

**Meeting Minutes of August 2, 2012**  
**Board of Supervisors**

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of August 2, 2012 to order at 7:30 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. and William E. Webb in attendance. Also present was Ronald A. Rambo, Jr. Thomas J. McCaffrey, Jr. arrived at 7:32 p.m.

**Acceptance of Minutes from Previous Meetings**

June 18, 2012, June 21, 2012 and July 19, 2012. The minutes were addressed after Vice-Chairman McCaffrey arrived. Chairman Obernier stated he did not review the July 19<sup>th</sup> minutes. Vice-Chairman McCaffrey motioned to accept the June 18<sup>th</sup> and June 21<sup>st</sup> meeting minutes, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

**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 the East Brandywine Fire Company and Martins Corner Fire Company contracts for signing. This item was addressed after Vice-Chairman McCaffrey arrived. At the recommendation of the Manager, Vice-Chairman McCaffrey motioned to sign East Brandywine and Martins Corner Fire Contracts. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.*

*The Township is in receipt of the final draft of the County ACT 167 Model Ordinance for review and commenting. Manager Rambo explained Act 167 is the County wide stormwater plan that deals with MS4 issues. The Planning Commission, Township Engineer, and Manger are reviewing the draft. It was noted that Vice-Chairman McCaffrey arrived and the BoS moved back to address the minutes.*

*Robert Smiley has forwarded the Township correspondence as it pertains to waiver requests for the Brandywine Meadows Preliminary Subdivision Plans. Bob Smiley is in attendance to answer the Board's questions. Manager Rambo noted that after discussion at the July 26<sup>th</sup> Planning Commission (PC) meeting and based on the Township Engineer's letter, the PC supported the BoS to grant the waiver request. Mr. Smiley outlined the waiver request for the benefit of the Board. Dialog ensued. Vice-Chairman McCaffrey voiced displeasure in the request and stated that he is assuming that this is the end of waiver requests, if it turns out that something else has to be enlarged or whatever, it goes somewhere else within the developable area. Chairman Obernier stated that Mr. Smiley received great value out of the engineer. Supervisor Webb motioned to grant the waiver requests for the Brandywine Meadows Preliminary Subdivision Plans. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.*

**Correspondence/Communications** *Information to note*

*The Township is in receipt of correspondence from the County Department of Emergency Services noting that Doug Smith, WBTEMC, has completed his necessary PEMA basic certification courses. There were no comments.*

*The Township is in receipt of the PADEP 904 Performance Grant Form for the year ending 2011 for completion and submission. Manager Rambo explained this is for tonnage of recycled materials for 2011.*

*PSATS has forwarded the Township its June/July 2012 News Bulletin with updates to recent legislation and law changes. Chairman Obernier commented that he was in favor of the new format of their weekly emails.*

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

**Public Hearings** (Ordinances as advertised) none

### **Old Business**

*The Manager, Public Works Director and Township Engineer are awaiting recommendations from Wheeler Products, a builder of wood span highway bridges, as a second alternative for the replacement of the Icedale Road bridges. The Township is in the process of obtaining more information.*

*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. The amendments to the Recycling Ordinance will be completed within the next month.*

*The Township Manager has met with the County's GIS Department staff to discuss the projects for the existing GIS Consortium Contract. Manager Rambo noted he is working on the following; fire response zones regarding total assessed value, updating maps for stormwater and sewer projects, and placement of historic homes within the map atlas. The total assessed values were received from the GIS Department; East Brandywine Fire Company went from 66% and is now at 62%, Wagontown is at 26.5%, and Martin's Corner is at 11.5%. Chairman Obernier questioned if East Brandywine could attend the reassessment hearing and Manager Rambo answered no that only taxing authorities could.*

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

### **New Business**

*The Township has bid for 20,000 sq. yds. + or- of tar and chipping with Sadsbury Township. Manager Rambo will attend the bid openings next Tuesday afternoon at Sadsbury Township.*

*The Manager is preparing the necessary Ordinance and advertisement for the Township's participation in "The Western Chester County Council of Governments." There were no comments.*

*The Township is advertising Ordinance NO. 2012-04 to repeal the Dog Barking and Noise Ordinance. Vice-Chairman McCaffrey commented those ordinances are two target items that he requested be reviewed, so that some of these nuisance items can be removed. Chairman Obernier suggested Vice-Chairman McCaffrey write an article in the fall newsletter advising the residents the date of the Township meeting that discussion will take place.*

*Discuss the utilization of MuniPay on the Township's website, call ins, or visits to the Township office to pay for movie tickets, sewer bills, trash fees, etc. Chairman Obernier questioned the rate and stated that he noticed that all Township and school districts seem to be going in this direction. There are four or five different groups. Supervisor Webb questioned if MuniPay would interact with our accounting system. Manager Rambo answered yes; this would interact with multiple systems. Manager Rambo will acquire more information.*

*The Board to discuss towing within the Township. Supervisor Webb explained that one of the employees of the Public Works Department does part-time work for Flings Towing and to keep that individual out of any conflict of interest, Supervisor Webb suggested that the Police Department or Township Manager make the call for towing. Flings is in West Brandywine Township and Supervisor Webb would like to make Flings exclusive for towing for Township related things, public works vehicles and police vehicles, but people can choose whatever towing service they would like. Chairman Obernier didn't feel the need to make Flings exclusive but only to have the Police Department and Manager the responsible parties for a tow. Vice-Chairman McCaffrey expressed that a*

private individual has the right to call whomever they would like to tow their car within a suitable amount of time. The Board was okay for the Police and the Manager to call for towing service.

*Recommendations of the Township Planning Commission.* Manager Rambo noted there were two recommendations, the Board already granted part of the recommendation regarding the waiver request for the Brandywine Meadows Project. The second part of the recommendation with Brandywine Meadows is that the Board grant conditioned approval contingent upon the Board granting the waiver request, addressing the outstanding engineers comments in the final plan submission, addressing all outside agency reviews prior to final plan approval, and addressing WBTMA sewer capacity sewer reservation requirements prior to the final plan submission. The applicant is looking for conditioned preliminary plan approval so it stops their time clock and they can begin to get their paperwork and plans together and meet requirements of the Municipal Authority with their final plan submission. Supervisor Webb motioned to approve the recommendations of the Township Planning Commission. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

Manager Rambo noted the PC tabled the Hammell O'Donnell project.

*The Manager will be sending out a notice to Department Heads, Boards and Commissions that 2013 budget requests are to be submitted by September 29, 2012.* There were no comments.

*The Township will be bidding the sale of used equipment.* Manager Rambo noted four items to be bid out. Discussion ensued regarding the bidding and trading of the old police cars.

*Fall newsletter articles are due on Linda Formica's desk by Friday, August 17, 2012.* There were no comments.

*Manager Rambo stated he has one other New Business Item that didn't get put on the Agenda; proposed Ordinance regarding chickens.* Manager Rambo requested the BoS review the proposed Chicken Ordinance. The reason for the Ordinance is to address the issue where people want to raise chickens for their eggs. Discussion ensued. Vice-Chairman McCaffrey expressed that he would like to see the Ordinance become less restrictive and didn't agree that the chicken coup has to be 100 feet away from one's own dwelling. Manager Rambo will gather the Board's input and edit the draft Ordinance.

#### **New Business from the Floor**

Paul Sell of Cochran Drive questioned who the owner of the farmhouse is on Swinehart Road and voiced concern regarding the maintenance of the fire hydrants and weeds on Swinehart. Manager Rambo noted PennDot maintains the road right-of-way on Swinehart. Mr. Sell also noted a tree that was ready to fall across the road across the street from Beachwood Campground.

**New Business from the Board** – There were none.

**Ordinances and Resolutions** - There were none.

**Public Comments** – There were none.

**Developer Presentations** - There were no Developer Presentations.

#### **Open Issues before the Township**

Chairman Obernier noted the following Open Issues and there were no comments.

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

*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.*

*Investment of Pension Funds according to Section 3204 of the Second Class Township Code (scheduling a September, 6, 2012 presentation with regard to investments).*

**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 \$47,917.64, the Fire Appropriations Fund bills total \$169,029.00, the Solid Waste Fund bills total \$1,418.05, and the State Liquid Fuel Fund bills total \$12,106.36. Supervisor Webb motioned to approve the payment of the bills, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

**Upcoming Meetings/Events**

- Municipal Authority, Thursday, August 9, 2012 at 7:30 p.m.
- Historic Commission, Monday, August 13, 2012 at 7:30 p.m. (cancelled)
- Parks and Recreation Board, Tuesday, August 14, 2012 at 7:00 p.m.
- Board of Supervisors, Thursday, August 16, 2012 at 7:30 p.m.
- Open Space Review Board, Thursday, August 23, 2012 at 7:00 p.m.
- Planning Commission, Thursday, August 23, 2012 at 7:30 p.m.

Manager Rambo requested the Board hold an executive session to discuss personnel after this meeting.

**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