

Meeting Minutes of May 17, 2007
Board of Supervisors

Chairman McCaffrey called the Board of Supervisors Meeting of May 17, 2007 to order at 7:31 p.m. Those who desired stood to Pledge the Allegiance to the flag. Roll call of the Board of Supervisors (BoS) by the Township Manager noted Chairman Thomas J. McCaffrey Jr., Vice-Chairman Carl S. Lindborg and Supervisor Josef G. Obernier Sr. in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], and Thomas Eells [Director of Public Works].

Acceptance of Minutes from Previous Meetings

March 15, 2007, April 5, 2007, April 19, 2007 and May 3, 2007. Vice-Chairman Lindborg motioned to approve the March 15, 2007 meeting minutes. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye. The meeting minutes of April 5, 2007, April 19, 2007 and May 3, 2007 were tabled.

Treasurer's Report *Month ending April*

- Treasurer's Report presented by Manager Rambo. There were no comments.

Construction Sweep Fund	\$17,956.37	Operating Reserve Fund	\$2,125.66
Capital Reserve Fund	\$1,193,028.68	Police Pension Fund.....	\$1,296,171.51
Developer Escrow Fund	\$649,102.14	Public Works Cap. Projects Fund	\$651,255.72
General Fund	\$50,949.40	Solid Waste & Recycling Fund.....	\$240,900.69
Non-Uniform Pension Fund	\$301,620.72	State Liquid Fuel Fund.....	\$166,258.64

Public Comments (individuals requesting to be on the agenda)

Representatives of St. Peter Church were in attendance to discuss the church lighting. The Board of Supervisors received a request to waive the Township's Lighting Ordinance to permit the existing lights located on the churches sidewalks. The lights are mounted at twelve feet and do not meet the Township's full cut-off requirement.

Discussion ensued between the Board and church representatives with regards to the lights. It was noted that all lights, other than those utilized for safety reasons, are off by 11:00 p.m. After a lengthy discussion, Supervisor Lindborg motioned to grant the waiver to permit the lights with Supervisor Mccaffrey seconding the motion. Upon taking the vote to grant the waiver, Supervisors Lindborg and McCaffrey were for granting the waiver and Supervisor Obernier vote against granting the waiver.

Correspondence/Communications *Information to act upon*

The Mendenhall Homeowners Association is requesting the Township to review and provide a response with regard to some proposed amendments to their by-laws. Neil Campbell, HOA President was in attendance to explain the thought behind the request to have the HOA documents modified and approved by the Board of Supervisors. In as much as all of the Valley View homeowners are not yet moved into their new homes, the Board requested that another vote be taken upon completion of all homes so that everyone has a chance to voice their opinion on the proposed changes to the HOA documents. Mr. Campbell noted that they would be having another HOA meeting in the near future and that he would pass along the request of the Board of Supervisors.

Snyder Hoffman Associates, Inc. is requesting a waiver from the Township's Lighting Ordinance on behalf of St. Peter Parish to utilize a McGraw-Edison fixture, Model GAT-100MH-208-5C-UUA-AP, which is a low-wattage metal halide fixture meeting IES "cut-off" classification, and is Dark Sky compliant. The Manager noted that with the waiver already voted on this evening and granted to the church to use the existing lighting that this request did not have to be considered.

Alan Jarvis, Esquire has forwarded the Township agreements on behalf of Valley Township with regard to the Building Appeals Board and the use of the Township Police for the weighing of overweight vehicles. Manager Rambo noted that John Good has reviewed the agreements and found them in order. Once the Ordinance is approved and the Township gets the marked up draft, the BoS will be able to sign it. The benefit to the Township would be that the Township would be reimbursed and receive portions of the fines when Valley utilizes the police. Chief Werner explained that Valley would write the citation; WBTPD personnel would do the weighing. Vice-Chairman Lindborg asked if Valley would pay for WBTPD personnel to be there for eight hours. Chief Werner answered no; WBTPD would get a percentage of the citations. Supervisor Obernier explained that he spoke with one of Valley's supervisor's at the PSATS convention, each township would pay their own guy. WBTPD has one guy that is certified for the scale, Valley PD has one guy that writes the ticket, a portion of the ticket would go to the state, and the amount that remains Valley and WBT would split fifty/fifty. Vice-Chairman Lindborg was concerned about the wear and tear on the scale. Chief Werner noted that the scales were purchased through grant money.

Chairman McCaffrey thought that it would be good to have a good working relationship, grant money from the state is more easily obtained when you have a multi municipal application. Supervisor Obernier motioned for Valley Township and West Brandywine Township be able to enter into agreements pursuant to Ordinance No. 07-04 that is being considered for adoption that allows inter-municipal cooperation between the two municipalities. Vice-Chairman Lindborg seconded the motion based on the testimony from Chief Werner, Manager Rambo, and Supervisor Obernier. Board Members Obernier, Lindborg and McCaffrey voted aye.

The Township is in receipt of information from the County Corrections Gospel Mission with regard to the placement of a 2,000 –gallon temporary holding tank for their facility. Manager Rambo noted that they currently have a 500-gallon tank. Their hauler will not have to come as often and they will get a better price. Manager Rambo didn't see any problems with issuing a permit for this, the County Health Department has signed off on the design of it. Chairman McCaffrey asked if they have pump and haul documentation to guarantee everything. Manager Rambo noted they would be requested to establish an escrow equal to pumping three times. Chairman McCaffrey motioned to permit the tank to be placed. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

Theresa R. Lemley, Esquire has provided the Township with a letter of extension until September 7, 2007 in which to render a decision on the Pulte 55+, Phase I, Preliminary Subdivision Plan. Manager Rambo noted that Pulte is in the process of addressing the engineer's comments. Vice-Chairman Lindborg motioned to accept the extension. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Correspondence/Communications *Information to Note*

The Township is in receipt of correspondence from the Chester County Planning Commission with regard to proposed zoning Ordinance NO. 07-01, amendments to the Township's Open Space Design Option. This item will be addressed during the hearing.

The Township is in receipt of an invitation to attend the East Brandywine Township Municipal Complex Dedication and Open House on Wednesday, May 30, 2007 at 4:00 p.m. The BoS will let Manager Rambo know if they will attend.

John Good, Esquire has reviewed and found appropriate Ordinance NO. 07-04, an Inter-Municipal Agreement with Valley Township. This item will be addressed during the hearing.

The Residents' Advisory Council of Freedom Village at Brandywine has forwarded the Township correspondence with regard to directional signs. Manager Rambo noted that he has written a letter to the individual advising her that this is in Caln Township where she requested to place signs. Manager Rambo also contacted the Manager at Caln regarding the correspondence.

The Township is in receipt of an invitation to attend an Open House at the CCSWA on Wednesday, May 23, 2007 at 9:00 a.m. There were no comments.

Reports of Departments *Month of April*

- Police Report presented by Chief Werner. There were no comments.

Total hours.....	1,404	Fatalities.....	1
Miles patrolled	8,847	Domestics.....	3
Complaints	434	Criminal arrest.....	13
Accidents.....	6	Non-traffic arrest.....	3
Injuries.....	0	Traffic arrests.....	104

Supervisor Obernier asked Chief Werner if the City of Coatesville's cutting down their police force would have any impact on WBTPD. Chief Werner answered yes, they will probably request backup more often. Chief Werner stated he has this information of which he can pull a report. The BoS expressed concern regarding surrounding communities that have decreased or eliminated police departments. Discussion followed.

- Public Works Department Report, presented by Tom Eells.

Total man-hours	820.5	Total Equipment hours	67
Miles traversed	2,787	Fuel gallons	952.6

Tom summarized the work completed throughout the month.

- Buildings/Codes Department Report was presented by Dale Barnett. There were no comments.

Building Permits issued.....	53	CL Fees collected	\$3,150.00
Permit base fees collected ..	\$19,589.80	Inspections completed	35
Occupancy fees collected	\$900.00	Failed Inspections (FI) paid.....	5
U&O permits issued	6	FI Fees collected.....	\$120.00
U&O permits issued cursory	17	Total fees collected.....	\$23,759.80
Contractor Licenses (CL) issued...	42		

- Fire Marshall Report was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done	91	Hours on Permits	26
Other type inspections done	5	Hours on Ins/Complaints/Violations	8.5
Code violations/Complaints	2	Hours on patrol	4
- East Brandywine Fire Company Report presented by Scott Piersol. There were no comments.

Fire calls dispatched into WBT	8
Medical Assist calls dispatched into WBT	25
Calls responded to into WBT	21
Number of calls scratched	4
- Wagontown Fire Company Report presented by Jeff Benach. There were no comments.

Total calls dispatched into WBT	5
Calls responded to into WBT	5
Number of calls scratched	0
- Martin’s Corner Fire Company Report for the month of April presented by Manager Rambo.

Total calls dispatched into WBT	3
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 There was no ambulance report from Martin’s Corner for the month of April.

Reports of Organizations, Boards and Commissions

Hugh Redditt gave the report of the Historical Commission. Hugh asked about the inactive members of the Historical Commission and having a quorum at their meetings. Discussion ensued. Chairman McCaffrey suggested that they politely ask members if they can’t come to the scheduled meetings that they may only want to participate on a subcommittee. Chairman McCaffrey summarized that the Manager is going to look into a sample HARB ordinance: what they would need to do to go that direction, who has one locally, and what the differences are between having a HARB and a Historical Commission.

Paula Kondracki gave the report of the Parks and Recreation Board giving a brief outline of Community Day that was held on May 5, 2007 and also noted their upcoming events. Supervisor Obernier commented that everything that the Parks and Recreation Board did was great for Community Day. A number of folks mentioned that there were a lot of activities in surrounding township’s at the same time which might account for the lower attendance and suggested that the Parks and Recreation Board look into scheduled area events and possibly move the event to avoid conflict with area townships. Chairman McCaffrey suggested that Manager Rambo ask the area townships during their monthly group meeting to let each other know when they are planning their events.

Steve Jakatt gave the report of the Planning Commission. Steve noted the Planning Commission recommended tabling most of their applicants except for the Gudal subdivision, they are recommending changing the trees from the entire border to moving them between Gudal house and the subdivision. The second recommendation is to approve the wavier request from section 167 40a. Steve also noted the Planning Commission had discussion regarding stormwater issues for Pulte’s Applecross. Chairman McCaffrey noted the BoS is in agreement that their stormwater is to be underground; it is a condition that the BoS applied during Pulte’s Conditional Use approval. They made it clear that if the ground is being used for some other purpose, then they can’t use it as part of the transfer of rights. If they use the open space, it is no longer open space. Steve Jakatt agreed. Supervisor Obernier noted that they seemed to have changed their requirements for drainage off a roof to go into the ground and accommodate a 2-year storm ground water recharge. Steve Jakatt noted they didn’t indicate that they are going to do that. Further discussion ensued.

Steve Jakatt also gave the report from the Open Space Review Board. Manager Rambo noted that the Township will be receiving information from the Brandywine Conservancy as to how they can assist with this. They will be supplying names of appraisers. Chairman McCaffrey noted what the Open Space Review Board has done so far is a tremendous value to the community. Steve Jakatt noted that John Cassels did 99% of the work. Chairman McCaffrey also noted that the document should be considered a living document that can be amended at any time. There were no further comments.

Authority Manager Rambo gave the Municipal Authority report. The Authority is in the process of obtaining easement swaps from two individuals in Monacy Manor so that they can upgrade the lines first installed in 1976. Chairman McCaffrey pointed out that they would like everything done by accommodation and agreement; sometimes that takes a long period of time. Vice-Chairman Lindborg noted they have been able to do that 100% of the time.

Adjournment from Township Meeting was at 9:07

Opening of Public Hearing was at 9:08

Ordinance No. 07-01; amendments to the Township's Open Space design Option. Supervisor Obernier stated he was hoping that Mr. Snook from the Brandywine Conservancy and Jim MacCombie would be in attendance to answer any questions. Chairman McCaffrey noted that the hearing for Ordinance No. 07-01 would be continued to a later date that will be duly advertised to allow the BoS additional time to consult with the engineer and land planning consultant. Manager Rambo suggested that the hearing continue until the next scheduled BoS meeting, that way the Township would save money and not have to advertise it again. Chairman McCaffrey noted the hearing is continued until the June 7, 2007 meeting at 7:30 p.m. If the engineer and land planner cannot attend the next BoS meeting, the hearing will be advertised as required. Supervisor Obernier motioned to continue the hearing. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg and McCaffrey voted aye. Manager Rambo noted that Ordinance No. 07-01 will be continued until the June 7, 2007 and will take place during the regular monthly meeting of the BoS. John Snook and Jim MacCombie will be requested to attend to provide input or address any questions that the Supervisor's have.

Ordinance No. 07-04; Inter-Governmental Cooperation with Valley Township. Chairman McCaffrey noted this would provide the ability for WBT to cooperate with a Building Appeals Board and Police Department. Vice-Chairman Lindborg noted they have discussed this earlier and that he has no further questions or comments. Chairman McCaffrey asked if there were any comments from the audience, there were none.

Adjournment from Public Hearing was at 9:12 p.m.

Vice-Chairman Lindborg made a motion to adjourn the public hearing. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Re-Opening of Township Meeting was at 9:12 p.m.

Old Business

Final discussions on Ordinance No. 07-01: amendments to the Township's Open Space Design Option. There was no further discussion.

Final discussions on Ordinance No. 07-04: Inter-Governmental Cooperation with Valley Township. Supervisor Obernier commented that it was difficult for WBT to put together a Building Appeals Board, certainly Valley Township can use it; they will pay their own expenses. It seems like a nice friendly way

to cooperate with Valley Township. This also covers the use of scales, it seems to be an appropriate thing to be doing and helps both WBT and Valley Township.

The Manager is continuing talks with the Henderson's of Horseshoe Pike and Manor Road with regard to the purchase of development rights. Manager Rambo is waiting to get additional appraiser's names.

Old Business from the Floor

Steve Jakatt noted he sat in on a Planning Commission meeting at East Coventry and noted they have their engineer sitting in on every one of their meetings, the cost is paid for by the developer. Steve asked if our board would like to entertain this. Vice-Chairman Lindborg felt there would be a down side to doing that, it would start inhibiting the members of the Board that participate. Supervisor Obernier would be okay to let the developer pay for questions to be answered by the engineer, he is uncomfortable about having the engineer at the meetings all the time. As Vice-Chairman Lindborg pointed out, after a short period of time, he would end up running the meeting. It would be better to write down the questions, send them to him, and let the developer pay for the engineer to do that. Chairman McCaffrey didn't agree to pay the engineer to sit there unless he is there for somebody's business. Long ago, the BoS decided that it would be feasible to send the question to them, let them provide the answer on their own time and save the community a lot of money. There were no further comments.

Old Business from the Board

There was no Old Business from the Board.

Ordinances and Resolutions

Ordinance No. 07-01: amendments to the Township's Open Space Design Option. This Ordinance was tabled earlier in the meeting.

Ordinance No. 07-04: Inter-Governmental Cooperation with Valley Township. Supervisor Obernier motioned to adopt Ordinance No. 07-04: Inter-Governmental Cooperation with Valley Township. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg and McCaffrey voted aye.

Resolutions # 08-07 and 09-07: establishment of Super-Now accounts at DNB First. Supervisor Obernier asked if these accounts are federally insured. Manager Rambo answered yes. Chairman McCaffrey noted these accounts are interest accounts. Manager Rambo noted that this is money that the bank already has, there are two CD's that came due; this is money that they have established to pay for the new facility across the street. The Super-Now accounts will draw interest of 5.3% until they have to pay the bills. Supervisor Obernier motioned to adopt Resolution #08-07 and #09-07 to establish Super-Now accounts at DNB First.

Resolution # 10-07: establishment of the Township's Adopt a Road Program. Supervisor Obernier motioned to approve Resolution #10-07, establishment of the Township's Adopt a Road Program, that includes having it properly noted and advertised in the Township Newsletter. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg and McCaffrey voted aye.

Resolution # 11-07: establish a means for the East Brandywine Fire Company to bill insurance companies for service within the Township. Manager Rambo noted that East Brandywine Fire Company requested that the BoS consider this at the last BoS meeting. The BoS requested that some verbiage be added to it, the verbiage has been change to reflect the request. Manager Rambo read the change out

loud. Supervisor Obernier requested to give Scott Piersol a chance to look at the revisions. The BoS will address this later in the meeting.

Resolution #12-07: establishment of Police Pension account with Pershing LLC. Manager Rambo noted the Pension Review Board voted to recommend moving money to the trident account, which became available this month. Vice-Chairman Lindborg motioned to approve Resolution #12-07. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Chairman McCaffrey moved back to address Resolution #11-07. Scott Piersol stated he is okay with this resolution. Supervisor Obernier motioned to adopt Resolution #11-07; establishing a means for East Brandywine Fire Company to bill insurance companies for services in WBT. Mr. Barr asked why this Resolution doesn't cover the two other fire companies. Manager Rambo noted that East Brandywine asked for this and the BoS is trying to facilitate their request. The BoS can't impose their request on everyone else. If the other fire companies ask for this, then they will accommodate their request. Supervisor Obernier noted they are separate organizations; they need to ask because the BoS doesn't want to force something on them that they don't want to have. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg and McCaffrey voted aye.

New Business

Construction is underway on the Township's Public Works Facility. Manager Rambo noted the last phase would be to redo the schoolhouse.

Presentation of sketch plan for Jelke's Manufacturing, Inc. by Jeff Burrell, P.E. Mr. Steinman gave a brief outline of the sketch plan before the BoS. Their proposed addition will be used to store items that are currently stored outside. He noted that they would probably be looking for some relief for some trees; they already have a large amount of trees. Vice-Chairman Lindborg noted that they are going to go before the Planning Commission and that the Planning Commission will look at the landscaping.

New Business from the Floor

There was no New Business from the Floor.

New Business from the Board

Chairman McCaffrey noted that he is on the County's Agricultural Development Council. The County has a new map that depicts the Chester County Farms that have produce for sale. Howe's and Vollmecke's are located within WBT.

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

Mr. Edwards voiced concern about his neighbor pumping water out of his newly constructed house 24 hours a day. Manager Rambo noted that they have the ability to pump it out; they have not come in for an Occupancy Permit at this time.

Open Issues Before the Township

The Township continues to seek volunteers to serve on the Building Appeals Board. Manager Rambo noted that John A. Dell has submitted a letter of interest to serve on the Building Appeals Board. Mr. Dell works as a contractor, he has worked on a lot of historic homes in the area, and has been in business since 1979. Vice-Chairman Lindborg motioned to appoint John A. Dell to the Building Appeals Board. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye. Vice-Chairman Lindborg motioned to establish a meeting for the Building Appeals Board just so that they can introduce themselves to one another. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

The Township has received information from Caln Township with regard to the traffic signal at the hospital/school entrance and it is under review by Township representatives. Manager Rambo noted that Caln Township is in receipt of WBT's new Signalization Ordinance and is currently reviewing it. Manager Rambo has also talked to Greg Prowant about becoming a co-permittee, if they would like WBT to participate in the actual maintenance. Manager Rambo will look into how WBT can be accommodating to have the upgrades done to the traffic signal.

The Township is in receipt of correspondence from Stan Stubbe with regard to suggested amendments and modifications to the Township's Lighting Ordinances. There were no comments.

The Manager and Township Engineer continue in their efforts of reviewing and updating the Township's Act 537 Plan. There were no comments.

The Manager and Supervisors are in the process of updating the Township's Non-Uniform Personnel Policy Manual. Supervisor Obernier would like Manager Rambo to email him a copy of the manual.

General Obligation Note (Adjustable Rate Loan based on Harrisburg Bond for the Facility/Park Construction) Interest rate for the week is 4.2 %. There were no comments.

Review and Payment of the bills.

Review and Payment of the General Fund (\$155,562.51). A large amount of the General Fund bills are for insurances as well as bills that can be reimbursed. The Solid Waste Bills total \$46,505.96 and Liquid Fuel Fund Bills total \$833.79. A bill in question was from the SPCA in the amount of \$120. Manager Rambo explained this was for animals that were taken over to the SPCA and housed there. The Township pays for the housing of animals even without an agreement with the SPCA. Chief Werner questioned whose animals were brought to the SPCA. Manager Rambo listed them. Vice-Chairman Lindborg noted he reviewed the bills and invoices, found them satisfactory and motioned to pay them. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Upcoming Meetings/Events

Chairman McCaffrey noted the upcoming Meeting/Events. There were no comments.

Supervisor Obernier would like to have the people that were involved from Giant in Sponsoring the score board be given a citation during a public meeting as well as put them in the newsletter. Manager Rambo asked Jeff Chalfant to supply him with the information.

Adjournment

There being no further business before the Board, Vice-Chairman Lindborg motioned to adjourn the meeting at 10:13 p.m. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

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