

Meeting Minutes of August 21, 2003
Board of Supervisors

Chairman Obernier called the Board of Supervisors Meeting of August 21, 2003 to order at 7:30 p.m., and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors by the Township Manager noted Chairman Obernier and Supervisor Lindborg in attendance. Vice-Chairman McCaffrey was absent. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr.; Township Manager, Capt. Walter M. Werner; Chief, and Dale Barnett; Codes Officer.

The first item of business discussed was Daniel L. Zimet, M.D. is requesting that the Township consider changing the MSI District Uses to permit other types of offices. Dr. Zimet explained that he has a medical office located at Hurley and Reeceville Road and that he intended to do his entire career there, but because of the medical malpractice crises, it has pushed him to give up his business. Due to the skyrocketing costs they have lost eight surgeons in the last two years alone. He needs to sell the office and is requesting to permit other types of offices because no one is willing to buy medical property in Pennsylvania now.

Chairman Obernier suggested that before the next meeting the Board will speak with the Manager and get a consensus if they are willing to do that. Supervisor Lindborg stated they will take this request under consideration but noted it could be a problem to change the MSI District.

The next item of business to address was the approval of the Township minutes of July 3, 2003, July 17, 2003, July 31, 2003 and August 7, 2003. The minutes were tabled.

The next item of business to address was the induction of new officers into the Police Department. Chairman Obernier then swore in Russell C. Moore and Jason P. Rickabaugh.

Chairman Obernier then turned the meeting over to Supervisor Lindborg because he was not feeling well due to his recent surgery.

Supervisor Lindborg moved on to address the Treasurer's Report. Manager Rambo presented the Treasurer's Report for the month ending July 2003 as follows:

General Fund.....\$61,644.38

Solid Waste and Recycling Fund.....	\$112,033.41
Capital Reserve Fund.....	\$1,091,892.35
Construction Sweep Fund	\$2,377.03
Developer Escrow Fund.....	\$264,486.16
State Liquid Fuel Fund.....	\$118,738.06
Operating Reserve Fund	\$222,591.83
Police Pension Fund.....	\$884,634.01
Non-Uniform Pension Fund.....	\$155,316.83
Payroll Fund.....	\$1,958.40

Being there were no individuals requesting to be on the agenda Supervisor Lindborg moved onto Correspondence/Communications – Information to Act Upon. The first item under Information to Act Upon was the Board of Supervisors is in receipt of information from Marc Jonas, Esquire with regard to the Brandamore Golf Course Property and the approved subdivision of the early 1990’s. The second item was the Township is in receipt of a review letter from James W. MacCombie, P.E. with regard to the Marc Jonas, Esquire letter concerning the approved 1989 Ridings of Hibernia Subdivision Plan. Manager Rambo suggested until all Board Members have had ample time to review both letters that they table any further discussion until the next BoS Meeting.

The third item under Information to Act Upon was Marc Jonas, Esquire has forwarded the Township and Solicitor correspondence with regard to issues raised by the Engineer and Manager concerning the Coatesville Golf Training Facility. Manager Rambo noted that he and the Solicitor are currently working with Marc Jonas with regards to these issues. Marc Jonas will no longer be working with Fox Rothschild and a new attorney will be assigned the project.

The fourth item under Information to Act Upon was the Chester County Tax Claim Bureau has forwarded the Township correspondence requesting the removal of liens on mobile homes that have been removed, destroyed, abandoned, or sold. Manager Rambo noted this list was received from the tax claim director requesting they consider executing the enclosed affidavit for removing these units from liens. The total amount is approximately \$625.72. Being that this is a minuscule amount, to try and go back and recoup that amount would be more costly to the Township. Manager Rambo recommended the Board sign the affidavit. Chairman Obernier made a motion to sign the affidavit. Supervisor Lindborg seconded the motion. Both Obernier and Lindborg voted aye.

The fifth item was discussed earlier in the meeting, Supervisor Lindborg moved on to the sixth and final item to Act Upon. Chris Williams, P.E. of McMahon Associates, Inc. has forwarded the Township an Act 209 Transportation Impact Fee Study Proposal for the Board’s review and consideration. The proposed cost is \$36, 400 with additional services as required. The area includes roadways Route 322, Route 82, Hibernia Road, East Reeceville, Reeceville and Swinehart intersections, and about twenty intersections. He suggested they pay for it in next year’s budget.

Supervisor Lindborg moved onto Correspondence/Communications - Information to Note. The first item was the Chester County Association of Township Officials has forwarded the

Township information for the Fall Convention. The Manager asked that the Supervisors let him know who will be attending so he can forward the information on.

The second and final item was the Neighborhood Health Agencies, Inc. is requesting that the Township consider allocating a contribution when preparing the 2004 budget. Manager Rambo stated they are asking for a contribution of \$750. The Board will take this under consideration.

Supervisor Lindborg moved onto the Reports of Departments for the month of July 2003, which was the next item on the agenda. Chief Walt Werner was present from the Police Department to give the police report. Manager Rambo then gave the Road Department report. Code Enforcement Officer, Dale Barnett was not present to give the report for the building and codes department. Manager Rambo then gave the fire department report from East Brandywine. There were no reports from Martin's Corner or Wagontown's fire department, or from the Fire Marshall.

Supervisor Lindborg moved onto Reports of Organizations, Boards, and Commissions. A Planning Commission member gave their report. There were no comments made. There was no one present from the Historic Commission. Colin Judge then gave the report from the Parks and Recreation Board and noted they would be meeting weekly until Unity Day. Banners were discussed for Unity Day, noting they will only be having one banner due to liability. Colin asked about offering a variety of food instead of just hamburgers and hotdogs. Manager Rambo noted that in the past when the Rotary was the sole proprietor at their functions they contributed back to the Township.

Colin Judge asked about selling advertising space in a program to be given out on Unity Day. Manager Rambo suggested that since they are currently selling ads for a map that will be distributed throughout the Township that they don't try to solicit for this as well. Colin gave the Manager a list of items they will and will not be taking care of for Unity Day. Supervisor Lindborg noted he heard the ad on WCOJ and stated the Park and Recreation Board have a very ambitious program.

Manager Rambo gave the report from the Municipal Authority. There were no comments made.

Supervisor Lindborg moved onto Old Business. The first piece of Old Business was the Board of Supervisors continues their search to fill the Historic Commission and Building Appeals Board vacancies. These items continue to be advertised in each Newsletter.

The second piece of Old Business the Manager and Public Works Director are continuing the process of completing their list of proposed improvements to roadways being considered under the PennDot Turnback Program. There were no comments made.

The third piece of Old Business was the Fall Edition of the Township Newsletter was sent to the printer today. There were no comments made.

Being there was no Old Business from the Floor or from the Board and there were no Ordinances and Resolutions Supervisor Lindborg moved to address the report for the building and codes

department. Code Enforcement Officer, Dale Barnett gave the report. There were no comments made.

Supervisor Lindborg moved onto New Business. The first item of New Business was the approval of release request # 4 for the Catania 5 lot subdivision. Manager Rambo recommended to approve the request and noted this has been reviewed and approved and the Township Engineer, himself, and also by the firm of McCormick Taylor who started that project and has been signed off on. The total release request is \$18,268.30. Chairman Obernier made a motion to approve request #4. Supervisor Lindborg seconded the motion. Board Members Lindborg and Obernier voted aye.

The second item under New Business was the Township offices will be temporarily closed on Thursday, August 28, 2009 and Friday, August 29, 2009 during the move across the street; however, phone calls will be addressed. Manager Rambo noted for a short period on Tuesday after Labor Day Verizon is scheduled to switch the phones from the old building to the new building.

Supervisor Lindborg moved to address New Business from the floor. Stan Smith of 18 Maplewood Drive complemented the Board and Manager on the new facility. Mr. Smith had a complaint regarding underage drinking on Maplewood Drive and asked what could be done. He had asked before and was told that it was private property.

Chief Werner explained the situation that park management doesn't live in that area but that they do make criminal arrests in the park. Sergeant Coldren recently spoke with the park manager and explained to her that she must enforce the park rules. Chief Werner will follow up on this.

Chairman Obernier explained if one of his neighbors was creating a nuisance and thought if he called the police that they would come and make arrests. Chief Werner explained the situation is when they get the call, they go there and the offenders run away so there is no one to arrest.

Supervisor Lindborg asked if this bothers other people who live there as well. Mr. Smith answered yes, but nobody wants to stand up against them. Supervisor Lindborg stated the Board and Police understand the situation and will have the Chief of Police do whatever he can to help alleviate it.

Chairman Obernier stated he didn't think there was an ordinance they could pass that would fix the situation. Mr. Smith asked about a noise ordinance.

Supervisor Lindborg noted if they turn it down then you wouldn't be able to catch them. Chief Werner explained that the park is not a public street, they will meet with the park manager and some of the residents.

John Cassells from the Planning Commission noted he has been invited to sit on review committee in the Upper East Branch of the Brandywine River Conservation Plan and noted they are trying to get input from the Township.

Jesse Edwards from Manor Road had comments about people that weren't happy with the paving of Culbertson Run Road and the traffic jam it caused at the bank. Manager Rambo explained they had picked the day with the least amount of traffic to pave. With the fresh mat they will not let you through, unfortunately the bank only has one way in and out.

Richard Kane of Landover Road asked if the City of Coatesville has completed their testing of lighting for that facility or would other tests be scheduled. Manager Rambo explained they set one standard up at the highest point, on the highest pole. There were two lighting people from Musco that set the exact type of lights up with and without the shades and hoods on, the poles were set at 100 foot, and there were four lights on the pole. He noted there was a big difference with and without the hoods. The Township staff had notified everyone that had shown an interest at the previous Planning Commission meeting with regards to who wanted phone calls so they could stay within their area and report back at the next Planning Commission meeting with what they saw. That was the only test scheduled. Consultants were brought in with a truck with the lighting fixtures they plan on using that were on 100 foot poles. The City of Coatesville still has to come back to the Township with their lighting impact study. The Township brought in lighting consultant Stan Stubbe. He noted John Cassells as well as a few other Planning Commission members present for the test. There will be ten lighting poles, however, they will not all be at that height. They have the ability after the lights have been put up to adjust them up and down. Without taking sides the Manager noted there was more intrusive light coming from that hillside than just the test light when someone turned their outside house lights on. The Manager explained that they still have time to negotiate.

Jim Hix of 11 Frasier Blvd. asked when they will receive the results from their water tests. Manager Rambo stated he has not been given any results yet and will ask the City of Coatesville at the next Planning Commission meeting. Mr. Hix also noted that the Board of Supervisors were going to revisit issuing Use and Occupancy Permits and Supervisor Lindborg stated they hadn't forgotten about that they will address this when all the Supervisors are present. Supervisor Lindborg will ask to have this put on the agenda.

Bob Schini of the Planning Commission explained he didn't get to see how the lighting will affect certain areas and would like to see a more prolonged test conducted.

Supervisor Lindborg noted there have been a couple comments about the duration of the lighting test and asked the Manager if it is the consensus from the Planning Commission and the Board could they have the lighting experts back again for a longer duration of time. Manager Rambo said they can ask if they will come back out.

Steve Jakatt of the Planning Commission suggested they be given advance notification for the time period it will be shielded and unshielded. Supervisor Lindborg asked the Manager what the benefit was of having it unshielded and suggested if they do the test again to have it just filtered and shielded.

The Manager stated they wanted to show the difference between a standard light that most people would put up and the shielded and filtered light. They will be using the newest standards of filters and shields on the light units according to the manufacturer.

Barbara Karpovich of Frasier Blvd voiced concerns about the height of the lighting test. Manager Rambo stated that the contractor picked the highest point on the ground to put the 100-foot aerial apparatus that they used. They put it at a one hundred foot working height, it was at the highest point on the plan that the light would be.

A resident asked if “no” lighting for the golf course could still be negotiated. Manager Rambo stated that he and Supervisor Lindborg have already negotiated as much as they could with their solicitor, but there is always additional room for negotiation.

Steve Jakatt asked if four lights on each pole are necessary. Manager Rambo’s understanding was if they put less on the poles then you don’t get the coverage and then you would need more poles.

Jesse Edwards suggested the Township residents would probably like to be notified when they are going to do the lighting test again.

Supervisor Lindborg noted there was a Boy Scout in the audience and asked him to stand up and introduce himself.

Chuck Dobson of Genterra noted he is a resident of the Township and felt the Supervisors and Manager did a tremendous job with the new township facility. A year ago they presented a sketch plan to the Township for Brandywine Meadows previously called the Mays Tract located off of Highspire Road. They had begun talks with Bentley and others that are involved with the Route 322 corridor and have also been planning their sewage disposal. They are still perusing the project and will be submitting conditional use plans to the Township. The property totals 173 acres, 155 of those acres are in West Brandywine Township. Proposed are 75 Townhouses on 20 acres which will leave 125 open acres. The Manager had informed Mr. Dobson that he was concerned about the location of Genterra’s project which is located on the eastern side of Route 322. Mr. Dobson would like to get the Board’s input regarding Genterra’s plan and would also like to answer any questions they may have.

Supervisor Lindborg was concerned with this plan because when they did the Open Space Option the intention was not to take a piece of property that is largely undevelopable to allow for very intense development in small portion of it. He is interested to see what Genterra could do by-right with this property and noted there are a lot of wetlands there.

Mr. Dobson noted that as part of the conditional use application they will be showing a by-right sketch.

Being there was no New Business from the Board and no Public Comments Supervisor Lindborg moved onto Open Issues. Open Issues were the CASD tax audit review and the Cable Franchise review letter. Manager Rambo noted both are currently under review.

Supervisor Lindborg moved onto the next item on the agenda regarding the Facility/Park Update. Manager Rambo noted they are currently working on the punch list items and noted they are

scheduled to receive training on security. The park will be completed by the end of the month. The trails have been finished. Everything will be complete by the middle of September so they are ready to go by September 27th for the grand opening. The current interest rate is 1.07%.

Supervisor Lindborg moved onto the payment of the bills. Chairman Obernier motioned to pay the bills and Supervisor Lindborg seconded the motion. Board Members Obernier and Lindborg all voted aye in favor of their payment.

Supervisor Lindborg noted upcoming meetings and events as follows:

- Parks and Recreation Board meeting, Tuesday, August 26, 2003 at 7:30 p.m.
- WBT Planning Commission meeting, Thursday, August 28, 2003 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, September 4, 2003 at 7:30 p.m.

With no other business to discuss Chairman Obernier motioned to adjourn the meeting at 8:53 p.m. Supervisor Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye in favor of adjournment.

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