

**EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
Thursday, November 3, 2016**

Those in Attendance:

Jay G. Fischer, Chairman
Arnold M. Kring, Vice-Chairman
Kyle Scribner, Member
Scott T. Piersol, Township Manager
Luke R. Reven, Assistant Township Manager
Mark Kocsi, Chief of Police
Matthew T. VanLew, Roadmaster
Jan C. Bednarchik, Municipal Authority Secretary

Chairman Fischer called the East Brandywine Township Board of Supervisors meeting of Thursday, November 3, 2016, to order at 8:00 AM at the East Brandywine Township Municipal Complex. Also in attendance were James Buczala, Ronald Fanelli, David Summers, Hudson Voltz, Kristin Camp, Joe Russella, James Bruton and Benjamin Bruton.

Public Comment on Non-Agenda Items

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

Approval of the Planning Commission Minutes for October 5, 2016

Vice-Chairman Kring made a motion to approve the October 5, 2016, minutes. Mr. Scribner seconded the motion with all voting Aye.

Approval of the Board of Supervisors' Minutes for October 19, 2016

Vice-Chairman Kring made a motion to approve the October 19, 2016, minutes. Mr. Scribner seconded the motion with all voting Aye.

Update on DARC

Hud Voltz, the Township's representative to DARC, attended the meeting to announce that DARC is undergoing some personnel changes with the upcoming retirement of Executive Director Mike Serzan and long-time treasurer Bea Yorczyk. These changes have prompted some discussion about how relevant DARC is today with other private organizations offering competing programs. DARC has been in existence for 26 years and has offered a wide variety of programs and activities from trips to swimming lessons to learning to crochet. DARC has its own website and uses social media to promote its programs. While participation in East Brandywine Township has increased, the overall participation has decreased from last year. The School District is now charging for overhead, such as lighting and janitorial services, for use of its facilities, and some member municipalities have indicated that the annual contribution is too high for what they are receiving. Wallace Township, for example, is considering dropping out or reducing their contribution. Because of these challenges, DARC will be issuing a six-question

survey to the member municipalities for feedback on whether to stay the course with all of the varied offerings, or whether to make some improvements or perhaps scale back in some fashion. The survey results will be used to help determine DARC's purpose and function for the future, and a report will be issued next year. Mr. Scribner commented that his family participates in many of the trips offered by DARC, and Mr. Piersol noted that Mike Serzan has provided information to include on the Township website and newsletter.

Animal Resorts

In a letter dated October 26, 2016, Victor Kelly, Jr., PE, of Commonwealth Engineers, indicated the intent of his clients, James and Betty Jane McElya, to withdraw their land development plan submission for the Animal Resorts project at 301 Jeffries Road. Vice-Chairman Kring moved to accept the request for withdrawal of the Animal Resorts Land Development Plan submission. Mr. Scribner seconded the motion with all voting Aye.

Marsh Creek Homes (Steimer Property)

In a letter dated October 31, 2016, Adam Brower, PE, of E.B. Walsh & Associates, Inc., provided a written request to extend the review period on the preliminary plan application for the Marsh Creek Homes Subdivision for an additional two months from the current expiration of the review period. Vice Chairman Kring moved to grant the request of Marsh Creek Homes to extend the review period on their preliminary plan application for an additional sixty days. Mr. Scribner seconded the motion with all voting Aye.

Pulte Homes/Applecross Phase IV, Parcel 5B

Mr. Piersol advised that the Applecross Country Club Phase IV Final Land Development Plan and associated agreements, including the Road and Improvement Construction Agreement and Performance Bond Agreement, and the Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement, were reviewed by Township Solicitor Stacey Fuller and determined to be in proper order for the Board's signature. The documents will be recorded by Pulte Homes once they are signed. Chairman Fischer moved to execute the Applecross Country Club Phase IV Final Land Development Plan and associated agreements. Vice Chairman Kring seconded the motion, with all voting Aye.

The Learning Experience

Kristen Camp, Esq., attorney for Alessandra Properties, LLC, attended the meeting to request preliminary/final land development plan approval for The Learning Experience project located at 104 Hopewell Road on a 1.59 acre parcel within the TND-1 Zoning District. Joe Russella, Civil Engineer for the equitable owner, Morris Starkman, were also in attendance. The project involves a 10,000 sq.ft. daycare facility with outdoor play area and associated parking on Lot 1 of a previously approved subdivision for Guthriesville Plaza Associates. The project received zoning approval from the Zoning Hearing Board to disturb various areas of steep slopes for installation of utility lines and driveway access, and also received Conditional Use Approval

from the Board of Supervisors for the daycare facility and to modify some of the applicable graphic design guidelines. Ms. Camp, Mr. Russella, and Mr. Starkman attended the Planning Commission meeting last evening, at which time the Planning Commission approved a recommendation for both preliminary and final plan approval subject to certain conditions. The applicant has also appeared before the Historical Commission and received their recommendations in a letter dated August 17, 2016. The conditions of approval recommended by the Planning Commission are as follows:

- Compliance with the October 25, 2016, review letter issued by Yerkes Associates
- Compliance with the October 28, 2016, review letter issued by Hydraterra Professionals
- Compliance with the Historical Commission's recommendations set forth in a letter dated August 17, 2016, except as noted herein:
 - The fence around rear and side of building shall be 6 ft. high board on board vinyl fence with a warm earth tone color lighter than the siding on the building. The Commission shall recommend the exact color. Applicant shall install finials on top of this fence in a style recommended by the Commission.
 - The fence on top of the retaining wall will be a picket fence, not chain link as depicted on plans, with the color to be recommended by the Commission.
 - The siding will be vinyl in an earth tone similar to khaki brown as recommended by the Commission.
 - The roof shall be truncated and with larger gables and comply with the Commission's comment on page 2 of the August 17, 2016, review letter, which is titled, "Roof design, material and color." Applicant shall submit architectural renderings to the Township for approval prior to issuance of the building permit. The Commission shall review these plans for consistency with its recommendation.
 - The retaining wall will be freestanding poured in place concrete with fake stone veneer. The structural design shall be approved by the Township Engineer prior to issuance of the building permit.
- Payment of the Act 209 fee in the amount of \$168,361.92 as recommended by Andy Heinrich in his review letter of May 16, 2016
- Payment of fee in lieu of open space of \$500 per projected full-time employees
- Execution of standard developer agreements and posting of security escrow for the public and quasi-public improvements
- Applicant must obtain all necessary permits from all outside agencies, including the HOP permit from PennDOT and NPDES permit from PADEP.

Ms. Camp requested a waiver from §345-306.K.(2) of the Stormwater Management Ordinance to reduce the distance between the infiltration system and the building from 25 feet to 12 feet, and a waiver from §350-13 of the Subdivision and Land Development Ordinance which requires the submission of a separate preliminary and final land development plan. The Planning Commission recommended approval of both waivers, and Ms. Camp noted that Tom Oeste had no objection to the latter waiver request due to the extended length of the time the plan has been in the review process.

Mr. Scribner advised that he received numerous phone calls and emails over the past week from residents concerned about the impact on traffic congestion. Ms. Camp stated that the facility is located on a state road and, therefore, must comply with PennDOT standards. Certain road improvements will be required as part of the PennDOT Highway Occupancy Permit, including the addition of a bypass lane on Hopewell Road to allow motorists to pass cars that are waiting to make a left hand turn into the facility. She also stated that a daycare facility is permitted in the TND-1 Zoning District when approved as a conditional use by the Board of Supervisors. Frank Tavani was presented as an expert Traffic Engineer during the Conditional Use Hearing, and the traffic impact analysis he prepared showed that traffic associated with the daycare facility does not warrant additional traffic improvements. Andy Heinrich, Township Traffic Engineer, issued a review letter that concurred with the traffic analysis prepared by Mr. Tavani.

Chief Kosci voiced concerns about the proposed 6-foot tall solid fence around the playground area creating a security issue for the Police Department. He emphasized the need for his officers to have visual access to the playground and the building should an incident occur at this facility that endangers the children and staff from inside the fence perimeter. He suggested a wrought iron fence with bars spaced 3 or 4 inches apart as a possible alternative. Ms. Camp agreed to consider an alternative fence to address the Chief's concerns, but doubted the playground fencing could be negotiable because the utmost importance is keeping the children from getting out and strangers from getting in.

Mr. Buczala mentioned that the Historical Commission meets next week and will make a recommendation to the Planning Commission and Board of Supervisors on the exact colors for the vinyl siding, picket fence, board on board shadow fence, and the choice of finials for the picket fence.

Vice-Chairman Kring moved to grant preliminary/final land development plan approval of The Learning Experience project subject to the seven aforementioned conditions plus consideration to be given to alternate fencing for the playground area to address Chief Kosci's concerns; and, further, to grant the requested waivers from §345-306.K.(2) of the Stormwater Management Ordinance to reduce the distance between the infiltration system and the building from 25 feet to 12 feet, and a waiver from §350-13 of the Subdivision and Land Development Ordinance to allow the submission and approval of a Preliminary/Final Land Development Plan. Chairman Fischer seconded the motion, and the motion was approved by majority vote with Chairman Fischer and Vice Chairman Kring voting Aye, and Mr. Scriber voting Nay.

Bid Results for Sale of Surplus Equipment on Municibid

Mr. Reven announced that an advertisement for the sale of surplus equipment was advertised in the Daily Local News on October 10, 2016, and was made available at public auction on the website Municibid.com from October 21 through November 2, 2016. All twelve lots received bids that exceeded the minimum bid as set by the Township, and the total sale proceeds amounted to \$4,316.15. Mr. Reven requested the Board authorize Township Staff to accept the high bids on the condition that payment of the full purchase price is collected at the time the bidder takes possession of the item. The bid results are as follows:

Description of Equipment	High Bidder	Bid Amount
3 PC Monitors & Portable CRT Television with Case	Leroy Marlow Philadelphia, PA	\$28.00
Trailer Mounted Diesel Generator 10 KW/60HZ	Brad Galanos Reading, PA	\$850.00
EF Johnson Ascent ES Radios And Equipment	Joseph Lavelle Wayland, MA	\$526.00
AccuTrak Watches/Robic SC808	Lehigh Township PD Whitehall, PA	\$21.00
Ford Crown Victoria Wheel Covers	Gerard Healy Albrightsville, PA	\$8.25
Police Squad Car Lights & Equipment	Bob Hetter Columbia, PA	\$110.00
2 Dell Server Towers & 3 Dell Workstation Towers w/Hard Drives Removed	Jon Yankelitis Scranton, PA	\$360.00
Printing / Scanning Devices	Mark Weishaar Malvern, PA	\$23.00
Video Cameras & Polaroid Equipment	Leroy Marlow Philadelphia, PA	\$27.90
Motorolla UHF Radio Modem & Power Supply	William Burns Luray, VA	\$11.00
RICOH Aficio AP410N Laser Printer	Leroy Marlow Philadelphia, PA	\$1.00
John Deere 757 Z-TRAK Mower with 60" Deck	Joel Zober Croydon, PA	\$2,350.00

Vice-Chairman Kring moved to accept the bid results as presented and to authorize Township Staff to complete the transactions. Chairman Fischer seconded the motion, with all voting Aye.

Charlie Stern Internship Award

Mr. Reven announced that East Brandywine Township has been selected as a host municipality for the Association for Pennsylvania Municipal Management's Charlie Stern Internship Program. The program will cover one-half the cost of employing an intern, up to \$2,500, in 2017. A cover letter, resume, and letter of recommendation was received for Ryan Morris, a first-year student in Villanova's Master of Public Administration (MPA) Program. Mr. Reven requested the Board's permission for him and Mr. Piersol to interview and, if appropriate, offer Mr. Morris an internship at the Township for the Spring 2017 semester.

Vice-Chairman Kring moved to authorize Township Staff to proceed with the interview process with Ryan Morris as a potential candidate for internship through the Charlie Stern Internship Program for the Spring 2017 semester. Chairman Fischer seconded the motion with all voting Aye.

Preliminary Draft Budget for 2017

Mr. Reven provided a Preliminary Draft of the Annual Township Budget for 2017 and noted that this document is not the Second Class Township Code-mandated Proposed Budget for public inspection, which will be presented at the November Regular Session. Instead, this document was prepared by the Budget Committee in an effort to inform the Board of Supervisors about progress toward a budget earlier in the process. The draft document summarizes revenue and expense trends over the past five years along with year-to-date data for the current budget year. Chairman Fischer thanked the Budget Committee for its efforts.

Mr. Buczala commented that the Bondsville Mill Committee originally requested a budget allocation of \$100,000 for Bondsville Mill Park, and has learned that the budget request was reduced to \$60,000. He said the Committee reviewed the budget request at its last meeting and can manage with a budget of \$70,000 by eliminating some activities and planned work. He asked the Board to consider adding \$10,000 to Committee's budget allocation. Mr. Voltz concurred with this request to continue the progress that has been made to date. Chairman Fischer indicated that the request would be taken under advisement.

Public Comment

There was no public comment.

Announcements

The Pension Committee will meet following the conclusion of this meeting.

The Board will meet in Executive Session at the conclusion of the Pension Committee meeting to discuss legal and personnel matters.

Adjournment

There being no further business, Vice-Chairman Kring moved to adjourn the meeting at 8:40 A.M. Chairman Fischer seconded the motion, with all voting Aye.

Respectfully submitted,

Jan C. Bednarchik for
Mary Beth Smedley, Secretary/Treasurer