

**Meeting Minutes of February 16, 2006
Board of Supervisors**

Chairman Obernier called the Board of Supervisors Meeting of February 16, 2006 to order at 7:30 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by the Township Manager noted Chairman Josef G. Obernier, Sr. and Supervisor Carl S. Lindborg in attendance. Vice-Chairman Thomas J. McCaffrey, Jr. arrived at 7:37 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager; Walter Werner, Chief of Police; and Dale Barnett, Building Inspector/Codes Officer.

Chairman Obernier moved to address the Treasurer's Report. The Minutes will be addressed when Vice-Chairman McCaffrey arrives.

Treasurer's Report *Month ending January*

- Treasurer's Report presented by Manager Rambo. There were no comments.

Capital Reserve Fund	\$775,036.92	Non-Uniform Pension Fund	\$256,424.54
Construction Sweep Fund	\$14,323.23	Operating Reserve Fund.....	\$305.33
Developer Escrow Fund	\$668,491.40	Police Pension Fund	\$1,104,256.47
General Fund	\$70,911.27	State Liquid Fuel Fund.....	\$34.71

Public Comments *Individuals requesting to be on the agenda*

William Krempa of Krempa Associates is in attendance to talk to the BoS with regard to modifying the Non-Uniform Pension Plan. Manager Rambo noted that Mr. Krempa met with the Pension Review Committee, the committee looked over a proposal from Mr. Krempa with regard to switching some funds around and using Krempa Associates as the organization that would hold the funds on the Township's behalf. The Committee looked favorably upon the proposal and asked Mr. Krempa to give an official presentation to the BoS. Currently Mr. Krempa handles both the Non-Uniform and Uniform plans. Chairman Obernier asked Mr. Krempa if he has been meeting with the Pension Committee on a quarterly basis as he indicated he would the last time Mr. Krempa appeared before the BoS in September of 2002. Mr. Krempa answered yes, and then proceeded with a brief summery of his proposal. Vice-Chairman McCaffrey has arrived at the BoS meeting.

Manager Rambo recommended that the BoS permit him to sign the appropriate documents with Krempa Associates to permit the change from Lockwood Financial to Krempa Associates for the managing of the non-uniform pension plan. Vice-Chairman McCaffrey made the motion for the

Manager to sign the aforementioned documents on the Board's behalf. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

Acceptance of Minutes from Previous Meetings

February 2, 2006. Vice-Chairman McCaffrey has not read the February 2, 2006 minutes. Chairman Obernier edited the minutes for typographic errors. Supervisor Lindborg motioned to accept the February 2, 2006 minutes. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Correspondence/Communications *Information to Act Upon*

The Township is in receipt of a letter from Susan Fitzgerald with regard to participating on the Historic Commission.

The Township is in receipt of a letter from Mark Hartnett with regard to participating on either the Historic Commission or the Parks and Recreation Board.

The Township is in receipt of a letter from Paula Kondracki with regard to participating on the Parks and Recreation Board.

Vice-Chairman McCaffrey asked if the Historic Commission and Parks and Recreation Board have been advised of the people that have expressed interest and if those Committees/Boards had any comments. Manager Rambo answered that both Boards/Committees have been given copies of their resumes and there were no comments.

Supervisor Lindborg motioned to appoint Susan Fitzgerald to the Historic Commission and to appoint both Mark Hartnett and Paula Kondracki to the Parks and Recreation Board. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye. The BoS stated that they wanted to thank those individuals for their desire to assist.

Correspondence/Communications *Information to Note*

The Township is in receipt of correspondence from Signal Service with regard to the recently completed preventative maintenance and re-lamping contract, which states there are missing signs at the intersection of Little Washington, Springton, Culbertson Run, and Route 322 intersection. The Public Works Director is ordering the necessary signs.

Ross Unruh, Esquire has forwarded the Township additional correspondence regarding the YMCA and the recent petition to amend the Zoning Ordinance. At the Planning Commission's request, Mr. Unruh has gone to various townships' to see what type of definitions they have for facilities such as the YMCA. Mr. Unruh has given this information to the BoS for their review and asked that Manager Rambo give him a call when he gets input from the BoS. Mr. Unruh is trying to determine a definition of the facility. Supervisor Lindborg requested copies of ordinances that refer to these types of facilities.

Chairman Obernier recalled that when the YMCA first opened in 1981, that Board didn't have the definition or reference on file and the Board then said they could have an "X" number of spaces. His thought is that the YMCA wants to put forth an amendment to the zoning ordinance that will only ever pertain to the YMCA and questioned if that is a wise thing to do.

Vice-Chairman McCaffrey didn't feel that it would be appropriate and felt that would set a bad precedence having the applicant write his own "ticket." The YMCA could show some examples or

submit some suggestions, if it is a special case then the Board should hear the special case and the reasoning behind it.

Manager Rambo will look at ordinances from different municipalities and try to come up with something should they have other health and fitness clubs come into the MSI areas. Then they would have some parking requirements.

Chairman Obernier asked Dale Barnett if there are any requirements in the recently passed construction code for the number of occupants in the building and how many parking spaces there should be. Dale Barnett answered no not for parking spaces, there are some parking provisions that are relative to accessibility verses the number of parking spaces that are provided...

After further discussion Vice-Chairman McCaffrey suggested the way to look at it is to figure out how many people are going to be there both inside and outside and make some approximation to the number of parking spaces that they are going to use. He would like to ask Mr. Unruh to give the BoS some reasoning and examples and then the Code Officer can let the BoS know what the capacity of the plan is. Neither Chairman Obernier nor Supervisor Lindborg favored an amendment to the Zoning Ordinance. Vice-Chairman McCaffrey stated that if there were a way to configure to help calculate the parking spaces for future applicants it would make sense.

John E. Good, Esquire has forwarded the Township his review of the proposed Agreement of Sales for the two lots off of Freedom Valley Circle in the Hills Over Pratts Dam Subdivision. Manager Rambo will review the document.

Reports of Departments *Month of January 2006*

- Police Report presented by Chief Werner. There were no comments.

Total hours.....	1,384	Fatalities	0
Miles patrolled	8,843	Domestics	10
Complaints.....	535	Criminal arrest.....	7
Accidents	8	Non-traffic arrest	9
Injuries.....	0	Traffic arrests	114
- Public Works Department, presented by Tom Eells.

Total hours.....	631	Miles equipment.....	88
Miles traveled	2,601	Total fuel	925

 Work completed included demolition of the old salt barn, Christmas tree pickup, cleaning of stormwater inlets, routine maintenance, etc.

Chairman Obernier noted that he received three positive comments regarding the Public Works Department’s snow removal during the winter weather event of January 25th.

- Buildings/Codes Department Report presented by Dale Barnett. There were no comments.

Building permits issued	11	Inspections completed	64
U&O permits issued	36	Failed inspections paid	1
Contractor licenses issued	74	Total fees collected.....	\$4,856
- Fire Marshall Report was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done.....	28	Hours on patrol.....	3
Other type inspections done	2	Code violations/Complaints	1
Miles traveled	110		
- Wagontown Fire Company Report presented by Mike Ahrens. There were no comments.

Total calls for month	12	W. Brandywine.....	4
W.Caln.....	6	Other Twps.	2

Rescue miles.....	17	WBT Gas gallons	28
Engine miles.....	10	Manhours in service	108
Utility miles.....	12	Worknights/Training	4
Squad miles	10		
• Martin’s Corner Ambulance Report presented by Manager Rambo. There were no comments.			
ALS	23	MVA.....	2
BLS	14	Total responses WBT	41
• East Brandywine Fire Company Report – there was no report.			

Reports of Organizations, Boards and Commissions

Historic Commission, no report was given.

Parks and Recreation Committee Report, Jeff Chalfant was present and stated he was not present at the last Park and Rec. meeting because he was out of town, but noted that the Park and Rec. Board will be holding a work session every other week until Community Day.

Planning Commission, no report was given.

Municipal Authority Report, presented by Municipal Authority Manager Rambo. The flagpole has been received for placement at the Reeceville Road pump station. Plans are being finalized for the necessary repairs to the Monacy Manor system. The Authority was presented with the request by Bentley Communities to sell it capacity. The WBT Municipal Authority has the ability to sell 140 EDU’s and is waiting for DEP to approve that through PAWC’s revised CMP. Further discussion ensued.

Vice-Chairman McCaffrey objected to West Brandywine Township following DEP’s values for EDU’s. Manager Rambo noted that in the Opinion and Order that was issued, they had agreed upon 262 ½ for the single-family homes, the fifty-five plus refers to the current capacity of Freedom Village, they see that as 150 gallons per day. After further discussion, Vice-Chairman McCaffrey wanted to make certain that whatever is established by the community and that they are going by what our experts say they feel is appropriate, rather than what DEP stipulates. Manager Rambo stated he understood. Vice-Chairman McCaffrey suggested that if they ever have another Act 537 plan revision, he would like that they review their preferences for on-site disposal so that spray is no longer listed as a higher priority than drip irrigation. Manager Rambo stated where there are drip irrigation systems the land cannot be farmed. Vice-Chairman McCaffrey would like the Township to consider some of those alternatives, he doesn’t like that entire Bentley development and personally voted against those plans based on his concerns over sewage and would like to make sure that the Township plan has the ability to require drip instead of spray fields where they are not cultivated. Manager Rambo noted that will be part of the Township plan when they are required to do future planning. As far as the CMP from PAWC and the requirement to either amend the master plan or the Act 537, as of the end of the last DEP - PAWC meeting, it may not be required.

Old Business

The Township is searching for volunteers to serve on the Building Appeals Board, Historic Commission and Parks and Recreation Board. The Parks and Recreation Board is now filled, but the Township would be happy to have anyone who wants to get involved.

The Township’s Building Inspector/Codes Officer is preparing an Ordinance amendment for the BoS to consider with regard to the International Building Code. Chairman Obernier requested that this item be moved to Open Issues before the Township.

The Manager is awaiting input from Supervisors Lindborg and McCaffrey on proposed Ordinance No. 05-12, Access Management. Manager Rambo noted that John Good recommended that Tier I and Tier II could be advertised for consideration and adoption, but Tier III needs work. Supervisor Lindborg stated he read it and noted that it is pretty comprehensive, but he is generally okay with it. Manager Rambo will prepare Tier I and Tier II into final ordinance form. Vice-Chairman McCaffrey was okay for the Manager to prepare Tier I and Tier II into ordinance form. Chairman Obernier stated he was okay to wait until the next meeting to give Vice-Chairman McCaffrey time to review it, if they are okay with it then they can move forward, if not they could just drop it. Supervisor Lindborg agreed.

The Township Manager has received the "final draft" on the proposed Technical Specifications for Traffic Control Signalization from McMahan Associates, Inc. Chairman Obernier noted that the BoS had just received the draft today. This will be brought up at the next BoS meeting for comments.

The Township Manager is finalizing Ordinances No. 06-02 through 06-04 with regard to recently accepted public streets. This deals with parking, speed limits, and stop signs.

Old Business from the Floor

Jeff Chalfant was in attendance to see if there were any updates regarding a noise disturbance issue that he brought up at a previous BoS meeting. Manager Rambo is waiting to hear from John Good.

Old Business from the Board

Supervisor Lindborg suggested that the Manager contact some municipalities from the Limerick area with regard to their Emergency Management Plan. Chairman Obernier noted he was looking on the internet and saw plans from other states, counties, and municipalities, they have doctors listed along with their specialties and phone numbers. He would like to see the Township have something similar. Supervisor Lindborg said that after having had the meeting with the BoS, Manager, and Emergency Management Coordinators, they need to keep moving forward with it.

New Business

The Township is in receipt of sketch renditions for the proposed Public Works Facility upgrades that will include four new bays, two of which are for a future substation. They are trying to match the siding of the Township building and roof, and roof of the salt barn and keep within the budget. Discussion followed.

Barbacane/Thornton & Company is scheduled to begin the 2005 Audit of the Township Funds on Thursday, February 23, 2006. There were no comments.

Dr. John Zaleski, President of the CASD Board, will be at the March 2, 2006 public meeting of the BoS to give an update of what is going on in the District. Six signs are to be printed for the WBT signs located at the township line.

New Business from the Floor

Karen Vollemecke noted that the Game Commission is working on an Urban Deer Management Program and that they are thinking about asking for township participation.

New Business from the Board

Vice-Chairman McCaffrey summarized the Farming First event that he had recently attended. Vice-Chairman McCaffrey would like to work on some of the agriculturally oriented interests.

Manager Rambo noted that the time clock for Glen Loch, a 3-lot subdivision on Hurley Road, runs out on Wednesday, March 1, 2006. The Township has not received an extension of time and recommended that the BoS reject the Glen Loch subdivision based on MacCombie's latest review letter unless the Township receives a letter of extension until April 7, 2006. Manager Rambo will look at the date of the engineer's letter along with each item with regards to zoning and subdivision that they do not meet. The Township has received a revised plan to show a fifty-foot wide right-of-way off of Baker Road as suggested, they have configured two of the three lots. The issue is that they haven't granted an extension of time. Vice-Chairman McCaffrey motioned that in the absence of a letter of extension prior to March 1, 2006, that the Glen Loch plan be rejected based upon the engineer's latest review of the plan that has been before the Township and that the Manager should check the engineer's letter for any omissions or errors. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

Public Comments (individuals not requesting to be on the agenda)

Jesse Edwards of Manor Road asked the timeline for the clean up of the barn on the Golf Zone property. Manager Rambo stated that they are demolishing it.

Pat Edwards asked if they are going to save the slate. Vice-Chairman McCaffrey explained in order for the slate to be utilized you have to have a recipient lined up to receive it. Supervisor Lindborg asked who is responsible for the upkeep of the Romano house. Manager Rambo will contact the Golf Zone regarding that issue.

Jeff Baroni of Highspire Road asked what specific problems the residents were having with the postal service within the township for the BoS to inquire about getting a West Brandywine zip. Manager Rambo stated that the Township was not aware of any problems. This was spurred on because the Township is serviced by six post offices within the Township and they are trying to get one post office to service the entire Township. Chairman Obernier explained that the Township sent out a survey a few years ago where residents responded that they would like to have a West Brandywine, PA. Supervisor Lindborg noted the residents want a single zip code; it is a long process. Both Vice-Chairman McCaffrey and Supervisor Lindborg stated that having West Brandywine, PA would also add a sense of identity. Vice-Chairman McCaffrey said that it is nice to have a sense of your community, and that comes through your address. Neither Wagontown nor Brandamore delivers mail. The hope is to have a stand-alone post office to offer both delivery and boxes within the Township's boundaries. The Township is still waiting for a response from correspondence that was sent.

Open Issues Before the Township

SPCA 2006 Animal Control Contract. Chief Werner stated they have received the contract, but the SPCA is still waiting to hear from their legal council regarding the resolution that was passed by the Township. Manager Rambo's understanding is that they currently don't have any animal control. Supervisor Lindborg suggested that Chief Werner contact the SPCA and let them know that there is a sense of urgency to try and expedite it. Further discussion ensued.

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

Interest rate for the week was 3.46 %. There were no comments.

Review and Payment of the bills

The bills totaled \$38,101.49 from the General Fund and \$20,114.83 from the Solid Waste Fund. Supervisor Lindborg stated he reviewed the bills and motioned to approve payment. Vice-Chairman McCaffrey seconded the motion. Chairman Obernier noted he also reviewed the bills and found them in order. Board Members Lindborg, McCaffrey and Obernier voted aye.

Upcoming Meetings/Events

- Planning Commission meeting, Thursday, February 23, 2006.
- Conditional Use Hearing, Monday, February 27, 2006 at 7:30 p.m. for Pulte Homes.
- Board of Supervisors meeting, Thursday, March 2, 2006 at 7:30 p.m.
- WBTMA meeting, Thursday, March 9, 2006 at 7:30 p.m.
- Historic Commission meeting, Monday, March 13, 2006 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, March 14, 2006 at 7:30 p.m.

Adjournment

With no other business to discuss, Supervisor Lindborg motioned to adjourn the meeting at 9:10 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye in favor to adjourn.

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