

Meeting Minutes of October 4, 2007
Board of Supervisors

Vice-Chairman Lindborg called the Board of Supervisors Meeting of October 4, 2007 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 Manager Rambo noted Vice-Chairman Carl S. Lindborg and Supervisor Josef G. Obernier, Sr. in attendance. Chairman Thomas J. McCaffrey arrived at 7:37 pm. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], Dale Barnett [Codes/Zoning Officer] and Thomas Eells [Director of Public Works].

Acceptance of Minutes from Previous Meetings

July 19, 2007, August 2, 2007, August 16, 2007, September 6, 2007 and September 20, 2007. Vice-Chairman Lindborg motioned to approve July 19, 2007, August 2, 2007, and August 16, 2007. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Correspondence/Communications *Information to act upon*

- John Snook of the Brandywine Conservancy has provided the Township with amendments to the Open Space Design Option and is preparing them in ordinance format for advertisement. Supervisor Obernier read through half of the amendments and thinks there are some things that all three BoS members don't agree on. Vice-Chairman Lindborg suggested that the BoS meet with John Snook to discuss the amendments.

- The Township is in receipt of a list of waiver requests from Jeffrey Burrell, P. E. for the Jelke's Manufacturing Preliminary Land Development Plan. Manager Rambo noted that at the last planning commission meeting they recommended to the BoS that the waivers be granted. The landscape architect didn't recommend all of the waivers. The Township Engineer was okay with the piping as long as they utilize something that would address the flow requirements for the storm sewers. Vice-Chairman Lindborg noted that the pipe is supposed to be 15 inches, which is what is required by the Township's ordinance, and they are asking to allow 8 inches. Mr. Burrell was in attendance to explain their request for a landscaping waiver and also explain why the 8-inch pipe would be adequate. Manager Rambo recommended that an escrow be established based on the waiver not being granted, then should additional plant materials be needed based on actual site visits, the escrow funds would be utilized to improve the screening and buffering.

Supervisor Obernier noted that MacCombie's second review letter stated that he wants Mr. Burrell to prove to Mr. MacCombie with engineering calculations that that 8-inch pipe will suffice. Mr. Burrell noted he already responded to Mr. MacCombie's letter. Manager Rambo stated that in Mr. MacCombie's September 25th letter he is still requesting that Mr. Burrell address his concerns about the

8-inch pipe. Mr. Burrell explained that he responded to Mr. MacCombie's letter prior to the September 25th letter. Manager Rambo noted that the Planning Commission wrote in their recommendations, that they would recommend granting the waivers and preliminary approval conditioned upon satisfactory documentation that the hydraulics would work in the pipe for the stormwater usage and the waiver request for landscaping relief be approved by the BoS. At this time it was noted that Chairman McCaffrey arrived at the meeting. After further discussion, Vice-Chairman Lindborg motioned to approve preliminary plans based on the fact that Jelke's withdrew their request for an 8 inch pipe, will put a 15 inch pipe in according to Township requirements, escrow the full amount for the landscaping, and grant the landscaping waiver. Manager Rambo noted that they wouldn't escrow until final approval. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

- Steve Janiec has submitted a ninety-day letter of extension to the Township with regard to the rendering of a decision on the Cobblestone at Horseshoe Preliminary Subdivision and Land Development Plans. Their time clock runs until January 19, 2008. Chairman McCaffrey expressed that he would like to keep the name of a subdivision consistent. Vice-Chairman Lindborg motioned to accept the ninety letter of extension. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.
- The County Tax Claim Bureau has forwarded the Township a request to remove liens for property no longer lienable. Manager Rambo noted this is for a mobile home that no longer exists in the amount of \$70.00. Manager Rambo recommended the BoS approve the removal of the uncollectible liens. Vice-Chairman Lindborg motioned to approve the lien removal request. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Correspondence/Communications *Information to Note*

- The Township is in receipt of correspondence from Anthony Busillo, II, Esquire with regard to the Police Contract and the desire of the Police Association to go to arbitration. Supervisor Obernier explained that if they don't have a finalized contract by a certain date they have to write a letter in order to have arbitration; that date was September 12th. Manager Rambo noted the Township and Police Association are still negotiating.
- The Township is in receipt of information on an upcoming course in Zoning Administration through the Pennsylvania Municipal Planning Education Institute. There were no comments.
- John E. Good, Esquire has forwarded the Township a copy of correspondence sent to the Commonwealth of Pennsylvania Department of Revenue with regard to the Township's Real Estate Transfer Tax Ordinance. Manager Rambo noted that the letter denotes that the Township is in compliance with the latest code for collection of real estate transfer tax.

Old Business

- The Manager is preparing a draft "easement agreement" based on County requirements for funding for presentation to the Henderson's with regard to the purchase of a conservation easement. Manager Rambo noted that the County provided him with specific language that they require. The Manager is currently reviewing it to see if the Township can implement what the Henderson's would like into that so that the County can approve it prior to being presented to the Henderson's.
- The Township will be advertising the sale of used equipment and vehicles at their meeting of Thursday, October 18, 2007. The advertisement is slated for October 5, 2007.

- The Manager is in the process of preparing the proposed 2008 budget for distribution to the BoS. There were no comments.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from the Board

There was no Old Business from the Board.

Ordinances and Resolutions

- Resolution #16-07; Planning Module for the Gudal Property Tract (Brandywine View). This property is located on Pratts Dam and Union Road. The module has been reviewed by the County Planning Commission and County Health Department and found satisfactory. Manager Rambo recommended that the BoS pass Resolution #16-07 to be forwarded on to DEP. Vice-Chairman Lindborg motioned to approve Resolution #16-07. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

New Business

- Approval of release request #3 for the Public Works Facility. Manager Rambo recommended approval of release #3 in the amount of \$37,054.60. The request has been reviewed by Manager Rambo and the architect and has been approved for release. Vice-Chairman Lindborg motioned to approve release request #3. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.
- Recommendations of the Township Planning Commission. Manager Rambo noted the recommendations:
 - (1) Pulte's Applecross Phase I, the Planning Commission recommended conditioned approval 4 to 1, their time clock continues until November 16th. Manager Rambo read the recommended conditions out loud. Chairman McCaffrey voiced concern regarding stormwater. Manager Rambo noted the Planning Commission was okay with stormwater because Pulte ended up putting all the storage underground. Discussion ensued regarding stormwater. Chairman McCaffrey would like to have had an explanation of why John Cassels voted against approval. A representative briefly outlined their method of water retention on the site. Chairman McCaffrey noted he felt better about going with the Planning Commission's majority vote after the explanation. Chairman McCaffrey motioned to grant conditioned approval. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.
 - (2) CASD addition and renovations to North Brandywine Middle School Preliminary Land Development Plan, the Planning Commission recommended approval 5 to 0 of the revised plan of August 8, 2007 subject to the comments outlined in the Engineer's letter dated September 5, 2007 and to obtain all outside agency permits. Vice-Chairman Lindborg motioned approval of the Preliminary Plan based on the Planning Commission's recommendation. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.
 - (3) Jelke's Fabrication, the BoS voted in favor earlier in the meeting.
 - (4) Manager Rambo noted James Scott Minor Subdivision located on Horseshoe Pike, the Township Engineer recommended approval. Manager Rambo recommended to the BoS they approve Preliminary/Final James Scott Minor Subdivision. Manager Rambo noted they subdivided one piece of property from one parcel and added it to another parcel. Chairman McCaffrey motioned to approve the Preliminary/Final James Scott Subdivision. Supervisor Obernier seconded the motion. Board Members Lindborg and Obernier voted aye. Vice-Chairman Lindborg recused himself because of his relationship with the applicant.

- The BoS is in receipt of proposed updates to the Township's Police Policy and Procedure Manual for review and adoption consideration. Manager Rambo requested that the BoS review the information for discussion at the next meeting.
- The Manager is in the process of preparing the Local Services Tax Ordinance (formerly known as the Emergency and Municipal Services Tax) to address the provisions of Act 7 of 2007 adopted by the State this year and which are to take affect on January 1, 2008. Manager Rambo is amending the Ordinance as required by Act 7. The maximum amount remains at \$52.00 per year.
- Acceptance of proposal to install a 400 amp, single phase, 240 volt, 2 pole double throw disconnect switch to operate an emergency generator on the new public works/substation facility. Manager Rambo noted this was not considered into the plans for the new maintenance facility, but recommends that they install a transfer switch while it is being constructed at a cost of \$3,901. Vice-Chairman Lindborg motioned to approve the disconnect switch based on the Manager's recommendation. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.
- Manager Rambo noted that Chairman McCaffrey will be judging the Halloween Parade on October 27th from 2:00 p.m. until 5:00 p.m. Vice-Chairman Lindborg commended the Parks and Recreation Board for their efforts in planning so many events this year.

New Business from the Floor

There was no New Business from the Floor.

New Business from the Board

There was no New Business from the Board.

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

- Representatives Scott Drumbore and Jeremiah of Haines & Kibblehouse, Inc. are in attendance to talk to the BoS with regard to the reuse of the historic structures on parcels 29-4-67 and 29-4-24 that are located on Route 322 between Route 82 and Highspire Road. Ross Unruh was also in attendance to represent Haines & Kibblehouse. Mr. Unruh presented a sketch plan to the BoS and delineated items shown on the map. Mr. Drumbore noted their company's objective is to obtain a final location where they can house their trucks, equipment, dispatchers, and office staff in one location. They want to restore the existing house and utilize that as office space. The existing pre-engineer building will be used for a repair garage for their existing fleet of trucks that consist of three as well as general maintenance of small equipment. The trucks would be parked around the pre-engineer building at night. If maintenance should be needed on the trucks, that would occur during the evening hours. The office staff would work during the day. They would combine the two current entrances into one unified entrance. Currently they have three dump trucks in their fleet, as business grows, the owners projected it could grow to a fleet of ten trucks. Their main shop is headquartered in Skippack Pennsylvania, the large equipment and main repairs will go directly there because of the capabilities at that location. The property is zoned R2. Mr. Unruh noted that the Township's ordinance provides for an incentive to rehabilitate historic structures. They are scheduled to meet with the Historic Commission on Monday night. They would like to restore the building back to its historic character. The Board's consensus was in favor of Haines & Kibbleshouse's sketch plan.

Open Issues Before the Township

- The Township has forwarded its Signal Specifications to Caln Township for review. Manager Rambo has not heard anything from Caln Township.

- The Manager and Township Engineer continue in their efforts of reviewing and updating the Township's Act 537 Plan. Manager Rambo noted that Jim MacCombie is preparing the verbiage.
- The Manager and Supervisors are in the process of updating the Township's Non-Uniform Personnel Policy Manual. Manager Rambo noted he forwarded the manual via email to the BoS for their review.
- The Township continues to review information with regard to the State Turnback Program. There were no comments.

General Obligation Note (Adjustable Rate Bond for the Facility/Park Construction)
Interest rate for the week (4.12%). There were no comments.

Review and Payment of the bills.

Manager Rambo noted the Solid Waste Bills totaling \$37,400.94, General Fund bills totaling \$106,664.42, and Highway Funds totaling \$379.99. Vice-Chairman Lindborg noted he reviewed the bills, found them satisfactory, and motioned to pay them. Supervisor Obernier noted he also reviewed the bills and seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye in favor to pay the bills.

Upcoming Meetings/Events

Chairman McCaffrey noted the upcoming meeting and events. There were no comments.

Adjournment

There being no further business before the Board, Vice-Chairman Lindborg motioned to adjourn the meeting at 8:50 p.m. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

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