

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS  
ORGANIZATION MEETING  
January 7, 2019**

Those in Attendance:

Kyle P. Scribner, Chairman (via telephone)  
Jay G. Fischer, Esquire, Vice-Chairman  
Jason R. Winters, Supervisor  
Scott T. Piersol, Township Manager  
Luke Reven, Assistant Township Manager  
Mark Kocsi, Chief of Police  
Matthew VanLew, Roadmaster  
Kristin Camp, Esquire, Township Solicitor  
Mary Kemble Slade, Secretary/Treasurer

The East Brandywine Township Board of Supervisors met on Monday, January 7, 2019, for the purpose of reorganizing and to conduct other business, as necessary. The meeting was called to order by Vice-Chairman Fischer at 9:00 A.M. at the East Brandywine Township Municipal Complex with a Salute to the Flag.

**Public Comment on Non-Agenda Items**

There were no comments.

**Opening of Meeting**

Vice-Chairman Fischer advised that the first matter on the agenda would be to appoint a temporary Chairman to preside over the meeting. Chairman Scribner made a motion to appoint Vice-Chairman Fischer as temporary Chairman. Supervisor Winters seconded the motion, with all voting Aye. Motion passed 3-0.

**Reorganization**

Temporary Chairman Fischer made a motion to appoint Kyle Scribner to continue in his capacity as Chairman of the Board of Supervisors for 2019. Supervisor Winters seconded the motion, with all voting Aye. Motion passed 3-0.

Supervisor Winters made a motion to appoint Jay Fischer to continue in his capacity as Vice-Chairman of the Board of Supervisors for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Scott T. Piersol as Township Manager for 2019, pursuant to the following terms:

- Salary: \$104,416 per year
- Longevity Pay: \$175 for each year of service which shall be paid in a lump sum on the anniversary date of hire of August 15.

- Benefits: Mr. Piersol shall be entitled to the benefits provided by the Township for other Township employees as set forth in the Employee Manual including health care insurance, long term disability insurance, life insurance, and retirement plan.
- Vacation: Five weeks of vacation.
- Expenses: Reimbursement of ordinary, necessary and reasonable expenses incurred by Mr. Piersol in the course of his performance of his duties as Township Manager.
- Sick days: In accordance with the Township's Employee Manual
- Payment of professional dues for memberships in organizations that pertain to his scope of duties as Township Manager.
- Vehicle Allowance: \$400 per month.

Vice-Chairman Fischer stated that on January 2, 2019, the Board did not vote to continue the written Employment Agreement dated October 21, 2015 that was extended by the Board at the reorganizational meeting on January 4, 2016 for a two-year term. The Board specifically stated in January of 2018 that it was not accepting the terms of that employment agreement and would work towards renegotiating certain terms of the written contract. During the course of 2018, the Board was later advised that it was not necessary to have a written employment agreement for the Township Manager. Vice Chairman Fischer stated he would like to reappoint Mr. Piersol as Township Manager for 2019 but wanted to make it clear that the written Employment Agreement dated October 21, 2015 is not and has not been in effect since December 31, 2017. Vice-Chairman Fischer further stated that there may be a time in the future when the Board will agree to enter a written employment agreement but is not prepared to do so this morning. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Luke Reven as Assistant Township Manager for 2019, pursuant to the following terms:

- Salary: \$73,935 per year
- Longevity Pay: \$175 for each year of service which shall be paid in a lump sum on the anniversary date of hire of June 30.
- Benefits: Mr. Reven shall be entitled to the benefits provided by the Township for other Township employees as set forth in the Employee Manual including health care insurance, long term disability insurance, life insurance, and retirement plan.
- Vacation: In accordance with the Employee Manual
- Expenses: Reimbursement of ordinary, necessary and reasonable expenses incurred by Mr. Reven in the course of his performance of his duties as Assistant Township Manager, including mileage reimbursement at the IRS rate for travel with his personal vehicle on Township business.
- Sick days: In accordance with the Township's Employee Manual.
- Payment of professional dues for memberships in organizations that pertain to his scope of duties as Assistant Township Manager.

Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Luke Reven as the Township Recycling Coordinator for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Scott T. Piersol as Township's Emergency Management Coordinator for 2019. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Colin Miller of the East Brandywine Fire Company as the Deputy Emergency Management Coordinator for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Joe Edwards as Fire Marshal for East Brandywine Township for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Mark Kocsi as Chief of Police for the East Brandywine Township Police Department for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Mary Kemble Slade as Secretary/Treasurer for 2019. Supervisor Winters seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Matthew T. VanLew as Roadmaster for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Mary Kemble Slade as the Township Right to Know Officer and Luke Reven as Assistant Right to Know Officer for East Brandywine Township and the East Brandywine Municipal Authority. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Lt. Jeffery Yankanich as the East Brandywine Township Police Department Right to Know Officer for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint ARRO Consulting, Inc., as Residential Building Code Official, Commercial Building Code Official and Zoning Officer for 2019, 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. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Pennoni Associates as Township Engineer for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Cedarville Engineering for stormwater management engineering for 2019. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Heinrich and Klein as the Township's Traffic Consultant for 2019. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Kristin S. Camp of Buckley, Brion, McGuire & Morris LLP as Township Solicitor for 2019. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Thomas F. Oeste of Buckley, Brion, McGuire & Morris LLP as Planning Commission Solicitor for 2019. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Eric Brown of Siana Bellwoar as Zoning Hearing Board Solicitor for 2019. Chairman Scribner seconded the motion, all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Scott Blissman of Eckert Seamans Cherin & Mellott as Police Labor Attorney for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint James Rosato as a member of the Zoning Hearing Board for an additional five-year term. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Michael Corbin and Michael Wagoner as members of the Planning Commission for additional four year terms. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Jay Fischer, Kyle Scribner, Jason Winters, Bruce Rawlings, Michael Corbin, Charles Giordano, Michael Wagoner, James Buczala, Nancy Frame, Jonathan Wright, Jim Grisillo and Scott Piersol, as members of the Ordinance Task Force. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint James Buczala and Francis Taraschi as members of the Historical Commission for additional four-year terms. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Robert Wise of RGA, Inc. as Consultant to the Township Historical Commission for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Sandra Lammey to the Parks and Recreation Board for an additional five year term. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Gawthrop Greenwood, PC as Special Projects Solicitor for 2019. Chairman Scribner seconded the motion, with Chairman Scribner and Vice-Chairman Fischer voting Aye, and Supervisor Winters voting Nay. Motion passed 2-1.

Vice-Chairman Fischer made a motion to reappoint Jason R. Winters, Samuel R. Matthews, and L. William Kay to the Agricultural Security Area Advisory Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint David Whelihan to the Municipal Authority for an additional five year term. Chairman Scribner seconded the motion, all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Robert Long, Carolyn Long, Louise Walker, Alan Yefko, Mark Smith, and Andrew Thurston, to the Open Space Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Supervisor Winters Scribner made a motion to reappoint Vice-Chairman Fischer as the Supervisor representative to the Open Space Committee for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Karen Elrod, Shelly Francies, Kristopher Givens, Jill Givler, Mitchell Goldfarb, Evelyn Samuels, and Sally Riddle to the East Brandywine Township Youth Aid Panel for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Corporal Daniel Orris as the Police Liaison to the Youth Aid Panel for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint James Buczala, Hudson Voltz, Bud Bruton, Eleanor Buczala, David Culp, Douglas Freeman, Frank Harvey, Arne Jensen, Jim Ladrew, Roger Lauer, Charles Lindsay, Sandra Moser, Ian Plane, Thomas Scurto-Davis, Charles Stone, Roger Stone, Jim Balbierer, Luke Reven and Scott Piersol, as members of the Bondsville Mill Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Nancy Frame, John Bryer, Chris Saello, Hudson Voltz, Richard Bates and Scott Piersol as members of the Traffic Impact Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Michael Wagoner, Muriel Kennedy, Ian Plane, David Summers, Charles Lindsay and Leonard Alansky as members of the Trails Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Kenneth Adler, Carl Croft, Robert Long, Bhaumik Parikh, Jeffrey Rolfe, George Scherbak and James Throne as members of the Budget Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Chairman Scribner as the Supervisor representative to the Traffic Impact Committee for 2019. Supervisor Winters seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Supervisor Winters as a Supervisor Representative to the Bondsville Mill Committee for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Supervisor Winters made a motion to reappoint Vice-Chairman Fischer as the Supervisor representative to the Trails Committee for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint David Sweet as Township Planning Consultant. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Hudson L. Voltz as the Township representative to the Downingtown Area Recreation Consortium for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice Chairman Fischer made a motion to appoint BBD, LLC as the appointed Township Auditor for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to set the Treasurer's Bond and Tax Collector's Bond at \$1,500,000 to be filed with the Board of Auditors. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to name DNB First depository for the General and State Liquid Fuels Funds. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Keystone Collections Group as the collector of the Earned Income Tax for 2019, including all delinquent earned income taxes from previous years. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Keystone Collections Group as the collector of the Local Services Tax for 2019, including all delinquent earned taxes from previous years. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a 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 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to set refuse removal and recycling fees at \$235 for 2019. The refuse fee portion will be \$165 and the recycling portion will be \$70. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to continue the one percent (1%) Real Estate Transfer Tax for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint the Board of Supervisors as the Local Tax Appeals Board (Act 50). Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint the Board of Supervisors and Police Chief Mark Kocsi, Lt. Jeffrey Yankanich, Sgt. James Ferraro and Officer John Hayes as members of the Uniformed Pension Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint the Board of Supervisors, Manager Scott Piersol and Assistant Manager Luke Reven as members of the Uniform and Non-Uniform Pension Committees. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint Bob Hoffman as the voting representative and Dennis Mulhern as the alternate representative to the Chester County Tax Collection Committee. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint Chairman Scribner as the voting representative and Supervisor Winters as the alternate representative to the Western Chester County Council of Governments. Supervisor Winters seconded the motion, which passed by a majority vote with Chairman Scribner abstaining.

Vice-Chairman Fischer made a motion to appoint Supervisor Winters as the voting representative and Township Manager Scott Piersol as the alternate representative to the UCC Appeals Board. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to adopt Resolution 01 of 2019 “Designation of Emergency Service Providers”. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to adopt Resolution 02 of 2019 “Actuarial Findings for the Non-Uniformed Pension Plan for the Year 2019”. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to adopt Resolution 03 of 2018 “Actuarial Findings for the Police Pension Plan for the Year 2019”. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to certify the Board of Supervisors as delegates to the State Association’s Annual Convention. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to appoint a Township Manager Scott Piersol as Voting Delegate and Assistant Manager Luke Reven as the Alternate Delegate to the State Association’s Annual Convention. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Mary E. Hinebaugh as East Brandywine Township’s representative to the Downingtown Library. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint George Scherbak to the Vacancy Board for 2019. Chairman Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Vice-Chairman Fischer made a motion to reappoint Chairman Scribner as liaison to the East Brandywine Township Police Department for 2019. Supervisor Winters seconded the motion, which passed by a majority vote with Chairman Scribner abstaining.

## **Other Business**

### **Proposal Addendum Request –Hawthorne Drive Stormwater Improvement Design**

Beth Uhler and April Barkasi from Cedarville Engineering Group were present to discuss the proposal addendum request for this project, since the scope of work has changed due to the utility locations. Ms. Uhler provided a brief history of the project and its course of the design process, which ultimately led to a redesign, thus increasing the original proposed costs. Some of the reasons given by Ms. Uhler for the redesign were a lack of as-builts for Hawthorne Drive, PECO being unable to accurately identify their utility locations at the onset of the project’s design, and Aqua’s recent replacement of the waterlines in Hawthorne Drive. Ms. Barkasi noted that the starting and stopping of the design process caused inefficiencies, which is why they are asking for additional monies to complete the project. Supervisor Winters noted that the



Township did not cause the delays and thought the concept of full-time inspection for the project was excessive. Ms. Barkasi noted that they will take that under advisement. Supervisor Winters indicated he would be agreeable to approve the \$8,832.00 requested for the design work, with Cedarville revisiting the portion of the proposal regarding the construction administration supplement request. With neither Chairman Scribner nor Vice-Chairman Fischer having any questions, Supervisor Winters made a motion to approve Cedarville Engineering Group's EBT-18003 proposal addendum request in the amount of \$8,832.00 for the additional design with the understanding that Cedarville will approach the Board in the future about the additional construction administration supplement costs. Vice-Chairman Fischer seconded the motion, with all members voting Aye. Motion passed 3-0.

### **NVR, Inc. Weaver Tract – Correct AQRC Ordinance Amendment**

Solicitor Camp noted the Conditional Use Application for this project has been filed and the Township currently has until January 31, 2019 to hold the initial hearing. She also noted the ordinance amendment hearing will need to be scheduled for a time after the submission of the latest revision of the proposed ordinance amendment, which was made on December 21, 2018. Solicitor Camp suggested the Board hold the ordinance amendment hearing at their meeting on February 7, 2019 at 8A.M. She indicated NVR would be attending the February Planning Commission meeting to discuss the Conditional Use Application. Solicitor Camp suggested the Board hold the Conditional Use Hearing on a night separate from either of the regular meeting dates. Vice-Chairman Fischer asked if NVR is willing to grant an extension to hold the hearing. Solicitor Camp indicated they will grant an extension once a date is determined. After some discussion, the Board decided to hold the hearing on either February 25th or February 26th at 7:00 P.M., and will confirm once they have had the opportunity to check their calendars.

### **First Amendment for Police Chief Longevity**

Solicitor Camp presented the First Amendment to the Contract between the Board of Supervisors and Mark D. Kocsi, Chief of Police, regarding the payment of the Chief's longevity pay. Vice-Chairman Fischer made a motion to approve the First Amendment to the Contract as presented. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

### **Comments from the Audience**

There were none.

### **Notices**

Chairman Fischer announced that an Executive Session of the Board of Supervisors was held on Thursday, January 3, 2019 to discuss personnel matters.

**Adjournment**

Chairman Scribner made a motion to adjourn the public meeting at 9:40 A.M. Vice-Chairman Fischer seconded the motion, with all members voting Aye. Motion passed 3-0.

Respectfully submitted,



Mary Kemble Slade,  
Secretary/Treasurer