

Meeting Minutes of September 2, 2010
Board of Supervisors

Vice Chairman Lindborg called the West Brandywine Township (WBT) Board of Supervisors meeting of September 2, 2010 to order at 7:30 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 Carl S. Lindborg and Josef G. Obernier, Sr. in attendance. Chairman Thomas J. McCaffrey arrived at 7:35 p.m. It is also noted that the Manager was in attendance.

Acceptance of Minutes from Previous Meetings

The July 15, 2010 and August 5, 2010 meeting minutes were up for acceptance. The meeting minutes were addressed after the arrival of Chairman McCaffrey. Vice Chairman Lindborg motioned to accept the minutes, seconded by Supervisor Obernier. Board Members Lindborg, Obernier, and McCaffrey 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 correspondence from Richard Whitehead of 12 Lauren Lane, Coatesville, PA with regard to the use of the Township's meeting room for the group known as the "Coalition for Advancing Freedom." Supervisor Obernier motioned that the Coalition for Advancing Freedom is able to use the Township's meeting room. Vice Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.

Carol A. Forrell owner of the property at 1592 Horseshoe Pike is requesting to utilize the existing 1,500 gallon holding tank located on the property. Manager Rambo explained Ms. Forrell purchased the property then realized there is a holding tank there that has not been permitted and is requesting permission to continue its use. Supervisor Obernier motioned to allow the use of the holding tank to continue. Vice Chairman Lindborg seconded the motion. Ms. Forrell is to submit the escrow along with paid invoices for pumping the tank. It was noted that Chairman McCaffrey arrived.

The Brandywine Valley Association has forwarded the Township information and a cost proposal to participate in the Pennsylvania Christiana Basin Restoration and TMDL Implementation Plan. Manager Rambo recommended continuing participation of this plan noting the cost will be \$2,000. Supervisor Obernier motioned to participate in the TMDL Implementation Plan. Vice Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye.

The Chester County Department of Emergency Services has forwarded the Township forms for the appointment of the Township's Emergency Management Coordinator. Dialog ensued regarding suggestions of who would serve as the Township's Emergency Management Coordinator. Manager Rambo will ask David Pilotti to serve.

Thomas J. Anderson of Thomas J. Anderson & Associates has forwarded the Township correspondence with regard to the 2011 MMO requirements of the Township. Manager Rambo noted the 2011 MMO is \$29,443 for non-uniform and \$191,056 for uniform. Chairman McCaffrey asked if this amount is included in the budget and

Manager Rambo answered that it would be in the 2011 budget. Vice Chairman Lindborg motioned to accept the MMO presentation from Thomas J. Anderson. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

The Township is in receipt of the Tax Claim Bureau's Advertising Sale List. Manager Rambo noted that Fleming's Valley View is on the list for the 10' wide dedicated trail easement to the Township that the Township just accepted. Manager Rambo requested the BoS allow him to pay off the tax claim amount utilizing Mr. Fleming's money that the Township holds. Chairman McCaffrey made that motion, seconded by Vice Chairman Lindborg. Board Members McCaffrey, Lindborg, and Obernier voted aye.

At this time the BoS addressed the meeting minutes.

Manager Rambo noted the BoS held an executive session to discuss personnel issues with special council and noted a recommendation was presented and would like the Chairman to read this out loud.

Chairman McCaffrey read the recommendation out loud: Move that the BoS impose an unpaid 60 days suspension against Officer Bilski that will commence immediately upon the Officer's return to work from medical leave. Vice Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye. Supervisor Obernier recused himself because he was one of the people involved with the investigation. There were no public comments.

Manager Rambo requested he be permitted to request special council to forward a letter to Officer Bilski stating said decision of the BoS. Supervisor Obernier made that motion. Vice Chairman Lindborg seconded the motion. Chairman McCaffrey wanted to qualify that there will be a statement included in that letter, his right to appeal the BoS. Board Members Obernier, Lindborg, and McCaffrey voted aye.

Correspondence/Communications Information to note

The Township is in receipt of information from the Chester Tax Collection Committee with regard to the annual upcoming meeting scheduled for Thursday, September 9, 2010 at 7:00 p.m. at the CCIU and the resolution necessary for the CTCC to collect the Local Services Tax on the Township's behalf. Manager Rambo will advertise the necessary notices and prepare a resolution for the BoS to consider for the collection of the local services tax.

The Township is in receipt of information from Benecon with regard to its Life/Disability Insurance Program that it will be offering to municipalities. Manager Rambo recommended the BoS review Benecon's package. In their package Benecon states they will be able to provide the Township with life/disability insurance at up to possibly 22% rate reduction from the Township's current rates and they will guarantee their rates for three years.

Chief Werner is receipt of a congratulatory letter for the Departments responsiveness to the Victims Compensation Assistance Program. Chairman McCaffrey read the letter out loud.

The Township is in receipt of the fully executed County Inter-Municipal Processing &Marketing Services Agreement for Recyclables. There were no comments.

PennDot has forwarded the Township information with regard to its Highway Transfer Turnback Program. There were no comments.

Reports of Departments (n/a)

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

Reports of 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. Manager Rambo noted the Engineer is finalizing the written documents for the Township.

The Township Manager is meeting with Scott Shearer of Public Financial Management with regard to refinancing of the Township's existing Harrisburg Authority and PNC Bank debt. Manager Rambo noted that Mr. Shearer will be preparing information for presentation to the BoS at the September BoS meeting. Discussion ensued.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from the Board

Supervisor Obernier explained he needs a signature for the Municipal Statistic File Authorization to demonstrate that he is a member of the BoS.

Ordinances and Resolutions

There were no Ordinances or Resolutions.

New Business

Newsletter articles are due on Linda Formica's desk by September 9, 2010 for the upcoming edition of the newsletter. There were no comments.

Department Heads are requested to submit their 2011 budget requests to the Township Manager. There were no comments.

The Manager is in the process of preparing an Airport Hazard Zoning Overlay District for consideration as required by Pennsylvania Act 1984-164 and the PennDot Bureau of Aviation. Manager Rambo explained the Township has to establish an overlay district because a .1 mile area at the bottom of our Township is within the last perimeter for the Chester County Airport. This requires that the Township will not have any buildings over a certain height. Chairman McCaffrey voiced displeasure with this requirement, noting this is an example of the way the State treats local governments. They make these things up and tell the Township to pass the law so that the Township seems responsible for passing the law. The Manager explained all they have to do is state the Township's existing ordinance having a maximum of 35 ft in height.

The Board of Supervisors is in receipt of the following Policies for review and 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. There were no comments.

Recommendations of the Township Planning Commission. The Manager noted two recommendations of the Planning Commission in which the BoS is to reject plans unless letters of extension are received. One for Brandywine Meadows (time clock Sept 28, 2010) – they are currently working on addressing storm water and awaiting sewer information. The other is for the Hammel O'Donnell business park (time clock Sept 23, 2010) - they have recently addressed Jim MacCombie's latest review letter. The Township awaits a revised review letter back. The Manager recommended the BoS address this at the September 16th BoS meeting to give them the appropriate time to give the Township letters of extension.

New Business from the Floor

Vice Chairman Lindborg noted a farm house on Reason Lane and asked if the trash bill was paid and also asked if the property has a U&O.

Discussion ensued regarding trash and recycling. Supervisor Obernier motioned for the Municipal Authority to submit a grant application for recycling containers. Supervisor Obernier would like to see a special note encouraging people to put their trash inside closed containers.

Chairman McCaffrey would like to see a contrast in the newsletter for the past and future; equipment, tax increases over the past twenty years, and grant money. Start from when the three current supervisors began and they hired Ron as the Manager in 1993.

New Business from the Board

There was no New Business from 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 and also someone to be the Emergency Management Coordinator. 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 \$24,072.86 of which includes a bill to Cedar Grove Environmental. Supervisor Obernier noted he reviewed the bills, found them in order, and motioned to pay the bills including the one for Cedar Grove. Vice Chairman Lindborg noted he also reviewed the bills and seconded the motion to pay all the bills. With all Board members voting aye to pay the bills with the exception of Chairman McCaffrey abstaining only from paying the Cedar Grove bill.

Manager Rambo noted the Police Department received a \$15,000 grant a year and a half ago for the purchase of a vehicle to carry scales to assist with vehicle stops. Federal Surplus just received five used extended vans that are four wheel drive and fully equipped with a desk, table, and generator. This will cost about \$8,600 and recommended the BoS approve the purchase of this using the grant fund from the State. Supervisor Obernier motioned to spend the grant money on the purchase of said vehicle. Vice Chairman Lindborg seconded the motion based on the Manager's recommendation. Board Members Obernier, Lindborg, and McCaffrey voted aye.

Upcoming Meetings/Events

- Municipal Authority, Thursday, September 9, 2010 at 7:30 p.m.
- Historic Commission, Monday, September 13, 2010 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, September 14, 2010 at 7:00 p.m.
- Board of Supervisors, Thursday, September 16, 2010 at 7:30 p.m.
- Open Space Review Board, Thursday, September 23, 2010 at 6:45 p.m.
- Planning Commission, Thursday, September 23, 2010 at 7:30 p.m.

Adjournment

There being no further business before the Board, Vice Chairman Lindborg motioned to adjourn the meeting at 8:14 p.m. followed by a second by Supervisor Obernier, with all board members voting in favor of adjournment.

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