

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

Vice Chairman Lindborg called the West Brandywine Township (WBT) Board of Supervisors meeting of December 16, 2010 to order at 7:30 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 Carl S. Lindborg and Supervisor Josef G. Obernier Sr. in attendance. It was noted that Township Manager Ronald A. Rambo, Jr. was also present. Supervisor Thomas J. McCaffrey, Jr. arrived at 7:35p.m.

Acceptance of Minutes from Previous Meetings

The minutes were addressed after the Chairman's arrival at the meeting. December 2, 2010: Supervisor Obernier motioned to approve the meeting minutes, seconded by Vice Chairman Lindborg. Board members Obernier, Lindborg, McCaffrey voted aye.

Treasurer's Report

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

General Fund	(\$42,707.89)	State Liquid Fuel Fund	\$8,147.97
K-9 Rudy Fund	\$293.93	Operating Reserve Fund	\$39,499.77
Solid Waste & Recycling Fund	(\$893.67)	Police Pension Fund	\$1,623,059.26
Capital Reserve Fund	\$289,857.31	Non-Uniform Pension Fund	\$348,370.88
Developer Escrow Fund	\$385,549.07	Construction Sweep Fund	\$1,181.16

Public Comments (individuals requesting to be on the agenda)

There were no Public Comments.

Correspondence/Communications *Information to act upon*

The Board of Supervisors is in receipt of a letter of resignation from Corporal David Domblesky of the West Brandywine Township Police Department. Manager Rambo noted that after many years of service to WBT, Corporal Domblesky has elected to retire on permanent disability as a result of his injury that occurred in 2007. The Manager recommended that the BoS accept his letter of resignation. Vice Chairman Lindborg read Corporal Domblesky's letter out loud. With that, Supervisor Obernier motioned to accept the letter of resignation, seconded by Vice Chairman Lindborg. Board members Obernier and Lindborg voted aye.

The Board of Supervisors is in receipt of Corporal David Domblesky's Retirement Agreement and General Release from special counsel for signing. Manager Rambo noted the agreement has already been signed by the appropriate parties and recommended the BoS also sign it. Supervisor Obernier motioned to sign the retirement agreement and general release for Corporal Domblesky. Vice Chairman Lindborg seconded the motion. Board members Obernier and Lindborg voted aye.

The Board of Supervisors is in receipt of correspondence from Kristin Camp, Esquire requesting that the Board of Supervisors grant a continuance of the public hearing for Ordinance No. 2010-01. Manager Rambo recommended the BoS accept the letter to continue the hearing for Ordinance No. 2010-01 that deals with the rezoning of the parcel at Horseshoe Pike and Springton Road. This will continue the hearing until January 3, 2011. Supervisor Obernier motioned to grant the continuance, seconded by Vice Chairman Lindborg. Board members Obernier and Lindborg voted aye.

The Township is in receipt of the CASD Memorandum of Understanding with regard to the providing of law enforcement services as part of the District's Safe Schools Plan. Manager Rambo recommended that the BoS sign the agreement. Supervisor Obernier motioned to sign the agreement, seconded by Vice Chairman Lindborg. Board members Obernier and Lindborg voted aye. At this time it was noted that Chairman McCaffrey arrived at the meeting.

The Board of Supervisors is in receipt of an invitation to attend the 8th Annual Pennsylvania Farm Show Public Officials Luncheon on Thursday, January 13th, 2011 at noon at the Farm Show Complex. The BoS expressed they would like to attend.

The Board of Supervisors is in receipt of a letter of resignation from Janet Krieger of the Parks and Recreation Board. Vice Chairman Lindborg motioned to accept the letter of resignation from Ms. Krieger, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

The Township is in receipt of a 90 day letter of extension from John Panizza for his Brandywine Meadows Preliminary Plans, (located on Highspire Rd) as he works on obtaining sewer capacity from the Authority. Manager Rambo explained the applicant is currently getting paperwork together for submission for sewer capacity and recommended the BoS grant his extension request. Vice Chairman Lindborg motioned to except the 90 day letter of extension, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

Correspondence/Communications Information to note

The Township is in receipt of correspondence from Aqua Pennsylvania with regard to its plan to extend a 12" water main along Horseshoe Pike, then within Culbertson Run Road to a connection point in Swinehart Road. Manager Rambo explained they are doing an interconnect with lines that are existing along Route 322 so that the water flows in a better manner. Chairman McCaffrey voiced concern that one of the stimuli for more intense development is either sewage or public water. The Township has an Authority that controls the location of the Township's sewage. For public water the Township has an ordinance in place that allows means to traverse the Township but does not allow them to immediately gain access. Manager Rambo stated if they are within the water overlay district, they would have the ability to connect or they would have to go through the conditional use process. Chairman McCaffrey was concerned there was reticence on the part of American Aqua or anyone to acknowledge the fact that the Township has the right to control the use of water.

The County Planning Commission is requesting that the Township review the County's inventory list of municipal owned recreational parks and open space. Manager Rambo stated this is being addressed.

The Township is in receipt of the PA Auditor General's Reports for the Non-Uniform and Uniform Pension Plans for the period January 1, 2008 through December 31, 2009. The Manager noted the reports have been found in order.

Reports of Departments: Month of November unless otherwise noted.

Police Report: Chief Walter Werner gave the police report.

Total Hours	1,044	Miles Patrolled	5,946	Vehicle Crashes	14
Vehicle Stops	98	Burglary Thefts	8	Fatalities/DOA	1
Domestics	12	Assist Other Agencies	14	Alarms	15
Susp. Activity	16	Premise Checks	104	All Others	165
Criminal Arrests	12	Non-Traffic Arrests	4	Traffic Arrests	91

Public Works Department Report: Presented by Tom Eells, Public Works Director. Mr. Eells also noted work completed for the month.

Total man-hours	791.5	Miles traversed	2012
Total Equipment hours	33	Total fuel gallons	975.03

Buildings/Codes/Fire Inspector Department Report: presented by Dale Barnett.

Building & Codes

Building Permits issued	9	Permit base fees collected	\$1,570
Occupancy fees collected	\$200	U&O permits issued	1
U&O permits issued cursory	17	Contractor Licenses (CL) issued	6
CL Fees collected	\$240	WBT Inspections completed	35
Failed Inspections (FI)	1	Failed Inspections Fees collected	0
WBT Fees Collected	\$2,010	Valley Twp Fees Collected	0
		Total fees collected	\$2,010

Fire Report: Campfire/Recreational Permits

Campfire permits	15	Other type inspections	1
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Wagontown Fire Company: Submitted by Chief Todd Ziegler and presented by Manager Rambo.

Fire

Number of calls dispatched into WBT	9	Initial dispatch into WBT	8
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	8	Initial dispatch into WBT	8
Second dispatch into WBT		Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	21	Initial dispatch into WBT	19
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	6	Initial dispatch into WBT	
Second dispatch into WBT		Number of calls scratched	

EMS

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 presented the Historical Commission's report. Ms. Marranzini requested an update on several properties in the Township and also requested two old Township computers.

There was nobody present from the Parks and Recreation Board. Manager Rambo stated that Parks and Recreation's Saturday with Santa was well attended.

Nobody was in attendance from the Planning Commission.

Manager Rambo noted there was nobody present from the Open Space Review Board (OSRB) but reiterated that the OSRB agreed to pursue the Gordon Eck Conservation Easement.

Municipal Authority Manager Rambo gave the report for the Authority denoting an update to their pumpstation project. The entire project should be completed by April 2011.

Adjournment from Township Meeting: time 7:54 p.m.

Opening of Public Hearing: time 7:54 p.m.

Ordinance No. 2010-01; zoning map change and Ordinance No. 2010-02; amendments to the zoning ordinance sections pertaining to signs. Manager Rambo explained the Township received letters requesting these hearings be continued until January 3, 2011.

Ordinance No. 2010-05; amendment to the Open Space Review Board Ordinance. Manager Rambo noted the OSRB currently has nine members, seven from the Planning Commission and two from the Parks and Recreation. This Ordinance will decrease the number of participants to seven, five from the Planning Commission and two from the Parks and Recreation Board. Chairman McCaffrey questioned if there is any acrimony about who will be leaving. Manager Rambo will look at who would come off from when they were originally appointed and who would like to stay on when the organization meeting is done on January 3, 2011. Chairman McCaffrey suggested they look at the list of individuals and pick those that would be the most effective. Vice Chairman Lindborg suggested they look at those that want to serve on the Board.

2011 Budgets Manager Rambo noted the budgets were presented at the second BoS meeting in November and have been available for public review. The budgets have been better defined by establishing specific funds for specific items so that they are easily followed. None of the budgets require an increase to taxes or fees for the year 2011.

Chairman McCaffrey recapped that Ordinance 2010-01; zoning map change, has been continued until January 3, 2011. Ordinance 2010-02; amendments to the zoning ordinance sections pertaining to signs, has also been continued until January 3, 2011. Ordinance 2010-05, amendment to the OSRB will be up for consideration tonight. Chairman McCaffrey asked if there are any questions or comments about the above noted items. There were none. Vice Chairman Lindborg motioned to adjourn the Public Hearing, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

Adjournment from the Public Hearing: time 7:58p.m.

Re-Opening of Township Meeting: time 7:58 p.m.

Old Business

Final discussion on revised Ordinance No. 2010-05 pertaining to the number of individuals and the make-up of the Open Space Review Board. Bob Schini of the OSRB commented that this would alleviate the problem of having a quorum. Also, some people that volunteered for the Planning Commission don't necessary want to be on the OSRB.

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. There were no comments.

The Manager has provided the Police Association with the proposed 2011-2013 Police Contract for review and consideration. Manager Rambo stated they held an executive session after the last BoS meeting to discuss some input from the Police Association. Since that time a revised contract proposal has been prepared to submit to them. The Manager then requested a short executive session be held to get the BoS approval to allow the Manger to submit this to the Association for consideration.

Additional discussions on Ordinances No. 2010-01 and 2010-02. These items were tabled.

2011 budgets discussions. Chairman McCaffrey commented he felt the budgets were clearer and easier to follow the way it was prepared this year. Supervisor Obernier noted the request to have the different budgets, i.e. open

space, etc., are included. The miscellaneous category has been eliminated and more categories have been created so that it will be easier to follow.

Old Business from the Floor or the Board.

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

Ordinances and Resolutions

For adoption or continuance for further discussion.

Ordinance No. 2010-01; zoning map change and Ordinance No. 2010-02; zoning amendments to sign ordinance sections. Vice Chairman Lindborg motioned to table Ordinance No. 2010-01 and Ordinance No. 2010-02 until the January 3, 2011 BoS meeting. Supervisor Obernier seconded the motion. Board members Lindborg, Obernier, and McCaffrey voted aye.

Ordinance No. 2010-05; adoption of the Open Space Review Board amendment. Vice Chairman Lindborg motioned to adopt Ordinance 2010-05, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #13-2010; acceptance of Old Orchards Right-of-Way. Manager Rambo explained this was completed years ago, however, PennDot never officially accepted the right-of-way when it was approved. Since the Township has taken over Culbertson Run Road, the Manager is recommending that the BoS accept the road right-of-way along Culbertson Run Road, within the area of the Old Orchard Subdivision. The document was prepared with legal description and reviewed by the Township's Engineer. Vice Chairman Lindborg motioned to adopt Resolution #13-2010, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #14-2010; adoption of the 2011 budgets. Chairman McCaffrey reiterated the budget shows no fee or tax increases for the year 2011. Vice Chairman Lindborg motioned to adopt the 2011 budget, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

Resolution # 15-2010; adoption of the 2011 Real Estate Tax. The tax will remain at 1.08. Vice Chairman Lindborg motioned to adopt the 2011 Real Estate Tax, seconded by Chairman McCaffrey. Board members Lindborg and McCaffrey voted aye. Supervisor Obernier abstained because the tax collector is related to him.

Resolution #16-2010; adoption of the 2011 Fire Appropriations Tax. This will remain at .22 mills, there is no increase. Vice Chairman Lindborg motioned to adopt Resolution #16-2010, seconded by Chairman McCaffrey. Board members Lindborg and McCaffrey voted aye. Supervisor Obernier abstained because the tax collector is related to him.

Resolution #17-2010; adoption of the 2011 Solid Waste Fee. The fee will remain the same as 2010 at \$286. Vice Chairman Lindborg motioned to adopt Resolution #17-2010, seconded by Supervisor Obernier. Board members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #18-2010; establishment of December 15th as the lien date for taxes. Manager Rambo explained the date will be bumped up from December 31st to December 15th based on the recommendation from both the Township Tax Collector and in conjunction with the County Resolution that was passed. Vice Chairman Lindborg motioned to adopt Resolution #18-2010, seconded by Chairman McCaffrey. Board members Lindborg and McCaffrey voted aye. Supervisor Obernier abstained because the tax collector is related to him.

New Business

Recommendations of the Township Planning Commission. There were none.

The Board to consider establishing a Conditional Use Hearing for the Patriot Lane Project (Hide-Away Farms Historic Farmstead), January 17, 19 or 24. The BoS agreed to establish the Hearing on January 24th.

The Manager is in the process of reviewing the current Metlife STD, LTD and Life Insurance Plan rates versus a proposal from Hartford Insurance. Manager Rambo stated that Hartford Insurance has a contract with Benecon, the Township's health insurance provider, to provide STD, LTD, and Life at a 22% reduction over Metlife, locked in for a three year period. The Manager will review the information.

The Manager will be attending the Mae Marie settlement for the conservation easement acquisition. Manager Rambo stated that Ms. Marie was going to attend tonight's meeting to thank the BoS for assisting in purchasing the conservation easement. The Township agreed to pursue the easement in conjunction with Natural Lands Trust. With the assistance of County funds the Township is contributing \$22,100. The property is located on North Manor Road, ¼ mile north of Germany Hollow Road.

New Business from the Floor.

There was no New Business from the Floor.

New Business from the Board

Manager Rambo thanked Jeff Grossman and his constituents for their donation of \$1,000 that will go toward the training of the K9 unit. The BoS also expressed their appreciation.

Public Comments

There were no Public Comments.

Open Issues Before the Township

The Township Engineer and Manager continue their work on updating the Township's Act 537 Plan. There were no comments.

The Township is looking for a volunteer to fill a vacancy on the Parks and Recreation Board. There were no comments.

General Obligation Note (*Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public Works Facility/Park Construction: interest rate for the week is 1.85%*). There were no comments.

Review and Payment of the Bills

The General Fund Bills total \$56,304.49 of which \$22,100, as previously noted, is for the assistance to acquire the Mae Marie conservation easement. The Liquid Fuels Bills total \$1,249.40 and Solid Waste Bills total \$15,205.87. Vice Chairman Lindborg stated he reviewed the bills, found them in order, and motioned payment. Supervisor Obernier seconded the motion. Board members Lindborg, Obernier, and McCaffrey voted aye.

Upcoming Meetings/Events

- Open Space Review Board meeting, Tuesday, December 21, 2010 at 6:45 p.m.
- Planning Commission, Tuesday meeting, December 21, 2010 at 7:30 p.m.
- Board of Supervisors organizational and first meeting of 2011, Monday, January 3, 2011 at 7:30 p.m.
- Elected Auditors meeting, Tuesday, January 4, 2011 at 7:30 p.m.
- Historic Commission meeting, Monday, January 10, 2011 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, January 11, 2011 at 7:00 p.m.
- Municipal Authority organizational and first meeting of 2011, Thursday, January 13, 2011 at 7:30 p.m.
- Board of Supervisors, Thursday, January 20, 2011 at 7:30 p.m.
- Open Space Review Board meeting, Thursday, January 27, 2011 at 7:00 p.m.
- Planning Commission organizational and first meeting of 2011, Thursday, January 27, 2011 at 7:30 p.m.

Chairman McCaffrey then noted the Township's holiday schedule.

Adjournment

There being no further business before the Board, Vice Chairman Lindborg motioned to adjourn the meeting at

8:18 p.m. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye in favor of adjournment.

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