

Meeting Minutes of November 17, 2011
Board of Supervisors

Vice-Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of November 17, 2011 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 Thomas J. McCaffrey were in attendance and that Supervisor Carl S. Lindborg was absent due to work commitments. Also present were Ronald A. Rambo, Jr., Township Manager, Thomas Eells, Public Works Director, Dale Barnett, Codes Officer and Walt Werner, Chief of Police.

Acceptance of Minutes from Previous Meetings

The October 20, 2011 and November 3, 2011 were presented. Supervisor McCaffrey motioned to approve the minutes, seconded by Vice-Chairman Obernier. Board members McCaffrey and Obernier voted aye.

Treasurer's Report

Manager Rambo presented the Treasurer's Report, balance as of the end of October.

General Fund	\$33,670.90	State Liquid Fuel Fund	\$33,476.46
Fire Appropriations Fund	\$22,219.45	Revolving Reserve Fund	\$20,735.47
K-9 Rudy Fund	\$294.64	Police Pension Fund	\$1,511,066.02
Open Space Fund	\$506,142.10	Non-Uniform Pension Fund	\$325,249.68
Solid Waste & Recycling	\$23,754.25	Payroll Fund	\$4,050.82
Capital Reserve Fund	\$17,186.00	Operating Reserve Fund	\$10,000
Developer Escrow Fund	\$422,790.36		

Public Comments *(residents or representatives of taxpayers of the Township requesting to be on agenda).*

Tom Ives was in attendance to talk to the Board of Supervisors with regard to the proposed Order for the Hide-Away Farms Lot 60. Mr. Ives outlined his plans for the property and answered the Board's inquiries as it pertained to the "draft" Order. Supervisor McCaffrey wanted to clarify that the allowances for the order are based upon the retaining of a historic asset, as well as testimony at prior hearings. Manager Rambo will revisit the Order and prepare a modified Order based on today's discussion concerning permit issuance for the restoration of the historic structures, onsite wells, public water and uses of the barn. The Order will be placed on the next BoS meeting agenda for consideration.

Correspondence/Communications *Information to act upon*

The Township is in receipt of a letter of extension until March 16, 2012 from Robert Smiley for the rendering of a decision on the Brandywine Meadows Preliminary Subdivision Plan. Manager Rambo noted the applicant's extension request is warranted as the applicant is finalizing outstanding issues found in the Township Engineer's review letter. Supervisor McCaffrey motioned to accept the letter of extension, seconded by Vice-Chairman Obernier. Board members McCaffrey and Obernier voted aye.

The Township is in receipt of the 2012 Animal Protective Services Stray and Boarding Services contract for consideration and signing in the amount of \$4,447.50. Manager Rambo stated there is a 13% increase over 2010 based on the number of animals they have collected; this includes an initial 5% increase on the standard contract. Supervisor McCaffrey motioned to sign the contract because there is no alternative right now. Vice-Chairman Obernier seconded the motion to participate in Option 1 (full contract). Board Members McCaffrey and Obernier voted aye.

The Valley Township Board of Supervisors has invited the Board to attend the Dedication and Open House of their new Maintenance Facility on Saturday, November 19, 2011 at 11:00 a.m. Manager Rambo will attend. Supervisor McCaffrey will try and attend.

The Township is in receipt of a letter of resignation from Officer Kristin N. Menna. Supervisor McCaffrey motioned to accept Officer Menna's resignation, seconded by Vice-Chairman Obernier. Board members McCaffrey and Obernier voted aye.

The Township is in receipt of the Gordon Eck Conservation Easement proposal from NALT (North American Land Trust) for the Germany Hollow Farm Phase 2 Easement for consideration and signing. Manager Rambo stated they have been brought in to assist and oversee the conservation easement. There is a cost of \$15,000 of which Dr. Eck will pay \$5,000; this will cover the perpetual inspections. The Township will be responsible for a onetime payment for document preparation of \$10,000. The recorded conservation easements with approved maps will be held in the safe. The Township will be given the right to put trails through the property. The total cost of the conservation easement, paid out of the Open Space Fund, will be \$674,000; \$274,000 initially, and quarterly payments of \$30,000 until it is paid off. John Cassels is working on a base map of the entire township with all of the conservation easements. Supervisor McCaffrey motioned to sign the NALT agreement so that NALT inspections and document preparation can commence. Vice-Chairman Obernier seconded the motion. Board members McCaffrey and Obernier voted aye.

Karl Ciamaichelo of Landover Rd questioned who would be responsible for maintenance of the property. Manager Rambo answered the property owner.

The Township is in receipt of the new Worker's Compensation Policy proposal from SWIF (State Workers Insurance Fund) for acceptance and signing. Manager Rambo explained the Township has a bad rating on Workers Comp that made the Township lose its current carrier. The premium will go from \$60,000 to \$96,000. This will last for a minimum of three years, until it gets a good ratio.

Correspondence/Communications Information to note

The Township is in receipt of correspondence from the Chester County Health Department with regard to management and oversight of on-lot sewage systems. Manager Rambo stated this is an unfunded mandate that was discussed at the recent CCATO fall convention. Even though the County is the permittee, it is the Township's responsibility to oversee on-lot sewer systems. Supervisor McCaffrey voiced displeasure with the State's unfunded requirements. Chuck Dobson, WBT Planning Commission, noted this is an issue that a lot of Township's are struggling with. Since the inception of Act 537 plan requirements issued by PADEP, municipalities have always had the burden of overseeing that all sewage needs within its borders are taken care of. Supervisor McCaffrey explained that back in the 1960's the Township had given up its right to enforce sewage ordinances and the PADEP will not let the Township out of that. The PADEP will not allow the Township to issue the sewage permits and do the inspections to make sure that the permits are done according to the Township's regulations. The PADEP wants the Township to clean up the mess from the malfunctions that result from their permits; some resistance should be made. Vice-Chairman Obernier agreed with Supervisor McCaffrey. Hugh Redditt also spoke to the issue. Karl Ciamaichelo applauded Supervisor McCaffrey for speaking out against the unfunded regulations. Manager Rambo will send a letter to the County Health Department and contact Ralph DeFazio to find out the requirements for the Township to get its own SEO so that the Municipal Authority can oversee the on-lot systems.

Beartown Recycling has forwarded the Township its rates for paper and cardboard for the next few months. The Township will get \$50 per ton for cardboard and \$65 per ton for mixed paper.

The Township is in receipt of the Township Engineer's comments as they pertain to the Countywide Act 167 Stormwater Management Plan and the draft Ordinance Standards that has been presented. Supervisor McCaffrey noted this is another unfunded mandate.

Reports of Departments: *Month of October unless otherwise noted.*

Police Report: Presented by Chief Werner.

Criminal	7	Burglaries/Thefts	2	Total Complaints	642
Non Traffic	2	DOA's	3	Total hrs worked	1177.5
Parking	10	Domestic/Disturbance	15	Overtime hrs	5.5
Traffic	115	Harassment	2	Fuel Used	519.5
Warnings	48	Premise Check	178	Total Miles Driven	6202
Total Arrests	134	Susp. Cond/Vehs	19	Admin Hrs	152.1
Alarms	16	Vehicle Crashes	12	Court Hrs	19.5
Animal Calls	9	Vehicle Stops	129	Training Hrs	67.5
Assist other PD	14	All Other	243	Investigation Hrs	93.5

Public Works Department Report: Presented by Tom Eells, Public Works Director. Mr. Eells also noted work completed during the month.

Total man-hours	809.75	Miles traversed	2,426
Total Equipment hours	119	Total fuel gallons	939.80

Buildings/Codes/Fire Inspector Department Report: Presented by Dale Barnett.

Building & Codes

Building Permits issued	16	CL Fees collected	\$200
Permit base fees collected	\$2,219	Inspections completed	63
Occupancy fees collected	\$200	Failed Inspections (FI)	4
U&O permits issued	5	Failed Inspections Fees collected	0
U&O permits issued cursory	29	Total fees collected	\$4,363.75
Contractor Licenses (CL) issued	5		

Fire Report:

Campfire/Recreational Permits	18	Denied – Construction Material	1
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East Brandywine Fire Company: Submitted by Deputy Chief Edwards and presented by Manager Rambo.

Fire

Number of calls dispatched into WBT	13	Initial dispatch into WBT	13
Second dispatch into WBT		Number of calls scratched	-

Medical Assist

Number of calls dispatched into WBT	22	Initial dispatch into WBT	22
Second dispatch into WBT	-	Number of calls scratched	-

Wagontown Fire Company: Submitted by Chief Ziegler and presented by Bob Yearsley.

Fire

Number of calls dispatched into WBT	8	Initial dispatch into WBT	7
Second dispatch into WBT	1	Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	-	Initial dispatch into WBT	-
Second dispatch into WBT	-	Number of calls scratched	-

Martins Corner: Submitted by Chief Dan Metzler and presented by Manager Rambo.

Fire

Number of calls dispatched into WBT	9	Initial dispatch into WBT	2
Second dispatch into WBT	-	Number of calls scratched	0

Westwood Ambulance: Presented by Fire Chief Mike McWilliams.

Ambulance - Types of calls dispatched into WBT

Medical	38	Fall	8
Vehicle Accident	4	Freedom Village Calls	19
Equestrian Accident	1	Total # of Calls	57
Fire Stand By	4	Average Response Time (dispatch to on scene)	10 minutes
Cardiac Arrest	2		

Reports of Organizations, Boards and Commissions

Hugh Redditt from the Historical Commission presented their report noting upon reviewing the Glen at Bakers Ridge plans the areas of concern were regarding the rebuilding of the spring house and placement of a plaque where the barn was. The second item was regarding the placement of a plaque for Costa Homes.

Steve Jakatt gave the report of the Planning Commission. There were no comments.

No one from the Parks and Recreation Board was present. Manager Rambo announced that the Township will not have its annual Saturday with Santa this year.

No one was present from the Open Space Review Board. Manager Rambo stated the OSRB supported moving forward with Dr. Eck's conservation easement.

Municipal Authority Manager Rambo summarized progress to date on the Authority project. Supervisor McCaffrey noted that the Kimberwick sewer system will be decommissioned in the near future and will become a park.

Old Business

The Public Works Director continues the gathering of information on the cost to repair or reconstruct the Icedale Road bridges. There were no comments.

The Manager continues the preparation of information necessary to add parcels to the Township's Agricultural Security Area (ASA). Karl Ciamaichelo asked what the Agricultural Security Area is. Vice-Chairman Obernier explained people within WBT with parcels that are ten or more acres can voluntarily elect to be in the ASA. ASA advantages were noted.

The Manager and Zoning Officer continue their review of the Zoning Ordinance as it pertains to areas that permit the operation of roadside stands. Mr. Ciamaichelo asked for an explanation of this. Supervisor McCaffrey and Vice-Chairman Obernier briefly explained they are looking into changing Township regulation to permit this. Mr. Ciamaichelo would like the Township to accommodate this type of operation.

The Township will be holding a meeting with Emergency Operations personnel to discuss the updating of its EOP on Monday, December 5, 2011 at 7:30 p.m. This will be the second meeting.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from the Board

Supervisor McCaffrey requested an update on the status of a letter that he requested be written to the Department of Agriculture regarding burning on farms.

Vice-Chairman Obernier stated at the last BoS meeting, Mr. Webb noted regulations regarding videotaping the meeting. Vice-Chairman Obernier requested that Mr. Webb get the citation of law from whom he spoke to at the

District Attorney's office, Mr. Webb said he would. Mr. Webb has already left the meeting so Vice-Chairman Obernier will ask him at the next BoS meeting.

Manager Rambo stated that the funding the Township thought it had available for the proposed roundabout on East Reeceville, Cedar Knoll, and Route 82 is not available.

New Business

Presentation of the proposed 2012 budget to the public. Manager Rambo briefly explained the proposed balanced budget includes 13 funds and a total budget of \$7,287,658. There were no comments. The budget will be advertised for public review and up for adoption on December 15, 2011.

The Board of Supervisors is in receipt of a copy of the draft proposed amendments to the Township's lighting section of the Subdivision and Land Development Ordinance. Manager Rambo stated after he receives the Board's comments, Stan Stubbe will come in and answer the Boards questions.

New Business from the Floor and from the Board

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

Ordinances and Resolutions

There were no Ordinances or Resolutions.

Public Comments

There were no Public Comments.

Developer Presentations

Chuck Dobson is in attendance to present the Board of Supervisors with a sketch plan for The Glen and Bakers Ridge Project. Chuck Dobson, Township Planning Commission, stated he asked his fellow PC members if they had any objections to him working on this project, they had none and Mr. Dobson recused himself during their meeting. Chuck Dobson outlined the Glen and Bakers Ridge Project that is located at the corner of Baker and Hurley Road, for the benefit of those present. There was a previously approved three lot subdivision for this property. The lot on the northeast corner is under separate ownership, the remaining 11 acres are owned by the bank because the original owner defaulted on their loan. The bank is looking to see what they can do with this asset. Discussion ensued. Supervisor McCaffrey voiced displeasure with the plan, noting this would be there after economic conditions improve; the problems that are created will be there when things are jolly and happy again. The fact that the bank would like to unload this asset and get its money back is not a concern of Supervisor McCaffrey's. Supervisor McCaffrey would like to see this project built properly.

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 Township is looking for two volunteers to fill vacancies on the Parks and Recreation Board.
There were no comments.

The Township Manager is working to complete the Airport Hazard Zoning District Overlay.
There were no comments.

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

There were no comments.

General Obligation Note

(Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public Works Facility/Park Construction: interest rate for the week is 1.65%). There were no comments.

Review and Payment of the Bills

Manager Rambo noted the General Fund bills total \$150,562.83, Solid Waste Fund bills total \$2,417.00, and the Liquid Fuels Fund bills total \$2,356.60. Vice-Chairman Obernier stated he reviewed the bills, found them in order, and noted there were no checks written for OAC Network Solutions or Cedar Grove. Vice-Chairman Obernier then motioned to approve the bills, seconded by Supervisor McCaffrey. Board members Obernier and McCaffrey voted aye.

Upcoming Meetings/Events

- Open Space Review Board, Tuesday, November 22, 2011 at 7:00 p.m.
- Planning Commission, Tuesday, November 22, 2011 at 7:30 p.m.
- Board of Supervisors, Thursday, December 1, 2011 at 7:30 p.m.
- Municipal Authority, Thursday, December 8, 2011 at 7:30p.m.
- Historic Commission, Monday, December 12, 2011 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, December 13, 2011 at 7:00 p.m.

Supervisor McCaffrey noted a letter from Dr. Vilcheck. Vice-Chairman Obernier requested the Township Manager write a letter stating that the pin removal on his property is not a Township issue. Discussion ensued. Manager Rambo will write a letter to Dr. Vilcheck that includes all of the past correspondence.

Adjournment

There being no further business before the Board, Vice-Chairman Obernier motioned to adjourn the meeting at 9:35 p.m. Supervisor McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye in favor of adjournment.

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