

## **Meeting Minutes of September 18, 2003 Board of Supervisors**

Supervisor Lindborg called the Board of Supervisors Meeting of September 18, 2003 to order at 7:30 p.m., and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors by the Township Manager noted Chairman Obernier and Supervisor Lindborg in attendance. Vice-Chairman McCaffrey was absent for roll call but had later arrived at 7:38 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr.; Township Manager, Capt. Walter M. Werner; Chief, and Dale Barnett; Codes Officer.

Being that Vice-Chairman McCaffrey had not yet arrived to address the Minutes of July 31, 2003, August 7, 2003, August 21, 2003 and September 4, 2003 and there was no Treasurer's Report, Supervisor Lindborg moved on to address Public Comments (those individuals requesting to be on the agenda). Moe Finn of the Ashberry Home Association is in attendance to discuss the traffic concerns occurring throughout the subdivision and inquire about their request for road signage. Manager Rambo noted the Board is in receipt of the speed limit ordinance and parking ordinance. The Manager is waiting for the State Association to send samples regarding signage for certain times of day. The Board is going through the process of advertising and adopting the new signage ordinance with the time frame being the second meeting of October.

The second item on the agenda under Public Comments was Jeff Dippel of 96 Ashberry Lane with regard to stormwater issues. Jeff Dippel was not in attendance so Supervisor Lindborg moved on to Correspondence/Communications (information to note and act upon). The first item under Information to Act Upon was the Board of Supervisors is in receipt of information from Marc Jonas, Esquire with regard to the Brandamore Golf Course Property and the approved subdivision of the early 1990's. Manager Rambo noted that he and Jim MacCombie had met with Marc Jonas and the people looking into buying the subdivision. They would like to give a presentation to the Board at one of the meetings in October. Manager Rambo would like to have a meeting with the Township solicitor with regard to the subdivision prior to the Board meeting. Supervisor Lindborg suggested that the Brandywine Conservancy look at the subdivision.

The second item under Information to Act Upon was the Township is in receipt of a review letter from James W. MacCombie, P.E. with regard to the Marc Jonas, Esquire letter concerning the approved 1989 Ridings of Hibernia Subdivision Plan. The third item was regarding

correspondence that Marc Jonas, Esquire has forwarded the Township and Solicitor concerning the Coatesville Golf Training Facility and issues raised by the Engineer and Manager. Manager Rambo noted he and Jim MacCombie have met with Marc Jonas with regard to both of these items and suggested they also meet with the Township solicitor as well. John E. Good, Esquire will meet with Marc Jonas on September 24, 2003 at 11:00 a.m.

The fourth item under Information to Act Upon was Chris Williams, P.E. of McMahon Associates, Inc. has forwarded the Township an Act 209 Transportation Impact Fee Study Proposal for review and consideration. Chris Williams was not yet in attendance.

The fifth item was the Township is in receipt of a request from the Coatesville Parents Music Club to utilize the Township's lighting system on September 27, 2003. Manager Rambo noted that this was the day of the grand opening the Township will be utilizing the lighting system.

The sixth and final item was the Board of Supervisors is in receipt of emails from Alan Amenta and Robert Storman with regard to the Historic Commission vacancies and Elizabeth Zanowiak with regard to participation on the Comprehensive Plan Committee. Manager Rambo noted the Supervisors were given a copy of their information.

Information to Note was the next item on the agenda. The first piece of information to note was the Township is in receipt of the signed Round XV Park Acquisition Grant from the County Parks and Recreation Department. Manager Rambo noted this grant is regarding the purchase of the Gurerra property on School House Lane.

The second piece of information to note was Representative Curt Schroder has forwarded the Township correspondence with regard to Culbertson Run Road. Manager Rambo will write a letter informing the resident about the Turnback program and why the road had to be repaved.

The third item was Ross Unruh, Esquire has forwarded a letter acknowledging the September 24, 2003 meeting with John Snook of the Brandywine Conservancy with regard to the Bentley Community conditional use applications. Manager Rambo noted the meeting is at 9:00 a.m.

Supervisor Lindborg moved onto the Reports of Departments for the month of August 2003, which was the next item on the agenda. Chief Walt Werner was present from the Police Department to give the police report. Manager Rambo then gave the Road Department report. Code Enforcement Officer, Dale Barnett gave the report for the building and codes department. Manager Rambo then gave the Fire Marshall report. There were no fire department reports from Martin's Corner, East Brandywine, or Wagontown.

Supervisor Lindborg moved onto Reports of Organizations, Boards, and Commissions. John Cassels gave the report from the Planning Commission. There were no comments made. There was no one present from the Historic Commission. Colin Judge then gave the report from the Parks and Recreation Board. There were discussions regarding parking, field use, and location of the vendors for the grand opening. Manager Rambo noted the park is under warranty for a one-year period and if it is abused it would void the warranty. Only as a last resort will they use the

new soccer field unless it is needed to hold cars. Changes are apt to take place for the placement of activities and parking from day to day depending on the conditions of the fields.

Chairman Obernier explained that this is the first annual event and nobody's sure on the best way to utilize the fields and areas for parking in the most efficient manner.

Manager Rambo gave the report for the Municipal Authority. Supervisor Lindborg asked about the videotaping of the Monacy Manor Subdivision. The Manager said the videotaping is on hold until he and the engineer review the legal easements for the sewer lines on the property.

Supervisor Lindborg moved to address Chris Williams, P.E. of McMahon Associates, Inc. under Information to Act Upon who has forwarded the Township an Act 209 Transportation Impact Fee Study Proposal for review and consideration. Mr. Williams then gave a brief summary of what the Act 209 Study entails, noting that the Township would begin the process by a resolution and by forming a transportation advisory committee. They would have eighteen months to complete the total process. The committee would be comprised of seven to fifteen members of whom forty percent of those members must be in the development business. They would present the study to the Supervisors for formal action. As soon as the resolution is passed the Township could begin to levy an interim traffic impact. Any new development that would come into the Township would then be obligated to paying the \$1,000 per trip fee that would be paid at the time of permit issuance. Developments that are already under consideration are by law, not eligible to the Act 209 Impact Fee.

Mr. Williams suggested breaking the Township into two service areas that would cover the entire Township. This would contain one study with a separate fee for each service area. They have included twenty intersections in their proposal that can be changed (e.g. some added, others dropped) as they work with the traffic advisory committee. Included are five key intersections that are along the Route 322 corridor that would be looked at during a.m. as well as p.m. peak hours. He noted they already have data for six of those intersections. Whatever the proportion of capital improvement plan that is contributed to development that proportion can also be applied to the total fee for the Act 209 Study. An example would be West Brandywine Township's capital improvement plan was \$10,000,000. If \$2,500,000 were contributed to existing problems today that would be one quarter, if \$2,500,000 were contributed to pass through, and the third component would be development in the Township that would account for \$5,000,000 of the \$10,000,000. They could then take half of the fee to do the study and include that in the capital improvement plan. It would raise the dollar value by \$13,000. That could be incorporated into the impact fee, it would be a minimal increase in the per trip fee, but you would be paying it back over time.

Mr. Williams noted another point to consider is their fee estimate of \$36,400 includes all meetings and expenses. With the next development that comes into the Township with 36 residential units, you would have recovered these costs after you have levied these impact fees against the developers.

Vice-Chairman McCaffrey asked Mr. Williams about the cost for additional services beyond ten locations. Mr. Williams noted in the proposal they identified twenty key intersections and six key

roadway segments and also accounted for the need to place ten ATR road counters to get a sense of traffic patterns throughout the Township. The proposal includes the cost for additional locations of ATR's, if it is determined as they work with the committee that they are needed.

Vice-Chairman McCaffrey asked if the sample data in their proposal includes any Township's that have a similar population as West Brandywine Township. Mr. Williams answered yes, Upper Uwchland Township, East Coventry, North Coventry, and West Bradford. West Bradford's study was for only half of their Township. He noted the developers are obligated to pay a fee based on the trip development once this is passed. The fee must be used for transportation improvements. They need to work with the Brandywine Conservancy to develop a land use assumption report.

Vice-Chairman McCaffrey expressed concern about the committee and their goals. Mr. Williams explained the people that are on the committee understand their goal on the committee and the goals of the Township. They wouldn't agree to be on the committee if they see it as something controversial. The developers tend to like the Act 209 fee because they don't like to barter. The committee can include a minimum of seven people; they can be real estate agents, planning commission members, and developers.

Supervisor Lindborg asked about the cost and when they would have to pay for the study. Manager Rambo explained if they sign the contract this year, they could defray billing until next year.

Mr. Williams explained the means by which they develop their capital improvements plans is they determine which improvements are necessary to achieve a preferred level of service. Vice-Chairman McCaffrey asked what would happen if they develop a specific plan to improve an intersection and a few years later they see it is not feasible, then what would happen to the money that was elected to do that project. Mr. Williams explained they will attach a schedule as to when these improvements should be implemented, (e.g., if intersection B would need improving before intersection A, you would put the money into intersection B first) the Township would have to use the monies collected within a given time frame, typically being ten years. At the end of the time frame you could then update the Act 209 Study.

Mr. Williams stated that the maximum interim fee allowed would be \$1,000 per trip that would cover any developer that brings in subdivision plans from the day that the resolution is signed onward.

Vice-Chairman McCaffrey suggested that the Board have further discussions on the Act 209 Study and was concerned the Township would lose the ability to negotiate with the developers. He also noted he was glad that the study covered two separate areas in the Township instead of one area with a certain radius.

Bob Karpovich asked if this would pertain to people putting additions onto their homes. Manager Rambo stated this would only affect new development.

Supervisor Lindborg moved onto Old Business. The first item of Old Business was the Board of Supervisors continues their search to fill the Historic Commission and Building Appeals Board vacancies. Manager Rambo stated they have received emails from two individuals.

The next item under Old Business was the Manager and Public Works Director are continuing the process of completing their list of proposed improvements to roadways being considered under the PennDot Turnback Program. Manager Rambo noted Reeceville Road is one of the roadways being considered. Correspondence has been sent to the school district with regard to obtaining property along both Hurley and Reeceville Roads.

Chairman Obernier noted he had talked with Brenda Hawes who suggested that the Township write a letter to the school board requesting the property. Manager Rambo will send a letter to the school board.

The final item under Old Business was the move to the new Township facility will be completed by September 25, 2003. Manager Rambo noted they are still waiting for some file cabinets and are working on all the minuscule problems that are typical in a move to a new building.

Being there was no Old Business from the Floor, Old Business from the Board, or Ordinances and Resolutions Supervisor Lindborg moved onto New Business. The first item under New Business was the release of the remaining funds in the Ashberry Lane public improvements escrow account. Manager Rambo recommended not releasing the funds.

Colin Judge was concerned about staining in the road in Ashberry Lane. Manager Rambo noted the staining in the road came from the old Coatesville plant. Tom Eells, Herb MacCombie and the Manager are currently addressing this issue, if a pothole appears within eighteen months they have a bond to go against if they have to do any road repairs.

The second item was the Township will be receiving bids for the sale of miscellaneous road, police, and office equipment. Manager Rambo noted they have the two old recycling trailers. The Manager recommended that the one trailer that is not road worthy be given to an individual who has assisted the Township in recycling.

The third item was the Board is in receipt of the proposed Parking, Stop Sign and Speed Limit Ordinances that will update the existing ordinances. Manager Rambo noted this will be advertised in the middle of October.

The last item under Old Business was the Township is gathering information that will allow it to bid out for the furnishing of materials to construct a 40'x 80' pole barn for the Township's road equipment. Manager Rambo noted Tom Eells is collecting drawings and specs from some local pole barn manufacturers so they can put the pole barn project out to bid.

Supervisor Lindborg moved onto New Business from the Floor. Bob Karpovich asked if there was any new correspondence from the City of Coatesville with regard to their golf facility project. Manager Rambo stated they have not received anything new.

Colin Judge made comments about a no outlet sign.

Supervisor Lindborg moved onto New Business from the Board. Vice-Chairman McCaffrey suggested they consider revising the Township's policies about meeting in inclement weather like during the present hurricane.

Vice-Chairman McCaffrey asked if it was possible to enact fees and fines by resolution with regard to fees for traffic ordinances. Manager Rambo answered no, they are all according to the State Vehicle Code.

Vice-Chairman McCaffrey gave a brief summary regarding the NTAT conference he had recently attended.

Public Comments (individuals not requesting to be on the agenda) was the next item of business. Bob Karpovich commented about the noise level in the building. Manager Rambo explained the Township was using the generator for power.

Supervisor Lindborg moved onto Open Issues regarding the CASD tax audit review and the Cable Franchise review letter. Manager Rambo noted he has been discussing the tax issue with the school district. The Cable Franchise is under review.

Supervisor Lindborg moved onto the next item on the agenda regarding the Facility/Park Update. Manager Rambo noted they are trying to finish the park before the grand opening. He noted they had to sod the playground equipment area and the band shell area. The current interest rate is 1.24%.

Manager Rambo asked if the Park and Recreation Board will be marking off the vendor areas. Colin Judge stated that they would not be the ones marking the areas. Supervisor Lindborg expressed his appreciation toward the Park and Recreation Board for all their hard work and effort they have put into the grand opening.

Supervisor Lindborg moved onto the payment of the bills. Chairman Obernier motioned to pay the bills and Vice-Chairman McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg all voted aye in favor of their payment.

Supervisor Lindborg noted the upcoming meetings and events as follows:

- Parks and Recreation Board meeting, Tuesday, September 23, 2003 at 7:30 p.m.
- Planning Commission meeting, Thursday, September 25, 2003 at 7:30 p.m.
- Grand Opening, Saturday, September 27, 2003 from 10:00 a.m. until 4:00 p.m.
- Zoning Hearing, Monday, September 29, 2003 at 7:30 p.m., St. Peters Church.
- Zoning Hearing, Monday, September 29, 2003 at 7:30 p.m., Omnipoint Communications.
- Board of Supervisors meeting, Thursday, October 2, 2003 at 7:30 p.m.

With no other business to discuss Chairman Obernier motioned to adjourn the meeting at 8:54 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye in favor of adjournment.

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