

Meeting Minutes of October 4, 2012
Board of Supervisors

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of October 4, 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. Thomas J. McCaffrey, Jr. and Supervisor William E. Webb in attendance. Also present was Ronald A. Rambo, Jr.

Acceptance of Minutes from Previous Meetings

September 20, 2012 and September 24, 2012 joint meeting with West Caln Township. Chairman Obernier and Supervisor Webb noted they submitted their changes and corrections were made. Supervisor Webb motioned to approve both the September 20th and the WCT September 24th meeting minutes. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted.

Public Notification - None

An executive session was held this evening at 7:00 p.m. to discuss legal issues.

Treasurer's Report (n/a)

Special Public Presentations/Notice

Eagle Scout Thomas A. Williams to be presented with a Plaque. Chairman Obernier presented Thomas A. Williams with a plaque and certificate. Thomas was congratulated for achieving the highest rank in Scouting and pictures were taken.

Presentation of 5-K event check to David and Joy Turner of David's Drive by Board of Supervisors and Parks and Recreation Board. Chairman Obernier presented David and Joy Turner of David's Drive with a check in the amount of \$2,484.25 and pictures were taken. The Turner's thanked the BoS and Parks and Recreation Board for the contribution. Vice-Chairman McCaffrey congratulated the Parks and Recreation Board on behalf of everyone for doing this fundraising event.

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

At this time Chairman Obernier moved to address an item under New Business: to discuss the recommendations of the Township's Pension Review Board.

Correspondence/Communications *Information to act upon*

The Ambulance EMS Deputy Chief from the Washington Hose Company is asking to establish a meeting date and time to discuss ambulance service options with the Township. The Board agreed they are going to continue ambulance service with Westwood Ambulance, their contract self renews unless there is an issue; there were none. Supervisor Webb motioned to remove this item from the agenda, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier vote aye. Manager Rambo will send a letter to the EMS Deputy Chief from Washington Hose Company thanking them for their request to meet to discuss ambulance service.

The Township is in receipt of a letter of extension until January 25, 2013 for the rendering of a decision on the Baker's Ridge Subdivision Plan. The Planning Commission recommended that the BoS accept Baker's Ridge letter of extension while the applicant addresses the Township Engineer's comments. Supervisor Webb motioned

to accept the letter of extension until January 25, 2013, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

The Board is invited to attend a regional presentation on the Brandywine Creek Greenway on Monday, October 15, 2012 from 1:00 p.m. until 4:00 p.m. and a public presentation that evening from 7:00 p.m. until 8:00 p.m. at the Courtyard Marriott in Coatesville. Manager Rambo noted that he, John Cassels and Bob Schini were planning to attend the presentation. Karl Ciamaichelo of Landover Drive questioned the Board as to what the Brandywine Creek Greenway was. Discussion ensued.

The Board of Supervisors is in receipt of an invitation to attend one of the upcoming Emergency Management Orientations being hosted by the Chester County Department of Emergency Services. Chairman Obernier would like to attend the meeting that will be held on October 10th at 8:30 a.m.

The WCCCC is inviting the Board of Supervisors to attend a Legislative Breakfast on Friday, October 19, 2012 at the Marriott Courtyard at 8:00 a.m. Chairman Obernier and Manager Rambo will attend.

Correspondence/Communications Information to note

The Township is in receipt of correspondence from John E. Good, Esquire noting that Ordinances NO. 2012-05 and 2012-06 are appropriate. Manager Rambo explained that 2012-05 is draft#5 of the chicken ordinance and 2012-06 is a recycling ordinance.

The CCTCC has forwarded the Township information with regard to the upcoming November 13, 2012 organizational meeting scheduled for 6:00 p.m. at the CCIU. There were no comments.

The Township is in receipt of Green Region Grant information from PECO. This information was sent to the Open Space Review Board.

The Township has received a reminder with regard to the upcoming regional household hazardous waste and computer collection scheduled for Saturday, October 13 from 9:00 a.m. until 3:00 p.m. at the CCGSC located at 601 Westtown Road. There were no comments.

Thomas J. Anderson & Associates, Inc. has forwarded the Township information with regard to Act 30 and the need to adopt a resolution as it pertains to Police Officer contributions into the Uniform Pension Plan. Manager Rambo noted the resolution will be addressed later in the meeting.

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

Public Hearings (Ordinances as advertised) None

Old Business

The Manager and Public Works Director have met with PennDot officials to discuss the use of Liquid Fuel Funds for the purchase of the Icedale Road bridge materials. The Public Works Director and Manager met with representatives of PennDot along with PennDot's contractor to discuss the plans and list of materials. PennDot is in the process of reviewing the plans so they can issue the Township a DPAA number that would allow the Township to utilize Liquid Fuel Funds.

The Township Manager has advertised Ordinance No. 2012-06, amendments to the Recycling Ordinance for an October 18, 2012 hearing and adoption consideration. There were no comments.

The Township will be bidding out for the sale of used equipment for an October 18, 2012 bid opening. A list of items can be found on the website and in the Township lobby.

Draft #5 of proposed Ordinance No. 2012-05, pertaining to the keeping of chickens and animal units, has been forwarded to the Chester County Planning Commission (CCPC) and Township Planning Commission (PC) for review and input. Manager Rambo stated this has been forwarded to both organizations giving them their 30 day

review and comment period as required by law. CCPC & PC comments will be addressed prior to the advertisement for hearings for the adoption and consideration of said ordinance.

Old Business from the Floor - There was no Old Business from the Floor

Old Business from the Board

Chairman Obernier noted the Board had requested that Manager Rambo write a letter to Washington Hose Company and would also like the Manager to copy the City of Coatesville Council and Honey Brook Borough Council. Vice-Chairman McCaffrey suggested that the Fire Companies get together and share the cost of mailing.

New Business

The Township Manager has begun his work on the 2013 draft for presentation to the Board of Supervisors. There were no comments.

Discuss the establishment of an Ordinance to require those within 150' of a public sewer line to connect.

Municipal Authority Chairman Webb noted that fellow MA Board members William Goins and Charles Hossack are in attendance and explained that the Authority currently has a shortfall of money for some outstanding debt that is due to the Authority. The Commonwealth Code for Second Class Townships requires that anyone within 150 feet of a public sewer line tie into it. Since this Board, in the very first Act537 plan, allowed people within 150 to not have to connect and since the Township is working on its Act 537 plan, the time is now to require these folks to connect. This will 1) save people money because fees keep going up for tap in fees for Pennsylvania American. 2) This will give the Authority the funds needed to stay in business.

Charles Hossack of Springton Road explained that the sewer system is expected to be self-sustaining. During the time that tap in was voluntary the economy was excellent, building was excellent, and builders were anxious to build and were willing to pay extra money up front to get approvals on the sewer system - that carried the Municipal Authority. We are in a different economic climate, there won't be this kind of cooperation in the future, and one developer has already pulled out. Mr. Hossack stated the Municipal Authority is recommending that mandatory hookup be put into Act 537 because the sewer system is supposed to be self-sustaining. If only a handful of people connect, the Authority is not covering its cost. This could have been done a long time ago; it would have saved these people a lot of money. Webb stated the Authority spent its funds to put a system in, people have a system right in front of their house and not connecting, the Authority is at a shortfall. Manager Rambo stated the Authority is currently in the process of refinancing its debt; it would save 5% to 6% about \$380,000. This would get the principal payments down to \$160,000. Chairman Obernier stated the fact is that the Authority is shy \$500,000 because the developer didn't give the Authority the money.

Vice-Chairman McCaffrey voiced disapproval about the establishment of an Ordinance requiring people to hook up. The Authority is an independent authority that is operating without the control of the Township. The Municipal Authority is not an entity that the Township is responsible for, it is a separate entity. The second thing is zoning is based upon water and sewage, where there is a better ability to have water and sewage, by law in the state of Pennsylvania, you are allowed to have homes closer together and more development. Further discussion ensued. On a final note, Vice-Chairman McCaffrey recommended, on behalf of the BoS that the Municipal Authority, write a letter to the 17 residents that the costs were very low, increased from \$3,000 to \$6,000, and are only going higher. There is a requirement to eventually connect at some point when the house is sold or their onsite system fails. This would be sensible to do it now. Vice-Chairman McCaffrey made the motion to write a letter, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

Recommendations of the Township Planning Commission. The PC recommendation were addressed earlier in the meeting.

Discuss the recommendation of the Township's Pension Review Board as it pertains to the Township's Pension Plans. Manager Rambo noted the Pension Review Board held a meeting earlier with William Krempa and a representative from Rockdale, as a result of the meeting the Pension Board recommended to the BoS they would like to use Rockdale for the investment of police pension funds. William Krempa is present to outline the investment of the funds to the Board. Chairman Obernier had no questions but expressed his issue is the risk, would like to have as little risk as possible, and advised the Board will start looking into another direction to see if

there is a better way to invest the money without having the same level of risk. Vice-Chairman McCaffrey expressed that it is the “defined benefit” nature of what the Township is dealing with, until the State decides to change this, how can you invest money without having it get a better return than a few percent. William Krempa spoke to the issue, explaining the portfolio contains very conservative equities, 9 percent is in foreign markets within the global portfolio. Vice-Chairman McCaffrey expressed displeasure in investing American money outside of our country, government derived money should be invested here rather than abroad. Discussion ensued regarding investment ratings and associated risk. John Cassels of East Reeceville questioned who assumes the risk. Chairman Obernier answered the Township taxpayers assume the risk. Further dialog ensued regarding the police pension, the MMO, and investment. Vice-Chairman McCaffrey motioned to move to appoint Rockdale for the management of the Police Pension Fund, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

The Board of Supervisors to discuss forwarding Station 144 a letter extending the current Ambulance Agreement for an additional twenty-four month period. Manager Rambo noted as per the agreement that was previously signed the contract is renewable for two 24 month period. The Manager recommended the Board write the initial letter for a 24 month period to Station 144. Vice-Chairman McCaffrey motioned to sign the contract for 2 years contingent upon being clear that the Board doesn't have to reassign ambulance territories each year, Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

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

Ordinances and Resolutions

Resolution #12-2012: Police Officer's contributions to the Police Uniform Pension Plan. This Resolution stipulates that newly employed officers pay 5% and the older officers pay 3%. Vice-Chairman McCaffrey questioned if the older officers could be made to pay 5%. Manager Rambo answered no, only during contract negotiation time. Supervisor Webb motioned to pass Resolution #12-2012, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

Public Comments – There were no Public Comments.

Developer Presentations - There were no Developer Presentations.

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. Manager Rambo requested that this item be removed.

Updates to the Township's lighting section of its Subdivision and Land Development Ordinance. Chairman Obernier and Manager Rambo will discuss this after the meeting.

Investment of Pension Funds according to Section 3204 of the Second Class Township Code. Chairman Obernier would like to look into a different funding model and would like this item be kept on the agenda.

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

Vice-Chairman McCaffrey stated he reviewed the bills, found them in order, and motioned payment. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

Upcoming Meetings/Events

- Historic Commission, Monday, October 8, 2012 at 7:30 p.m.

- Parks and Recreation Board, Tuesday, October 9, 2012 at 7:00 p.m.
- County Commissioners at West Brandywine, Wednesday, October 10, 2012 at 7:00 p.m.
- Municipal Authority, Thursday, October 11, 2012 at 7:30 p.m.
- Board of Supervisors, Thursday, October 18, 2012 at 7: 30 p.m.
- Open Space Review Board, Thursday, October 25, 2012 at 7:00 p.m.
- Planning Commission, Thursday, October 25, 2012 at 7:30 p.m.

Chairman Obernier is to lead the Pledge of Allegiance at the County Commissioners Meeting on October 10th. Supervisor Webb may be late for the October 18th BoS meeting. Supervisor Webb noted he may be late for the October 18th BoS meeting because he has a zoning hearing at Valley Township.

Adjournment

There being no further business before the Board, Supervisor Webb motioned to adjourn the meeting at 9:09 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Webb, McCaffrey, and Obernier voted aye in favor of adjournment.

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