West Brandywine Township

Board Of Supervisors

Josef G. Obernier, Sr., *Chairperson* **Thomas J. McCaffrey,** *Vice-Chairperson* **Carl S. Lindborg,** *Member*

Ronald A. Rambo, Jr., *Township Manager*
Secretary-Treasurer

TOWNSHIP OF WEST BRANDYWINE
CHESTER COUNTY, PENNSYLVANIA
OPEN SPACE REVIEW BOARD BY LAWS

FINAL 11-09-06

ARTICLE I: NAME OF AGENCY

The name of the organization shall be the West Brandywine Township Open Space Review Board (a.k.a. Township Open Space Board).

ARTICLE II: AUTHORIZATION

The authorization for the establishment of this open space review board is set forth in Act 153 of 1996, (amends Act 442 of 1967 P.L 992) Section 7.2. Powers and duties are delegated to the Township Open Space Review Board by the Board of Supervisors by Ordinance 06-11 of 2006 in accordance with the above referenced enabling law.

ARTICLE III: MEMBERSHIP

The Township Open Space Review Board shall consist of nine (9) members, i.e., (7) Planning Commission and (2) Parks and Recreation Board (Members). The term of office of members shall be five (5) years or until a successor is appointed. The members shall be appointed by the Board of Supervisors and shall serve without compensation, except those members may be reimbursed for expenses incurred in carrying out his/her duties as a member of the Township Open Space Review Board.

In the event of vacancies, the Township Open Space Review Board may submit recommended appointments, by nominations seconded by the remaining members, to the Board of Supervisors for its consideration. The Board of Supervisors shall appoint a township resident as a member to fill the unexpired term. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

All members of the Township Open Space Review Board shall be residents of West Brandywine Township. Each member shall be entitled to one (1) vote.

If the Board of Supervisors determines it beneficial to increase the number of members, the additional members shall be appointed as provided in this Article. Additional members should be appointed by the Board of Supervisors at its Organization Meeting in January. If

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the Board of Supervisors shall determine to decrease the number of members, the decrease shall occur by allowing those next to expire terms to expire and by making no new appointments to fill the vacancy.

ARTICLE IV: OFFICERS

Section 1:

The officers of the Township Open Space Review Board shall consist of a Chairperson, Vice Chairperson and Secretary.

Section 2:

The Chairperson shall preside at all meetings and hearings of the Township Open Space Review Board and shall have the duties normally conferred by parliamentary usage on such officers.

Section 3:

The Vice-Chairperson shall act for the Chairperson in his/her absence or in the event of a conflict of interest as referenced in Article XI.

Section 4:

The Secretary shall keep the Minutes and records of the Township Open Space Review Board, and with the assistance of a Recording Secretary and/or such staff as is available, shall prepare the agenda of the regular and special meetings under the direction of the Chairperson, provide notice of all meetings to members, arrange proper and legal notice of hearings, and attend to general correspondence of the Township Open Space Review Board and such other duties as are normally carried out by a Secretary. Minutes shall be prepared for distribution within ten (10) days after a meeting.

The Recording Secretary does not need to be a member of the Township Open Space Review Board, may be a Township employee, and is not required to be a resident of the Township.

ARTICLE V: ELECTION OF OFFICERS

Section 1:

The annual organization meeting shall occur during the first regular meeting of the Township Open Space Review Board..

Section 2:

Nominations shall be made from the floor at the annual organization meeting and election of officers, as specified in Section 1 of Article IV, shall follow immediately thereafter.

Section 3:

A candidate receiving a majority vote of the entire membership of the Township Open Space Review Board shall be declared elected and shall serve for one (1) year or until his/ her successor shall take office.

Section 4:

Vacancies in Office shall be filled immediately by the election process referenced in Section 2 and Section 3, above.

ARTICLE VI: MEETINGS

Section 1:

Meetings shall be held on the 2nd Thursday of each month at 7:00 P.M. in the West Brandywine Township Building, 198 Lafayette Road, Coatesville, PA 19320.

The 2nd Thursday shall be for the purpose of conducting regular business. The regular meeting schedule shall be advertised annually at the beginning of the year. Work sessions may be scheduled from time to time as necessary and public notice will be advertised.

In the event of a conflict with holidays or other events, a majority of the members at any meeting may change the date of said meeting.

Section 2:

A quorum shall consist of a majority of the members of the Township Open Space Review Board. For example, five (5) Members of the Township Open Space Review Board constitutes a quorum and the number of votes necessary to transact business. A record of the action shall be kept in the Minutes, including the number for; the number against; and the number of abstentions by name.

Section 3:

Special meetings may be called by the Chairperson. It shall be the duty of the Chairperson to call a special meeting, when requested to do so by a majority of members of the Township Open Space Review Board. All meetings must be proceeded by notice to the public in accordance with the Sunshine Law.

Section 4:

All meetings of the Township Open Space Review Board shall be open to the public and in accordance with the Sunshine Law of 1986, as amended.

Section 5:

Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of the Township Open Space Review Board.

Section 6:

Members are expected to attend all meetings of the Open Space Review Board, including work sessions. Excessive absences from meetings, defined as not attending more than two (2) consecutive regular monthly Board meetings (2nd Thursday) two times during any calendar year may be cause for the Chairperson to request that Member submit his/her resignation from the Board.

ARTICLE VII: ORDER OF BUSINESS

Section 1:

The Order of Business at regular meetings shall be:

a. Call to Order
b. Procedural Business of Open Space Review Board (for Organization, Resignations...)
c. Motion on Minutes of previous meeting(s) - (Motion)
d. Report of Actions of Board of Supervisors from previous meeting(s)
e. Notices and Announcements

f. Reports of Officers and Committees (as necessary)
g. Pending Applications
h. Other/New Business including Public Comment
i. Adjournment – (Motion)

Section 2:

A motion from a member of the Township Open Space Review Board must be made, seconded and passed to dispense with any item of business on the agenda.

ARTICLE VIII: EMPLOYEES

Section 1:

Within the limits of the funds authorized by the Board of Supervisors for its use, the Open Space Review Board may employ such staff personnel and/or consultants, as it deems necessary to perform its duties. Appointments shall be made by a majority vote of the entire Township Open Space Review Board.

Section 2:

A Recording Secretary, if not appointed from among the Members, shall be appointed by the Township Open Space Review Board, at its annual organization meeting, to prepare the agendas and record the Minutes.

Section 3:

The Township Solicitor shall be used, when necessary and duly authorized by either the Board of Supervisors or the Township Manager as legal counsel to the Open Space Review Board.

ARTICLE IX: HEARINGS

Section 1:

In addition to those meetings required by law, the Township Open Space Review Board may hold public hearings when it decides that such hearings will be in the public interest.

Section 2:

Notice of the time and place of such hearings shall be published once a week for two (2) successive week in the newspaper of record for the Township. The first notice shall not be more than 30 days and the second notice shall not be less than 7 days from the date of the hearing as required by statutes of the Second Class Township Code governing the proceedings of the municipality.

Section 3:

A Member of the Township Open Space Review Board, staff personnel or consultant as designated by the Chairperson shall present the matter before the Township Open Space Review Board in summary, and parties in interest shall have the privilege of the floor.

Section 4:

A record shall be kept of those speaking before the Township Open Space Review Board at such hearings. That record may, but need not be, a stenographic record.

ARTICLE X: AMENDMENTS

These By laws may be amended by a majority vote of the entire membership of the Township Open Space Review Board.

ARTICLE Xl: ADDITIONAL PROCEDURAL PROVISIONS

Section 1:

The Chairperson may assign specific property reviews (oversight) to one or more Members for the purpose of ensuring effective processing and level of detail.

Section 2:

Specific property reviews may be referred; at the discretion of the Chairperson, to the West Brandywine Township Parks & Recreation Board, Planning Commission, Historical Commission for review and comment.

Section 3:

Any Member whose property abuts a property that is the subject of an open space review, shall give notice at a public meeting and abstain from any action requiring a formal vote on said subdivision.

Section 4:

Any Member having an inherent or potential conflict of interest on any matter pending before the Township Open Space Review Board, shall give notice at a public meeting and excuse herself/himself from any action requiring a formal vote on the matter in question. If there is uncertainty concerning whether a conflict of interest exists, the Township Solicitor shall be consulted in accordance with Section 6 of this Article.

Section 5:

It is the policy of the Township to not recommend to anyone coming before the Township Open Space Review Board at a public meeting, any individual, company, or organization for performing any services or providing work of any kind.

Section 6:

Members who have a question on any matter before the Township Open Space Review Board and that may require the services of a paid Township consultant (engineer, solicitor, land planner...) shall first consult with the Chairperson far approval and then notify the Township Manager to receive authorization prior to engaging the consultant.

Section 7:

All Members are encouraged to attend annually at least one (1) seminar or workshop designed to instruct and otherwise educate Open Space Review Board Members in their role and responsibilities on the Board. Such training, upon approval by the Board Chairperson, may be reimbursable by the Township, including registration fees, meals and mileage but under no circumstances shall any reimbursement be authorized or made for claims of lost compensation.

Section 8:

At the time a property is reviewed by the Board, the review will be issued a township open space review number (i.e., OSR # 1, 2, 3,...) by the Secretary.

Section 9:

Members should physically inspect all properties under consideration by the Board provided the subject property owner has given authorization.

Section 10:

Members shall be responsible for notifying the Board Secretary or Chairperson in advance of any meeting for which that Member will not be in attendance. Members are responsible for picking up correspondence on a regular basis at the Township Building for review prior to meetings.

Section 11:

The Township Open Space Review Board shall not take action by formal vote on recommendations for acquiring interests in real property at work sessions. Administrative actions may occur at work sessions, including, but not limited to minor procedural actions such as authorization for consultant review.

Section 12:

This section purposely left blank.

ARTICLE XII: GENERAL REPEAL

All other prior existing by laws of the West Brandywine Township Open Space Review Board are hereby repealed.

ADOPTED THIS 9th DAY OF November, 2006.

ATTESTED:

Ronald A. Rambo, Jr.,
Township Secretary

TOWNSHIP OF WEST BRANDYWINE
OPEN SPACE REVIEW BOARD

OPEN SPACE REVIEW BOARD CHAIR