

**Meeting Minutes of March 16, 2005  
Board of Supervisors**

Chairman Lindborg called the Board of Supervisors Meeting of March 16, 2005 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 the Township Manager noted Chairman Carl S. Lindborg and Supervisor Thomas J. McCaffrey in attendance. Vice-Chairman Josef G. Obernier was away on vacation. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager; Dale Barnett, Codes/Zoning Officer; and Thomas Eells, Director of Public Works.

**Acceptance of Minutes from Previous Meetings**

January 7, 2005, February 17, 2005 and March 3, 2005. Chairman Lindborg motioned to table the minutes until all Board Members are present. Supervisor McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

**Treasurer's Report**

Manager Rambo presented the Treasurer's Report for the month ending February. There were no comments.

General Fund.....	\$86,405.21
Capital Reserve Fund.....	\$724,908.14
Construction Sweep Fund .....	\$1,597.49
Developer Escrow Fund.....	\$327,228.46
State Liquid Fuel Fund.....	\$1,842.55
Operating Reserve Fund .....	\$2,920.13
Police Pension Fund.....	\$932,718.94
Non-Uniform Pension Fund.....	\$213,538.60

**Public Comments** *Individuals requesting to be on the agenda*

Dave Shafkowitz requested to be on the agenda under public comments, to talk to the Board with regard to the Ridings of Hibernia Project. Mr. Shafkowitz was not in attendance. Chairman Lindborg moved on.

**Correspondence/Communications** *Information to Act Upon*

The Township is in receipt of correspondence from James W. MacCombie, P.E. with regard to the waiver requests for the Susan B. Maes Minor Subdivision Plan. At the Manager's recommendation, Supervisor McCaffrey motioned to table the waiver requests. Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye.

Carroll Engineering Corporation has forwarded the Township waiver request for the light fixture heights of the Coatesville Golf Training Facility. At the Manager's recommendation, Supervisor McCaffrey motioned to table the waiver requests. Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye.

Drew Taylor of Nave/Newell has forwarded the Township a letter requesting to reduce the planning requirements of the St. Peter's Church Land Development Plan. Manager Rambo recommended the waiver requests be tabled, that Nave/Newell is going before the Planning Commission at the Supervisor's request. Supervisor McCaffrey motioned to table the waiver requests, seconded by Chairman Lindborg. Board Members McCaffrey and Lindborg voted aye.

The Township is in receipt of a letter of extension from Schnatz & Rohrer Landscaping for the rendering of a decision on their land development plan. Thomas Rohrer is in attendance that the Manager's request. Supervisor McCaffrey noted that it is not the Board's purpose to extend something for years, at some point they have to end it and pick it up again when they are ready to go through with it. Mr. Rohrer stated he appreciated the Supervisor's patience with the matter and explained that he had run out of money. He asked that the Board accept his letter requesting an extension and stated that he is hoping to get the project completed this year. Mr. Rohrer is also requesting a waiver for planting requirements. Chairman Lindborg recommended that Mr. Rohrer go before the Planning Commission with the waiver request. Supervisor McCaffrey motioned to accept the sixty-day letter of extension. Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye.

Ty Leinnenweber of Vollmer Associates, LLP has forwarded the Township a letter requesting waivers for the Ridings of Hibernia project currently in the Conditional Use process and plan review process. Jen Strelzick is before the BoS tonight to address the Ridings of Hibernia project specifically for the modifications and waivers they are requesting. At this time, they believe they have a comprehensive list of requests. Supervisor McCaffrey stated the problem is that the list is not specific; it has been a blanket waiver for the project and doesn't specify where or why. Manager Rambo noted the February 24, 2005 letter from Mr. Leinnenweber, Jim MacCombie's review letter with regards to the waiver requests, and noted they also have had testimony from John Snook, Township Planner with regards to backing the requests and modifications, but they don't state in Mr. Leinnenweber's letter that it is "as per" recommendations of the Township Planner.

Ms. Strelzick noted they presented the waiver requests before the Planning Commission, who recommended acceptance of all of the waiver requests except they had an issue with two, one was with regards to how the length of the cul-de-sac would be calculated. Subsequently they met with Manager Rambo who recommended that they use the same calculations as PennDot. The second waiver request the Planning Commission had an issue with was the Traffic Impact Study, but prior to that, Ridings of Hibernia had agreed to pay a traffic impact fee. Ms. Strelzick stated they are in attendance to get feedback and hopefully support from the BoS. If the Board is uncomfortable with the way the waiver request letter is, then they will modify it. Supervisor McCaffrey stated he has requested that since the beginning. Manager Rambo stated that the submission of the modification requests and the waivers were based on the tabulated list from the last Conditional Use Hearing, they are at the point now that final plan review is going on, but can't end until such time that the Township officially submits an Opinion and Order to Ridings of Hibernia to close out the hearing. They are submitting their modifications and waivers based on the requests from the last hearing so that the Township can prepare an Opinion and Order for issuance to them so then that can become part of the official plan and become part of the notes on the plan.

Supervisor McCaffrey noted one specific item regarding the sewage disposal area on the property. There were pieces in the open area they wanted to count as open space and he has a problem allowing all the sewage disposal area considered as open space. He disliked the fact that everything was a matter of manipulation to make the number of units work and didn't like that approach to the open space calculation. Mr. Leinnenweber noted that all eleven acres for the sewage disposal, easements, etc. are calculated into open space. Supervisor McCaffrey feels that this seems excessive; the approach was that if they met the requirements of open space design option but they do it by counting everything under the sun. In the ordinance you can't use 100%, there is a percentage range that could be given as open area. Manager Rambo asked that based on the needs of the ninety-two homes that they are proposing, how many acres of sewer drip do they need. Mr. Leinnenweber doesn't have that broken down, but stated roughly nine acres. Manager Rambo stated they are meeting the requirements based on the Act 537 for design of the community system of 400 gallons. Supervisor McCaffrey stated that nobody ever brings in a plan that addresses things as it is in the ordinance.

Manager Rambo stated that all began with meeting with the Township's planner and doing what he suggested. For things to work, there has to be the flexibility to work with the developer, to achieve what is in the ordinance, based on what they are striving to do. John Snook has recommended this to the BoS in numerous letters what they are requesting. The Township has hired John to develop the ordinances, John has stated numerous times that a lot of times what is prepared in the ordinance needs waivers and modifications for everything to work out. They can have John Snook come again before the BoS and he can explain his point to the Board and the Supervisor's can make the determination if they want to have the flexibility with the developer or if they are not going to do it, they should just take everything out of the ordinances if they are not going to have flexibility.

Supervisor McCaffrey stated that flexibility is one thing; it is the idea that open space has some sort of utilitarian possibility; you can go and do something on it. If it is a sewage disposal area, then you can't do that. Manager Rambo asked how many acres are not of a sensitive nature and do not include sewer. Mr. Leinnenweber answered 31.58 acres, which is 26.5 % of the net tract area; they are required to have 20%. Supervisor McCaffrey stated he would like to see the waivers, where they are the reason they are being requested, and then it may make sense. Mr. Leinnenweber denoted where the sewage treatment field and other items were located on the map. Supervisor McCaffrey would like Ridings of Hibernia to come back with detailed information outlining the specifics of the waiver requests.

Ms. Strelzick and Mr. Leinnenweber noted several issues from Jim MacCombie's letter dated March 14, 2005, in particular, page 3 items a and b. Chairman Lindborg would like clarification on those two issues from Jim MacCombie. Another issue denoted had to do with the pump station. Manager Rambo suggested that the pump station mimic the same stone facade that they are using on the houses. There was discussion regarding the depth and location of their basins. Supervisor McCaffrey stated he would like the appearance of the basins to look like an open piece of ground. The Manager will set up a meeting with Jim MacCombie, John Snook, Ty Leinnenweber, Jen Strelzick, Dave Shafkowitz, BoS, and himself to discuss the details. Supervisor McCaffrey motioned to table the waiver requests. Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye.

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

The Township is in receipt of correspondence from Wallace Township with regard to the Rorke/Wadsworth Development. Manager Rambo noted this development is going to connect onto Brittany Lane of the Stonebarn Crossing Subdivision. After talking with legal council, Manager Rambo noted they can request that a highway occupancy permit be applied for, at which time they can request a grading plan, where they can address curbing and tying into the current street. Manager Rambo noted that John Good stated there is no need for them to submit a land development plan because it is not considered land development. The Manager has already sent them a letter notifying them of what they need to submit.

The Township is in receipt of a Post Construction Stormwater Management Model Ordinance from the Chester County Water Resources Authority for review and consideration as part of the Township's obligations under the NPDES4 requirements. Manager Rambo noted that he and Jim MacCombie are comparing the Township's current ordinance with the suggested ordinance. It is a suggested ordinance, but it is going to be the requirements of DEP based on federal guidelines being handed down to the Township under the NPDES4 requirements. Manager Rambo will get a copy of the model ordinance prior to the Builders Lobby making changes.

### **Reports of Departments**

Chairman McCaffrey then moved onto the Reports of Departments for the month of February 2005. Chief Werner presented the police report. Tom Eells presented the Public Works report. Manager Rambo noted that pictures are requested of the new Mack truck and felt that this would be positive for obtaining future grants with DEP. Chairman Lindborg stated he is not signing off on a blanket request, that the Manager could send pictures directly to DEP. Dale Barnett gave the report from the Buildings/Codes Department. Manager Rambo gave the reports of the Fire Marshall. There is no report from Wagontown Fire Department and Martins Corner Fire Department. Mr. Shaffer from East Brandywine Fire Department was in attendance to give their February 2005 report. Supervisor McCaffrey asked if the QRS calls go to a particular location more than others within the Township. Mr. Shaffer answered yes, Freedom Village. East Brandywine Fire Department will be celebrating their fiftieth year of volunteer service. Manager Rambo will send a letter of support for the grant that East Brandywine submitted to FEMA. Both Supervisors thanked the representatives of East Brandywine Fire Department for attending the meeting tonight.

### **Reports of Organizations, Boards and Commissions**

There was no one present from the Planning Commission, Historic Commission or the Parks and Recreation Board. Manager Rambo noted the Easter Egg Hunt would be held Saturday, March 19, 2005 at 10:00 a.m. Municipal Authority Manager Rambo gave the Municipal Authority report. Supervisor McCaffrey was concerned about the Keagan's resistance to the offer that was made with regard to their property. Chairman Lindborg feels that the Municipal Authority will make every effort to come up with an amicable solution.

### **Old Business**

The Board of Supervisors is searching for volunteers to serve on the Building Appeals Board and Historic Commission. There were no comments.

The Township's Building Inspector/Codes Officer has finalized his review of the recently adopted building code bill and has presented his recommendations to the BoS for comments. Chairman Lindborg stated he would like to sit down with Dale to review his recommendations.

The Township will be accepting bids for the sale of surplus equipment on Thursday, April 7, 2005. The list has been advertised in the Daily Local News.

Discussion on the progress of the Board's review of the draft of the Township's Comp Plan. Manager Rambo explained that if they adopt the Comp Plan, with the estimated turnaround time, the earliest they would be able to seek the \$49,000 reimbursement would be November. The Comp Plan is currently sitting idle.

The Township's spring edition of the newsletter has been completed and scheduled for printing. Chairman Lindborg asked about acknowledging new businesses within our Township in the Newsletter.

The Manager is in the process of preparing ordinances pertaining to fences and signs. Supervisor McCaffrey stated he sent the Manager an email with regards to the ordinance.

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

There was none.

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

There was none.

### **Ordinances and Resolutions**

Resolution #05-05; City of Coatesville proposed TIFF Plan to CASD. Chairman Lindborg motioned to table Resolution #05-05. Supervisor McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

### **New Business**

The Manager is continuing his review of the General Obligation Note based on current interest rates. Manager Rambo stated that the overall average twenty-year nontaxable, variable rate notes, has never gone above 4%. The current bonds are way above that. Manager Rambo will meet with Scott from PFM.

Discuss the proposed zoning amendment as prepared by John Snook with regard to TDR's and the Pulte Tracts. Manager Rambo stated they have the opportunity to save and preserve some property at no cost and he would like to move on it. Both Chairman Lindborg and Supervisor McCaffrey were in favor for the Manager to prepare the ordinance for submission to the County.

The Manager is in the process of drafting a cell phone policy, a sign management program policy, a snow removal policy and a safety wellness program policy. There were no comments.

The Township Manager and Chief are meeting with Airworks Company, Inc. with regard to the air circulation and exchange in the shooting range. The representative from Airworks came out and admitted that it was not functioning properly, however, he traced it back to an issue that the fan that was installed is not functioning correctly. Airworks said they are going to fix the problem. The architect is also being copied with any correspondence.

The Board to review and provide input to the ACT 537 "draft" Bentley Community Special Study. Manager Rambo noted that Mr. Emerson is in attendance tonight and stated that the Board wants to hear what the Planning Commission has to say before making any decisions. The Manager has

been talking with Jim MacCombie and also wants to hear DEP's remarks next Tuesday. Mr. Emerson stated they are waiting to hear from the Chester County Planning Commission as well.

The Township will be accepting bids for paving materials for road related projects and repairs on Thursday, April 7, 2005. There were no comments.

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

None

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

None

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

There were no Public Comments.

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

Cable Franchise. There were no comments.

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

Interest rate for the week was 2.15%. There were no comments.

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

Chairman Lindborg noted that the auditor suggested that the BoS review the invoices and requested the invoices in alphabetical order. The bills presented for payment totaled \$63,069.60. Supervisor McCaffrey motioned to pay the bills, seconded by Chairman Lindborg. Board Members McCaffrey and Lindborg voted aye.

### **Upcoming Meetings/Events**

- Parks and Recreation Board Easter Egg Hunt, Saturday, March 19, 2005 at 10:00 p.m.
- WBT Planning Commission, Thursday, March 24, 2005 at 7:30 p.m.
- Steve Janiec, Conditional Use Hearing for his single family and commercial site on Horseshoe Pike, Tuesday, March 29, 2005 at 7:30 p.m.
- Boards of Supervisors meeting, Thursday, April 7, 2005 at 7:30 p.m.
- Historic Commission meeting, Monday, April 11, 2005 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, April 12, 2005 at 7:30 p.m.
- Municipal Authority meeting, Thursday, April 14, 2005 at 7:30 p.m.

### **Adjournment**

With no other business to discuss, Supervisor McCaffrey motioned to adjourn the meeting at 8:43 p.m. Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye in favor of adjournment.

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