

Meeting Minutes of December 6, 2012
Board of Supervisors

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of December 6, 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 Supervisor William E. Webb in attendance. Thomas J. McCaffrey, Jr. arrived at 7:37 p.m. Also present was Ronald A. Rambo, Jr.

Acceptance of Minutes from Previous Meetings

November 15, 2012– The Minutes were addressed after Vice-Chairman McCaffrey arrived. Supervisor Webb stated he read the minutes, found them satisfactory, and motioned to approval, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

Public Notification - None

Treasurer's Report (n/a)

Special Public Presentations/Notice - None

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

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

Correspondence/Communications *Information to act upon*

The Township is in receipt of the 2013 Animal Protective Services Contract from the Chester County SPCA. Manager Rambo noted that Chief Werner and Manager are looking into whether it would be feasible to take the animals over themselves rather than pay the \$5,000 fee.

The Township is in receipt of the 2013 to 2015 Traffic Signal Maintenance contract from Charles H. Higgins & Sons, Inc. for consideration and acceptance. Supervisor Webb motioned to accept the 2013-2015 Traffic Signal Maintenance from Charles H. Higgins & Sons. Chairman Obernier seconded the motion. Board members Webb and Obernier voted aye.

The Board of Supervisors is in receipt of the Agreement for the Use and Care of Canine Donner and Blitzen for signing consideration. Manager Rambo recommended the Board sign the agreement. This item was addressed after Vice-Chairman McCaffrey arrived. Supervisor Webb motioned to sign the agreement for the use and care of canine Donner and Blitzen. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

The Board of Supervisors is in receipt of the proposed By-Laws for the Western Chester County Council of Governments for review and input. Chairman Obernier noted he had called Hudson Voltz with comments from Manager Rambo and Chairman Obernier. A new draft will be sent out that notes all the suggestions for future vote by the WCCCOG.

Correspondence/Communications *Information to note*

The Township is in receipt of correspondence from Kim Merritt, Chester County Municipal Grants Coordinator, with regard to the next round of grant funding that will be accepted until February 28, 2013. There were no comments.

The Chester County Assessment Office has forwarded the Township the assessment information of the Township as of October 31, 2012. The Assessment total (\$420,406,252) went down from last year by \$54,828,185.

Senator Rafferty has forwarded the Township information on the Redevelopment Assistance Capital Program. This information is being reviewed.

The Township is in receipt of information from the Brandywine Conservancy with regard to the new website being launched in early 2013 for the Brandywine Creek Greenway. A link will be placed on the Township website to the Brandywine Creek Greenway.

At this time it was noted that Vice-Chairman McCaffrey arrived and moved to address the minutes.

Public Hearings (Ordinances as advertised) - None

Old Business

The Manager and Public Works Director are awaiting the decision of PennDot officials to allow the use of Liquid Fuel Funds for the purchase of the Icedale Road bridge materials for its reconstruction. Manager Rambo noted that PennDot is re-inspecting the bridge this week and are in the process of reviewing the revised engineer drawings.

The Manager has advertised Ordinance No. 2012-05, Keeping of Animals amendments, for a December 20, 2012 public hearing and consideration. Carl Lindborg requested a copy of the ordinance be placed on the website.

The Manager has advertised Ordinance No. 2012-08, Township Noise Ordinance, for a December 20, 2012 public hearing and consideration. There were no comments.

The winter edition of the newsletter is being finalized for printing and mailing. There were no comments.

New Business

The 2013 Township budget has been advertised for public review and will be considered for adoption on Thursday, December 20, 2012. There were no comments.

Discussions on the proposed draft amendments of Ordinance No. 2012-09 as they pertain to the Outdoor Lighting Section found within the Township's Subdivision and Land Development Ordinance. Supervisor Webb asked for an update regarding a letter that was sent to the YMCA. Manager Rambo stated he has not received a response from the YMCA.

Approval of release request #6 for the Catania Project, known as Jamie Lane, in the amount of \$25,788.75. Discussion ensued regarding the recently placed guide rails. The Manager advised the Board that they have been placed as required by the approved plan. Manager Rambo then recommended the BoS approve the release request noting this has been reviewed by the Township Manager and reviewed and signed off by the Township Engineer. Vice-Chairman McCaffrey motioned to approve the release request because the Township has the Engineer's approval. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

Approval of release request #14 for the Hide-Away Farms Project in the amount of \$223,763.29. Manager Rambo recommended the BoS approve the release request noting this has been reviewed by the Township Manager and reviewed and signed off by the Township Engineer. Vice-Chairman McCaffrey motioned to approve the release request because the Township has the Engineer's approval. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

The Board to consider accepting the radio equipment proposal from Metropolitan Communications (State Contract pricing) for the new radios that will be utilized as a result of the new frequency re-banding by the FCC.

Manager Rambo noted the radios in the cars and trucks will be inoperable by the end of the year with the new banding. The cost to replace the radios is approximately \$11,000.00, plus the cost of new frequencies under the FCC. The Manager advised the Board that the quoted price was under the PA State Contract for radio equipment. Supervisor Webb motioned to accept the proposal from Metropolitan Communications for the new radios. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, 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 #14-2012: establishment of the West Brandywine Township Ordinance Review Committee. Manager Rambo read the Resolution out loud for the benefit of the audience. Vice-Chairman McCaffrey went on to say that he would also like this resolution to include reviewing Township resolutions, permits and fees as well. Chairman Obernier commented that when meeting with the Steering Committee from the Fire Departments (Martins Corner and Wagontown), the Fire Departments criticized the Township's online fire permit; they preferred the old way of doing it. Supervisor Webb noted the only way that you can change building code is to get legislation to change the UCC. Discussion ensued that included comments from Karl Ciamaichelo and Mike Canale. Supervisor Webb motioned to table Resolution #14-2012 so that the wording in the paragraph favors all that said committee upon selection will meet as necessary to review Township Ordinances, Resolutions, Permits and Fees and this wording will be reviewed by John Good. Chairman Obernier seconded the motion. Board members Webb, Obernier, and McCaffrey voted aye.

Public Comments

Carl Lindborg expressed that he appreciates Vice-Chairman McCaffrey's concern about overregulation. Carl also noted that he is in favor of the Noise Ordinance for barking dogs and feels that this would be a deterrent.

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. Karl Ciamaichelo asked for an explanation of the Agricultural Security Area. Manager Rambo explained these are parcels of 10 acres or larger, or ones that abuts 10 acres or larger that can be put into the Agricultural Security District so that they are not affected by nuisance ordinances.

Updates to the Township's lighting section of its Subdivision and Land Development Ordinance. There were no comments.

Investment of Pension Funds according to Section 3204 of the Second Class Township Code. Chairman Obernier noted an article from Township News regarding Township Funds regarding Township funds and mutual funds.

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, the Fire Appropriations Fund bills, the Solid Waste Fund bills, and the Liquid Fuels Fund bills. Supervisor Webb reviewed the bills, found them satisfactory, and motioned payment, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

Upcoming Meetings/Events

- Christmas with Santa, Saturday, December 8, 2012 at 4:00 p.m.
- Historic Commission, Monday, December 10, 2012 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, December 11, 2012 at 7:00 p.m.

- Municipal Authority, Thursday, December 13, 2012 at 7:30 p.m.
- Open Space Review Board, Tuesday, December 18, 2012 at 7:00 p.m.
- Planning Commission, Tuesday, December 18, 2012 at 7:30 p.m.
- Board of Supervisors, Thursday, December 20, 2012 at 7:30 p.m.
- Board of Supervisors, Organizational, Monday, January 7, 2013 at 7:30 p.m.
- Board of Supervisors, first meeting of the year, Monday, January 7, 2013 at 7:45 p.m.

Adjournment

There being no further business before the Board, Supervisor Webb motioned to adjourn the meeting at 8:17 p.m. Supervisor Webb seconded the motion. Board Members Webb, McCaffrey, and Obernier voted aye in favor of adjournment.

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