

West Brandywine Township

Board of Supervisors

John W. Cassels, Jr., *Chairman*

Joseph M. Morris, *Vice-Chairman*

Charles A. Dobson, *Member*

Dale Barnett., *Township Manager*

Board of Supervisors Meeting Minutes - Hybrid Meeting

December 16, 2021 at 7:30 PM

1. Call to Order - Chairman Cassels called the meeting to order at 7:35 PM.
2. Pledge of Allegiance
3. Roll Call - Board of Supervisors (BoS) – Finance Director Bonnie Lucy noted John W. Cassels, Jr., Joseph M. Morris, and Charles A. Dobson in attendance.
4. PSATS Recognition of Service for John W. Cassels, Jr. The Board thanked Chairman Cassels for his dedication.
5. Action on Minutes – December 2, 2021

Motion: Supervisor Dobson motioned to approve the December 2, 2021 meeting minutes as presented. Vice Chairman Morris seconded the motion. All aye.

6. Public Notification – Executive Session was held on December 16, 2021 regarding personnel issues.
7. Treasurers Report - Bonnie Lucy provided the Treasures Report.
8. Public Comments (People requesting to be on the agenda)
 - a. Protech Energy Solutions: Solar Farm. Scott Layne was in attendance to introduce the solar farm concept and answer the Board’s questions regarding the development of a proposed solar energy facility to be constructed at 120 Pratts Dam Road. The referenced property is 65 acres and zoned R-1.
 - b. Rich Warner and John Montgomery EBYA regarding field usage. John Montgomery noted EBYA currently has 5 teams seeking a field for softball and explained they would be willing to purchase Diamondtex and maintain the field throughout the year. They may also be able to utilize the Cross Creek field for the 4-to-6-year old’s. Mr. Montgomery and Mr. Warner answered the Board’s questions. The Board requested that EBYA layout a schedule and comeback in January for further discussion.
9. Recommendations of Boards and Commission
 - a. Open Space Review Board –
 - 1) The OSRB recommends that the Board of Supervisors purchase the Icedale Trail Easement from Energy Transfer for \$1.00 from the Open Space fund. Hearing on the subject later in the meeting.
 - b. Planning Commission
 - 1) Traditions of America/WB Baldwin Tract – Riley Riper Hollin & Colagreco granted an extension to the Township on behalf of the applicant for the Land Development Application. This extension dated December 8, 2021 will expire on February 4, 2022. PC recommended to the BoS to consider accepting the extension.

Motion: Supervisor Dobson motioned to accept the letter of Extension from Traditions of America, West Brandywine Baldwin application to extend the time to act on the land development application to February 4, 2022. Vice Chairman Morris seconded the motion. All aye.

- 2) Horseshoe Pike Realty LP, 1403 Horseshoe Pike – Buckley Brion granted an extension to the Township on behalf of the applicant for the Preliminary/Final Subdivision and Land Development Application. This extension dated November 30, 2021 will expire on February 28, 2022. PC recommended to the BoS to consider accepting the extension. letter of extension

Motion: Supervisor Dobson motioned to accept the letter of extension for the preliminary/final

Subdivision and Land Development application for Horseshoe Pike Realty, LP that runs to February 28, 2022 to take action on the plan. Vice Chairman Morris seconded the motion. All aye.

- 3) PC recommended the BoS interview Molly Deger for the Planning Commission vacancy. Ms. Deger submitted a letter of interest. The Board agreed that Ms. Deger would be a great candidate but favored advertising the position on the Township's website for 3 - 4 weeks.

10. Reports of Departments, Boards or Commissions

- a. Police WBT & Wallace – Chief Kimes noted 703 total incidents for the month. An awards ceremony for several officers for work they performed in 2021 will be held the second meeting in January.
- b. Public Works – Ricky Railing reported 512 manhours worked, 1,372 miles and 12 hours on equipment, and further noted work completed for the month. Public Works to purchase a power washer to remove salt from equipment.
- c. Codes/Fire Inspector – Codes Officer Kim Hoopes noted 197 permits and \$37,363.60 fees collected for the month.
- d. Tax Collector - Report on file.
- e. EMS
 - 1) EBFC – Assistant Fire Chief Joe Monestere noted 8 fire incidents and 14 medical incidents for the month.
 - 2) Wagontown – Fire Chief Todd Zeigler reported 3 calls into WBT and stated they sold out of their Christmas trees early.
 - 3) Westwood – Report on file.
 - 4) Medic 93 – Scott Dunbar provided the report for Medic 93 noting 11 calls for WBT, 7 were for Freedom Village, average response time was 7.24 minutes. Tower Health is well staffed and will continue to provide services with the pending closure of Brandywine Hospital.
- f. Emergency Management – No report.
- g. Parks and Recreation Board (P&R) – Karen Sload noted P&R had a very successful Saturday with Santa and Christmas Village. Mr. & Mrs. Claus were unbelievable, there was a long line of children throughout the event.
- h. Historic Commission (HC) – Robert Wienrich noted the HC would like to purchase a scanner to digitize some slides and negatives. Dialog ensued regarding a solution for storage. Follow-up to Mr. Knepp's concern regarding the stone historic marker at Routes 322 & 82, this is a highway marker that marks the milage location from the center of Downingtown known as the tee, and from that point to Philadelphia is 34 miles. The mileage from that the tee to that historical marker is exactly 7 miles. This is one of the only roadway markers that exist on Horseshoe Pike. Mr. Wienrich to attend a PC meeting when the proposed development is discussed for that property.
- i. Planning Commission (PC) – Kim Hoopes gave the PC report noting two recommendations to accept letters of extension, one for the Baldwin Farm and the other for Horseshoe Pike Realty. A Planning Commission Task Force Workshop date has been set for January 5, 2022, for the commercial overlay. PC meeting dates will move from the 4th Thursday to the 2nd Thursday of each month in order provide more timely reports to the BoS.
- j. Open Space Review Board (OS) – Kim Hoopes noted OS met with Sandy Manthorpe, 712 Highspire Road regarding the preservation of her property of 26 acres in total.
- k. Trails Commission – No quorum for their December meeting.
- l. Municipal Authority – Joe Sawicki provided the MA report, finalizing budget no increase in fees for 2022. MA meeting moving to 4th Thursday of each month.

11. Public Hearing

Motion: Chairman Cassels motioned to close the public meeting and open the public hearing at 8:53 PM. Supervisor Dobson seconded the motion. All aye.

- a. Chairman Cassels noted this is a public hearing to consider the acquisition of a trail easement as authorized by Act 153 of 1996 (Open Space Funds Act) and Township Resolution No. 13-2021, the “Open Space Priorities Plan.” The Trail Easement proposed to be acquired from Sunoco Pipeline, LP in consideration of \$1.00 utilizing Township Open Space Funds. The properties subject to the proposed trail easement are located at 1824, 1840 and 1844 Horseshoe Pike and 104 and 116 Icedale Road (UPI Nos. 29-1-2, 29-1-2.1, 29-3-7.1 and 29-3-7.4). At Sunoco and Icedale Road, on the South side of the property, the former Wilmington Reading Railroad, resides the old railbed. Sunoco has been very kind to listen to the Board’s request for an easement to use it as a walking trail, ultimately, the thought developed years ago, the vision was to make Icedale a destination to try and connect to Hibernia Park. It’s a beautiful little corridor through the woods, it’s a nice level surface for walking or biking. There is a recent initiative with Honey Brook Township to take the Icedale area to another level and make it a preserve that will include picnic areas, observation decks, etc. In working with Honey Brook Township, the trail would be extended all the way to Route 322, just west of the Lutheran Church, where the Brandywine crosses Route 322. Brandywine Conservancy hopes to have the draft done by the end of the year to present for review in January. Sunoco should have everything signed and executed before the holidays. We would need from the Board to allow the Manager or Chairman to sign the easement and then get it recorded.

Mr. Wienrich questioned if Icedale was currently a trail. Chairman Cassels detailed there is a parking area where public works has been stockpiling road millings to be spread out and no dumping signs have been installed there. This board has made a commitment to make that area as a community park in the future, it will be called Icedale Meadows preserve, like a wildlife preserve. The rules may be slightly different than the rules in the community park, it may allow permitted bow hunting. Officially no, there are some people that park there and they walk to the West, currently there is no access from Icedale Road. It needs a little maintenance that will all be documented in the feasibility study, to take that to the next level, and put the easement in place. That trail goes all the way down to Hibernia along the creek. Some of it is owned by the County and some is in private ownership. With this Sunoco Easement, the Board would like to keep the momentum going and head South or East and go parcel by parcel. One person in particular on Lafayette is all for this but doesn’t want to commit until others do so it won’t be a trail to nowhere.

Mr. Wienrich questioned if Wilmington Reading Railroad abandoned the trail Right of Way. Chairman Cassels noted it varies and is cloudy, even though it may say County, there are some quit claims that weren’t recorded, each little piece is different. There is a history, Icedale was put in in the 1800’s, they used to saw ice in that lake, there are also icehouse foundations in Hibernia Park. There are a lot of opportunities for the HC to get involved.

Manager Barnett noted for the record that this hearing was advertised, the property was posted, and notification was sent out to adjacent property owners.

Motion: Chairman Cassels motioned to close the public hearing and reopen the public meeting at 9:02 PM. Supervisor Dobson seconded the motion. All aye.

12. Correspondence/Communications

a. Information to Act On

- 1) BoS consider acquisition of a trail easement from Sunoco Pipeline, LP in consideration of \$1.00 utilizing Township Open Space Funds.

Motion: Supervisor Dobson motioned that the Board of Supervisors authorize either the Township Manager or Chairman to execute the trail easement documents from Sunoco Pipeline, LP in consideration of \$1.00 utilizing the Open Space funds. Vice Chairman Morris seconded the motion. All aye.

- 2) BoS to consider moving forward with upgrades to AV system for the meeting room. Bonnie Lucy noted the Township is in receipt of three quotes. Havertown systems \$53,000, Delco \$56,000, and the third was a range from \$25,000 to \$65,000. Vice Chairman Morris requested a presentation of what would be included in this since it would be funded through the Covid money.

Motion: Supervisor Dobson motioned to table moving forward with the upgrades to the AV system until presentations are made to the Board of Supervisors. Vice Chairman Morris seconded the motion. All aye.

b. Information to Note

- 1) The Township is in receipt of correspondence from Roberta Matz, Dr. Alvin Artz, Carol W. Ferrari, Dianne Snable, and Betty Leifer concerning the closure of Brandywine Hospital. Chairman Cassels noted he attended the COG meeting last evening and some of the Supervisors in the area have been in contact with the County Commissioners who are hopefully working with the Senators and Representatives to try and come up with a solution. The BoS would like to know more about what could be done so they can communicate with the residents that are writing them letters, hopefully a solution is found to avoid the closure of the hospital.
- 2) Officer Joseph Norcini submitted a resignation letter effective December 13, 2021. Officer Norcini was with West Brandywine PD since April 2021.
- 3) Trails Commission, Open Space Review Board, and Planning Commission meeting night will be switched with the Municipal Authority's meeting night in 2022 to lessen the timeframe for recommendations to the Board. Noted

13. Old Business (Unfinished)

- a. Official map – Map & Draft Ordinance has been sent to the County for their review. The Township is in receipt of a review letter from Wes Bruckno, Senior Review Planner, CC Planning Commission. Chairman Cassels reached out to Brandywine Conservancy who is interested in supporting WBT with public outreach. The map will be updated to reflect the McCaffrey and Mowday additions.
- b. Ordinance Fire Escrow - Fire Loss & Insurance. Solicitor to attend a January BoS meeting to discuss. Manager Barnett requested the solicitor talk to the BoS in January to discuss benefits or complications of this ordinance.

14. New Business

- a. The BoS bid Chairman Cassels farewell and requested he attend the 2nd Board meeting in January.

15. Ordinances and Resolutions

- a. Resolution No. 16-2021: Enactment of the 2022 Budget. The 2022 budget was advertised in the Daily Local News on November 24th for consideration of approval. The Resolution references "Exhibit A" being the attached budget. The Township did not receive any comments or questions regarding the advertised budget.

Motion: Vice Chairman Morris motioned to adopt Resolution No. 16-2021 with the budget attached as Exhibit A, the 2022 budget was advertised in the Daily Local News on November 24th for consideration, enactment of the budget as attached in Exhibit A. Supervisor Dobson seconded the motion. All aye.

- b. Resolution No. 17-2021: Establishment of Township Real Estate Taxation and Reaffirming Non-Real Estate Taxation for 2022. The Solicitor reviewed Resolution No. 17-2021 and found it acceptable. Chairman Cassels read the Resolution out loud and noted no tax increase.

Motion: Vice Chairman Morris motioned to adopt Resolution No. 17-2021, establishment of Township Real Estate Taxation and Reaffirming Non-Real Estate Taxation for calendar year 2022 as read by the Chairman, noting no tax increase for 2022. Supervisor Dobson seconded the motion. All aye.

- c. Resolution No. 18-2021: A Resolution authorizing collection of certain municipal taxes by the Chester County Treasurer. Chairman Cassels read Resolution No. 18-2021 out loud.

Motion: Vice Chairman Morris motioned to adopt Resolution No. 18-2021 authorizing the collection of certain municipal taxes by the Chester County Treasurer. Supervisor Dobson seconded the motion. All aye.

16. Public Comments (individuals *not* on the agenda)

- a. The Board and Karen Sload thanked Chairman Cassels for his years of service that John Cassels put a lot of effort into the Township, noting he would be missed and are looking forward to working with him in other capacities.
- b. Chairman Cassels updated the BoS on the COG meeting and also noted work is being done on the Mini Grant application for park upgrades to the Ramblewood park.
- c. Supervisor Dobson noted he attended a meeting where they interviewed the three candidates for the design of the Pratts Dam Road reconstruction, they all made good presentations, interestingly they all are coming at it from a different angle. A meeting will be held next week to make their selection. Work continues with West Caln, Wallace, and Westtown Ambulance on further discussion on looking into possible upgrades of the area that EMS staff resides in when they are on shift.

17. Developer Presentations & Time Clocks

- a. Preliminary/Final Land Development application for Hunters Crossing (Wawa & CVS)
Start Date April 9, 2020 runs to February 28, 2022.
- b. Preliminary/Final Land Development application for Traditions of America, Baldwin Tract South side of roadway, age restricted, North side – open space design option/age restricted, and a by right plan on 175 Swinehart Road.
Start Date August 26, 2021 runs to February 4, 2022.
- c. Preliminary/Final Land Development application for Banquet Facility located at 1731 – 1747 Horseshoe Pike
Start Date November 23, 2021 runs to February 21, 2022.
- d. Conditional Use Application for Traditions of America for 603 E. Reeceville, 604 and 608 E. Reeceville Road for an age-restricted community of single-family detached dwelling. *Start Date November 24, 2021 runs to January 23, 2022.*

18. Open Issues before the Township

- a. Continuing Opportunity for Township transparency.

19. Vacancies of Boards, Committees, and Commissions:

Citizens Finance Advisory Committee (*1 alternate*), Historical Commission (2), Planning Commission (1), Open Space Review Board (1), Trails Commission (1)

20. Review, Approve, and Ratify expenditures and payment of bills for December 16, 2021. The BoS requested to get proposals for insurance rates for the 2023 budget.

Motion: Vice Chairman Morris motioned to ratify the expenditures and pay the bills for December 16, 2021. Supervisor Dobson seconded the motion. All aye.

21. Notice of Upcoming Meetings/Events (meetings begin at 7:30 p.m. unless noted otherwise).

Meetings may be held via Zoom, Hybrid, or in person at the Township Building and are subject to change because of the pandemic.

- Board of Supervisors Organization Meeting & Regular meeting – Monday, January 3 (Hybrid)
- Auditor Organization Meeting – Tuesday, January 4, 2022

- Planning Commission Work Session with Brandywine Conservancy Wednesday, January 5, 2022 at 7PM (Zoom).
- Historic Commission Meeting – Monday, January 10 (In Person)
- Trails Comm (6:30PM), Open Space Review (7PM), Planning Commission – Thursday, January 13
- Citizens Finance Advisory Committee - Tuesday, January 18 (Zoom - 6:30PM)
- Parks and Rec Board – Monday, January 24 (7PM) (In Person)
- Conditional Use Hearing Hunters Crossing 1403 Horseshoe Pike, Wawa/CVS – Wednesday, January 26, 2022 at 7PM (Hybrid).
- Municipal Authority Meeting – Thursday, January 27 (In Person) (7PM)

22. Adjournment –Chairman Cassels motioned to adjourn the meeting at 9:34PM. Supervisor Dobson seconded the motion. All aye.