

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

Chairman McCaffrey called the West Brandywine Township (WBT) Board of Supervisors meeting of March 7, 2013 to order at 7:32 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

January 17, 2013, February 7, 2013 and February 21, 2013. Manager Rambo noted the only minutes available are the January 17th minutes. Supervisor Obernier motioned to approve the January 17, 2013 meeting minutes. Vice-Chairman Webb seconded the motion. 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*). *Karen Marshall is in attendance to present the Board of Supervisors and Historic Commission with the Township's completed 2013 Historic Resource Atlas.* Karen Marshall presented the Board with the Atlas and commended the Historical Commission for their hard work for making this come to fruition. Jeff Grossman thanked the members of the Board of Supervisors, Planning Commission, Historical Commission, Karen Marshall, the interns, and Jane Davidson who has passed away. Karen Marshall stated that having the completion of this atlas will be contributing to serve the American record. Chairman McCaffrey also thanked the Historical Commission noting that they are a very dedicated group of individuals and stated that he wished Dr. Vilcheck was in attendance because he was working on this project for a very long time. Jack Conti will copy the atlas CD. There was dialog with regard to marking historic resources with a plaque.

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 Lisa Westervelt of Ramblewood Drive with regard to an interest to assist the Historic Commission. Manager Rambo noted that Ms. Keller and Ms. Westervelt are interested in helping the Historic Commission oversee the schoolhouse museum and library rather than being on the Historical Commission. Manager Rambo will provide Jeff Grossman from the Historical Commission with their contact information.

The Township is in receipt of correspondence from Thomas J. Anderson & Associates, Inc. with regard to a recent study performed by the Public Employees Retirement Commission and actions that could be taken to address funding shortfalls. Manager Rambo noted that the study suggests to assist the States pension short falls would be to no longer provide the pension grants to the local municipalities and suggested the Township write a letter to Senator Rafferty and Becky Corbin and also post information on the Township's website. Chairman McCaffrey suggested that CCATO also be copied on the letter as well. Further discussion ensued.

Correspondence/Communications *Information to note*

The Township is in receipt of correspondence from the PennDot Municipal Services Division. Manager Rambo noted this is general information noting that some people on PennDot Municipal Services Division are retiring.

The County Agricultural Land Preservation Board has forwarded the Township its 2013 ASA Records for review and updating. This information has been sent to the ASA Board for their review.

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. The engineer is addressing the remaining issues that PennDot has requested.

Additional discussions on Ordinance No. 2012-05, Keeping of Animals amendments, draft #11 Discussion ensued regarding Ordinance No. 2012-05. The following residents commented: Jerry Sparks, Marty Shannon, Jack Conti, and Mike Canale. Mike Canale voiced that this has been on the agenda for a long time and that it is time to move on. Supervisor motioned to forward Ordinance No. 2012-05 onto the Chester County Planning Commission, John Good for review, and to the Daily Local Newspaper to advertise it.

The Manager is in the process of preparing Ordinance No. 2013-01 as it pertains to the Airport Hazard Area zoning. There were no comments.

The Township Manager is in the process of preparing an Ordinance to amend sections of the Township's Outdoor Lighting requirements for presentation to the Township's Planning Commission and the County Planning Commission. There were no comments.

Old Business from the Floor

Blain Kearns thanked the BoS for their hard work and input on the Keeping of Animals Ordinance.

Old Business the Board

Supervisor Obernier suggested the BoS meetings be recorded, a copy be given to the Historical Commission, and people can view this for up to a year via a link on the Web. Supervisor Obernier further suggested that local restaurants sponsor this so that there is no cost to the Township. Alary Johnson was in attendance to give a presentation for 3CTV noting there would be a three month trial period. The pros and cons were discussed by the following; Ed Pristernik, Doug Smith, Mike Canale, Rhonda Mowday, Natasha Kearns, and Hugh Redditt. Chairman McCaffrey also expressed his opinion noting that would be concerned that some people may not feel comfortable speaking at a public meeting that is being videotaped. Vice-Chairman Webb stated he would be okay for the camera to just face the Supervisors. Manager Rambo will further research the issue.

New Business

The Township Manager has prepared Ordinance No. 2013-02, amendment to the Township's Amusement Tax Ordinance, as requested by the majority of the Board for review. It is the consensus of the Board for the Township solicitor and PSATS to look into finding a legal way to not bring down the Amusement Tax Ordinance on temporary activities on farming activities. Jeff Grossman questioned what was going to be done regarding the permanent structures for the temporary activity. Dialog ensued. This motioned was made Vice-Chairman Webb, seconded by Supervisor Obernier. Board members Manager Rambo will look further into amending the Amusement Tax Ordinance.

Articles for the spring edition of the newsletter are due on Linda Formica's desk by Friday, March 8, 2013. There were no comments.

Release of the remaining escrow funds of the Brandywine YMCA in the amount of \$20,236.82 based on addressing the outside lighting of the parking amenities as per the Township's correspondence of November 9,

2012. Manager Rambo noted the YMCA has addressed their lighting issues. This item was tabled so that Supervisor Obernier could check out the lights at the YMCA to see if their lighting complies with the Township's lighting ordinance.

Recommendations of the Township's Planning Commission.

Manager Rambo stated the Planning Commission recommended conditioned preliminary approval for the Hammell O'Donnell Business Park Preliminary Plans based on receiving all outside agency and governmental agency approvals from the other Townships; there was nothing outstanding in West Brandywine Township. Preliminary approval would stop their time clock so that they would not have to continue granting extensions of time. Vice-Chairman Webb motioned to give conditioned preliminary approval to the Hammell O'Donnell Business Park, per the recommendation of the Township Manager and Township Engineer. Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

The Bakers Ridge and Castaldi plans were tabled while they are addressing the Township Engineers comments.

New Business from the Floor – There was none.

New Business from the Board

Vice-Chairman Webb noted that Ed Pristernik has damage to his driveway. Mr. Pristernik was in the audience. Manager Rambo explained that he and the Public Works director looked at the damage and took photos. Comparing tire tread, they do not match the Township's truck tires. Discussion ensued. Vice-Chairman Webb motioned for the Township seal the damaged part of Mr. Pristernik's driveway, seconded by Supervisor Obernier. Board members Webb, Obernier, and McCaffrey voted aye.

Ordinances and Resolutions - None

Public Comments

Discussion ensued between the Board, Linda Smith, and Rhonda Mowday concerning clearing of brush along the roadside of their property.

Dr. Vilcheck noted he requested the minutes be transcribed verbatim at a previous meeting. Chairman commented that minutes are the Board's notes for the meeting and explained it isn't like a court transcribed record of everything that takes place, and a person's name has to be listed when they comment. Dr. Vilcheck feels that public comment should be transcribed in its entirety.

Dr. Vilcheck noted there are historic assets on Route 322, the Bentley project known as Culbertson Village. The property was eligible for national register material. It had the two silos and barn removed that Dr. Eck has taken. The developer is supposed to maintain said structures on the property which they are not. The ... is still there if they put them back where they are supposed to be so they won't deteriorate further. The summer kitchen is still reasonably intact. The house is starting to deteriorate and the spring house was taken apart and not put back.

Dr. Vilcheck noted the Catania Property on Hurley Road with the stone ruins and stated that he contacted the CASD and IU unit to have a project for the students to work on the property. The stone ruins are since then deteriorating, they could have been repointed, reerected, and reroofed. Dr. Vilcheck requested that the Board, at this time, direct Mr. Rambo to mend fences, there is a new principal for the IU. The kids need training and education. Chairman McCaffrey explained the whole problem was not the Township; it is the fact that the Township doesn't carry insurance for students. Dr. Vilcheck stated the students have a policy when they leave the property. Chairman McCaffrey stated all they had to do was show the Township proof of insurance. Jack Conti stated that he has insurance. Manager Rambo explained that the Township has to be noted on the policy as an additional insured if it is the Township's property. Dr. Vilcheck asked if the Board could make those connections for the project again. Supervisor Obernier requested that Dr. Vilcheck look back through his notes with regard to who to contact. Manager Rambo will look into whom to contact for this project and contact the Intermediate Unit to do the masonry work.

Hugh Redditt noted there are bald eagles in the area.

Developer Presentations - None

Open Issues before the Township

Chairman noted the Open Issues and there were no comments.

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.*

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 \$19,845.61, Fire Appropriations Fund bills total \$553.86, Solid Waste bills total \$645.98, and State Liquid Fuels bills total \$1,898.24. Vice-Chairman Webb reviewed the bills, found them in order and motioned payment of all bills except for the OAC Network Solutions. Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye. Chairman McCaffrey motioned to pay the OAC Network Solutions bill, seconded by Vice Chairman Webb. Board members McCaffrey and Webb voted aye.

Upcoming Meetings/Events

- Historic Commission, Monday, March 11, 2013 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, March 12, 2013 at 7:00 p.m.
- Municipal Authority, Thursday, March 14, 2013 at 7:30 p.m.
- Board of Supervisors, Thursday, March 21, 2013 at 7:30 p.m.
- Annual Easter Egg Hunt, Saturday, March 23, 2013 at 10:00 a.m.
- Open Space Review Board, Thursday, March 28, 2013 at 7:00 p.m.
- Planning Commission, Thursday, March 28, 2013 at 7:30 p.m.

Hugh Reditt noted there are bald eagles in the area. Look into having the intermediate unit do masonry work.

Adjournment

There being no further business before the Board, Vice-Chairman Webb motioned to adjourn the meeting at 9:33 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