

**Meeting Minutes of October 7, 2010**  
**Board of Supervisors**

Chairman McCaffrey called the West Brandywine Township (WBT) Board of Supervisors meeting of October 7, 2010 to order at 7:33 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 Thomas J. McCaffrey and Josef G. Obernier, Sr. in attendance. Carl S. Lindborg was absent. It is also noted that the Manager was in attendance.

**Acceptance of Minutes from Previous Meetings**

September 2, 2010 and September 16, 2010. Chairman McCaffrey motioned to table the minutes until all Board Members are present, seconded by Supervisor Obernier. Board members McCaffrey and Obernier voted aye.

**Treasurer's Report (n/a)**

The Treasurer's report is not applicable at this meeting.

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

There were no Public Comments.

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

*The Township is in receipt of a letter of extension until February 18, 2011 from Alyson M. Zarro, Esquire on behalf of their client, Pulte Homes of PA, for the Phase II to IV Del Webb Project.*

Supervisor Obernier motioned to accept the Zarro letter of extension for Pulte Homes for Phase II to IV Del Webb Project. Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.

*The Township is in receipt of a ninety day letter of extension from K & W Engineers on behalf of their client, the CASD, for the North Brandywine Middle School Project.* Supervisor Obernier motioned to approve the ninety day letter of extension from K & W Engineers on behalf of the CASD North Brandywine Middle School Project, seconded by Chairman McCaffrey. Board members Obernier and McCaffrey voted aye.

*The Township is in receipt of a ninety day letter of extension from Clifford Murray Cyclemax for their Preliminary Self Storage Land Development Plan.* Manager Rambo noted they are working on addressing the easement and outstanding comments of the Township Engineer. The Engineer sent a letter to the Township expressing that the extension request is warranted. Supervisor Obernier motioned to approve the Cyclemax Murray request for a ninety day extension for their Preliminary Self Storage Land Development Plan.

*The Township is in receipt of a letter of resignation from Beau Shephard from the WBTPD.* Manager Rambo noted Mr. Shephard has accepted a full time position at East Brandywine and recommended the BoS accept his resignation. Chairman McCaffrey motioned to accept the resignation letter from Beau Shephard and expressed thanks for his service. Supervisor Obernier seconded the motion. Board

members McCaffrey and Obernier voted aye.

*The CCATO has forwarded information to the Township with regard to the upcoming Fall Convention scheduled for Thursday, November 4, 2010. Chairman McCaffrey will attend.*

*Kimmel, Lorah & Associates, LLP has forwarded the Township its audit proposal for the year ending December 31, 2010 for review and acceptance. Manager Rambo recommended the BoS accept the audit proposal for \$9,500, noting a 7% price increase. Supervisor Obernier motioned to accept the Kimmel, Lorah & Associates audit proposal for the year ending December 31, 2010. Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.*

*John E. Good, Esquire has forwarded the Board of Supervisors for review and signing, the Agreement of Sale for the Lindborg Conservation Easement. Chairman McCaffrey explained that Carl Lindborg is a WBT Supervisor and is willing to sell his development rights for his farm; it was accepted and approved by the Open Space Review Board (OSRB). Supervisor Obernier questioned if purchasing this conservation easement restricts the property from being subdivided and then built on. Manager Rambo explained this property cannot be subdivided, one additional home can be placed on the property according to the zoning of COUNTRY PROPERTIES and it would have to be owned by the same person. Supervisor Obernier explained the reason he is asking is because Carl is a member of the Board of Supervisors. The OSRB and Planning Commission have reviewed this, there was a proper survey, there were separate parcels before and they had to be resurveyed and turned into a single parcel. At this point if Supervisor Lindborg wanted to build a second home on it, he could. He would own both homes and the property could not be subdivided.*

Jeff Grossman asked if the price being offered to Lindborg reflects the fact that he can build a second home on that. Manager Rambo answered yes and explained that it was also reduced by the fact that the five parcels were combined into one parcel. Lindborg has elected to accept the lesser appraisal with the parcels combined into one. Paul Gainor asked the amount that would be received for the easement. Manager Rambo noted the Lindborg's would receive \$290,000.

Chairman McCaffrey reiterated that this easement went before the OSRB and then motioned to approve the agreement of sale on the conservation easement, as outlined with the potential for another home to be built there under the country property part of the zoning ordinance, not as a separate subdivided home. Supervisor Obernier seconded the motion. Board members McCaffrey and Obernier voted aye.

*The Township is in receipt of the renewal application of the Department of General Services Federal Surplus Property Program for signing by the Chairman. Manager Rambo recommended its approval to the BoS. Chairman McCaffrey motioned to continue the Federal Surplus Property Program, seconded by Supervisor Obernier. Board members McCaffrey and Obernier voted aye.*

*Theodore Claypoole of 134 Gabel Road has forwarded the Township an email with regard to serving on a Township Board or Commission. The BoS requested to meet with Mr. Claypoole prior to the next BoS meeting.*

**Correspondence/Communications Information to note**

*The Township is in receipt of the estimated Liquid Fuel Allocation for 2011 from the Bureau of Municipal Services in the amount of \$167,334.26. There were no comments.*

*The Township is in receipt of the estimated Turnback Allocation for 2011 from the Bureau of Municipal Services in the amount of \$6,040.00. There were no comments.*

*The Chester County SPCA has forwarded the Township general information with regard to the acceptance of stray animals starting January 1, 2011. Manager Rambo explained beginning January 1<sup>st</sup>, the SPCA will not accept any stray animal originating from any municipality that does not enter into a service contract.*

*The Martin's Corner Fire Company has forwarded the Township correspondence seeking monetary support for the operation of its ambulance service. Manager Rambo has requested three years of financial reports from Martin's Corner.*

*The Coatesville Area Public Library has forwarded the Township its performance report for the year along with its request for monetary support. Manager Rambo noted there is a check for \$7,153 in tonight's bills for the library.*

*The Township is in receipt of the Act 44 Annual Disclosure Form, from Thomas J. Anderson & Associates, Inc., for forwarding to those organizations that provide services to the municipality's pension plans. Manager Rambo explained this is a new requirement, it will be sent to anybody that they deal with for pensions.*

*John E. Good, Esquire has reviewed proposed Ordinances No. 2010-01, 02 and 03 and has found them to be in order. Manager Rambo noted 2010-01 is regarding zoning map change that will come up for consideration in the first meeting in November, 02 is amendments to the zoning sign requirements, 03 is the revised EIT Tax Ordinance, a requirement to meet Act 32.*

*South Coatesville Borough has forwarded the Township a letter of thanks for the use of the Township's generator trailer at their recent Community Day. There were no comments.*

*Keystone Collections Group has forwarded the Township an information survey for completion. Manager Rambo explained that Keystone Collections Group is the entity brought on by the Chester Tax Collection Committee to collect EIT and LST tax for the entire county for 1.35%. The Township currently pays 1.75 for the EIT collection, 2.25% for the LST collection and 6.0% for the delinquent EIT collection. Keystone is located outside of Pittsburgh; they will be opening up a local office within Chester County.*

#### **Reports of Departments, Organizations, Boards and Commissions (n/a)**

It was noted that reports were not applicable at this meeting.

#### **Old Business**

*The Township Engineer and Manager continue their work on finalizing the Township's amended Act 537 for review and consideration by the Board of Supervisors. There were no comments.*

*The Manager is in the process of preparing a revised Ordinance pertaining to the number of individuals and the make-up of the Open Space Review Board. There were no comments.*

*The Manager is in the process of preparing the Airport Hazard Zoning Overlay District for incorporation into the Township's zoning ordinance as required by PA Act 1984-164. Chairman McCaffrey noted WBT only has a tiny piece of property within the Overlay District.*

*The Board of Supervisors is in receipt of the following policies for consideration of which are being recommended by its benefits insurance carrier; Worker's Compensation, Military Leave of Absence, Uniformed Services Employment and Re-Employment, Rights Act, Disability Leave, and Health*

*Reimbursement.* The BoS would like a copy sent electronically to them for their review. Manager Rambo will resend the information.

*The Manager has advertised the revised EIT Collection Ordinance for adoption to meet Act requirements.* Manager Rambo noted this is advertised for the October 21<sup>st</sup> BoS meeting. Chairman McCaffrey explained this is something that is required by the State but there will be a chance for people to comment.

*The Manager will be advertising proposed Ordinances 2010-01 and 02 for public hearings and consideration.* Manager Rambo explained this has been advertised for the November 4<sup>th</sup> BoS meeting but could be modified because this is the same night of the CCATO meeting.

### **Old Business from the Floor**

Jeff Grossman thanked the BoS for K-9 Rudy's bench placement. Mr. Grossman asked questions concerning the placement of the stonewall on Germany Hollow Road, the Overweight Equipment Ordinance and the weight of the trucks and equipment working for the municipal authority as it pertained to this Ordinance. The Manager noted that the vehicles and equipment being utilized on the Authority project were not overweight. Mr. Grossman next commented on the rut located on Beaver Creek Road and Route 82 as you turn off of Route 82. The Manager noted that he would ask the Public Works Director to look at it.

Mr. Grossman also asked about the Municipal Authority's 9 million dollar bond and if there were any overruns with the work being done. Manager Rambo requested that Mr. Grossman attend the Municipal Authority meeting to obtain the requested information and further explained that the Municipal Authority is a separate entity. Mr. Grossman stated the Township is backing the Authority's bond. Discussion ensued regarding the Authority's responsibility, the developer's responsibility, and other connections that have offset the larger contributors. Chairman McCaffrey and Supervisor Obernier briefly explained that there is a supportable infrastructure in place that pays for the Authority's borrowing.

### **Old Business from the Board**

Supervisor Obernier requested an update for the Indian Run Village site distance problem and Manager Rambo noted that a letter was sent out.

### **Ordinances and Resolutions**

There were no Ordinances or Resolutions.

### **New Business**

*The Township Manager has prepared a Resolution to allow the Township's LST to be collected by the Chester Tax Collection Committee (CTCC) selected tax collection organization, Keystone Collections Group.* There were no comments.

*The Township Manager is preparing the 2011 budget for presentation to the Board of Supervisors.* Manager Rambo stated he is in the process of learning the upgrades to the financial software system before he inputs any numbers.

*The Manager has the proposed 2011-2013 Police Contract under review by special counsel prior to its presentation to the Police Association.* Manager Rambo noted it will be presented to the BoS upon approval by special council.

*Recommendations of the Township Planning Commission (PC).* Manager Rambo noted the PC recommended the acceptance of the extension letters that were addressed earlier in the meeting.

*The Township Manager is working with Scott Shearer of PFM with regard to the refinancing of the Township's outstanding debt under the Harrisburg Authority and PNC.* Chairman McCaffrey explained

that the Township had a very low interest rate through Harrisburg Authority to build the Township facility and park without a tax increase. The BoS is trying to negotiate a similar arrangement with PFM to keep things reasonable. Manager Rambo noted Mr. Shearer will be in attendance on October 21<sup>st</sup>. Supervisor Obernier pointed out to the Chairman a correction in the minutes regarding a vote for approval of the refinancing; Supervisor Obernier is okay with preparing the documents but would like all BoS members to be present before they vote to approve the refinancing.

*Discuss the issuance of an RFP for computer services starting January 1, 2011 or the use of the Co-Stars Program.* This item was tabled until all BoS members are present since Supervisor Obernier must abstain from a discussion. Chairman McCaffrey expressed that having people that are approved for the level of payment under the States Costars system gives the Township better latitude.

#### **New Business from the Floor and the Board**

There was no New Business from the Floor or the Board.

#### **Public Comments**

There were no Public Comments.

#### **Open Issues before the Township**

*The Township is looking for an individual to serve on the Historic Commission.* There were no comments.

#### **General Obligation Note (Adjustable Rate Bond for the Facility/Park Construction)**

*Interest rate for the week is 1.45%.* There were no comments.

#### **Review and Payment of the Bills**

The General Fund bills total \$108,766.26. Manager Rambo requested removal of the OAC Network Solutions bill for payment until they have the majority that is able to vote. The Solid Waste bills total \$680.62 and Liquid Fuel bills total \$10,807.50. Jeff Grossman asked if the Township had six memberships for BJ's and Manager Rambo answered it is one membership. Chairman McCaffrey explained it is a corporation, you can send anybody from the Township, not just the individual that has the card. Manager Rambo noted the Robert Pierson Bill for \$10,807.50 needs to be amended and approved for \$14,227.50. Chairman McCaffrey asked if the Pierson bill is shared by everyone. Manager Rambo explained each respective municipality receives a bill but it has to go through WBT because we bid it. Valley Township has reimbursed WBT \$14,227.50. Manager Rambo also noted the Township finally received a bill for Rudy's monument in the amount of \$1,013.30. Supervisor Obernier motioned to pay all bills except for OAC. Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.

#### **Upcoming Meetings/Events**

- Historic Commission, Monday, October 11, 2010 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, October 12, 2010 at 7:00 p.m.
- Municipal Authority, Thursday, October 14, 2010 at 7:30 p.m.
- Board of Supervisors, Thursday, October 21, 2010 at 7:30 p.m.
- Open Space Review Board, Thursday, October 28, 2010 at 6:45 p.m.
- Planning Commission, Thursday, October 28, 2010 at 7:30 p.m.

#### **Adjournment**

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 8:34 p.m. followed by a second by Chairman McCaffrey, with all board members voting in favor of adjournment.

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