

**Meeting Minutes of October 18, 2012  
Board of Supervisors**

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of October 18, 2012 to order at 7:30 pm. 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. Thomas J. McCaffrey arrived at 7:33 pm. Also present were Ronald A. Rambo, Jr., Township Manager; Dale Barnett, Code Enforcement Officer, and Thomas Eells, Public Works Director.

**Acceptance of Minutes from Previous Meetings**

*October 4, 2012* – The minutes were addressed after Vice-Chairman McCaffrey's arrival. Vice-Chairman McCaffrey motioned to approve the meeting minutes, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

**Treasurer's Report** *Balance on hand as of the end of September 2012:*

General Fund	\$50,770.50	Fire Appropriations Fund	\$30,728.28
State Liquid Fuel Fund	\$61,835.97	K-9 Rudy Fund	\$295.46
Revolving Fund	\$30,017.07	Open Space Fund	\$84,702.76
Police Pension Fund	\$1,646,612.98	Solid Waste and Recycling Fund	\$128,787.65
Non-Uniform Pension Fund	\$372,977.92	Capital Equipment Fund	\$50,317.84
Developer Escrow Fund	\$388,132.57	Emergency Fund	\$30,043.78
Payroll Fund	\$9,760.83		

There were no comments on the Treasurer's Report.

Chairman Obernier noted that Vice-Chairman McCaffrey arrived at the meeting.

**Special Public Presentations/Notice** none

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

**Correspondence/Communications** *Information to act upon*

*The Township is in receipt of a contract addendum for signing that will extend the Henderson Conservation Easement Round 21 Acquisition Grant until May 14, 2013.* Manager Rambo recommended to the Board that they sign the addendum extending the grant. Supervisor Webb motioned to sign the Henderson Grant extension, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

*The Township is in receipt of a letter from the YMCA of the Brandywine Valley as it pertains to the lighting at the Brandywine YMCA facility and the completed land development plan.* Chairman Obernier suggested a letter be sent to the YMCA stating the Board would be in agreement with their changes as long as they change the new lighting that is directly on the building and on the door of the pump house which doesn't conform to the Township's lighting ordinance. Discussion ensued regarding the lighting issue. Vice-Chairman McCaffrey motioned to release the escrow funds based on the comments of the Township's lighting consultant. In releasing the funds the Board is requesting that the Manager also include in the letter that there are other lighting issues that need a resolution and also the Code Officer will inspect the YMCA's lighting in question. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

*The Township is in receipt of a proposal from Karen A Marshall, Heritage Preservation Coordinator for the County, to establish a Historic Resource Atlas for the Township's Historic Commission under the County's Historic Atlas Project. Manager Rambo stated the Historical Commission has been working on this for some time and recommended that the Board allow the Manager to sign the proposal for \$500. Vice-Chairman McCaffrey motioned that Manager Rambo sign for the County Historic Atlas project, seconded by Chairman Obernier. Board members McCaffrey, Obernier, and Webb voted aye.*

*The Township is in receipt of the 2013 Father's Day Band concert contract for approval and signing. At the recommendation of the Township Manager and the Parks and Recreation Board Vice-Chairman McCaffrey motioned to sign the contract and pay the down payment to reserve Chico's Vibe \$2,500, Sunday, June 16, 2013. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.*

**Correspondence/Communications Information to note**

*The Township is in receipt of correspondence from PSATS as it pertains to Act 60 signed by Governor Corbett increasing the taxable wage base for the State Unemployment Compensation Fund. Manager Rambo noted the current base rate is \$8,000, next year it will go up to \$8,500 and increase each year until it reaches \$10,000. Chairman Obernier stated this means more money out of both the employer and employee.*

*The Chester County Water Resources Authority has forwarded the Township a notice that the 45-Day Public Review of the Final Draft "County-wide Act 167 Stormwater Management Plan for Chester County, PA" is online for review. Manager Rambo has forwarded the website link to the Board.*

*CCATO has forwarded the Township a list of the proposed nominations for the 2013 Executive Board to be considered at the Associations Fall Convention. Vice-Chairman McCaffrey will draft a letter for the Board to sign regarding the change in the time to conduct business at CCATO.*

**Reports of Departments, Organizations, Boards and Commissions**

Neither Chief Werner nor Sergeant Kimes could be at the BoS meeting so Manager Rambo gave the September Police Department report noting there was a total of 90 arrests for the month. Personnel worked 1,108 hours and 465 complaints were addressed. A total of 6,553 miles were patrolled.

Public Works Director Tom Eells gave the September monthly report of the Public Works Department. A total of 773 hours was worked by personnel. 1,771 miles were traversed in Township trucks and 46.6 hours were spent on Township equipment. Maintenance of the building and grounds, vehicles, equipment and roadways was performed during the month.

Codes Officer Barnett gave the September monthly report for the Code Office. A total of 14 building permits were issued for the month. 36 inspections were performed in WBT, 1 for Valley Township, and 4 for East Brandywine Township. A total of \$3,221 was collected in fees.

Fire Inspector Barnett gave the September monthly report. A total of 18 campfires were issued. Mr. Barnett updated the Board regarding having an online fire permit issued.

Manager Rambo noted that Martins Corner Fire Company submitted their September fire report. There were a total of 4 calls that was responded to in WBT.

Manager Rambo noted that East Brandywine Fire Company did not submit a report.

Chip Patton, Deputy Fire Chief of Wagontown Fire Company gave their September fire report. He noted a total of 3 calls were responded to in WBT.

EMS Chief Sly of Westwood Ambulance gave the September monthly report. There were 38 calls into West Brandywine Township. Discussion ensued regarding memberships and having reciprocity between ambulance companies that handle second calls. There was also dialog about the county wanting to change Westwood Ambulance's number from 144 to another number.

Barry Parsons gave the report of the Historical Commission. The Historical Commission is asking if there are any updates to the Glen Lock Plan. Manager Rambo noted Glen Lock is now called Bakers Ridge. The Manager will give the Historical Commission an updated plan, although the plan has not changed. Mr. Parsons also voiced concern about the homestead on Reason noting the property is not being maintained.

There was nobody present from the Parks and Recreation Board.

John Cassels gave the report of the Planning Commission and also stated that members of the Planning Commission attended a workshop presented by Brandywine Creek Greenway on October 15<sup>th</sup> and briefly summarized the meeting noting there was a check list where they had to note their top six priorities. Dialog continued regarding the implementation and interconnection of trails throughout the Township. Karl Ciamaichelo of Landover voiced disapproval to the idea because this would bring in crime noting that it is proven that mischief goes through these trails. Mr. Cassels explained that nothing is being proposed as far as brick and mortar, currently this is conceptual with destinations that link WBT with everyone from the Delaware border, Honey Brook, the Highlands, and Appalachian Trail.

Bob Schini gave the report of the Open Space Review Board noting that currently there are no active projects before them.

Municipal Authority Manager Rambo gave the report of the Authority noting they are currently in the process of recasting their current bonds and would like to have a joint meeting with the Township on Wednesday, November 7, 2012 at 6:45 p.m.

Chairman Obernier stated the Authority is redoing the bond to save money and briefly explained that the Authority recently sent the BoS a letter requesting the BoS vote to force everyone within 150 of the sewer line to hookup. The BoS had a motion, there was no second and the motion died. What the Authority really wants is to have the residents in Monacy Manor to hookup. Fourteen years ago a letter was sent out from the Authority asking if the residents of Monacy Manor would hookup to public sewer if it were available, the residents said yes and it turns out that some of those residents did not hookup. The Authority would be satisfied if the Monacy Manor residents would hookup. Following much discussion, Supervisor Webb motioned for Manager Rambo to speak with John Good, Esquire and the Municipal Authority about developing a sewer district for Monacy Manor. Vice-Chairman McCaffrey clarified that this vote is only to obtain information and seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

Chairman Obernier motioned to close the Township BoS Meeting at 9:04 p.m. and open the Public Hearing.

**Public Hearings** (Ordinances as advertised)

*Ordinance No. 2012-06: amendments to the Township's Recycling Ordinance.* Manager Rambo noted this Ordinance brings the Township into conformance with filing dates and also stipulates what has to be recycled and how; by means of single stream. The Ordinance has been properly advertised. There were no comments. Vice-Chairman McCaffrey motioned to close the Hearing, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

Chairman Obernier reopened the Township Meeting at 9:05 p.m.

**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 and are awaiting their response.* Manager Rambo noted the Township received correspondence from the review engineer with questions and comments. This information will be forwarded to the Township's structural engineer so he can prepare the necessary documents to be reviewed for approval so that the Township can use liquid fuel funds for the materials.

*Final discussions on Ordinance No. 2012-06, amendments to the Recycling Ordinance.* There were no comments.

*Draft #5 of proposed Ordinance No. 2012-05, pertaining to the Keeping of Animals, chickens and animal units, has been forwarded to the Chester County Planning Commission and Township Planning Commission for review and input. Vice-Chairman McCaffrey stated he had suggestions on three items: 1) airtight containers for manure is an explosion waiting to happen, this should be just a covered container; 2) building codes for coops, it should not have to meet all zoning and building code, it is enough to meet the zoning; and 3) 4H projects – strike the part that the chicken had to be owned by the resident. Chairman Obernier concurred with all three items. Supervisor Webb stated he received comments from the public as to why the Board is worried about chickens. Vice-Chairman McCaffrey feels that this Ordinance is not necessary but is a compromise and is going along with this because he thought this is what the other two Board members feel is necessary. Chairman Obernier stated the Board is trying to remedy a problem that some residents are having. Discussion ensued with members of the audience.*

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

### **Old Business from the Board**

Supervisor Webb suggested the Board revisit the noise ordinance. Vice-Chairman McCaffrey would like to review ordinances that seem like they are oppressive and not cost effective and would like to direct people to the district justice when they have a problem with their neighbor. Chairman Obernier suggested the Board read through the noise ordinance and have this put on the next BoS agenda. Supervisor Webb also suggested the neighbor be invited that sent the email regarding the noise ordinance.

### **New Business**

*The Township Manager is working on the 2013 draft for presentation to the Board of Supervisors. There were no comments.*

*Award of bids for the sale of used equipment. Manager Rambo opened the bids; there were two bids for the truck and four bids for the bike. The Manager recommended the bid be awarded for the truck to Charles Blosenski for \$1,875; the other truck bid was for \$225. The Manager also recommended the bid for the bikes be awarded to Rick Craig for a total of \$450 for both. There were no bids on the trailer. Vice-Chairman McCaffrey motioned to award the bids to the highest bidders, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.*

*The Board of Supervisors to consider having a joint meeting with the Municipal Authority on Wednesday, November 7, 2012 at 6:45 p.m. to discuss the re-financing of the Authority's existing bond. This item was discussed earlier in the meeting.*

*Approval of Release #13 for the Hide-Away Farms Project. Manager Rambo and MacCombie have reviewed the release in the amount of \$159,256.40 and found it satisfactory. Vice-Chairman McCaffrey motioned to approve release #13 for Hide-Away Farms, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.*

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

John Cassels of East Reeceville Road noted that Brandywine Conservancy is putting a grant application together and they asked for projects. The Township's Comprehensive Plan identified opportunities for riparian buffer and reforestation and asked if the BoS would sign a letter of support for the grant to plant trees in various locations. There is a 15% matching funds requirement that can be in kind services. Vice-Chairman McCaffrey motioned for the Manager to look into the grant and if it seems like a good idea, to sign the grant letter on behalf of the Board. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

### **New Business from the Board**

Supervisor Webb requested the order of the Agenda be changed, that the Board address Reports of Departments and Reports of Organizations, Boards, and Commissions right after Public Comments. Manager Rambo stated the BoS can readopt the Resolution. Supervisor Webb made that motion, Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

Supervisor Webb suggested that the Township hold off on purchasing fertilizer for the ball fields until the \$160,000 for the funding of the police pension. This item will be brought up at the next BoS meeting when the Manager has accurate amounts for pavilion and ball field rentals.

### **Ordinances and Resolutions**

*Ordinance No. 2012-06: amendments to the Township's Recycling Ordinance.* Vice-Chairman McCaffrey motioned to adopt Ordinance No. 2012-06 amending the Recycling Ordinance, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

**Business from the Floor** – There were none.

**Public Comments** - None

### **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 537 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.*

### **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 \$31,131.23, plus a \$60,000 payment for the Police Pension Plan from the monies received from State Aid and Solid Waste bills total \$26,925.39. Supervisor Webb reviewed the bills, found them in order and motioned payment. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

### **Upcoming Meetings/Events**

- Open Space Review Board, Thursday, October 25, 2012 at 7:00 p.m.
- Planning Commission, Thursday, October 25, 2012 at 7:30 p.m.
- Halloween, Wednesday, October 31, 2012 between 6:00 p.m. and 8:00 p.m.
- Board of Supervisors, Thursday, November 1, 2012 at 7:30 p.m.
- Joint meeting of Board of Supervisors and Authority Board, Wednesday, November 7, 2012 at 6:45 p.m.
- Municipal Authority, Wednesday, November 7, 2012 at 7:30 p.m.
- Historic Commission, Monday, November 12, 2012 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, November 13, 2012 at 7:00 p.m.
- Board of Supervisors, Thursday, November 15, 2012 at 7: 30 p.m.

### **Adjournment**

There being no further business before the Board, Supervisor Webb motioned to adjourn the meeting at 9:35 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