

**Meeting Minutes of April 21, 2011**  
**Board of Supervisors**

Chairman Lindborg called the West Brandywine Township (WBT) Board of Supervisors meeting of April 21, 2011 to order at 7:30 pm and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Supervisor's Carl S. Lindborg and Josef G. Obernier, Sr. in attendance. Supervisor Thomas J. McCaffrey, Jr. arrived at 7:44 pm. Also present were Ronald A. Rambo, Jr., Township Manager; Walter Werner, Chief of Police; Dale C. Barnett, Codes/Zoning Officer; and Thomas Eells, Public Works Director.

**Appointment of Part-time Police Officer**

*The Board of Supervisors to appoint Kevin Thompson as a part-time police officer for West Brandywine Township.* Vice-Chairman Obernier motioned to appoint Kevin E. Thompson as part-time officer, seconded by Chairman Lindborg. Board members Obernier and Lindborg voted aye.

**Acceptance of Minutes from Previous Meetings**

*April 7, 2011.* The minutes will be addressed at the next BoS meeting.

**Treasurer's Report**

*Manager Rambo presented the Treasurer's Report, balance as of the end of March.*

General Fund	\$105,773.41	Construction Sweep Fund	\$1,182.14
Fire Appropriations Fund	\$53,437.51	State Liquid Fuel Fund	\$173,012.92
K-9 Rudy Fund	\$294.45	Operating Reserve Fund	\$521.83
Open Space Fund	\$214,471.94	Police Pension Fund	\$1,711,085.07
Solid Waste & Recycling	\$262,425.19	Non-Uniform Pension Fund	\$392,316.28
Capital Reserve Fund	\$80,361.77	Payroll Fund	\$10,521.47
Developer Escrow Fund	\$384,526.98		

**Public Comments** (individuals requesting to be on the agenda)

*Ed Pristernik of 80 Fox Lane has questions pertaining to the Township's budget.* Mr. Pristernik questioned the BoS about putting up to date budget information on line for residents to view. Dialog ensued regarding the ability to safely put the year to date information online. Vice-Chairman Obernier will look further into this.

**Correspondence/Communications** *Information to act upon*

*The CASD is requesting a waiver from establishing an escrow for the construction of the athletic fields proposed for the new North Brandywine Middle School.* Manager Rambo noted representatives are present from CASD as well as the engineering firm. CASD is in the process of addressing comments from Stan Stubbe and MacCombie's letters. The Manager stated that CASD could request the Board grant them conditioned final approval based on the establishment of public escrows other than the field creation. They would still have to do storm water, landscaping, lighting, and address all outside agency reviews that would include Caln Township and PennDot. Vice-Chairman Obernier asked if their lighting plan conforms to West Brandywine Township or Caln Township's ordinance. Ed Johnson explained that the lighting conforms to West Brandywine's ordinance and provided specific details. Vice-Chairman Obernier requested as part of the motion that CASD acknowledge that they are conforming to West Brandywine Township lighting ordinances on their plan. Chairman Lindborg motioned to grant final conditioned approval to the North Brandywine Middle School Final Subdivision and Land

Development plan, based on addressing of the lighting, landscaping, and grinder pump issues from MacCombie's April 20, 2011 letter and that on their master plan, first sheet where the notes are, have a statement that they acknowledge that they are conforming and will conform to the lighting requirements of West Brandywine Township for the entire development. Vice-Chairman Obernier seconded the motion. Board members Lindborg and Obernier voted aye. At this time it was noted that Supervisor McCaffrey arrived.

At the Manager's suggestion, Vice-Chairman Obernier motioned to grant a waiver for the CASD establishment of an escrow for the construction of the proposed athletic fields for North Brandywine Middle School. Supervisor McCaffrey seconded the motion. Board members Obernier, McCaffrey, and Lindborg voted aye.

*Steve DiMarco of The Golf Zone is reaching out to the Township with regard to the holding of a Summer Festival that would benefit the Golf Zone, Autism, and the Township. Manager Rambo stated that Mr. DiMarco will meet with the Parks and Recreation Board and will also appear before the BoS for further discussion. Since he is not in attendance the Manager would like continue this until Mr. DiMarco has had the opportunity to come in.*

**Correspondence/Communications Information to note**

*The Township is in receipt of correspondence from the Chester County Planning Commission with regard to the 2011 Vision Partnership Grant Application. This grant allows the Township to update ordinances.*

*The Chester County Assessment Office has forwarded the Township a reminder that all Building Permit information is to be forwarded to them. There were no comments.*

*The Township is in receipt of a copy of the WBTMA Chapter 94 2010 Wasteload Management of which has been forwarded to PAWC. Manager Rambo explained this basically gives them information on all of the Authorities pumping stations and lines within the Township.*

*The Chester County Recycling Coordinator has forwarded the Township updated information on the County Processing and Marketing Contract (P&M) for recycled materials. Manager Rambo noted the contracted price that the Township receives for single stream, April through June, has gone from \$12.70 to \$29.50 per ton.*

**Reports of Departments: Month of March unless otherwise noted.**

**Police Report:** Presented by Chief Werner

Criminal	4	Burglaries/Thefts	7	<b>Total Complaints</b>	<b>519</b>
Non Traffic	7	DOA's	0	Total hrs worked	1077.5
Parking	1	Domestic/Disturbance	17	Overtime hrs	41.5
Traffic	96	Harassment	3	Fuel Used	557.9
Warnings	28	Premise Check	137	Total Miles Driven	5708
<b>Total Arrests</b>	<b>108</b>	Susp. Cond/Vehs	15	Admin Hrs	193
Alarms	13	Vehicle Crashes	9	Court Hrs	27.8
Animal Calls	7	Vehicle Stops	89	Training Hrs	136.5
Assist other PD	15	All Other	207	Investigation Hrs	105.5

**Public Works Department Report:** Presented by Tom Eells, Public Works Director. Mr. Eells also noted work completed during the month. Discussion ensued regarding the paper and cardboard recycling, i.e. compacting, pricing, and where it is taken. Vice-Chairman Obernier also spoke about the generator that is across the street in front of the maintenance building that was to be utilized to power the maintenance building in an emergency and suggested that it be taken out of the weather. Further discussion ensued.

Vice-Chairman Obernier asked for an update for the request to put reflectors at the entrance into the Township driveway. Tom Eells stated they have it on the list of things to do.

Total man-hours	849.5	Miles traversed	2,325
Total Equipment hours	21	Total fuel gallons	742.10

**Buildings/Codes/Fire Inspector Department Report:** presented by Dale Barnett.

**Building & Codes**

Building Permits issued	26	CL Fees collected	\$840
Permit base fees collected	\$2,458	Inspections completed	33
Occupancy fees collected	0	Failed Inspections (FI)	2
U&O permits issued	0	Failed Inspections Fees collected	0
U&O permits issued cursory	25	<b>Total fees collected</b>	<b>\$3,398.00</b>
Contractor Licenses (CL) issued	21		

**Fire Report:**

**Campfire/Recreational Permits** 25

**Wagontown Fire Company:** Presented by Captain Robert Yearsley.

**Fire**

Number of calls dispatched into WBT	7	Initial dispatch into WBT	7
Second dispatch into WBT	0	Number of calls scratched	0

**Medical Assist**

Number of calls dispatched into WBT	-	Initial dispatch into WBT	-
Second dispatch into WBT	-	Number of calls scratched	-

**East Brandywine Fire Company:** Presented by Chief Edwards.

**Fire**

Number of calls dispatched into WBT	7	Initial dispatch into WBT	7
Second dispatch into WBT	-	Number of calls scratched	0

**Medical Assist**

Number of calls dispatched into WBT	20	Initial dispatch into WBT	18
Second dispatch into WBT	-	Number of calls scratched	2

**Martins Corner:** There was no report for Martins Corner.

**Reports of Organizations, Boards and Commissions**

Theo Claypoole gave the report of the Historical Commission and noted the HC recommended approval of the restoration plan for the Hayes historic home residence at 301 Reeceville Road. The HC also met with Aqua and requested photos from Aqua as well as have Aqua contact PennDOT to see if a section 106 is required. Supervisor McCaffrey requested the Manager prepare an outline for clarification as to when a Section 106 plan is required. Dialog continued.

Manager Rambo noted there was no one present from the Parks and Recreation Board. Chairman Lindborg was in attendance at the Easter Egg Hunt noted that it was well attended and nice function to have.

Manager Rambo gave the report of the Planning Commission noting that all of the plans currently before the PC were tabled except Cycle Max. The PC had recommended to the BoS to reject their plan unless a letter of extension is received. At the last BoS meeting the plan was rejected because an extension letter was not received. Manager Rambo sent a letter to Cycle Max officially rejecting their plan.

There was no one in attendance from the Open Space Review Board.

Municipal Authority Manger Rambo gave an update of the Authority's sewer project.

**Public Hearing:** There was no Public Hearing

## **Old Business**

*The Township participated in a multi-municipal shredding event Saturday, April 9, 2011 and it went very well with over 16,500 pounds of paper being collected and shredded. Chairman Lindborg stated he was in attendance and stated it was very well attended. DNB First sponsored the majority of the cost. Manager Rambo noted the group of municipalities that participated stated they will do this annually around earth week each year. Supervisor McCaffrey recommended the Township review its files to see what can be disposed of.*

*The Manager is finalizing the Safety Committee Policy, Medical Information Policy and PSATS CDL Program and Guidance Policy for the Boards review and consideration. There were no comments.*

## **Old Business from the Floor**

There was no Old Business from the Floor.

## **Old Business from the Board**

There was no Old Business from the Board.

## **New Business**

*Conditional Use Hearings for the AQUA PA, Inc. Tank Project and the Southdown Homes, L.P. Lot 60 of Hide-Away Farms Project have been established for Wednesday, May 11, 2011 starting at 7:00 p.m. There were no comments.*

*The Manager continues the gathering of information on the cost to repair or reconstruct the Icedale bridges. There were no comments.*

*A multi-municipal effort to review and update the Comcast franchise agreement is in the process with approximately 5 municipalities requesting to participate to date. Vice-Chairman Obernier suggested they adhere to the original agreement of 5%.*

## **New Business from the Floor.**

There was no New Business from the Floor.

## **New Business from the Board**

Supervisor McCaffrey stated he went to several seminars at the PSATS Conference regarding agricultural debris; the opinion that the State Agricultural Department is that fires for such use by farms is normal farming activity and should not be under the same permits that are issued for fires for homeowners. Supervisor McCaffrey suggested the Manager obtain clarification for this.

Paul Gainor stated that when the Township adopted its ordinance regarding burning, the Township technically banned all burning even campfires. Discussion ensued. Mr. Gainor stated he wanted to make a personal complaint that the burn permit is violating the Township's code and would like to stop all burn permits issued until this is resolved. If Mr. Gainor sees someone burning a campfire, he will report it, and wants to see somebody fined. Supervisor McCaffrey stated, should the right to farming law supersede local regulations, there seems to be a difference between one state regulatory agency and another over what is a legitimate normal practice. The agricultural department considers branches, sticks, and invasive species, not just normal weeds because it destroys the seeds and their ability to propagate; DEP considers them to be recyclable.

Vice-Chairman Obernier delineated what Constant Contact is and asked if the BoS would like to participate. It is meant to augment the quarterly newsletter and would also give people the opportunity to receive the newsletter via internet instead of receiving a hardcopy in the mail. If there is some type of emergency, this would be used to get the news out. Chairman Lindborg would like to make sure the newsletter mailing would still be offered. Vice-Chairman Obernier motioned to participate in Constant Contact, seconded by Supervisor McCaffrey. Board members Obernier, McCaffrey, and Lindborg voted aye.

## **Ordinances and Resolutions**

There were no Ordinances and Resolutions.

**Public Comments** (residents or representatives of taxpayers of the Township requesting to be on agenda)

**Developer Presentations**

There were none.

**Open Issues Before the Township**

*The Township Engineer and Manager continue their work on updating the Township's Act 537 Plan.* There were no comments.

*The Township is looking for two volunteers to fill vacancies on the Parks and Recreation Board.* There were no comments.

*The Township Manager is working to complete the Airport Hazard Zoning District Overlay.* There were no comments.

**General Obligation Note**

*(Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public Works Facility/Park Construction: interest rate for the week is 2.23%).* There were no comments.

**Review and Payment of the Bills**

Manager Rambo noted the General Fund bills total \$71,251.49, Solid Waste Fund bills total \$52,724.62, and the Liquid Fuels Fund bills total \$3,873.84. Vice-Chairman Obernier stated he reviewed the bills and found them acceptable and motioned payment except for the bill for the tax collector. Supervisor McCaffrey seconded the motion. Board members Obernier, McCaffrey, and Lindborg voted aye. The bill for the Tax Collector is for reimbursement because someone that paid the tax bill along with the trash bill, made the check out to West Brandywine Township instead of the Tax Collector. Supervisor McCaffrey motioned to pay the bill to the Tax Collector, seconded by Chairman Lindborg. Board members McCaffrey and Lindborg voted aye. Vice-Chairman Obernier abstained because he is married to the Tax Collector.

**Upcoming Meetings/Events**

- Open Space Review Board meeting, Thursday, April 28, 2011 at 7:00 p.m.
- Planning Commission meeting, Thursday, April 28, 2011 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, May 5, 2011 at 7:30 p.m.
- Historic Commission meeting, Monday, May 9, 2011 at 7: 30 p.m.
- Parks and Recreation Board meeting, Tuesday, May 10, 2011 at 7:00 p.m.
- Conditional Use Hearings, Wednesday, May 11, 2011 at 7:00 p.m. (Hide-Away Farms and AQUA Pennsylvania, Inc.)
- Municipal Authority meeting, Thursday, May 12, 2011 at 7:30 p.m.
- Board of Supervisors meeting, Thursday May 19, 2011 at 7:30 p.m.
- Open Space Review Board meeting, Thursday, May 26, 2011 at 7:00 p.m.
- Planning Commission meeting, Thursday, May 26, 2011 at 7:30 p.m.

**Adjournment**

There being no further business before the Board, Vice-Chairman Obernier motioned to adjourn the meeting at 8:40 p.m. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye in favor of adjournment.

Ronald A. Rambo, Jr.  
Township Manager/Secretary/Treasurer