

**Meeting Minutes of June 7, 2012
Board of Supervisors**

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of June 7, 2012 to order at 7:36 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Supervisor's Josef G. Obernier, Sr., Thomas J. McCaffrey, Jr., and William E. Webb in attendance. Also present was Ronald A. Rambo, Jr.

Acceptance of Minutes from Previous Meetings

May 3, 2012 and May 17, 2012 Vice-Chairman McCaffrey motioned to accept the May 3, 2012 meeting minutes, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye. The minutes of May 17, 2012 were tabled.

Treasurer's Report (n/a)

Special Public Presentations/Notice - None

Public Comments (*residents or representatives of taxpayers of the Township requesting to be on agenda*). There were no Public Comments.

Correspondence/Communications *Information to act upon*

The Board of Supervisors is in receipt of a letter of extension until September 21, 2012 for the Brandywine Meadows Preliminary Subdivision Plans from Robert Smiley. Manager Rambo noted the Township is in receipt of a letter from MacCombie stating that the extension request is warranted as the applicant is working on sewer and stormwater issues. Vice-Chairman McCaffrey motioned to accept the letter of extension from Brandywine Meadows. Chairman Obernier seconded the motion. Board members McCaffrey, Obernier, and Webb voted aye.

The Board of Supervisors is in receipt of a letter of extension until October 5, 2012 for the Preliminary Subdivision and Land Development Plans for the Hammell-O'Donnell Business Park from Victor Kelly, Jr., P.E. of Commonwealth Engineers, Inc. Manager Rambo noted the Township is in receipt of a letter from James W. MacCombie stating that the extension request is warranted as the applicant is currently working with the Western Chester County Sewer Authority. Vice-Chairman McCaffrey motioned to accept Hammell-O'Donnell's letter of extension. Chairman Obernier seconded the motion. Board members McCaffrey, Obernier, and Webb voted aye.

The Township is in receipt of a waiver request from Joseph S. Russella, Jr. of DL Howell for the Ted/Dawn Knepp Preliminary/Final Subdivision Plan as it pertains to the paving of the common driveway. Manager Rambo stated the Township's Planning Commission and Engineer are in support of the waiver request that the driveway remain in its rural fashion rather than paving it all the way back. Vice-Chairman McCaffrey motioned to grant the Knepp's waiver request, seconded by Chairman Obernier. Board members McCaffrey, Obernier, and Webb voted aye.

The Township is in receipt of the 2012/2013 Winter Traffic Services Agreement for review and acceptance. Manager Rambo recommended the BoS accept the agreement. The Winter Traffic Service fee has increased by \$1,000. Vice-Chairman McCaffrey motioned to accept the 2012/2013 Winter Traffic Services Agreement. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

The Township is in receipt of a Critical Maintenance Notice from the Chester County Health Department with regard to a proposed on-lot septic system for the Catania Lot #13 of the Jamie Lane Project. Manager Rambo

explained they are proposing to use a new type of system that requires some oversight by the Township. The Manager requested that this item be tabled until the Township receives a maintenance agreement that is reviewed by the solicitor and to also require a minimum of \$1,000 escrow to oversee the system. Vice-Chairman McCaffrey stated he would like documentation stating that other types of septic systems will not function there. The Manager will contact the Health Department to get more information about this system. Vice-Chairman McCaffrey motioned to table the maintenance notice, look into the peat system, obtain a letter from the Health Department demonstrating this systems' success rate in Chester County, and also obtain a letter from the applicant stating that they have addressed alternatives besides this and found them all unacceptable for a good reason besides finances. Chairman Obernier seconded the motion. Board members McCaffrey, Obernier, and Webb voted aye.

Correspondence/Communications *Information to note*

The Township is in receipt of information from the Chester County Planning Commission as it pertains to the Round 2 Vision Partnership Grant Program. Manager Rambo stated this deals with updating ordinances that the Board may want reimbursement from the County for.

The Township is in receipt of correspondence from the Pennsylvania Emergency Management Agency as it pertains to the appointment of Oliver Douglas Smith as the Township's Emergency Management Coordinator. Manager Rambo stated that Oliver Smith's information has been forwarded onto the Governor, the Governor is the individual that will appoint him as the Emergency Management Coordinator for the Township. Vice-Chairman McCaffrey voiced displeasure about the complexity of the forms that must be filled in prior to declaring an emergency. Chairman Obernier remarked that he got a different impression than Vice-Chairman McCaffrey and feels that the form adds uniformity and a checklist. Vice-Chairman McCaffrey commented that there has to be an end to overregulation of everything. Supervisor Webb expressed that they make this a long drawn out process because we live in a litigious society, missing one step would open the Township up to liability. Further discussion ensued.

John E. Good, Esquire has found the Ted/Dawn Knepp documents for their preliminary/Final Subdivision Plan acceptable. There were no comments.

The Brandywine Conservancy has forwarded the Township information on its upcoming Subscriber Meeting of June 19, 2012. There were no comments.

Natasha Manbeck has forwarded the Township information as it pertains to the 3rd Round of the Automated Red Light Enforcement (ARLE) Grant Program that is due by June 30, 2012. This information was forwarded onto the Chief of Police. Dialog ensued regarding solar speed limit signs and the placement of such signs.

The Township is in receipt of a copy of its MS4 Year 9 Annual Report prepared by the Township Engineer and forwarded to PADEP for review and approval. The Manager noted the MS4 Report was submitted today.

Reports of Departments, Organizations, Boards and Commissions (n/a)

Public Hearings (Ordinances as advertised) none

Old Business

The Manager is looking into Wheeler Products, a builder of wood span highway bridges as a second alternative for the replacement of the Icedale Road bridges in addition to the use of precast concrete culvert systems by CONTEC. Manager Rambo stated that the Public Works Director and Manager will be meeting with representatives of Wheeler Products on June 18th. There is a state loan available for bridges.

The Township Manager has forwarded the amended Contractual Agreements for Fire Protection Services back to the fire companies for their review. Manager Rambo stated he met with the Chief and Assistant Chief of Wagontown Fire Company. Wagontown is ready to sign the revised contract, with a fuel allocation added for a portion of their training and also based on the number of calls that they respond to in the Township. They have started sending information on their apparatus. Manager Rambo will write up an agreement for fuel for the BoS to review.

The Township Manager is finalizing the amendments to the Recycling Ordinance to ensure that it is up to date with regard to materials being recycled, reporting requirements of businesses and to allow for a July adoption consideration. There were no comments.

The Township is awaiting information from John Tallman of Tower Economics Company, Inc. with regard to the possible placement of a tower at the old Kimberwick Sewer Treatment Facility. Manager Rambo will remove this item from the agenda if he doesn't receive any information.

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

New Business

The Township's new police vehicles are in and are being fitted with equipment. Manager Rambo stated the vehicles are PUV's (Police Utility Vehicles) as the Crown Vic's are no longer available.

Discuss the updated Township's EOP that is to be considered for adoption. Chairman Obernier suggested having a list of people with disabilities, doctors in the area, and people that know how to drive a school bus be included on the emergency list, with the list being updated annually. Vice-Chairman McCaffrey voiced displeasure in researching people to be on the list and suggested that an announcement be made in the community stating that we are looking for people with certain talents and let people volunteer to be included on the list. Dialog continued.

Approval of release request #9 for the Hide-Away Farms Project. The release request for Hide-Away Farms has been reviewed and approved by the Township Manager and Township Engineer in the amount of \$120,127.78. Manager Rambo recommended the BoS sign the release request. Supervisor Webb motioned to approve request #9, Hide-Away Farms Project at the recommendation of the Township Manager and the Township Engineer, seconded by Chairman Obernier. Board members Webb, Obernier, and McCaffrey voted aye.

Recommendations of the Township's Planning Commission. Planning Commission Secretary Rambo stated the PC's recommendations include the Brandywine Meadows extension, the Hammell O'Donnell extension, and the waiver for the Knepp subdivision. The PC is also recommending conditioned approval for the Ted and Dawn Knepp's preliminary final subdivision based on addressing and receiving outside agencies reviews and approvals for their planning module and any other permits required from outside agencies. The Township is in receipt of a review letter from John Good stating that he is okay with this. The Knepp's are seeking conditioned approval this evening. This would stop the time clock and allow the Knepp's to address outside comments. The Knepp's representative was in attendance, briefly explained the Knepp's plan and answered the Board's questions. Supervisor Webb motioned to accept the Planning Commission's recommendation for conditioned approval of the Knepp's preliminary final subdivision, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

The Honey Brook Township Supervisors are seeking support against Dead Animal Recovery (DAR), a business that specializes in the composting of dead agricultural animals. The Board and Manager discussed concerns regarding the contamination of the Brandywine from this site and that this business should bring their operations into compliance prior to applying for a grant. Manager Rambo will write a letter of support to Honey Brook.

Discuss cancelling the July 5, 2012 meeting. Vice-Chairman McCaffrey motioned to cancel the July 5, 2012 BoS meeting, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

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

Ordinances and Resolutions

Resolution #10-2012: adoption of the updated EOP. Supervisor Webb motioned to adopt Resolution #10-2012 adoption of the updated EOP, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

Public Comments

A Boy Scout that is working toward becoming an Eagle Scout was in attendance taking notes. Chairman Obernier stated the Board would sign and seal his notes at the end of the meeting.

Developer Presentations - There were no Developer Presentations.

Open Issues Before the Township

Chairman Obernier noted the following Open Issues. There were no comments.

The Township Engineer and Manager continue their work on updating the Township's Act Plan.

The Township is looking for two volunteers to serve on the Parks and Recreation Board.

The Township Manager is working to complete the Airport Hazard Zoning District Overlay.

The Township is looking for a volunteer to fill a vacancy on the Historic Commission.

The Manager continues his work on the Township's Agricultural Security Area update.

Updates to the Township's lighting section of its Subdivision and Land Development Ordinance.

Driveway onto Baker Road near Reason Lane.

Investment of Pension Funds according to Section 3204 of the Second Class Township Code.

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 \$87,561.91, the Open Space Fund bills total \$30,000, the Fire Protection Fund bills total \$629.97, the Solid Waste Fund bills total \$34,556.90, and the State Liquid Fuel Fund bills total \$397.79. Supervisor Webb motioned to approve the payment of the bills excluding the OAC Network Solutions, Cedar Grove Environmental, and William Webb check, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye. Supervisor Webb then motioned to pay the OAC bill, seconded by Vice-Chairman McCaffrey. Board members Webb and McCaffrey voted aye. Chairman Obernier abstained because he owns OAC. Supervisor Webb motioned to pay Cedar Grove. The Cedar Grove bill is for \$58. Vice-Chairman McCaffrey explained that Cedar Grove does analytical laboratory work that is required by state law for public water. Chairman Obernier seconded the motion. Board members Webb and Obernier voted aye. Vice-Chairman McCaffrey abstained because he works for Cedar Grove. Chairman Obernier motioned to pay the check for William Webb, seconded by Vice-Chairman McCaffrey. Board members Obernier and McCaffrey voted aye. Supervisor Webb abstained.

Upcoming Meetings/Events

- Historic Commission, Monday, June 11, 2012 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, June 12, 2012 at 7:00 p.m.
- Municipal Authority, Thursday, June 14, 2012 at 7:30 p.m.
- Car Show and Greaseband Concert, Sunday, June 17, 2012 starting at 3:00 p.m.
- Board of Supervisors, Thursday, June 21, 2012 at 7:30 p.m.
- Open Space Review Board, Thursday, June 28, 2012 at 7:00 p.m.
- Planning Commission, Thursday, June 28, 2012 at 7:30 p.m.

Adjournment

There being no further business before the Board, Vice-Chairman McCaffrey motioned to adjourn the meeting at 8:51 p.m. Supervisor Webb seconded the motion. Board Members McCaffrey, Webb, and Obernier voted aye in favor of adjournment.

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