

**Meeting Minutes of October 1, 2009  
Board of Supervisors**

Chairman Obernier called the Board of Supervisors meeting of October 1, 2009 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 Township Manager Ronald A. Rambo, Jr. noted Supervisor's Josef G. Obernier, Sr. and Supervisor Carl S. Lindborg in attendance. Thomas J. McCaffrey Jr. arrived at 7:42 p.m.

**Acceptance of Minutes from Previous Meetings**

The minutes were tabled until such time that Supervisor McCaffrey arrived. Upon his arrival, the minutes of August 20, 2009, September 3, 2009, and September 17, 2009 were presented for acceptance by Vice-Chairman McCaffrey, seconded by Supervisor Lindborg. Supervisor Obernier noted that he had provided his comments. Board Members McCaffrey, Lindborg, and Obernier voted aye.

**Public Comments (individuals requesting to be on agenda)**

No one requested to be on the agenda.

**Correspondence/Communications** *Information to act upon*

*The Township is in receipt of a letter of extension from Robert D. Smiley on behalf of Genterra with regard to their Preliminary Subdivision Plans for the Brandywine Meadows Project located on Highspire Road. Manager Rambo explained they are in the process of addressing the engineer's comments. The Township Engineer has no problem with the extension request. Supervisor Lindborg made a motion based on the Manager and Engineer's recommendation to approve the extension. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.*

*The Township is in receipt of a letter of extension from David J. Sanders, P.E. on behalf of his client, Clifford J. Murray, for the Cyclemax Self-Storage Unit Preliminary Plans. Manager Rambo advised they are in the process of addressing the engineer's comments. The Engineer has no objections to their request. Supervisor Lindborg made a motion based on the Manager and Engineer's recommendation to approve a ninety-day extension. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.*

*The Board of Supervisors is in receipt of a revised Opinion & Order in connection to the Haines & Kibblehouse Project for review and signing. Supervisor Lindborg motioned to adopt the revised Opinion and Order dated October 1, 2009. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.*

*The Township is in receipt of correspondence from Brian L. Nagle, Esquire with regard to the Ridings of Hibernia Project of which has been purchased by his client Imaging Associates, LLC. Manager*

Rambo explained they are requesting an extension in which to submit plans, they established bankruptcy in June 2007; it was purchased December 2007. Supervisor Lindborg felt that an eight-month extension would be reasonable and Chairman Obernier concurred. Supervisor Lindborg motioned to extend the clock until the end of December 2010. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

Manager Rambo noted that Vice-Chairman McCaffrey arrived at 7:42 p.m. at the BoS meeting and requested that the BoS address the minutes.

*The Township is in receipt of a Real Property Tax Exemption Certificate for James Bradley of 12 Reason Lane for consideration.* Chairman Obernier stated that this person has been declared 100% disabled by the VA Hospital. Vice-Chairman McCaffrey motioned to accept the exemption. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

*The Township is in receipt of the Chester County Process and Marketing Inter-Municipal Participation Agreement (P&M) for consideration and signing.* Manager Rambo noted the P&M contract is once again being awarded to BFI in King of Prussia; this is where the Township's recycling goes to from the hauler. Manager Rambo recommended that the Township once again participate in the P&M contract. Supervisor Lindborg motioned to sign the contract. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

#### **Correspondence/Communications** Information to Note

*The Township is in receipt of correspondence from the County Planning Commission with regard to the proposed amendments to the Township's Stormwater requirements.* Manager Rambo stated the County recommended that this be considered for adoption after the public hearing is held on October 15, 2009.

*The Township has received information with regard to the recently adopted Pension Recovery Program, ACT 44 of 2009.* Manager Rambo explained the governor signed legislation regarding the pension recovery plan dealing with the losses that have occurred to the pension plans. The Manager will be attending a seminar to further understand the program.

*The Coatesville Library has forwarded information to the Township with regard to the patrons that have utilized the library.* The Board members expressed reluctance at making a donation for something that most residents don't use, people use the library system but not necessarily the Coatesville Library. It would be better to donate to the whole library system.

*John E. Good, Esquire has provided correspondence to the Township with regard to the Pulte Sewer Allocation Agreement with the Authority and Township.* Manager Rambo noted that John Good found that all of his questions have been addressed properly.

#### **Adjournment from Township Meeting** (time: 7:51 p.m.)

#### **Opening of Public Hearing** (time:7:51 p.m.)

*Hearing on Ordinance NO. 2009-08, amendments to the Standing, Stopping and Parking Ordinance.* Manager Rambo stated this Ordinance amends the violations and penalties according to the most recently adopted updates to the Pennsylvania vehicle code, as well as adding on those streets that were not located within the original ordinance establishing no parking areas. This proposed ordinance has been reviewed by the Township's solicitor and duly advertised. Supervisor Lindborg noted that the essence of this is just to include the streets that were not previously included. Manager Rambo answered correct and also the violations have gone up according to vehicle code. There were no further comments.

**Adjournment from Public Hearing** (time:7:53 p.m.)

**Re-Opening of Township Meeting** (time:7:53 p.m.)

**Old Business**

*The Board of Supervisors to discuss the proposed Ordinance for rental inspection requirements.* There was general discussion about the pros and cons of the proposed ordinance. Vice-Chairman McCaffrey expressed concern about the harshness and the details of the proposed ordinance. Supervisor Lindborg stated they don't want to allow boarding houses. Chairman Obernier suggested the BoS further review the ordinance and write down their comments for discussion at the next BoS meeting.

*The Manager has advertised Ordinance NO. 2009-06, amendments to the Township's Stormwater requirements for an October 15, 2009 public hearing.* This Ordinance is to meet EPA's requirements for MS4.

*Additional discussion on the amendments to Ordinance NO. 2009-08, Standing, Stopping and Parking Ordinance.* There were no comments.

*Award of the Solid Waste and Recycling Contract for either a three-year or five-year period.* Manager Rambo noted five companies submitted bids. The Manager recommended that they go with option 2; collection of solid waste and recyclables with the Township owning the recyclables and alternate with monthly bulk trash pick up on the first pick up of the month rather than weekly bulk trash pick up. Also, the contract be awarded for a five-year period to the Township's current hauler Charles Blosenski. Supervisor Lindborg stated the Township needs to encourage more recycling for environmental reasons, and to save space in the landfill and noted incentive programs. Chairman Obernier would like to keep the solid waste fee consistent over the five years without an increase. Manager Rambo explained that would depend on tipping fees, grant monies, and what DEP has the Township implement. After some discussion Supervisor Lindborg motioned to accept Charles Blosenski's five-year contract with the ability for resident's to put out one bulk item each week, option 2-1a. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

**Old Business from the Floor.**

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

**Old Business from the Board**

Supervisor Lindborg asked for an update regarding the timing of the Reeceville Rd and hospital traffic light. Manager Rambo is waiting to hear back from Greg Prowant and Jeff McClintock.

Vice-Chairman McCaffrey asked about the reason for the extension letter from Haines and Kibblehouse.

Manager Rambo summarized progress to date for the landscaping work at Valley View.

Vice-Chairman McCaffrey asked why the extension of time was granted for Ridings of Hibernia.

**Ordinances and Resolutions**

*Ordinance NO. 2009-08, adoption of the Standing, Stopping and Parking Ordinance amendments.* Supervisor Lindborg motioned to adopt Ordinance No. 2009-08. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

*Resolution #13-2009, Rachel Wachs sewer planning module.* Supervisor Lindborg motioned to adopt Resolution #13-2009. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

### **New Business**

*Establishment of the Phase I public escrows for the Bentley Projects.* Manager Rambo noted the Township is waiting for the necessary documents.

*Recommendations of the Township Planning Commission.* Manager Rambo noted the Planning Commission had three recommendations. Two were addressed with the acceptance of the letters of extensions. The third recommendation was regarding the Hawk's site analysis for a lot line change, the Planning Commission recommended to the BoS that the Hawk's not be required to do the site analysis. Discussion followed. The Township has not yet received the waiver request.

*The Manager is in receipt of the 2010 budget requests and is in the process of preparing the proposed budgets for presentation to the Board of Supervisors.* The Manager will have these within the next few weeks.

*The Board to accept the quote for line painting of Township roadways.* Manager Rambo noted the Township received seven quotes. The Public Works Director had recommended the Township go with Alpha Space Control for \$5,416.67. These funds will be coming from the state liquid fuel fund. Vice-Chairman McCaffrey motioned to accept the Alpha Space Control quote. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

### **New Business from the Floor.**

There was no New Business from the Floor.

### **New Business from the Board.**

Vice-Chairman McCaffrey requested that the BoS inquire with the solicitor regarding the extension that was granted for the Ridings of Hibernia that it does not set a precedent that everyone with a hardship of some kind cannot be used for grounds in court for similar instances. Manager Rambo advised that he already asked and the solicitor said that this doesn't establish any grounds. Manager Rambo will ask the solicitor to put something in writing.

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

Rod Rollman of Mendenhall Drive asked if the BoS knows when the bridge would be open in East Brandywine Township. Manager Rambo answered it should be open sometime in October; the Township can't get the detour for its sewer project until the bridge is opened.

### **Open Issues Before the Township**

*The Township continues to seek volunteers to serve on the Historic Commission.* There were no comments.

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

Interest rate for the week 3.70%. There were no comments.

### **Review and Payment of the bills.**

Manager Rambo noted the general fund bills total \$25,713.82, state fund bills total \$4,190.23, and the solid waste bills total \$313.82. Vice-Chairman McCaffrey reviewed the bills and motioned payment for

the general fund and solid waste fund. Supervisor Lindborg also reviewed the bills and seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

### **Upcoming Meetings/Events**

- Municipal Authority meeting, Thursday, October 8, 2009 at 7:30 p.m.
- Historic Commission meeting, Monday, October 12, 2009 at 7:30 p.m.
- Parks & Recreation Board meeting, Tuesday, October 13, 2009 at 7:00 p.m.
- Board of Supervisors meeting, Thursday, October 15, 2009 at 7:30 p.m.
- Open Space Review Board meeting, Thursday, October 22, 2009 at 6:45 p.m.
- Planning Commission meeting, Thursday, October 22, 2009 at 7:30 p.m.

### **Adjournment**

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 8:47 pm. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

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