

**Meeting Minutes of July 16, 2009**  
**Board of Supervisors**

Chairman Obernier called the Board of Supervisors meeting of July 16, 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 Manager Rambo noted Chairman Josef G. Obernier Sr. and Vice-Chairman Thomas J. McCaffrey. Carl S. Lindborg was absent because he was out of town on business. Township Manager Ronald A. Rambo, Jr. was also present.

**Acceptance of Minutes from Previous Meetings**

May 21, 2009, June 4, 2009, June 18, 2009, June 30, 2009 and July 2, 2009. Vice-Chairman McCaffrey motioned to approve the minutes. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

**Treasurer's Report**

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

Capital Reserve Fund	\$768,305.17	Operating Reserve Fund	\$190.91
Construction Sweep Fund	\$12,652.14	Police Pension Fund	\$1,195,427.91
Developer Escrow Fund	\$422,563.68	Solid Waste & Recycling Fund	\$72,415.84
General Fund	\$1,678.97	State Liquid Fuel Fund	\$205,448.74
Non-Uniform Pension Fund	\$256,389.15	K-9 Rudy Fund	\$1,296.45
Public Works Capitol Projects	\$810	Payroll Fund	\$52,443.15

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

*Sharon McLeod of 31 Reason Lane is in attendance to talk with the Board concerning her dogs.* Ms. McLeod explained that her dogs are doing their job and barking when strangers come. She has two dogs that are outside in a fenced in area. A gentleman in the audience explained they didn't know where the complaint is coming from and asked if there is a solution to whoever is giving the complaint, everybody in their neighborhood knows each other. Vice-Chairman McCaffrey explained that sometimes not everybody is happy, they don't say anything because of fear of being persecuted by the rest of the neighbors. Vice-Chairman McCaffrey didn't like this dog law when it first came up because neighbors don't face each other and address these issues personally. Vice-Chairman McCaffrey was under the impression that if someone wanted a reaction to the dog regulation that they had to file a complaint and their name had to be made available, that is what he was told when this was passed. Chairman Obernier pointed out that the witness to the dog barking more than ten minutes is the person that signs the complaint whether it is the person calling in or the police. If the police come and don't witness the barking, there shouldn't be any citation written unless someone is willing to testify to that. Chairman

Obernier suggested putting in a doggie door or using a collar that discourages barking by shocking the dog when it barks. Discussion continued. Chairman Obernier asked the Manager to approach the Police Chief to have no more visits from the police unless they give Ms. McLeod a citation and only give a citation if the police have the original complainant who witnessed the dog barking for ten minutes, be willing to testify.

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

*The Township is in receipt of correspondence from the Western Chester County Chamber of Commerce with regard to Ordinance No. 2009-03 and the Township's participation in the Western Chester County Regional Planning Committee. Vice-Chairman McCaffrey motioned to advertise the Western Chester County Regional Planning Committee Ordinance. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.*

*The Township is in receipt of a memo from the West Brandywine Township Municipal Authority requesting the assistance with establishing a temporary 4-Way Stop. Manager Rambo noted that PennDot is requesting that the intersection of Route 82, East Reeceville, and Cedar Knoll become a temporary stop through the detour period time of six to nine months. After some discussion Vice-Chairman McCaffrey motioned to support temporary placement of a four way stop at the intersection during the construction of the Municipal Authority's sewer project with the stipulation that flashers be placed on the warning signs and the stop signs on Route 82, north and south as well as the clearing of any signs currently covered by vegetation. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.*

John Cassels of East Reeceville Road asked the timeframe. Manager Rambo stated it is anticipated that this part of the project on Swinehart will begin in September.

Bob DiLorenzo of Mendenhall Drive noted the location of an overgrown sign. Manager Rambo explained that PennDot takes care of that.

*Kristin Menna has submitted a letter of resignation as part-time patrol officer. Chairman Obernier motioned to accept Ms. Menna's letter of resignation. Vice-Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye.*

*The Board to sign the Memorandum of Understanding with the Police Association. Manager Rambo read the Memorandum out loud and noted resolution #08-2009 is a resolution to allow a window of opportunity. Vice-Chairman McCaffrey motioned to sign the Memorandum of Understanding. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.*

**Correspondence/Communications** *Information to note*

*The Township is in receipt of correspondence from Rettew with regard to the Rachel Wachs Project as it pertains to the previous sewer presentation. Manager Rambo stated the Township is waiting to receive the final letter from the engineer.*

*The Coatesville Library has forwarded a request to the Township for its yearly contribution. Vice-Chairman McCaffrey stated he didn't understand the library sending a letter requesting a certain dollar amount since it is supposed to be a donation and questioned how many WBT residents actually use that library. Manager Rambo explained it is a donation based on the 2000 census. Chairman Obernier motioned to table the Coatesville Library's request. Vice-Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye.*

The Chester County Planning Commission is requesting that the Township review and comment on the proposed update to the County's policy plan, Landscapes. Chairman Obernier stated he sent a link to the Planning Commission requesting their comments. Vice-Chairman McCaffrey would like the Planning Commission to know that the County's Landscape plan is a suggestion; it is the Township's decision.

The Chester County Department of Community Development has forwarded correspondence to the Township seeking comments as it relates to the historic integrity of a parcel involved in a Community Development Block Grant application. Manager Rambo stated this parcel is in Friendship Village; it is over fifty years old, the Township needs to look at it to determine whether or not there will be any historical value as it relates to the block grant that is being requested for the rehabilitation of the house. Manager Rambo forwarded this to the Historical Commission for their review.

Cheri Marranzini of the Historical Commission asked for the parcel number. Manager Rambo noted the parcel number.

John E. Good, Esquire has provided the Township with a copy of the proposed Land Preservation Easement for the H & K Group parcel located on Horseshoe Pike. Manager Rambo stated this was the result of the conditional use hearing that they put a conservation easement on the 10-acre parcel. The agreement is being finalized so it can be signed.

**Reports of Departments:** Month of June unless otherwise noted.

**Police Report** presented by Manager Rambo. Vice-Chairman McCaffrey inquired why the Chief patrolled more hours than the officers. Manager Rambo explained there are people on vacation and the Chief filled their shifts for patrol.

Total Hours	1,117	Miles Patrolled	6,796
Total Complaints	419	Accidents	7
Warrants	6	Fatalities	0
Domestic	6	Criminal Arrests	18
Non-Traffic Arrests	14	Traffic Arrests	99

**Public Works Department Report:** There was no Public Works Department report.

**Buildings/Codes Department Report:** Submitted by Dale Barnett and presented by Manager Rambo.

Building Permits issued	41	Permit base fees collected	\$7,477
Occupancy fees collected	\$300	U&O permits issued	0
U&O permits issued cursory	6	Contractor Licenses (CL) issued	23
CL Fees collected	\$1,725	WBT Inspections completed	36
Failed Inspections (FI)	3	Failed Inspections Fees collected	0
		Total fees collected	<b>\$10,132.89</b>

**Fire Marshal Report** presented by Paul Gainor. Chairman Obernier asked who asked for the blasting permit. Mr. Gainor answered it was for the Authorities sewer project.

Permit inspections done	39	Campfire/Recreational Permits	32
Specialty Bonfire Permits	0	Agricultural Permits	2

Permits not given	3	Special permits given for blasting	1
Special permits not given	1	Other type inspections done	2
Code violations/Complaints	3		

**East Brandywine Fire Company** Report submitted by Mike Conlan.

**Fire**

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

**Medical Assist**

Number of calls dispatched into WBT	11	Initial dispatch into WBT	10
Second dispatch into WBT	-	Number of calls scratched	1

**Martin's Corner Fire Company** Reported presented by Manager Rambo.

Number of calls dispatched into WBT	5	Initial dispatch into WBT	-
Second dispatch into WBT	-	Number of calls scratched	-

**Wagontown Fire Company** Presented by Todd Ziegler.

**Fire**

Number of calls dispatched into WBT	7	Initial dispatch into WBT	7
Second dispatch into WBT	0	Number of calls scratched	0

**Medical Assist**

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

**Reports of Organizations, Boards and Commissions**

Cheri Marranzini gave the report of the Historical Commission noting that they did their budget early.

Michelle Benkovich gave the report of the Parks and Recreation Board noting they have had two concerts that went well and noted the upcoming events.

John Cassels gave the report of the Planning Commission noting topics from their meeting dealt with Brandywine Meadows, Brandywine Manor, Pulte Homes, Mosteller, Cycle Max, along with a property on Chestnut Tree Road. Chairman Obernier asked about the right of way for Cycle Max.

John Cassels also gave the report from the Open Space Review Board noting items on their agenda were Icedale Meadows, Chase, and Baldwin. John also noted that the County offered to send someone out to the Township to explain the Ag program. Chairman Obernier asked what the dollars per acre was on the Chase property that was offered that they turned down. Manager Rambo answered the value of the easement was between \$230,000 and \$240,000, roughly 20 acres, about \$12,000 per acre.

Manager Rambo updated the BoS noting the Baldwin's stated they would be meeting with the Manager within the next month. The Manager also met with the person from Natural Lands Trust regarding the Marie property.

Municipal Authority Manager Rambo gave the report of the Municipal Authority, noting that they have received their temporary permit for the Kimberwick spray irrigation system. DEP is aware that the system will be decommissioned within the next year or so. The Authority is also in the process of repairing additional leaks at Monacy Manor. The Public Works Department is locating laterals so that individuals can start connecting. Vice-Chairman McCaffrey voiced concern about Mr. Keegan being upset. Manager Rambo explained that Mr. Keegan has been given the Manager and Engineer's cell phone and home phone numbers and was told to call anytime he has a concern.

### **Old Business**

*The Codes Officer is in the process of re-drafting the proposed Ordinance for rental inspection requirements and the resale U & O. Manager Rambo will get a date from Mr. Barnett when the information will be available.*

*The Township has submitted Ordinance NO 2009-07, amendments to the Township's zoning ordinance, to the CCPC and Township PC for review. There were no comments.*

*General discussions on Act 32, Consolidation of Earned Income Tax Collections. Vice-Chairman McCaffrey motioned to table discussion until all BoS members are present. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.*

*The Township is preparing proposed Ordinance NO. 2009-06, amendments to the Township's Stormwater Management Section of the Subdivision and Land Development Ordinance to meet current MS4 requirements for submission to the County for review. Manager Rambo expects this to be completed within the next few weeks so the BoS will have the opportunity to review it and give the okay to move it forward.*

### **Old Business from the Floor**

Bob DiLorenzo of 16 Mendenhall Drive asked for a landscaping update. Manager Rambo explained the landscaper requested his attorney prepare an agreement for submission to the developer. The Manager then summarized progress to date. Discussion ensued.

A resident asked what to do if he feels there is a problem with some of the work being done. Vice-Chairman McCaffrey stated if there is a concern, contact the Manager right away prior to escrows being released.

### **Old Business from the Board**

There was no Old Business from the Board.

### **Ordinances and Resolutions**

*Resolution #06-2009; appointment of Township delegate to serve on the County Tax Collection Committee. Vice-Chairman McCaffrey stated without a meeting schedule it would be difficult to determine availability depending on whether the meetings were in the evening or daytime. Vice-Chairman McCaffrey motioned to table the appointment until all BoS members are present. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.*

*Resolution #07-2009; planning module approval for the Harlan project known as the Brandywine Manor Subdivision. Manager Rambo explained preliminary approval was given. The planning modules can go to DEP for review. Vice-Chairman McCaffrey motioned to submit the modules to DEP. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.*

*Resolution #08-2009; establishing the window of opportunity in the police pension plan.* Vice-Chairman McCaffrey reaffirmed they passed Resolution #08-2009, a memorandum of the Police Association, earlier in the meeting. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

### **New Business**

*Establishment of the Phase I public escrows for the Bentley Projects.* Manager Rambo recommended the BoS table this item noting that Bentley is still getting their documents together. Vice-Chairman McCaffrey motioned to table this. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

*Release of remaining funds for the All Souls Cemetery public escrow account.* Manager Rambo noted the release request has been reviewed and approved by the Manager and Engineer. Vice-Chairman McCaffrey motioned to approve the release given that it was reviewed and approved by the Manager and Engineer, seconded by Chairman Obernier. Board Members McCaffrey and Obernier voted aye.

Chairman Obernier asked about the letter from the Archdiocese requesting a tractor-trailer box and suggested that only a temporary approval for one to two years be given. Manager Rambo explained they want to put a temporary storage unit up to keep tents, tools, etc. The Archdiocese is going to bring in plans for a maintenance facility that they intend to put up within a couple of years.

*The Township is finalizing the ad for the consideration of Ordinance NO. 2009-04, amendments to the Township's Zoning Ordinance pertaining to uses of historic structures.* Manager Rambo noted this Ordinance has been sent to the County and Township's Planning Commission as well as the Historical Commission for their review and input.

*The Manager is preparing bids specs to seek Solid Waste and Recycling bids for the next three to five years.* Manager Rambo noted the contract runs out at the end of the year.

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

Mario Mozzani of 3 Hunter Drive voiced concern about a homeowner that is renting individual rooms to multiple people. Manager Rambo suggested he contact the Zoning Officer and file a complaint.

John McClay voiced concern over some neighbors. Manager Rambo suggested he contact Chief Werner. Manager Rambo noted Hunter Drive should be dedicated at the next BoS meeting, after that if the neighbors are parking on the street that will be an excuse to call the police.

The properties of concern are 11 and 15 Hunter Drive. Manager Rambo will talk with the Chief and Codes Officer in the morning regarding their concerns. Discussion ensued. Chairman Obernier said when there is something wrong don't hesitate to pick up the phone and call the Police or Manager.

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

Manager Rambo stated there are two residences within the Township in foreclosure; the weeds are about 18" tall. In talking with the solicitor the Township could do the mowing and put a lien on the property, however, the Township will be at the bottom of the list when it comes to a lien. Manager Rambo and Dale Barnett will contact the neighbors and see if they would be willing to maintain the grass if the Township does the initial mowing. Vice-Chairman McCaffrey didn't want to set precedence that if a neighbor doesn't mow their grass that the Township will have their grass mowed for them. Discussion continued.

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

There were no public comments.

**Open Issues Before the Township**

*The Manager and Township Engineer will be completing the update of the Township's Act 537 Plan by the end of August 2009 for presentation to the Board.* There were no comments.

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

*The Chief and Manager are finalizing the Stopping, Standing and Parking Ordinance for advertisement and adoption.* Manager Rambo noted Hunters Drive would be added.

John McClay of Hunter Drive asked about the "no parking." Manager Rambo and Chairman Obernier explained you would contact the Township Police for a special exception if you were having a party.

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

Interest rate for the week is 3.57%. There were no comments.

**Review and Payment of the bills.**

Manager Rambo stated the general fund bills total \$112,285.70, solid waste bill total \$28,035.06, and liquid fuels bills total \$5,565.25. Vice-Chairman McCaffrey found the bills in order and motioned payment. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

**Upcoming Meetings/Events**

- Open Review Board meeting, Thursday, July 23, 2009 at 6:45 p.m.
- Planning Commission meeting, Thursday, July 23, 2009 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, August 6, 2009 at 7:30 p.m.
- Historic Commission meeting, Monday, August 10, 2009 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, August 11, 2009 at 7:00 p.m.
- Municipal Authority, Thursday, August 13, 2009 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, August 20, 2009 at 7:30 p.m.

**Adjournment**

There being no further business before the Board, Vice-Chairman McCaffrey motioned to adjourn the meeting at 9:12 p.m. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye in favor of adjournment.

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