

**Meeting Minutes of February 7, 2013
Board of Supervisors**

Chairman McCaffrey called the West Brandywine Township (WBT) Board of Supervisors meeting of February 7, 2013 to order at 7:35 p.m. and led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Supervisor's Thomas J. McCaffrey, William E. Webb, and Josef G. Obernier, Sr. in attendance. Also present was Township Manager Ronald A. Rambo, Jr.

Acceptance of Minutes from Previous Meetings

December 20, 2012, January 7, 2013 Organization Meeting, and January 7, 2013

Supervisor Obernier motioned to approve the minutes of December 20, 2012, January 7, 2013 Organization Meeting, and January 7, 2013, seconded by Vice-Chairman Webb. Board members Obernier, Webb, and McCaffrey voted aye.

Public Notification – None

Treasurer's Report - N/A

Special Public Presentations - none

Public Comments (*residents/ representatives of taxpayers of the Township requesting to be on agenda*). – None.

Reports of Departments, Organizations, Boards and Commissions – N/A

Correspondence/Communications Information to act upon

The Township is in receipt of correspondence from Joan Keller of Lafayette Road and the historic schoolhouse, museum and library. Manager Rambo noted that Miss Keller is interested in serving on the Historical Commission and will meet to interview prior to the next BoS meeting.

The Township is in receipt of a letters of interest from John Cassels and Mike Canale to serve on the West Brandywine Township Municipal Authority. The Board members noted they had met with the two candidates and expressed the positive qualities of each. Supervisor Obernier motioned to nominate John Cassels to the open position on the Municipal Authority, seconded by Vice-Chairman Webb. Board members Obernier, Webb, and McCaffrey voted aye.

The Township is in receipt of information on the upcoming spring conference of CCATO, scheduled for Thursday, March 14, 2013 at The Desmond, as well as request for County Voting Delegates to the annual PSATS State Convention and resolutions to be considered. The Board will let Manager Rambo know if they will attend.

John E. Good, Esquire has forwarded the Township correspondence with regard to the Township's Amusement Tax for the Board to consider. Manager Rambo stated he was requested by Supervisor Obernier to contact John Good regarding the Township's amusement tax and whether the Board has a legal right to waive it. The Manager read John Good's letter out loud, it noted that with the current definition of amusement you can't charge the Golf Zone the amusement tax and not charge the hayride operation. You would have to either abolish the tax or amend the definition to exclude the hayride provider if the Township desires. Chairman McCaffrey would like to amend the amusement tax definition. Supervisor Obernier stated that if the 5% amusement tax was arbitrarily waived,

than it should be waived for everyone. Vice-Chairman Webb stated he concurred with Chairman McCaffrey. Further discussion ensued. Chairman McCaffrey would like the Manager to contact John Good, McCaffrey would like to find out how to reformulate the amusement tax so that these types of entities are not subject to this. Vice-Chairman Webb motioned to propose an amended definition for the amusement tax to exclude temporary agricultural uses and related activities. Board members Webb, Obernier, and McCaffrey voted aye.

Correspondence/Communications *Information to note*

The Township is in receipt of correspondence from the Pennsylvania Tree Vitalize Program with regards to bare root trees that are available. Vice-Chairman Webb motioned to authorize the Manager to purchase ten trees from the Pennsylvania Tree Vitalize Program to be planted within the Township parks. Supervisor Obernier seconded the motion. Board members Webb, Obernier, and McCaffrey voted aye.

The Clean Water Action Group of Pennsylvania has forwarded its report on how the current codes of the Township are in line with the EPA's principles for low-impact development. This information will be available to the public.

The Township is in receipt of upcoming grant information from Senator Rafferty and Representative Corbin with regard to the Department of Conservation and Natural Resources recreation and conservation program. Manager Rambo noted this information is regarding the next round of grant monies available. Rhonda Mowday, Jack Conti, Karl Ciamaichelo, and Cathy Courreges asked questions regarding open space. Agenda 21 and its definition were briefly discussed.

The County's Department of Emergency Services has forwarded the Township information on the upcoming 2013 Spring Hazardous Weather Preparedness Exercise that will be held on Tuesday, March 5, 2013. Manager Rambo stated he would contact the Emergency Management people to see if they would like to participate.

The Township has received information on the second annual Region 3 Stormwater Permit Compliance Conference scheduled to take place from May 7 to May 9 at the John Heinz Wildlife Refuge. Manager Rambo stated he will attend to obtain information regarding new stormwater compliance requirements.

The Brandywine Conservancy has forwarded the Township information on Phase II of the Greenway initiative and presentations that will take place for the Strategic Action Plan. This information will be posted on the website. There will be public meetings for residents to attend.

John E. Good, Esquire has provided the Township with some additional thoughts as it pertains to the proposed Ordinance dealing with the Keeping of Animals. Manager Rambo read John Good's letter out loud.

Public Hearings (Ordinances as advertised) –None

Old Business

The Manager and Public Works Director are awaiting the revised documentation to submit to PennDot officials to allow the use of Liquid Fuel Funds for the purchase of the Icedale Road bridge materials for its reconstruction. There were no comments.

Additional discussions on Ordinance No. 2012-05, Keeping of Animals amendments, draft #8c and/or #9. Chairman McCaffrey provided some background to how and why draft Ordinance #9 was written and asked if anyone in audience would like to speak about the latest rendition. The following residents spoke to the issue, Drew Steiner of Wynnewood Dr, George Jarvis of Main Lin Dr, John Conti of Hibernia Rd, Rhonda Mowday of Hibernia Rd, Alexandra Parks of Monacy Rd, Geraldine Sparks of Landover Dr, Sue and Alan Smith of Connies Dr, Jim Ryan of Old Spring Rd, Linda Jones of Lafayette Rd, Sue Smith of Monacy Road, Natasha Kearns of Monacy Rd, Ken Lake of Cedar Knoll Rd, Paul Sweatlock of North Hawthorne Rd, and Bob Wisbury.

Chairman McCaffrey expressed he would like to see the following changes; 1) a statement that peeps are not chickens as to not exceed the chicken limit, 2) would like delete section 3 regarding permits and fees, 3) change section 4a3 to 5,000 lot size, 4) section 4i (2nd one) omit or clarify what other applicable zoning regulations you are looking for.

Vice-Chairman Webb would like to add a section that specifies that complaints about neighbors must be identified with the name, address, and phone number of the complainant. If the complainant does not wish to identify themselves, the complaint will not be reviewed.

Supervisor Obernier stated he is okay with draft #9 if the residents are happy with the above noted changes. Ideally the Manager does a perfect job, the Board and residents have come to the end of the journey and draft #10 will be posted on the website.

Manager Rambo explained that this ordinance will have to be reviewed by the County for 30 days, go before the Township's Planning Commission for comments, and also be re-advertised as a new hearing because of the many changes. This can be voted on after the hearing.

Chairman McCaffrey noted the Board created an Ordinance Review Committee at the request of Chairman McCaffrey to see if there are superfluous unnecessary things in WBT's regulations; the first meeting was held last night and only four people showed up.

The Manager is in the process of preparing Ordinance NO. 2013-01 as it pertains to the Airport Hazard Area zoning. Manager Rambo explained that the Township is required to prepare this ordinance. Since the Township didn't get grant money for this, it doesn't have to be completed by March 15, 2013.

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

New Business

Discuss the quotes received for the cleaning of the Township facility. Manager Rambo stated he only received one quote for \$430 a month to clean the building. Manager Rambo suggested the Public Works part-time people clean the building once a week for a few hours, the Board agreed.

Recommendations of the Township's Planning Commission (PC). Manager Rambo noted the recommendations of the PC for January were; 1) the Hammell O'Donnell Business Park be tabled as they are working on addressing outstanding engineer's comments and sewer related needs, 2) to table Bakers Ridge, 3) give final approval for the Bridal Barn at the Brandywine Manor House and to have plans signed for recording, and 4) the Board accept the Castaldi's 90 day letter of extension to allow the engineer of Castaldi's Family Partnership to address outstanding engineer comments and to table the plan so that they can address comments.

Vice-Chairman Webb motioned to recommend final approval for the Bridal Barn at Brandywine Manor House final land development plan, Supervisor Obernier seconded the motion. Board members Webb, Obernier, and McCaffrey voted aye.

Supervisor Obernier motioned to accept the letter of extension for the Castaldi Family Partnership, seconded by Vice-Chairman Webb. Board members Obernier, Webb, and McCaffrey voted aye.

The Township was the high bidder for the purchase of a used street sweeper from Montgomery Township on Muncibid in the amount of \$22,600.00 and awaits the decision of the Montgomery Township BoS as to whether they will accept or reject the bid. The following Township's will be sharing in its purchase: Caln, East Brandywine, and Valley. A resident asked the cost to maintain the street sweeper. Manager Rambo explained that if they are awarded the bid, a multi municipal agreement will be completed for the ownership and maintenance of the sweeper. Supervisor Obernier motioned for the Manager to write a check in the bid amount if awarded, seconded by Chairman McCaffrey. Board members Obernier, McCaffrey, and Webb voted aye.

New Business from the Floor – There was none.

New Business from the Board

Supervisor Obernier motioned that he would like Resolutions and Ordinances posted on the website. Chairman McCaffrey seconded the motion to post current Resolutions and Ordinances on the website. Board members Obernier, McCaffrey, and Webb voted aye.

Supervisor Obernier noted that it has been five months now that the Board has been waiting for the YMCA to adhere to their subdivision plan for lighting for which the Township is still holding escrow money. The Board instructed the Manager to write a letter to the YMCA requesting that they comply with lighting or the Township will use their escrow money to make their lighting meet what is on their approved plan.

Ordinances and Resolutions, Business from the Floor, and Public Comments – There were none.

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 Manager continues his work on the Township's Agricultural Security Area update. Rhonda Mowday questioned when this information is due.

General Obligation Note

(Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public Works Facility/Park Construction: interest rate for the week is 1.35%). There were no comments.

Review and Payment of the Bills

Manager Rambo noted the General Fund bills total \$35,975.80. Manager Rambo requested there be two votes, the first vote to pay all bills excluding the OAC Network Solutions bill. Chairman McCaffrey motioned to pay all bills excluding the OAC bill, Vice-Chairman Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye. Chairman McCaffrey motioned to pay OAC Network Solutions, Vice-Chairman Webb seconded the motion. Board members McCaffrey and Webb voted aye. Supervisor Obernier abstained because he is a principal at OAC.

Fire Appropriations Fund bills total \$5,083.08, Solid Waste bills total \$18,591.75, and State Liquid Fuels bills total \$9,299.96. Vice-Chairman Webb reviewed the bills, found them in order and motioned payment. Supervisor Obernier seconded the motion. Board members Webb, Obernier, and McCaffrey voted aye.

Upcoming Meetings/Events

- Historic Commission, Monday, February 11, 2013 at 7:30 p.m.
- Parks and Recreation, Tuesday, February 12, 2013 at 7:00 p.m.
- Municipal Authority, Thursday, February 14, 2013 at 7:30 p.m.
- Board of Supervisors, Thursday, February 21, 2013 at 7:30 p.m.
- Open Space Review Board, Thursday, February 28, 2013 at 7:00 p.m.
- Planning Commission, Thursday, February 28, 2013 at 7:30 p.m.

There were questions brought up regarding the Ad Hoc meetings.

Adjournment

There being no further business before the Board, Vice-Chairman Webb motioned to adjourn the meeting at 10:14 p.m. Supervisor Obernier seconded the motion. Board members Webb, Obernier, and McCaffrey voted aye in favor of adjournment.

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