

EAST BRANDYWINE TOWNSHIP BOARD OF SUPERVISORS

PM SESSION

June 16, 2022

Those in Attendance:

Kyle P. Scribner, Chairman
Carl K. Croft, Vice-Chairman
Jason Winters, Supervisor
Luke D. Reven, Township Manager
Mark Kocsi, Chief of Police
Matthew VanLew, Roadmaster
Tom Oeste, Township Solicitor
Lisa Taraschi, Township Secretary
Nate Cline, Township Engineer

The East Brandywine Township Board of Supervisors meeting of Thursday, June 16, 2022 was called to order at 6:30 PM at the East Brandywine Township Municipal Complex.

Opening of Meeting

Chairman Scribner opened the meeting by announcing that this meeting is being recorded. He then asked everyone to stand for the Pledge of Allegiance.

Public Comment on Agenda Items

Mr. Bruce Rawlings, Chairman of the EBT Planning Commission presented the Board with the reasoning behind the Planning Commission's decision to support the Mapleview plan changes. The Commission felt the reasoning for the basin changes was valid as the materials for the underground basin are no longer available due to supply chain issues. Mr. Rawlings stated that parallel parking on the one-way streets was on the original plan. He added the three mailboxes should not remain on the main street and should be moved to the bottom of Sugar Maple, Paperbark, and Scarlet Maple streets. He also stated he has concerns for the children playing in the streets. He added as the community continues to grow to completion there will be more traffic. Mr. Rawlings stated that the Commission was satisfied that the developer showed adequate parking in place of the parking that was being removed to install the above ground basin.

Approval of Minutes

Vice-Chairman Croft made a motion to approve the Board's meeting minutes from the June 2, 2022 AM session, Supervisor Winters seconded the motion, with all members voting Aye. Motion passed 3-0.

Treasurer's Report, Authorization to Pay Bills and Approve Payroll

Vice-Chairman Croft made a motion to authorize the payment of bills and approve payroll. Supervisor Winters seconded the motion, with all members voting Aye. Motion passed 3-0.

Reports

Township Manager Reven presented his report to the Board. A copy verbatim et literatim is attached to these minutes and made part of the record.

1. Comprehensive Plan Update: Presentation and Comment Period

A reminder that the Planning Commission will review a draft Comprehensive Plan and hear from consultants Thomas Comitta Associates and the Brandywine Conservancy at their public meeting in this room on July 6 at 7:00 PM. This draft is the culmination of over a year of efforts by the Ordinance Task Force and this consultant team. I strongly encourage members of this board to attend this meeting as you will be asked to consider sending copies of the plan for review by Chester County and our neighboring communities at your meeting the next morning (July 7).

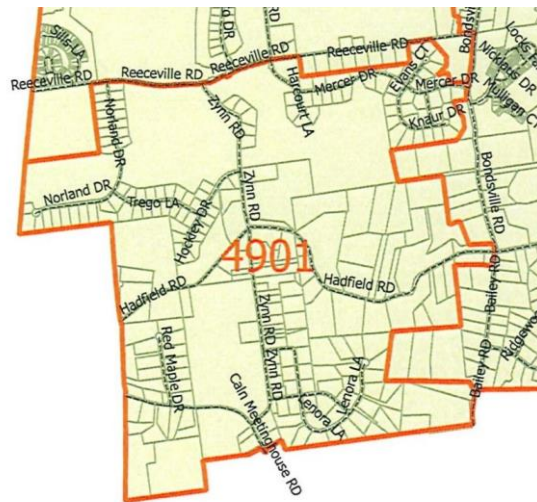
- A current draft of the Comprehensive Plan will be available online beginning June 22. The website URL will be: www.eBrandywine.org/CompPlan.
- Staff plans to video record the presentation for posting to the Township's YouTube Channel.
- The website will also host a form for feedback the draft Comprehensive Plan.

This project has been funded in part by a generous Vision Partnership Program grant awarded to the Township by Chester County.

2. TowerDIRECT Station Closure: Ambulance Service to the Township

Per the Second Class Township Code, the Board of Supervisors designates emergency service providers for the Township. In East Brandywine Township, we do this by resolution at the annual organization meeting. The 2021 and 2022 resolutions designated TowerDIRECT Medic 93 (a.k.a. "MICU 93") as the Advanced Life Support ("ALS") and Basic Life Support ("BLS") provider to the southwest corner of our Township known as 49-01. Map below. The remainder of our Township is served by Minquas Fire Company Ambulance of Downingtown.

It was recently reported the TowerDIRECT will be closing the station located at the former Brandywine Hospital and withdrawing service from our area beginning September 1.



It will therefore be necessary in the near future for the Board of Supervisors to designate a different provider. I think it is important to note that at no point before or after September 1 will this area of our Township be without ambulance service. Chester County 9-1-1 will continue to dispatch based on best available service provider.

East Brandywine Fire Company Chief Vincent D’Amico is joining us remotely this evening. I understand that during his report later on the agenda he will be outlining the Fire Company’s plan for recommending a different provider for the Board’s consideration.

3. Bathroom in Community Park Update

As you may recall, East Brandywine Township has a DCNR grant (BRC-24-190) to construct a bathroom in Phase I (the north entrance) of the Community Park. Other funding sources include the East Brandywine Foundation, and East Brandywine Youth Athletics. In March I reported that I had authorized Petersheim Brothers Inc. to drill a 6-inch well for water service. I am pleased to announce this evening that the well yield has been determined to be adequate.

Pennoni is now finalizing bid documents for site work and utility work with an anticipated date for advertisements on July 5 and 8. Bid Openings are tentatively planned for July 19 at 10:00 AM. **The Board of Supervisors will be asked to consider awarding a contract at your July 21 Regular PM Meeting.**

The bathroom structure itself is anticipated to be a separate COSTARS purchase. My thanks to the Pennoni team and Parks and Recreation lead Dave Summers for keeping this project moving forward.

4. Emergency Repairs: Lower Bridge at Bondsville Mill Park

I would like to recognize Roadmaster Matt VanLew and the Road Department for their outstanding work completing the temporary stabilization the lower bridge at Bondsville Mill Park. Few Public Works Departments in our area have the initiative or expertise to pull off a similar project in-house.

The bridge's abutment had been seriously eroded by the remnants of Hurricane Ida which struck our region in September of 2021. The repair solution, developed by the engineers of the Pennoni Team, involved staggered prefabricated concrete blocks in front of flowable fill. The long-term solution will involve extension of the wingwall by a contractor. Substantial reimbursement for both the recently completed stabilization and eventual permanent repair is anticipated from the FEMA and PEMA Disaster Public Assistance Program.

With the bridge abutment stabilized, the Bondsville Mill Committee will again be able to accept the heavy deliveries (stone and amended soils) required to complete Phase II of the garden project.



5. Correspondence: Thank You from the Borough of Downingtown

On the subjects of both "thank you" and "Hurricane Ida" please find attached correspondence from the Borough Council of Downingtown dated June 3. The Borough extends its gratitude for allowing the Downingtown Police to share facilities with our East Brandywine Township Police for eight months. I would also like express my admiration for the Chief and the police department for their commitment to ensuring uninterrupted police service to our region in the aftermath of this tragic event.

6. Upcoming Events

JUNE 17 | DUSK

JUNE 21 | 6:30 PM

Movie in the Park: Luca



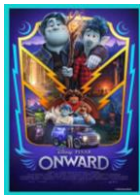
JUNE 23 | 6:30 PM

**Concert in the Park:
West Chester Swing Kings**



JULY 15 | DUSK

Movie in the Park: Onward



Run for the Sun 5K

This year's run for the parks will be in all-new "Run for the Sun" format. The course is entirely inside the Community Park. We will have a free kids 1K run at 6:30 PM followed by a 5K run from 7:00 PM until official sunset at 8:36 PM. Proceeds benefit EBT parks.

JULY 7 | 6:30 PM

**Concert in the Park:
Jay Allan's Legend of Elvis**



JULY 21 | 6:30 PM

**Concert in the Park: Minerva with Kevin
Henry & Peggy Carroll-Henry**



Chief Kocsi presented his report to the Board. A copy, verbatim et literatim, is attached to these minutes and made part of the record.

1. COVID UPDATE – The COVID-19 CDC and State mandates have been lifted in the Police Department. Employees in the PD will continue taking temperatures as a precaution for a while. Officers will continue wearing masks or other PPE on medical calls that require a higher level of caution.
2. The Police Department attended the 5th grade graduation ceremony at Brandywine / Wallace Elementary on Thursday June 9th. Afterwards we handed out bracelets to all of the students as they left for their summer break.
3. Lieutenant Yankanich and I attended a meeting of the Police Chief's within the Downingtown Area School District. In attendance were command staff of East Brandywine, PSP, Downingtown, West Brandywine, Upper Uwchlan, Uwchlan and West Pikeland PD's. The purpose of the meeting was to discuss some of the policing issues we are dealing with right now and possible solutions or collaborations in assisting one another. Some of the topic areas included manpower concerns, police testing on a regional level, issues pertaining to the lack of medical facilities and mental health

treatment facilities etc. Each of us will also be reviewing our school emergency response procedures and we plan to conduct additional joint school response training for our Officers. The meeting was informative and we are going to continue meeting quarterly.

Monthly Statistics: May 2022

Total monthly events for EB	2,303
Investigations completed	236
Criminal Arrests	6
Summary Arrests	0
Warrant Arrests	6
Juvenile Petitions	0
Accidents Investigated	8
Traffic Citation issued	144
Warnings Issued	60
Patrol Miles logged	9537

Training Completed:

Correspondence:

Downingtown Borough Council – thank you for assisting the PD after Hurricane Ida.

East Brandywine Fire Chief Vince D’Amico presented the EBTFD report to the Board. He informed the Board that Tower Health-Medic 93 will no longer provide coverage to East Brandywine Township as of September 1st, 2022. He explained that the Fire Department is meeting with Minquas EMS and Westwood EMS companies to determine who would provide emergency response to the Township. Chief D’Amico stated they would be meeting over the next month and a half and expects to have a determination in mid-August. Chief D’Amico added everyone West of the Township will be affected by this change.

Chairman Scribner inquired as to when the grants for the Covid relief monies would be available. Mr. Reven stated that the Township applied for and received grants from the American Rescue Act, through the State, for which the Township used as revenue replacement. He added the County also received funds from the State and decided to offer a grant program. The County’s grant program due date was mid-May. The Township, Municipal Authority and Fire Department submitted applications.

Approval of Planning Commission Minutes

Vice-Chairman Croft made a motion to approve the May 4th Planning Commission Minutes. Supervisor Winters seconded the motion, with all members voting Aye. Motion passed 3-0.

Old Business

Mapleview: Plan Changes

Mr. Brian Nagle Solicitor for the developer, presented the Board with a summary of the proposed changes. He advised that they appeared before the Planning Commission and made the changes the Commission suggested. This resulted in the Commission's recommendation of the changes to the Board of Supervisors. He added at this time with the Planning Commission's recommendation we would like to ask the Board to approve the amended plan change.

Mr. Greg Newell, Engineer for the developer, explained the changes to the Board. He pointed out where the mailboxes would be placed, the parallel parking location, the additional parking spaces, and the location of the raingarden. The discussion continued regarding the parallel parking and striping of the spots.

Mr. Nagle pointed out that there will be a play area for children. However, it is not in the community at this point but will be added as the construction winds down.

Mr. Sample stated part of this discussion is about our neighbors in the Timbers subdivision and the effects our stormwater has on their community. He advised stormwater leaves our property and flows towards their pond. He added the above ground raingarden will help with storage capacity and provide significant relief to the Timbers, which is a major benefit of this request. He also added a reduction of impervious surface is also a benefit.

The discussion continued regarding the changes in parking. Chairman Scribner asked Mr. Newell to point on the illustration where the twenty-one parking spots were to be located and where the replacement spots are located for the benefit of the residents attending this meeting. Mr. Oeste asked Mr. Newell if the location of the mailboxes and the five new spaces would be new a paved area. Mr. Newell stated it was not a new paved area. Mr. Oeste inquired if they are going to pave the grass strip that is located on the north end of the townhouse block and do the same on Paperbark.

Mr. Newell pointed out on the illustration where the play areas would be located. He referred to it as a cross-grass lawn landscape play area located between the buildings on Sugar Maple and Paperbark. He added this is not visible at this point because they are in the middle of construction.

Discussion continued regarding parking. Mr. Newell informed the Board that the 21-spot parking lot which is being removed is approximately 10,000 SF of impervious coverage. The new proposed parking is approximately 2,600 SF resulting in an estimated reduction in impervious coverage of 7,400 SF.

Chairman Scribner asked the audience for comments. Residents Kelsey Mineo, 291 Sugar Maple, and Marisa Cody, 255 Sugar Maple voiced concern regarding the proposed changes and the negative effect they believe it will have on the community.

Mr. Sample stated that he that he was not happy with the direction the comments were heading and excused himself from the remainder of the meeting. Mr. Brian Nagle, Mr. Greg Newell and Mr. Michael Braver remained in attendance until the meeting closed.

Resident Mr. Tomas Zambrano Fernandez, 257 Sugar Maple, also the resident representative on the Maplevue HOA presented the Board and Developer with the following request:

- The elimination of the 5 additional parking spaces at the bottom of Sugar Maple Sq and Paperbark Sq, maintaining the original design as green space.
- The expansion of the rectangular extension at Paperbark Sq. to increase future parking availability as needed.
- The inclusion of 2 additional parking spaces in scarlet Maple Place.
- Maintain street parking without paint or stripes, and allow the Maplevue Community residents to decide on marked parking once the HOA board is transferred to the residents.
- The residents decline the placement of parallel parking spaces located on Sugar Maple Sq. and Paper Bark Sq.
- The residents request an expansion to widen the road on the square 5 feet to create more space for as needed parallel parking.
- Keep parallel parking locations unmarked, the Maplevue residents will decide to stripe the spots once the HOA board is transferred to the residents.
- The residents would like to keep the squares two-way traffic for the ease of access in and out of the community and to preserve a safe space at the bottom of the square for children and community gatherings, thus avoiding unnecessary increase in traffic and the inconvenience of residents to drive a full loop to access their homes.
- Two Mailboxes to be located as stated on the recorded plan with a third mailbox to be located on Scarlet Maple Place.

Mr. Fernandez thanked the Board for their time and the opportunity to be heard. Chairman Scribner thanked the residents for sharing their comments. Chairman Scribner stated he has never seen a group so organized and appreciated that they were respectful of each person speaking.

Mr. Michael Braver, the developer, thanked the Board and the residents for their comments. Mr. Braver stated they want to work through this situation and asked the Board for a brief recess to have a discussion with their Engineer, Solicitor and the Township engineer. Chairman Scribner adjourned the meeting for ten minutes.

The meeting resumed after adjournment with Mr. Brian Nagle addressed the Board. He stated that his client is willing to accept all of the items on the list that was provided by the residents. However, it must contain the condition that it will not require any zoning relief and that the changes be approved this evening by the Board. Discussion continued as to if this should be approved at the meeting. Township Solicitor Tom Oeste stated he would be more comfortable once everything is looked at with the engineers and the HOA has a chance to review the document. It should not be an issue to approve the changes.

Chairman Scribner stated that he liked the document and feels it makes perfect sense. Mr. Oeste added the traffic engineer and police need to weigh in on the direction of traffic. Mr. Nagle was asked to coordinate with Township Engineer Cline to address all necessary parties in order to finalize the changes. Mr. Scribner stated

once the changes have been finalized the Board will hold a special meeting to review and potentially approve the changes.

New Business

MOA (Memorandum of Agreement): Police Starting Salary

Chief Kocsi presented the Board with the following Memorandum of agreement regarding starting police wage rate

The purpose of this Memorandum of Agreement is to outline an understanding between East Brandywine Township (the "Township") and the East Brandywine Township Police Association ("Union") which represents the Township's full-time, non-managerial police officers.

Currently, the Collective Bargaining Agreement ("CBA") between the Township and the Union contains a starting wage rate, as well as a range which the Chief of Police can insert a newly hired police officer into for the first year of service based upon experience and other factors. The CBA further contains a wage progression for the second through fifth years after which the officer completes the progression and receives full officer base salary. As the result of increased competition for new hires, the Township and the Union desire to modify the starting rate for a new officer, as well as the range in which the Chief of Police can slot new hires, while leaving the remainder of the wage progression and the CBA unchanged. Accordingly, the parties agree as follows:

1. The Year 1/Start Rate for Calendar Years 2022, 2023 and 2024 shall be increased from their existing level of \$45,000 to \$55,000.
2. In addition, the language below the wage progression chart in the current contract shall be amended as follows:

* Starting salary can be adjusted by the Chief of Police within the range of ~~\$45,000~~ \$55,000 to ~~\$55,000~~ \$70,000, based upon experience, training and education. Percentage step increases for each year shall remain the same.

3. The Union agrees that the above Memorandum of Agreement, including the implementation of the same, are the product of collective bargaining with the Union.
4. No other sections/language of the existing CBA shall be altered or deemed altered by this Agreement.

Vice-Chairman Croft made a motion to accept the revised MOU regarding starting wage rate for new officers. Supervisor Winters seconded the motion. With all members voting Aye, motion passed 3-0.

Budget Process of 2023

Mr. Reven stated that it is time to begin thinking about the budget process for 2023. He added the current Township Code calls for the Manager to propose the budget to the Board of Supervisors forty-five days before the end of the fiscal year. He added this is not the entirety of the process. He stated last year he presented a draft budget at a special meeting held by the Board. He also stated prior to 2021, we presented the draft budget with the help of a budget committee. Mr. Reven stated that if it is the Boards intention to use a budget committee, now is the time to begin looking for committee members. Vice-Chairman Croft stated if the Board would like to proceed with the budget committee, he would outline how it has been done in the past.

Chairman Scribner stated that he was in favor of a budget committee and asked if there is a set number of committee members. Mr. Croft suggested five members meeting more than once a month. He added we need 3 years of actuals. Mr. Croft advised the Board would be ex officio members. The meeting would be advertised, as they are public meetings. Each department head will make their presentations and will be limited to ten or fifteen minutes. He added we are hoping for members with financial experience.

Chairman Scribner made a motion to approve the budget process with five members plus the three Supervisors. Supervisor Winters seconded the motion. With all members voting Aye, motion passed 3-0.

Chairman Scribner asked Mr. Reven to post the Budget Committee openings on the website and social media platforms, as well as, the Mile Marker Newsletter. Mr. Reven stated the Newsletter is already at press but would be happy to post on social media in hopes to have a group of applicants for the July 21st PM Board of Supervisors session. Chairman Scribner directed Mr. Reven to reach out to past members of the Budget Committee if they do not receive enough applicants to create the new committee.

Subdivision & Zoning Applications

There were no applications.

Ordinances & Resolutions for Consideration

There was none.

Public Comment on Non-Agenda Items

Mr. Bruce Rawlings informed the Board that the Planning Commission has received applications for non-voting members. He inquired how many seats are open for non-voting members. Township Manager Reven stated the Planning Commission is permitted to have up to four non-voting members.

Notices

There were none.

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Adjournment

Vice-Chairman Croft made a motion to adjourn at 8:45 PM. Chairman Scribner seconded the motion, with all members voting Aye. Motion passed 3-0.

Respectfully submitted,

Lisa Taraschi,
Township Secretary