

EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
February 20, 2020

Those in Attendance:

Kenneth N. Ader, Chairman
Jason R. Winters, Vice-Chairman
Kyle P. Scribner, Member
Scott T. Piersol, Township Manager
Luke D. Reven, Assistant Township Manager
Mark Kocsi, Chief of Police
Matthew VanLew, Roadmaster
Kristin Camp, Township Solicitor (via conference call)
Lisa Valaitis, Township Secretary

The East Brandywine Township Board of Supervisors meeting of Thursday February 20, 2020 was called to order at 7:32 p.m. at the East Brandywine Township Municipal Complex.

Opening of Meeting

Chairman Ader opened the meeting by announcing that this evening's meeting is being audio and video recorded. He then led the Salute to the Flag.

Public Comment on Non-Agenda Items

Chairman Ader reminded those in attendance of Resolution 2001-08, Rules for Conduct at Public Meetings, stating, "The times allotted to each individual making comments shall be three minutes, unless otherwise set by the presiding officer under 4c. Additional public comment may be granted by the presiding officer at the conclusion of the meeting."

Chairman Ader asked if there were comments on non-agenda items.

Mr. Brian DiNola, 46 Tarrytown Lane, discussed his recent trash collection issues. Mr. DiNola noted that has been putting out two 96-gallon trash toters for pick-up every week for the past two years and all the trash was always collected. Two weeks ago, the current trash hauler began only emptying one trash toter each week and consequently he is now being forced to store the additional trash that has not been picked up in his garage. Mr. DiNola requested that the Board of Supervisors change the trash pick-up policy back to the old policy. Otherwise he will be forced to continue to store his additional trash in his garage.

Assistant Manager Reven thanked Mr. DiNola for attending the Board of Supervisors meeting and bringing this issue to the Board's attention. Assistant Manager Reven explained that the trash collection service went out to bid last year, and the contract states that at each stop the trash hauler will pick up no more than three 35-gallon trash toters. Assistant Manager Reven noted that there are three places where the trash policy is memorialized: the Township's contract with the trash hauler, the Township Code, and marketing materials. Assistant Manager Reven noted that the Township did not make a public policy change, but rather the new hauler is more inclined to enforce the contractual limit than

the previous hauler was. The maximum trash pickup limit of three 35 gallon trash containers was a condition of the old hauler's contract as well. Assistant Manager Reven commented that although sympathetic to Mr. DiNola's problem, the Township is not able to change the policy. Supervisor Scribner asked what the alternative solution would be if a resident is consistently generating trash in excess of the limit. Assistant Manager Reven noted that the trash billing is invoiced with the real estate taxes and the Township's billing system allows for a single parcel to be billed for additional trash accounts. Supervisor Scribner asked what the length of the contract is with A.J. Blosenski. Assistant Manager Reven noted that the Township has a three year contract with A.J. Blosenski with the option to extend the contract for two additional years. Solicitor Kristin Camp commented that changing the number of gallons of trash to be picked up township-wide is a material change that would require the contract to be rebid. Solicitor Camp noted she has no concern with a property owner being billed for an additional trash pickup. Both Chairman Ader and Supervisor Scribner suggested Assistant Manager Reven speak to A.J. Blosenski about options for residents that are exceeding the 96-gallon per week trash limit. The Board also requested this topic be put on the March 19, 2020 Board of Supervisors agenda for further discussion.

Vice-Chairman Winters joined the meeting at 7:45 p.m.

Approval of the Board of Supervisors Minutes of February 6, 2020

Chairman Ader noted the February 6, 2020 minutes were offered for consideration. Supervisor Scribner made a motion to approve the minutes as presented. Chairman Ader seconded the motion, with all members voting Aye. Motion passed 3-0.

Treasurer's Report

Assistant Manager Reven noted that the Board's packet of financials for this meeting had changed this month. He commented that the yellow pages are either new reports or existing reports with significant changes. Assistant Manager Reven noted the following reasons for the report changes:

- On February 7, 2020 DNB First, the depository of record, transitioned to S&T Bank. Staff has been busy migrating to the new system for online access and remote deposit. There is no need for the Board to act to change the depository of record because this change was anticipated prior to the Annual Organization Meeting on January 6, 2020 and the minutes reflect this change.
- The list of authorized signers for Township accounts was amended prior to the transition to S&T Bank and now reflects the current make-up of the Board of Supervisors and Staff.
- The Township is now using three new bank accounts, which are on the Balance Sheet (first page in the financial packet) created to administratively segregate funds that are in some way encumbered but formerly deposited to the General Fund. These accounts are as follows:
 - The Escrow Fund – Used to track cash deposits made by land development and stormwater permit applications.
 - The Solid Waste Fund – Used to track the fees paid by residents participating in the Township's recycle and solid waste programs.

- The Fire Service Fund – Used to track the proceeds from the fire services real estate tax levy.
- The Balance Sheet (first page in the financial packet) also includes the balances in the Township’s Non-Uniformed and Uniformed Pension Funds.
- Towards the end of the financial packet, there is a new report entitled “Check Detail/All Funds” for the period starting the day after the Board’s last Regular Session meeting held on February 20, 2020. This report contains the expense and revenue line-item breakdown not visible on the older ‘General Fund Activity’ Report. This report includes all bank accounts. Assistant Manager Reven noted that this report could replace the later report for the purpose of forming the motion to authorize expenditures at the conclusion of the Board of Supervisors’ review.
- There is a new report entitled “Profit & Loss by Month/General Fund” which will be of particular use to the Budget Committee because many expense and revenue line items occur at irregular intervals.

Chairman Ader commented that the new “Profit & Loss by Month Report” will be key for the Budget Committee. The new check detail report is also incredibly useful. Check descriptions are helpful for understanding costs. Assistant Manager Reven briefly explained how the Escrow Fund’s beginning balance was calculated.

Assistant Manager Reven reported the Township’s account balances as of February 20, 2020. After reviewing the financial reports, Vice-Chairman Winters made a motion to approve the Treasurer’s Report and authorize disbursements as requested. Supervisor Scribner seconded, with all voting Aye. Motion passed 3-0.

Township Manager’s Report

Manager Piersol reported that he recently learned from a traffic engineering firm that PennDOT wants the installation of a new traffic signal at the Horseshoe Pike/Bollinger Road intersection to be energized sooner rather than later. The signals were installed in January however, the roadwork has not been completed. Our Township Engineer is currently reviewing the draft temporary signal plans. There are real concerns about energizing these signals prior to the lane shift and all associated work being completed. Once they have completed their review, Nate Cline and Mike Schneider from Pennoni will discuss the plans with him. PennDOT will have the final say on how this project proceeds. The concern is that while the width of road has been expanded, the lanes are not line-stripped. Energizing the signal before the road work is complete is an invitation for problems.

Manager Piersol was pleased to announce that Saturday, June 13 has been confirmed for our annual document shredding and e-waste recycling event. This event is a partnership of eight municipalities from the greater Coatesville area, and it is our seventh year providing this recycling event to our residents and neighbors. The event will again be located at the Coatesville School District Complex, across from the Brandywine Hospital. This location worked very well last year from a logistics

standpoint, because the contractors for the electronics and documents were at separate locations in the complex.

The hours of this event will be from 9 a.m. until noon, although we will likely have people in line prior to 8 a.m., and stragglers will still be arriving well after noon when we begin breakdown of the sites. Wiggins will be providing three shredding vehicles, and TBS Industries will be on hand for recycling various electronics, including computers, televisions, and PC monitors. Both contractors will arrive earlier than the start time to deal with the initial crush of early risers. As in the past, there will be additional information on acceptable and non-acceptable items for this event. Please check the Township website for more information on this event.

Assistant Township Manager's Report

Assistant Manager Reven reported the following:

1. Upcoming Events

- **Red Cross Blood Drive. February 25 from 2:00 p.m. to 7:00 p.m.** For the first time this event will be in the Meeting Hall - a change in location necessitated by outstanding turnout at our past events. Appointments are still preferred. Please call 1-800-Red-Cross (1-800-733-2767) to schedule your appointment or register online at www.redcrossblood.org using the sponsor code: ebrandywine.
- **Bondsville Mill Featured Speaker Dr. Douglas Tallamy. March 11 at 7:30 p.m.** The Bondsville Mill Committee will host well-known native plant advocate and author of *Bringing Nature Home*, Dr. Douglas Tallamy to speak in the Township meeting hall. Unfortunately, this free event is "sold out" and there is a currently a wait list for seating.
- **Historical Commission Spring Speaker Series. March 15 at 3:30 p.m.** Have you ever seen women and men at reenactments and historic sites dressed up in clothing of another time period and wondered just how they were tolerating the heat of a summer day in that getup? This lighthearted presentation will explain the whys and wherefores of clothing worn in the 1700's.
- **Free Shredding Event. March 28 from 8:30 a.m. to 11:30 a.m.** The Chester County Solid Waste Authority will be hosting this free event at the Lanchester Landfill.

2. Payment 1: Community Park Trail Extension

You may have noted in your review of the financials earlier this evening that Township Engineer Nate Cline has recommended payment in the amount of \$78,571.65 for work already completed on the community park trail extension and improvements. This amount will be paid in part from both the Open Space Referendum and Open Space Fee in Lieu Funds consistent with the Open Space Committee's recommendation to this Board at the time the Board authorized the purchase of the land for this project in fee. As a reminder, the Township received a PECO Green Region Grant for this project in the amount of \$10,000 which was deposited in

the Open Space Referendum Account. An additional amount of \$11,095.35 is being withheld until the contractor completes landscaping restoration this spring.

3. Appointed Auditor's Schedule

Representatives from BBD, LLC, the Township's Appointed Auditor will be in the building the week of March 4.

Building Inspector's Report

Manager Piersol read the Building Inspector/Zoning Officer's Report for the month of January 2020 as submitted by Mrs. Norann King. There were 15 building permits issued, one zoning permit issued, and 16 use and occupancy permits issued. There were 109 inspections completed during the month. The total fees collected were \$17,738.00.

Roadmaster's Report

No Roadmaster's Report was submitted.

Manager Piersol commended the Public Works Department for installing 550 feet of post and rail fence in one day as part of the installation of the connector trail between Ferndale Lane and Phase 2 of the Community Park. This effort saved the Township approximately \$4,000.

East Brandywine Township Police Chief's Report for January 2020

Chief Kocsi reported that Officer Michael Triola will have completed his one-year probationary status as of Tuesday February 25, 2020. Chief Kocsi commented that he was happy to report that Mike Triola has done a great job for the Police Department and there were no concerns or issues with him during the probationary period. Chief Kocsi respectfully requested that the Board of Supervisors authorize a motion to vote to retain officer Triola, on full-time permanent status, beginning February 25, 2020.

Vice-Chairman Winters made a motion to retain Officer Michael Triola as a full-time police officer starting February 25, 2020. Supervisor Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Chief Kocsi reported that the Police Department welcomes two new part-time police officers to the ranks:

1. Alexander Reed – Alex was sworn in by District Judge Valocchi on January 24, 2020. Alex is a graduate of Coatesville Area Senior High School. Alex is a 2015 graduate from both the Reading Police Academy where he earned his Act 120 Certification and from Kutztown University where he graduated with a Bachelor Degree in Leisure and Sports Studies. Alex has served as a Police Officer for Lincoln University and Elizabethtown Borough. Alex presently works as a part-time

Police Officer for the Southern Chester County Regional Police. Alex is assigned to our Field Training Program and working with FTO Sergeant Jim Ferraro.

2. Lyndsay Taylor – Lyndsay was sworn in by District Judge Valocchi on February 13, 2020. She is a graduate of Upper Darby High School. Lyndsay graduated in 2017 from Temple University with a Bachelor’s Degree in Adult and Organizational Development. In 2018, Lyndsay graduated from the Delaware County Community College Police Academy with her Act 120 Certification. Lyndsay has served with the South Coatesville Police Department and is presently working part-time at the Kennett Square Borough Police Department. Lyndsay will begin our Field Training Program the week of March 2.

Chief Kocsi read the Police Chief’s report for January 2020:

Monthly Statistics:

| | |
|---------------------------|-------|
| Recorded incidents: | 2,157 |
| Investigations completed: | 205 |
| Criminal arrests: | 5 |
| Summary arrests: | 0 |
| Warrant arrests: | 4 |
| Juvenile petitions: | 1 |
| Accidents investigated: | 16 |
| Traffic citations issued: | 121 |
| Warnings issued: | 73 |
| Vacation house checks: | 0 |
| Patrol miles logged: | 9,649 |

Chief Kocsi also reported the 2019 recorded incidents, which covered 11 months (CAD System was down for a month and they could not pull the data) as follows:

| | |
|---------------------------|---------|
| Recorded incidents: | 26,868 |
| Investigations completed: | 2,175 |
| Criminal arrests: | 65 |
| Summary arrests: | 17 |
| Warrant arrests: | 35 |
| Juvenile petitions: | 2 |
| Accidents investigated: | 111 |
| Traffic citations issued: | 1,816 |
| Warnings issued: | 767 |
| Vacation house checks: | 0 |
| Patrol miles logged: | 111,954 |

Chief Kocsi also reported the following training for the month: Lieutenant Jeffrey Yankanich and Patrol Officer Danny Miller completed Child Car Seat Recertification. Patrol Officer Maureen Rae attended the Identifying Criminal Vehicles and Occupants course. Patrol Officer Juan Lemus attended a course entitled Interdiction Mastermind. Patrol Officers Danny Miller, Tanner Smith, and Michael Triola attended a Vehicle Equipment and Violations Inspection School and Corporal Daniel Orris attended a Hostage Negotiation Conference.

Fire Company's Activity Report for January 2020

Fire Marshal Joe Edwards noted that the month of January saw the East Brandywine Fire Company have its all-time high in emergency responses. The following is a summary of the January 2020 Fire Company Report as read by Fire Marshal Joe Edwards. There were 113 total incidents in January 2020. In East Brandywine Township, there were 17 fire incidents and 27 EMS incidents. There were 3 trainings this period with an average of 22 personnel at each training. January's fuel usage was 182 gallons in East Brandywine Township. There were an average of 11.8 personnel responding to each call. Over the month, many attended our Officer Installation Ceremony, at the Apple Cross Country Club, where the 2020 officers were placed into service. Fire Marshal Edwards reported the fire company is in the midst of annual hazmat training. He also noted the Fire Company just filmed a segment of a show called "My Fitness Rx.com." Fire Marshal Edwards was happy to announce they had four new members voted into membership. He noted that volunteerism is at an all-time low in Pennsylvania and the East Brandywine Fire Company is increasingly taking in new volunteer members.

Old Business

Approval of Township Treasurer Job Description

Assistant Manager Reven presented the draft Township Treasurer job description which was first presented at the February 6, 2020 Board of Supervisors meeting. Assistant Manager Reven discussed the background history of the Secretary/Treasurer combined position. He commented that the Township has had a combined Secretary/Treasurer position for many years. Assistant Manager Reven noted that when there was turnover in the position in October, he served as interim Secretary/Treasurer. He gave up the Secretary position in December when Lisa Valaitis was hired as Township Secretary. He commented that he is enthusiastic to hire for the position of Township Treasurer and give up that position. Assistant Manager Reven requested the Board of Supervisors accept the Township Treasurer job description as presented in order to direct the staff to fill the position or recommend a candidate to the Board.

Vice-Chairman Winters made a motion to authorize Township Staff to use this job description of Township Treasurer to fill the position. Supervisor Scribner seconded the motion, with all voting Aye. Motion passed 3-0.

Downingtown Area Recreation Consortium (DARC) Update

Mr. Hud Voltz introduced Ms. Nicole Luecker, the Executive Director of the Downingtown Area Recreation Consortium. Mr. Voltz presented a brief background of the 30-year old Consortium, which was formed for the purpose of cutting costs for the members which consist of all the municipalities within the Downingtown Area School District. In addition to the ability to combine programs, with the school district as a partner, they are able to offer classes at lower costs to members. Mr. Voltz distributed an information packet to the Board of Supervisors which included all the programs offered by DARC. Mr. Voltz explained that DARC's budget is so tight that a subsidy program was created to minimize the impact of uncontrollable circumstances. Each member municipality is asked to contribute a subsidy prorated based on the percentage of resident program usage. The requested subsidy amount went up 10% this year and the amount requested is approximately \$16,000. Ms. Luecker reported that DARC is working on a strategic plan by getting input from residents all over the school district. Through that strategic plan process, they have completed a cost effective study which showed that DARC receives municipal contributions of \$1.29-\$2.01 per participating resident. The average per capita costs in other areas are as follows: Philadelphia Parks & Recreation charges \$69 per person, Pittsburgh charges \$57 per person and Wilkes Barre charges \$26 per person. We are asking for a small contribution by comparison Supervisor Scribner noted there is no denying the program is fantastic. Supervisor Scribner asked how DARC is doing with savings. Ms. Luecker reported that in December, DARC is usually in the negative. In the beginning of the year, DARC typically rebounds to a positive cash position when they receive the municipality subsidy donations. Ms. Luecker noted that this year they are also starting a new fundraising program. Ms. Luecker also reported that all municipalities have paid the 2020 requested subsidy amount.

Supervisor Scribner noted that the DARC invoice did not have an explanation for the 2020 increase. It only included the amount due with a note that the amount increased by \$1,000. The Board members did not sign the check because of the vagueness of the DARC invoice. Ms. Luecker said they sent out an invoice explaining the different rates and percentages several months ahead of the invoice. Next year, she will attach the original bill to the second invoice. Mr. Voltz also noted that the Township should receive a spreadsheet with a list of municipalities participating, usage, percentage, and contribution based upon that percentage. Chairman Ader noted that this spreadsheet did not reach the Budget Committee. Chairman Ader noted the Budget Committee is in full swing by mid-August. Mr. Voltz commented that DARC will provide their spreadsheet with next year's numbers earlier in the year.

New Business

Appointment of Jay Fischer to the Open Space Committee

Assistant Manager Reven noted that Mr. Jay Fischer has recently been considered for appointment for two committees. At the February 6, 2020 Board of Supervisors meeting, the Board appointed Mr. Fischer as a member of the Ordinance Task Force. At that meeting, the Board of Supervisors tabled the discussion on appointing Mr. Fischer as a member of the Open Space Committee to allow the Committee the opportunity to meet and consider Mr. Fischer's application. The Open Space Committee

met in early February and approved submitting a request to the Board to appoint Mr. Fischer. Assistant Manager Reven respectfully asked the Board to appoint Mr. Fischer to the Open Space Committee. Vice-Chairman Winters noted he was opposed to the appointment of Mr. Fischer to the Open Space Committee.

Supervisor Scribner made a motion to appoint Jay Fischer to the Open Space Committee. Chairman Ader seconded the motion. Chairman Ader and Supervisor Scribner voted Aye. Vice-Chairman Winters voted Nay. Motion passed 2-1.

Appointment of Lynda MacNeal to the Traffic Impact Committee

Manager Piersol noted that Ms. Lynda MacNeal was present at the February 6, 2020 Board of Supervisors Work Session at which the Traffic Impact Committee was discussed. Manager Piersol reported that Ms. MacNeal expressed interested in serving on the Traffic Impact Committee. Manager Piersol asked the Board to appoint Ms. MacNeal as a member of the Traffic Impact Committee. Manager Piersol also reported that he is waiting for Traffic Engineer Andrew Heinrich to return from vacation before setting a meeting date.

Supervisor Scribner made a motion to appoint Lynda MacNeal to the Traffic Impact Committee. Vice-Chairman Winters seconded the motion, with all voting Aye. Motion passed 3-0.

Subdivision & Zoning Applications

There were none.

Ordinances & Resolutions for Consideration

Resolution 5 of 2020: Resolution Supporting Chester County Municipal Grant Program Application for Bondsville Mill Park.

Mr. Hud Voltz reported that last year the Bondsville Mill Committee secured a County Grant and a State Grant with a budget of \$467,000. This year the Committee secured another County Grant and State Grant and the Committee is currently working on administering these grants. They are hoping to be pulling up concrete and putting in amended soils by the end of the summer. Mr. Voltz explained that approving Resolution 5 of 2020 allows the Committee to move forward with Phases 3 and 4 of the project. Phase 3 is the installation of the amended soils. Phase 4 is the installation of a parking lot. Phase 3 and Phase 4 will both be completed in 2021. The estimated cost of Phase 3 and Phase 4 is \$205,000. By the Board approving the Resolution, the Township is indicating its support of the grant application. Mr. Voltz noted that there is no match requirement for the Count or State Grants. They will obtain 50% of the project funds from each grant. Mr. Voltz commented that he has been advised by the grant administrator is that they need to verify that the Township has a fail-safe backup plan and d get money from the Township in an emergency. The Resolution up for consideration does not indicate a specific amount of funds and is simply the for the purpose of the Township's declaration of support

for Phases 3 and 4. Mr. Voltz noted that the Bondsville Mill Committee will present a progress report on the bidding process to the Board later this year. Solicitor Camp noted that she reviewed the Resolution and at this point the Board of Supervisors is only authorizing the grant application. Assistant Manager Reven noted that the match requirement was 10% for Phases 1 and 2 and zero for Phases 3 and 4. He also noted that the grants for Phases 1 and 2 have previously been awarded. Assistant Manager Reven presented a summary of the Resolution.

Vice-Chairman Winters made a motion to approve Resolution 5 of 2020 authorizing East Brandywine Township to file the application for the Chester County Municipal Grant Program Assistance and authorizing Hud Voltz to be the person in charge for the files, Open Space, and the County. Supervisor Scribner seconded, with all voting Aye. Motion passed 3-0.

Mr. Voltz presented an interim parking plan proposal for the Bondsville Mill Park which is a short-term solution until the permanent parking lot is installed in 2021. The Committee plans to create one way in and one way out of the temporary parking lot and the parking will be slanted. The exit from the temporary parking lot will be located in the safest spot and will be visible in both directions on Bondsville Road. There will also be a handicapped parking spot. Mr. Voltz said the Bondsville Mill Committee needs the Township's help. He commented that they would like to get letters out to the residents across the street from the Bondsville Mill Park who park their vehicles on the Township owned property. The purpose of the letters is to give the owners and tenants notice on what the Committee is doing. Mr. Voltz noted that he will draft a letter to the residents. Supervisor Scribner discussed a liability issue with residents that live across the street from the Bondsville Mill Park that are parking personal vehicles on Township owned land while construction is occurring and construction vehicles and equipment are present. Supervisor Scribner discussed having residents sign an indemnification document. Vice-Chairman Winters asked if PennDOT would be an issue. Mr. Voltz commented that PennDOT will not permit the Township to put up signs. They also discussed asking the residents that live across the street from the Bondsville Mill Park to move their cars before park events or using a busing system for busy events in the Bondsville Mill Park.

Public Comment on Agenda Items

Chairman Ader asked for public comments on agenda items. There were no public comments.

Notices

Chairman Ader announced that the Board of Supervisors held an executive session on February 7, 2020 at 7:30 a.m. to discuss litigation matters.

Chairman Ader noted an executive session of the Board of Supervisors will follow this meeting for the purpose of considering the purchase or lease of real property and personnel matters.

Adjournment

Vice-Chairman Winters made a motion to adjourn the public meeting at 8:49 p.m. Supervisor Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

Respectfully submitted,



Lisa Valaitis,
Township Secretary