

**Meeting Minutes of September 16, 2010
Board of Supervisors**

Chairman McCaffrey called the West Brandywine Township (WBT) Board of Supervisors meeting of September 16, 2010 to order at 7:42 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 Thomas J. McCaffrey, Jr and Supervisor Josef G. Obernier Sr. in attendance. Vice Chairman Carl S. Lindborg was absent because he had a work conflict. Township Manager Ronald A. Rambo, Jr. was also present.

Acceptance of Minutes from Previous Meetings

September 2, 2010. Chairman McCaffrey motioned to table the minutes until all Supervisors are in attendance, seconded by Supervisor Obernier. Board members McCaffrey and Obernier voted aye.

Public Comments (individuals requesting to be on the agenda)

Scott Shearer of PFM is in attendance to discuss the Township's refinancing options as it pertains to its Harrisburg Authority and PNC debt. Mr. Shearer distributed handouts, briefly explained various choices and associated risks for refinancing, and answered questions brought up by the BoS. Mr. Shearer explained that even though the two loans would be combined, the same structure would be kept for the time frame. The loan can be paid down in any amount at any point in time without a charge. Chairman McCaffrey expressed that this offers them a lot more flexibility. Manager Rambo recommended the BoS allow Mr. Shearer to begin the process, since the Township is working on its budget, would like to have this settled by the end of the year so there are firm numbers for next year's budget. Both Chairman McCaffrey and Supervisor Obernier were in favor of Mr. Shearer's refinancing plan but would like Vice Chairman Lindborg to be in attendance prior to their voting on it. Supervisor Obernier stated he would like the savings of the principal and interest payments to be applied directly to the principal. Chairman McCaffrey stated he was okay for Mr. Shearer to prepare the necessary documents for presentation and approval at the October 21, 2010 BoS meeting. Discussion continued regarding variable rates versus fixed rates.

Treasurer's Report

Manager Rambo presented the Treasurer's Report, balance as of the end of July.

Capital Reserve Fund	\$664,092.49	Operating Reserve Fund	\$29,446.64
Payroll Fund	\$3,576.17	Police Pension Fund	\$1,399,952.02
Developer Escrow Fund	\$418,443.19	Solid Waste & Recycling Fund	\$269,731.01
General Fund	\$56,210.41	State Liquid Fuel Fund	\$87,502.39
Non-Uniform Pension Fund	\$304,231.88		

Treasurer's Report Balance as of the end of August.

Capital Reserve Fund	\$577,109.18	Operating Reserve Fund	\$29,446.64
Payroll Fund	\$3,691.74	Police Pension Fund	\$1,399,952.02

Developer Escrow Fund	\$394,451.69	Solid Waste & Recycling Fund	\$45,291.87
General Fund	\$130,561.48	State Liquid Fuel Fund	\$8,071.11
Non-Uniform Pension Fund	\$304,231.88		

Correspondence/Communications *Information to act upon*

The Township is in receipt of a letter of extension from Vic Kelly of Commonwealth Engineers, Inc. with regard to the Hammell/O'Donnell Business Park Preliminary Subdivision and Land Development Plan. Manager Rambo is in receipt of a letter from the Township Engineer acknowledging he is okay with the extension request allowing them time to address the Engineer's latest review letter. The Manager recommended the BoS accept the three month letter of extension. Chairman McCaffrey motioned to accept the extension letter based on the Engineer's review, seconded by Supervisor Obernier. Board members McCaffrey and Obernier voted aye.

The Township is in receipt of a ninety day letter of extension from GenTerra Corporation with regard to the Brandywine Meadows 49 lot Preliminary Subdivision Plan. Manager Rambo noted the Township is in receipt of a letter from the Township Engineer stating he is in favor of the applicants request so they can address preliminary plan reviews. Chairman McCaffrey motioned to accept the letter of extension based on the Engineer's review. Supervisor Obernier recused himself, being his company has done work for GenTerra. Manager Rambo requested Supervisor Lindborg be contacted via phone and allow him to pass the vote so that the Township doesn't have to pay for advertisement costs for a special meeting. The Manager then called Vice Chairman Lindborg on his cell phone and Vice Chairman Lindborg voted aye over speaker phone to GenTerra's extension request.

Correspondence/Communications *Information to note*

The Township is in receipt of a proposed Ordinance from Kristin Camp, Esquire to amend the Township's Zoning Map. Manager Rambo noted the BoS previously acknowledged for Ms. Camp to move forward. The proposed ordinance will be sent to the County and John Good, Esquire for review. Ms. Camp will also appear before the Planning Commission.

The Township is in receipt of a proposed Ordinance from Alyson M. Zarro, Esquire to amend sections of the Township's Zoning Ordinance pertaining to signage. Manager Rambo stated this deals with the entranceway to Pulte's project so that signage matches going into their sites. Chairman McCaffrey expressed that he felt somewhat insulted that they didn't want people from WBT's subdivision driving through theirs and didn't know if he would go along with the proposed sign ordinance.

The Township is in receipt of correspondence from the CTCC with regard to the collection of EIT & LST starting in 2011. There were no comments.

The Township is in receipt of correspondence from Richard Breitenstein of DEP with regard to MS4 requirements. Manager Rambo noted that DEP has extended the time for the submission of permits. Mr. Breitenstein met with Manager Rambo with his list of items he wants the Township to do. Manager Rambo will forward Mr. Breitenstein a letter advising him of what he thinks the Township will be doing. Chairman McCaffrey noted that the MS4 stormwater requirement is an unfunded mandate.

PennDot has forwarded the Township information with regard to updates to PennDot drainage policies. Manager Rambo explained the new policies regarding PennDot will put upon local municipalities, the requirement to maintain parts of their stormwater system that run parallel with state roads in new subdivisions.

The Township is in receipt of information from the District Attorney's Office with regard to an Intermediate Punishment Proposal. Manager Rambo noted this was given to Chief Werner for review. Chief Werner noted he already replied to them in an email. Chairman McCaffrey commented that the proposal sounds sensible.

West Caln Township Historical Society has sent out an invitation to attend their program on World War I Aviation scheduled for September 21, 2010 at 7:00 p.m. Manager Rambo noted that WBT resident Robert Ford will be giving the presentation.

The County Planning Commission is seeking assistance to aid its GIS Department in indentifying open space in the County. Manager Rambo noted they are requesting the tax parcels that are open space and they will put this on at their own expense.

Reports of Departments: Month of August unless otherwise noted.

Police Report: Chief Werner gave the police report.

Total Hours	987.25	Miles Patrolled	5,912	Vehicle Crashes	13
Vehicle Stops	172	Burglary Thefts	3	Fatalities	0
Domestics	22	Assist Other Agencies	10	Alarms	14
Susp. Activity	20	Premise Checks	85	All Others	219
Criminal Arrests	22	Non-Traffic Arrests	4	Traffic Arrests	161

Public Works Department Report: Tom Eells presented the report and also noted work completed for the month.

Total man-hours	1,139.25	Miles traversed	2,586
Total Equipment hours	110	Total fuel gallons	809.7

Buildings/Codes/Fire Inspector Department Report: presented by Dale Barnett. Supervisor Obernier requested an update to an issue regarding site distance while pulling out of Indian Run Mobile Home Park onto Route 82. Discussion took place which included questions and comment from members of the audience.

Dale Barnett noted he is not issuing any burn permits until we get some substantial rain.

Building & Codes

Building Permits issued	21	Permit base fees collected	\$2,856.50
Occupancy fees collected	\$400	U&O permits issued	0
U&O permits issued cursory	15	Contractor Licenses (CL) issued	11
CL Fees collected	\$440	WBT Inspections completed	35
Failed Inspections (FI)	1	Failed Inspections Fees collected	0
WBT Fees Collected	\$3696.50	Valley Twp Fees Collected	\$768.65
		Total fees collected	\$4,465.03

Fire Report: Campfire/Recreational Permits 17

Wagontown Fire Company Submitted by Chief Todd Ziegler and presented by Captain Yearsley.

Fire

Number of calls dispatched into WBT	5	Initial dispatch into WBT	4
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Second dispatch into WBT	1	Number of calls scratched	0
Medical Assist			
Number of calls dispatched into WBT	0	Initial dispatch into WBT	0
Second dispatch into WBT	-	Number of calls scratched	0

East Brandywine Fire Company: Submitted by Chief Joseph Edwards and presented by Manager Rambo.

Fire

Number of calls dispatched into WBT	86	Initial dispatch into WBT	8
Second dispatch into WBT		Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	18	Initial dispatch into WBT	16
Second dispatch into WBT	-	Number of calls scratched	2

Martins Corner Submitted by Chief Dan Metzler and presented by Manager Rambo.

Fire

Number of calls dispatched into WBT	3	Initial dispatch into WBT	
Second dispatch into WBT	0	Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	42	Initial dispatch into WBT	0
Second dispatch into WBT	-	Number of calls scratched	0

At this time Chairman McCaffrey moved to go back and address the Treasurers Report.

Reports of Organizations, Boards and Commissions

There was no one present from the Historical Commission, Parks and Recreation, Planning Commission, or the Open Space Review Board.

Supervisor Obernier, Municipal Authority member, gave the Authority report for the month of August noting the item of interest is regarding the proposed rate increase for people on public sewer. The Municipal Authority along with other townships engaged an attorney to argue the PUC case on the people’s behalf. Pennsylvania American Water Company is looking at a substantial rate increase – as much as three times higher. The Municipal Authority Board voted to reject that offer. Supervisor Obernier also noted the Reeceville Road paving had been completed prior to school opening. Obernier also gave an update regarding the status of the pump stations. Municipal Authority Manager Rambo stated the pump stations façade mimics the Township facility. Rambo added that he will be requesting a special Authority meeting to go over the revised PUC settlement.

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. There were no comments.

The Township is preparing the fall edition of the newsletter for printing and distribution. Manager Rambo noted the Board was emailed a copy of the newsletter for review. Comments are needed by Tuesday.

The Manager is in the process of preparing a revised Ordinance pertaining to the number of individuals and the make-up of the Open Space Review Board. Manager Rambo explained the Ordinance will be

revised from seven Planning Commission members down to five, having two Parks and Recreation members will remain the same.

The Manager is in the process of preparing the Airport Hazard Zoning Overlay District for incorporation into the Township's zoning ordinance as required by PA Act 1984-164. Manager Rambo explained this only pertains to a small section in the Township.

The Board of Supervisors is in receipt of the following policies for consideration of which are being recommended by its benefits insurance carrier; Worker's Compensation, Military Leave of Absence, Uniformed Services Employment, Re-Employment Rights Act, Disability Leave, and Health Reimbursement. Manager Rambo noted the BoS has been in receipt of this information for a month.

Old Business from the Floor and the Board.

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

Ordinances and Resolutions

There were no Ordinances or Resolutions.

New Business

The Manager is in the process of preparing a revised EIT Collection Ordinance for advertisement to meet Act 32 requirements. There were no comments.

The Township Manager is preparing a Resolution to allow the Township's LST to be collected by the Chester Tax Collection Committee (CTCC) selected tax collection organization, Keystone Collections Group. Manager Rambo explained the cost will be less than what is currently being paid to Berkheimer.

The Township's Open Space Review Board has sent a letter of support to the Board of Supervisors to move forward with the establishment of a conservation easement on the Mae Marie property on N. Manor Road. Manager Rambo explained this is fifteen acres that the BoS voted on a year ago to pursue, the Township is paying for just the settlement on the property. Mae Marie will be donating the easement which Natural Lands Trust will be holding.

The Township Manager will begin putting a 2011 budget together upon receipt of department head requests. There were no comments.

Discussions are ongoing with the Police Association with regard to a police contract for the period 2011-2013. Manager Rambo has forwarded the Association's reply to the BoS.

New Business from the Floor

The president from Indian Run Village HOA noted they are looking to improve their community. The Manager asked if they have legal documents for their home owners association. Their president noted they are awaiting nonprofit status. The president noted deplorable roads, maintenance issues throughout community, i.e. trees, selling homes without a title; some of them deplorable. Another resident noted a mobile home was sold for \$1,000 that was condemned by the County. Chairman McCaffrey and Manager Rambo explained if the Township intervenes for the safety and health of those that live there, they want it to be understood that it could add costs and put people out of their homes. Dialog continued regarding rental ordinances, public water and sewer, and several other issues in the Mobile Home Park. Supervisor Obernier suggested if they notice the sewer system backing up to take pictures and call DEP. The Mobile Home Park Rights Act was also discussed.

Chairman McCaffrey suggested that the Indian Run residents gather as much information together regarding the logical deficiencies for their community and approach the park management to see if they would work toward some goals. The BoS also agreed to have the Manager, Code Officer, and Police Department look into the concerns of the people in the Indian Run Village HOA. Manager Rambo requested that the concerned citizens of Indian Run Village bring in copies of their documents. The Township will look into what the Township could legally do to assist in legally enforcing rules. Manager Rambo will keep them informed of his findings of issues that can be addressed by the Township.

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. 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 \$59,998.85 which includes a check for OAC and Solid Waste bills total \$2,125.49. Supervisor Obernier noted he reviewed the bills, found them in order, and motioned payment on all the bills except for the OAC bill, seconded by Chairman McCaffrey. Board members Obernier and McCaffrey voted aye.

Upcoming Meetings/Events

- Open Space Review Board, Thursday, September 23, 2010 at 6:45 p.m.
- Planning Commission, Thursday, September 23, 2010 at 7:30 p.m.
- Board of Supervisors, Thursday, October 7, 2010 at 7:30 p.m.
- Historic Commission, Monday, October 11, 2010 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, October 12, 2010 at 7:00 p.m.
- Municipal Authority, Thursday, October 14, 2010 at 7:30 p.m.
- Board of Supervisors, Thursday, October 21, 2010 at 7:30 p.m.

Adjournment

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 9:52 p.m. Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye in favor of adjournment.

Ronald A. Rambo, Jr.

Township Manager/Secretary/Treasurer