

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
REGULAR SESSION
APRIL 18, 2019**

Those in Attendance:

Kyle P. Scribner, Chairman
Jay G. Fischer, Esquire, Vice-Chairman
Jason R. Winters, Supervisor (Arrived at 7:38PM)
Scott T. Piersol, Township Manager
Luke Reven, Assistant Township Manager
Mark Kocsi, Chief of Police
Kristin Camp, Esquire, Township Solicitor
Mary Kemble Slade, Secretary/Treasurer

Absent:

Matthew VanLew, Roadmaster

The East Brandywine Township Board of Supervisors meeting of Thursday, April 18, 2019 was called to order by Chairman Scribner at 7:30 P.M. at the East Brandywine Township Municipal Complex.

Opening of Meeting

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

Chairman Scribner asked if there were comments on non-agenda items. There were no public comments on non-agenda items.

Public Hearings:

Public Hearing to Consider an Ordinance Amending the Code of East Brandywine Township to add a Chapter 160 titled, "Fireworks"

Solicitor Camp announced that this is a public hearing on an ordinance amendment that will add a stand-alone ordinance for Fireworks to the East Brandywine Township Code. She indicated the Second Class Township Code allows for the Township to adopt such an ordinance and the purpose of the draft prepared for consideration is to regulate the use of consumer and display fireworks within the Township in compliance with and consistent with Pennsylvania Statutes. It was noted this new ordinance will require the issuance of permits by the Township. Vice-Chairman Fischer made a motion to adjourn to a public hearing. Chairman Scribner seconded the motion, with all

members voting Aye. Motion passed 2-0. Solicitor Camp reviewed the six Board exhibits, including:

- B-1: Proof of Publication in the Daily Local News on April 10, 2019
- B-2: Letter dated April 8, 2019 from Kristin S. Camp, Esquire, to the Chester County Law Library providing the proposed amendment for public inspection
- B-3: Letter dated April 8, 2019 from Kristin S. Camp, Esquire, to the Daily Local News providing the proposed amendment for public inspection
- Solicitor Camp advised that the Township Planning Commission reviewed this proposed ordinance at their April 3 public meeting and made a recommendation that the Board adopt this ordinance amendment.

Chairman Scribner asked if there were any questions or comments on the proposed ordinance. There were none. Vice-Chairman Fischer made a motion to adopt Ordinance 02 of 2019 as presented. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 2-0.

Public Hearing to Consider a Proposed Agricultural Security Area (ASA) Addition to East Brandywine Township - 458 Dilworth Road, Tax Parcel No. 30-2-56.

Solicitor Camp announced that this is a public hearing on a Resolution that will add a proposed Agricultural Security Area (ASA) to East Brandywine Township Code. She provided the background on the process, and reviewed the seven Board exhibits, including:

- B-1: Proof of Publication in the Daily Local News on February 27, 2019
- B-2: Posting of the Property dated February 27, 2019
- B-3: Correspondence to both East Brandywine Township Planning Commission and East Brandywine Township Agricultural Security Commission dated 3/22/19 indicating the proposal was submitted to add the property located at 458 Dilworth Road, containing 18 acres, to the East Brandywine Township ASA
- B-4: Draft excerpt from the minutes of the April 3, 2019 Planning Commission meeting
- B-5: Proof of Publication in the Daily Local News dated April 8, 2019
- B-6: Posting of the Property dated April 8, 2019
- B-7: Chester County Planning Commission letter of no objection, dated November 30, 2018

Chairman Scribner asked if there were any questions or comments on the proposed ordinance. There were none. Vice-Chairman Fischer made a motion to adopt Resolution 08 of 2019 to add Parcel 30-2-56 to the Township's Agricultural Security Area of East Brandywine Township. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

The Public Hearing was closed.

Minutes: Board of Supervisors – April 4, 2019

Chairman Scribner noted the April 4, 2019 minutes were offered for consideration. Vice-Chairman Fischer made a motion to approve the minutes as presented. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

Treasurer's Report

Secretary Treasurer Slade read the account balances as of April 18, 2019 and informed of checks in need of approval for the General, Capital, State and Open Space Funds. After reviewing the financial reports, Vice-Chairman Fischer made a motion to approve the Treasurer's Report and authorize disbursements. Supervisor Winters seconded the motion, with all members voting Aye. Motion passed 3-0.

Township Manager's Report

Manager Piersol advised that Chester County, in conjunction with the Penn State Extension Service, is hosting a free Home Water & Septic System Workshop for on-lot systems at the County's Public Safety Training Campus, 137 Modena Road, in South Coatesville Borough on Thursday, May 9th. Each session will cover how to manage your well & drinking water supply, how to test your drinking water, how to properly maintain your septic system, and Chester County's well and septic system permit programs, managed by the County Health Department.

Manager Piersol noted there will be two sessions offered. Session one will be held from 1 to 3 PM and session two will be held from 6 to 8 PM. He pointed out that the first 30 registrants for each session will receive a free drinking water test kit, which include instructions on how to test your water. Registration is required by May 5th and one can register by calling 1 (877) 345-0691, or by visiting the following website: <http://extension.psu.edu/home-water-and-septic-workshop>. Manager Piersol stated that this information will also be posted on the Township website next week.

Manager Piersol indicated that he received an email today from the contractor for the Mapleview development, advising that the traffic signal standards or poles specified in the approved plans will be delayed 16 to 18 weeks due to flooding at the manufacturing plant in Nebraska. This would mean installation at the Bollinger Road / Horseshoe Pike intersection in November of 2019. Substitute equipment from another vendor would reduce the time for delivery and installation until September. Manager Piersol has asked the contractor to provide information to the Township Engineer for review to confirm the substitution uses similar materials. Manager Piersol stated that he did confirm with Robert Hermley from Pulte Homes last Friday, that construction of the intersection roadway improvements are on target to begin once the current school year ends, but before the 2019 – 2020 school year begins at the end of August. Manager Piersol indicated that he sent an email this morning asking for both parties to coordinate to determine if another vendor has the traffic signal standards required, to avoid having a time period when the intersection improvements will not be signalized. He is awaiting a response as of the time of tonight's meeting.

Manager Piersol reminded everyone that the annual Document Shredding and e-Waste Recycling Collection will be held on Saturday, May 11th at the Coatesville Area School District Complex at

248 Reeceville Road, across from the Brandywine Hospital. The event will open at 9 AM, and close at noon that day. The School Complex will provide for the ability to separate into two collections, in order to better manage traffic from those who visit on that Saturday. Hopewell Troop 8 Scouts and Leaders will once again be available to assist unloading vehicles, and the Township is looking for other volunteers to assist. He stated there will be 3 Wiggins shredding vehicles, and at least 2 box trucks for the e-waste this year. Wiggins Shredding provided a discounted rate for the shredding vehicles, which are being sponsored by DNB First Bank and ServPro of Southern Chester County. Computer monitors and televisions do have a drop-off fee between \$20 and \$60, depending on the type and size of the unit. Visit our website for additional information.

Assistant Township Manager's Report

Assistant Manager Reven reported that Ian Plane from the Township's Bondsville Mill and Open Space Committees has announced his resignation from both groups. Mr. Plane is planning an out-of-state move very soon. Assistant Manager Reven thanked Mr. Plane for his volunteer services, and acknowledged his many contributions to both committees over many years. Of particular note, Mr. Plane played a critical role in the construction of the yellow, white, and blue loop trails totaling almost two miles in the Bondsville Mill Historic Park and Nature Trails. He will be missed.

Assistant Manager Reven advised that on April 4, 2019, the Township received word that the Chester County Commissioners had generously selected our application for 2019 Municipal Grant Program Award for funding. Our application for an amount not to exceed \$190,126 was to implement improvements related to the removal of the concrete pad and garden area improvements (commonly called Phases I & II) in the Bondsville Mill. This Board adopted a resolution of the support (Resolution 4 of 2019) at the February Regular Session.

A second grant application, this one to the Pennsylvania Department of Conservation and Natural Resources for Community Conservation Partnerships Program (C2P2) funding and due April 10, was submitted since this Board adopted a resolution of support (Resolution 7 of 2019) at the April Work Session. If awarded, the total cost to the Township would be 10% of Phases I & II or \$47,500 as discussed at the February Regular Session.

Assistant Manager Reven announced that the volunteers at Bondsville Mill celebrated a milestone on Monday that was recognized in the *Daily Local*: They topped out the highest beam on historic Building C, constructed in about 1840. "Topping out" is a builder tradition referring to the celebration of the installation of the highest piece of structure on a building. Many thanks to these dedicated volunteers for yet another milestone in restoring this piece of East Brandywine Township history.

Assistant Manager Reven reported that several Members of Staff just returned from the Pennsylvania State Association of Township Supervisors Annual Educational Conference and Trade Show in Hersey from Sunday, April 14 through Wednesday, April 17. He noted his appreciation of the Board's ongoing support for Staff attending this outstanding training and networking opportunity for township officials and employees.

Assistant Manager Reven followed up on the discussion with new community residents from the Estates at Dowlin Forge community which occurred at the March Regular Session, and provided

for the Board's review a consolidated map of proposed changes to the Landscaping Plan for this development. He noted this map represents revisions to the approved plan that is acceptable to both the individual lot owners and D.R. Horton, the home builder.

Assistant Manager Reven took a moment to correct the record regarding a statement he made about the history of this project at the April Work Session. He stated the duplicate trees were a result of an upgraded landscaping plan sold by D.R. Horton, and advised that it is more accurate to say that D.R. Horton's base home packages include landscaping that was installed prior to the builders realization that landscaping was already described in the approved land development plan, resulting in more trees on the lots than required by the plan or anticipated by the residents. Assistant Manager Reven extended his thanks to Jessica Lauren Gross from D.R. Horton for compiling the results of multiple resident surveys to produce the consolidated map. He noted that the planting of trees that are consistent with the approved plan and not controversial has resumed.

Assistant Manager Reven expressed his understanding from the conclusion of the April Work Session that this is his final deliverable on this project, and that the material should now be sent to Pennoni and the Planning Commission for review. After discussion, it was decided to have Pennoni summarize the information reflected on the consolidated plan and provide it to the Board, allowing them to review the end result and make a determination regarding as to how to consider approving it.

Building Inspector/Zoning Officer – Report for March 2019

Manager Piersol read the Building Inspector/Zoning Officer's Report for the month of March, as submitted by Mrs. Norann King. There were 16 building permits issued, 1 zoning permit issued, 18 Use and Occupancy permits issued, and 149 inspections conducted during the month. The total fees collected were \$15,045.93.

Roadmaster's Report

Roadmaster VanLew was absent from this evening's meeting.

East Brandywine Township Police Chief's Report for March 2019

Chief Kocsi read the Police Chief's report for March 2019.

Monthly Statistics

Recorded Incidents	2903
Investigations Completed	192
Criminal Arrests	7
Summary Arrests	1
Warrant Arrests	2
Juvenile Petition	0
Accidents Investigated	7

Traffic Citations Issued	170
Warnings Issued	70
Patrol Miles Logged	10,887

Training for the month included attending the Annual Accreditation Conference by Lt. Yankanich and Officer Harnish, Precision and Tactical Driving by Officer Maureen Rae, Law Enforcement Combatives/Weapons Defense and Retention by Officers Canzanese and Miller, and Penn State POSIT by Corporal Orris. Chief Kocsi provided copies of the monthly investigations completed, Officer Activity Report and other correspondence for the Board's review.

Chief Kocsi further noted that May 3, 2019 will conclude the 1-year probationary period for Lieutenant Jeffery Yankanich, Corporal Dan Orris, and Officer Tanner Smith. He indicated they have done an outstanding job in their positions, and asked for the Board's consideration to move them from probationary to non-probationary status. Manager Piersol commented that they are worthy of this acknowledgement. Vice-Chairman Fischer motioned to remove all three officers from probationary status. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

Fire Company's Activity Report for January

Deputy Chief Joe Edwards announced that a six-series documentary filmed at the East Brandywine Township Fire Company will be shown on Amazon Prime. He added that the producer may be available to attend next month's meeting. He also reported that there are four members in EMT class, 4 members in Fire Fighter 1 class, and 3 new members joined in March. Deputy Chief Edwards reviewed the response to the April 3, 2019 house fire on 104 Bolero Drive, including the showing of a summary video. He thanked the Public Works Department and Police Department for their assistance. Deputy Chief Edwards also made the Board aware of persons being observed at the top of the water tower at Bondsville Mill Park. He suggested some improved efforts in making the area more secure. Chairman Scribner thanked Deputy Chief Edwards on behalf of the Board, for the opportunity to recently visit the Fire Company to view the new equipment and addition to the facility. Supervisor Winters added that he was pleased to observe youngsters selling lemonade and baked goods for the purpose of assisting the family whose home was damaged by fire on Bolero Drive.

Old Business

None this evening.

New Business

2019 Policies and Procedures, Permits, and Park Rules

Assistant Manager Reven presented suggested changes developed by a Parks & Recreation subcommittee for the Policies and Procedures, Permits, and Parks Rules for the use of Township Parks and Recreation Areas. He noted that any changes to these must be adopted by ordinance,

and therefore wanted to seek the Board's permission to proceed to place these in ordinance form for future consideration. Mr. David Summers, Parks & Recreation Vice-Chair, attended to answer questions. Supervisor Winters questioned a suggested revision regarding the requirement of a permit for groups of ten or more. Mr. Summers confirmed this is intended for organized events, rather than informal gatherings or playdates. After discussion, Assistant Manager Reven received consensus direction to place the suggested changes into ordinance form for consideration and advertisement at a future date.

East Brandywine Township Municipal Authority Appointment Recommendation

Manager Piersol noted that Municipal Authority member Mr. Donald Graewe is moving from the Township, and his position on the Authority will need to be filled. He asked the Board's consideration of appointing Mr. Thomas McClung, 464 Hallman Court, to the Authority to fill the balance of Mr. Graewe's term. It was noted that Mr. McClung has previous experience serving with the Wallace Township Municipal Authority. Mr. David Summers, Municipal Authority member, added that the Authority has met Mr. McClung and that he is highly recommended. Vice-Chairman Fischer made a motion to appoint Mr. McClung to fill the remainder of Mr. Graewe's term. Supervisor Winters seconded the motion. Chairman Scribner abstained due to his association with Mr. McClung. Vice-Chairman Fischer and Supervisor Winters voted Aye, with Chairman Scribner abstaining. Motion passed 2-0.

East Brandywine Township Planning Commission Appointment Recommendation

Manager Piersol noted that Planning Commission Member Jonathon Wright has requested a sabbatical from the Commission due to his second child arriving in June. He noted that the Planning Commission, at their April 3 meeting, made a recommendation to the Board that they appoint Associate Member Jim Grisillo as a Temporary Full Member until December 31, 2019. Solicitor Camp stated that there is no provision for this in the PA Municipal Planning Code. Therefore Member Wright would need to resign if unable to hold the position, and then the Board could take action at that time.

Subdivision and Zoning Applications

None this evening.

Ordinances & Resolutions for Consideration

Covered under Township Solicitor.

Public Comment on Agenda Items

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

Notices

Chairman Scribner stated that an Executive Session of the Board of Supervisors was held following their work session meeting on April 4, 2019 in order to discuss legal and personnel matters.

Adjournment

Vice-Chairman Fischer made a motion to adjourn the public meeting at 8:19 P.M. Supervisor Winters seconded the motion, with all members voting Aye. Motion passed 3-0.

Respectfully submitted,



Mary Kemble Slade,
Secretary/Treasurer