

Meeting Minutes of March 3, 2011
Board of Supervisors

Chairman Lindborg called the West Brandywine Township (WBT) Board of Supervisors meeting of March 3, 2011 to order at 7:33 pm. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Supervisor's Carl S. Lindborg, Josef G. Obernier, Sr. and Thomas J. McCaffrey in attendance. Manager Ronald A. Rambo, Jr. was also in attendance.

Acceptance of Minutes from Previous Meetings

February 3, 2011 and February 17, 2011. Supervisor McCaffrey motioned to approve the meeting minutes, seconded by Vice-Chairman Obernier. Board members McCaffrey, Obernier, and Lindborg 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)

Denise R. Yarnoff, Esquire and representatives of AQUA PA are in attendance to discuss their proposed project with the Board that has been in the works for the past few years, as it pertains to the placement of two water tanks. Denise Yarnoff briefly explained Aqua's plan to put two tanks on the property they own in WBT; one would be a partially buried tank and the other would be elevated. Ms. Yarnoff then outlined areas on their map and explained this would further protect the water system for WBT, East Brandywine, and Honey Brook Township and would also improve the pressure for the fire hydrants. Last night Aqua met with the surrounding residents of the property to let them know what is proposed so they could address their questions and concerns. Their next step would be to file an application for conditional use for public utilities. Supervisor McCaffrey questioned the procedure if someone wants to put something such as cell phone tower on top of the water tower. Vice-Chairman Obernier expressed he has no personal issues having the tank there, but would like to keep the area near the Forks of the Brandywine as rural as possible and preserve the vista view and suggested that part of the waiver would be that Aqua wouldn't be able to put anything on top or on the side of the water tank. The Forks of the Brandywine Church was there during the Revolutionary War. Ms. Yarnoff stated there is no plan to do anything but put the water tower there. Chairman Lindborg questioned what the height of the tower would be. Ms. Yarnoff answered they are proposing 120 feet. Vice-Chairman Obernier noted that Aqua is thinking about donating the front lot to the Township and suggested they give the Township the ability to access the front lot from Aqua's driveway and the Township would in turn grant Aqua to put the stormwater in where they want it to be. Discussion ensued.

Correspondence/Communications *Information to act upon*

The Board of Supervisors is in receipt of the revised Henderson Conservation Easement documents for signing. The Manager explained that specific language required by the County Commissioners has been added into the recorded easement to obtain the County Grant funding. The Henderson's have signed the revised documents after being reviewed by their legal counsel. Manager Rambo recommended the BoS sign the revised Henderson documents so he can forward them to the County Commissioners for their signatures. Vice-Chairman Obernier motioned to sign the Henderson documents, seconded by Supervisor McCaffrey. Board members Obernier, McCaffrey, and Lindborg voted aye.

The Board of Supervisors to consider the Authorization of the removal of tax liens on various mobilehomes within the Mobilehome Parks in the Township as submitted by the County Tax Claim Bureau. This item is currently under review by Dale Barnett.

Alyson M. Zarro, Esquire has forwarded correspondence to the Township to withdraw proposed Ordinance No 2010-02, close the ongoing hearing and submit a new proposed amendment to the signage language. Manager Rambo recommended the BoS close the hearing and review the new proposed sign amendment. Supervisor McCaffrey motioned to accept Ms. Zarro's request and close the hearing, seconded by Vice-Chairman Obernier. Board members McCaffrey, Obernier, and Lindborg voted aye.

The Township is in receipt of an invitation to attend a workshop on "Understanding the Mortgage Foreclosure Process" from Senator Dominic Pileggi. The BoS will let Manager Rambo know if they are interested in attending.

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 recommended the BoS table this item until their representative is present. Supervisor McCaffrey motioned to table the waiver request. Vice-Chairman Obernier seconded the motion. Board members McCaffrey, Obernier, and Lindborg voted aye.

Correspondence/Communications Information to note

The Township is in receipt of correspondence from PennDot with regard to the Icedale Bridges and the need to address the steel beams that support the bridge as a result of a recent inspection. The Manager and Public Works Director are reviewing the report and will have a recommendation at the next BoS meeting.

The Brandywine Conservancy has forwarded the Township information on upcoming outreach programs. There were no comments.

The Township is in receipt of correspondence from AQUA PA with regard to the fire hydrants located throughout the Township. Manager Rambo noted he received an email from Mark Heavener of Aqua regarding the cost and maintenance of the hydrants. Dialog ensued between the BoS, Manager Rambo, and Paul Gainer regarding marking the hydrants, maintenance, and snow removal.

The Chester County Tax Collection Committee has forwarded the Township an update on the transition in Tax Collectors. Manager Rambo noted that EIT revenue is behind 25% at the end of February since the transition from Berkheimer to Keystone Collections.

The Township is in receipt of a list of Resolutions to be considered at the upcoming Spring Convention of the Chester County Association of Township Officials. Manager Rambo stated a great deal of the Resolutions have to do with raising the minimum requirements for bidding.

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

Adjournment from Township Meeting and Opening of Public Hearing

Ordinance NO. 2010-02; amendments to the zoning ordinance sections pertaining to signs. This item has been officially withdrawn and will be off the record at the next BoS meeting.

Old Business

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. Manager Rambo explained this item is not high on the priority list.

The Spring edition of the Township newsletter is being prepared for printing. The newsletter will go to print next week.

The Township is in the process of submitting the initial reimbursement request for the Henderson Conservation Easement to the County for review and approval. Manager Rambo explained the easement documents will be signed tonight, be forwarded to the County Commissioners for their signature, and then they will be sent to John Good so they can go to Manito for recording. The Township was awarded \$400,000. A reimbursement request is

being prepared for what has been expended. To date the Township has spent \$602,000, of that the Township can seek reimbursement for \$301,000. The remaining amount will be reimbursable through a grant extension in 2013.

Old Business from the Floor and the Board

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

Ordinances and Resolutions

Resolution #02-2011. This item has been withdrawn.

New Business

The Manager is in the process of reviewing the meeting agenda requirements as it pertains to developer presentations and those individuals requesting to be on the agenda. The Manager is currently reviewing the original resolution from 1993.

The Manager is in the process of preparing a Safety Committee and a Medical Information Policy as recommended in the Township Insurance Company's recent loss control visit for presentation to the Board. Manager Rambo noted this information will be ready for presentation to the BoS within the next month. Supervisor McCaffrey expressed concern about requesting personal information from people that they don't wish to disclose. The Manager explained the information will be voluntary, however, they will have to sign off on it so the Township is not held responsible should something happen.

Recommendations of the Township Planning Commission. Manager Rambo noted two recommendations; 1) Reject the Brandywine Meadows plan, located on Highspire Road, if a letter of extension is not received. The plan runs until March 26, 2011. After talking with John Good, GenTerra is no longer involved with the project. The Manager recommends that the Board hold off until the next BoS meeting to see if the new owners of the project come in with paperwork. At that point, the Manager will recommend rejection based on the Township Engineer's review letter if the Township does not receive an extension letter at the next BoS meeting. Supervisor McCaffrey motioned to table the Planning Commission's recommendation until the next BoS meeting, seconded by Vice-Chairman Obernier. Board members McCaffrey, Obernier, and Lindborg voted aye.

2) This is for final conditioned approval for the CASD North Brandywine Middle School project. K&W was supposed to send a waiver requesting they utilize five year old surveying information. Manager Rambo recommended the BoS table this item until such time that the BoS receives the waiver, has a chance to talk with the school district about their other waiver, and has a representative from the district present to discuss their plans with the BoS. Supervisor McCaffrey motioned to table the Planning Commission's recommendation for CASD North Brandywine's plan until the next BoS meeting, seconded by Vice-Chairman Obernier. Board members McCaffrey, Obernier, and Lindborg voted aye.

The Carol Forrell Conditional Use Hearing advertisement and public notice, scheduled for Wednesday, March 16, 2011, has taken place. Manager Rambo stated this is regarding the operation of a CPA's office at 1592 Horseshoe Pike. Notices have been sent to area residents.

New Business from the Floor

Paul Gainor requested information regarding the Township's conservation easements, development rights, property pledged, acreage of schools and churches, and total acreage of the cemeteries. Discussion ensued.

New Business from the Board

Supervisor McCaffrey requested as he had in the past, for plans that come in be given one single name throughout the process and not keep changing. The Manager stated they could request that the developer keep the same name throughout the process.

Manager Rambo noted they held an executive meeting after the last BoS meeting and before tonight's BoS meeting to discuss personnel issues.

Public Comments

There were no Public Comments.

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.

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 \$60,970.08 and Solid Waste bills total \$33,598.65. The Manager requested an initial vote on all of the bills except for a check for the Tax Collector in the amount of \$3,388.72 that will be used to pay the taxes for those that sent in a single check for both solid waste and real estate taxes. Members of the BoS reviewed the bills and found them in order. Vice-Chairman Obernier motioned payment exempting the amount for the Tax Collector, seconded by Supervisor McCaffrey. Board members Obernier, McCaffrey, and Lindborg voted aye. Supervisor McCaffrey then motioned to pay the Tax Collector in the amount of \$3,388.72, seconded by Chairman Lindborg. Board members McCaffrey and Lindborg voted aye. Obernier abstained because he is married to the Tax Collector.

Upcoming Meetings/Events

- Parks and Recreation Board meeting, Thursday, March 8, 2011 at 7:00 p.m.
- Municipal Authority meeting, Thursday, March 10, 2011 at 7:30 p.m.
- Historic Commission meeting, Monday, March 14, 2011 at 7:30 p.m.
- Carol Forrell, Conditional Use Hearing, Wednesday, March 16, 2011 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, March 17, 2011 at 7:30 p.m.
- Open Space Review Board, Thursday, March 24, 2011 at 7:00 p.m.
- Planning Commission meeting, Thursday, March 24, 2011 at 7:30 p.m.

Ed Pristernick requested that year to date budget information be made available for the public. The Manager explained you can get the budget online and compare it with the bill summary that is made available to the audience. Discussion ensued.

Adjournment

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 8:32 p.m., seconded by Vice-Chairman Obernier with all board members voting in favor of adjournment. Board members McCaffrey, Obernier, and Lindborg voted aye.

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