and that the County shall be entitled to the injunctive relief described in this Article, both prohibitive and mandatory in addition to such other relief to which the County may be entitled including specific performance of the terms of this Declaration, without necessity or proving either actual damages or the inadequacy of otherwise available legal remedies. The County's remedies described in this Article shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

6. Cost of enforcement. Any costs incurred by the County in enforcing the terms of this Declaration against Declarant or Successor Declarant, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Declarant or Successor Declarant's violation of the terms of this Declaration shall be borne by Declarant or Successor Declarant.

7. The failure by the County to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

ARTICLE VI - MISCELLANEOUS

1. The covenants and restrictions of this Declaration shall run with the land and bind the Property in perpetuity.

2. The provisions of this Declaration shall, pursuant to its terms, inure to the benefit of Chester County, and bind the Property, Declarant and its successors and assigns.

3. Recording. This Declaration shall forthwith be recorded in the Office of the Recorder of Deeds in and for the County of Chester, Pennsylvania.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written.

ATTEST: NAME OF DECLARANT: East Brandywine Township

By: _____

Chairman/President/Officer

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF CHESTER :

On this ____ day of _____, 20__, before me, the undersigned officer, personally appeared _____ who acknowledged her/himself to be the _____ of the governing body of _____, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Municipality by him/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Print Name: _____, Notary Public