

**Meeting Minutes of March 16, 2006
Board of Supervisors**

Chairman Obernier called the Board of Supervisors Meeting of March 16, 2006 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 the Township Manager noted Chairman Josef G. Obernier, Sr., Vice-Chairman Thomas J. McCaffrey, Jr. and Supervisor Carl S. Lindborg in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager; Walter Werner, Chief of Police; Dale Barnett, Building Inspector/Codes Officer and Thomas Eells, Public Works Director.

Acceptance of Minutes from Previous Meetings

February 16, 2006 and March 2, 2006. Supervisor Lindborg motioned to accept the February 16, 2006 meeting minutes. March 2, 2006 has not yet been issued.

Treasurer's Report *Month ending February*

- Treasurer's Report presented by Manager Rambo. There were no comments.

Capital Reserve Fund	\$739,054.66	Operating Reserve Fund.....	\$305.33
Construction Sweep Fund	\$1,664.61	Police Pension Fund.....	\$1,104,874.20
Developer Escrow Fund	\$657,800.79	Public Works Capital Projects Fund	\$650,000.00
General Fund	\$61,619.22	Solid Waste & Recycling Fund.....	\$35,199.18
Non-Uniform Pension Fund	\$656,574.50	State Liquid Fuel Fund.....	\$34.71

Public Comments *Individuals requesting to be on the agenda*

There were no requests to be on the agenda.

Correspondence/Communications *Information to Act Upon*

The Township is in receipt of a ninety-day letter of extension from Steve Janiec in which to schedule a Conditional Use Hearing for Horseshoe Village Associates. Supervisor Lindborg motioned to accept Steve Janiec's letter of extension. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

John Good, Esquire has forwarded the Township correspondence from Kristin Camp, Esquire with regard to amending the zoning ordinance to allow the BoS to waive sign regulations. They are asking to waive sections of the sign ordinance within the historic site where the barn was recently converted. Dale will provide the BoS with the current sign regulations for comparison. Manager Rambo will wait for feedback from the BoS with their comments.

Correspondence/Communications *Information to Note*

The Township is in receipt of correspondence from John E. Good, Esquire and Joseph P. Caranci, Jr., Esquire with regard to the proposed Glen Loch 3-lot Subdivision Temporary Access Easement located off of Baker Road. Manager Rambo stated that there are still issues with regard to the actual common driveway being designed and shown on the plan. Their time clock runs out on April 7, 2006. Supervisor Lindborg stated he doesn't have any problem with this at all. Manager Rambo noted that this is what the BoS wanted them to do, rather than have "flag lots."

DEP has forwarded the Township informational flyers with regard to various requirements of the agency. This information is regarding Chapter 94, Act 537 exceptions and application of forms that are available on their website, etc.

The Township is in receipt of correspondence from Penn Dot's Bureau of Municipal Services with regard to the Township's liquid fuel audit for the period ending 2004. In previous correspondence from Penn Dot, they questioned an expense in the liquid fuel fund, Manager Rambo sent them the appropriate documentation and they waived the requirement to reverse the liquid fuel fund from the general fund.

The Township is in receipt of a copy of the East Brandywine Fire Company Audit for the period ending 2004. Kevin Schaffer noted there were no negative findings from the audit.

Thomas J. Anderson & Associates, Inc has provided the Township with financial statements for the Police and Non-Uniform Pension Plans. There were no comments.

The Township is in receipt of an upcoming meeting invitation, to be held on March 28, 2006, from the Southeastern PA Resource Conservation and Development Council to attend and hear about MS4s and TMDLs from DEP. MS4 is the reporting of all the storm sewer pipes discharges, inlets, detention basins, etc, where you would test the water before it enters into the stream. TMDL (Total Maximum Daily Load) deals with nutrients, etc.

The Brandywine Conservancy has provided the Township information on an upcoming meeting to be held on March 30, 2006 at 7:00 p.m. to discuss Chester County's Municipal Challenge Grant Program. There were no comments.

DEP has provided the Township and the WBTMA correspondence with regard to sewer capacity. This issue will be discussed under the Reports from the Municipal Authority.

Reports of Departments *Month of February 2006*

- Police Report presented by Chief Werner. There were no comments.

Total hours.....	1,115	Fatalities	0
Miles patrolled	6,311	Domestics	12
Complaints.....	368	Criminal arrest.....	5
Accidents	9	Non-traffic arrest.....	4
Injuries.....	8	Traffic arrests	91
- Public Works Department, presented by Tom Eells. There were no comments.

Total hours.....	736	Miles equipment.....	
Miles traveled	3,575	Total fuel	1,139

Sign placement in the newly dedicated subdivisions was included in work completed.

- Fire Marshall Report was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done..... 18	Hours on patrol..... 3
Other type inspections done 2	Code violations/Complaints 1
 - Martin’s Corner Ambulance Report presented by Manager Rambo. There were no comments.

ALS 23	MVA..... 7
BLS 18	Total responses WBT 51
 - Martin’s Corner Fire Company Report presented by Manager Rambo.

W. Brandywine..... 5	
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 - East Brandywine Fire Company Report presented by Kevin Shaffer, Vice-President of East Brandywine Fire Company. Report for January

WBT Fire Total 5	Time in Service QRS: 11 hrs 20 mins.
WBT QRS 26	Fuel Usage Fire: 27 miles
WBT Time in Service Fire: 4 hrs 29 mins.	Fuel Usage QRS: 126 miles
 - East Brandywine Fire Company Report for February

WBT Fire Total 8	Time in Service QRS: 12 hrs 59 mins.
WBT QRS 30	Fuel Usage Fire: 44 miles
WBT Time in Service Fire: 6 hrs 28 mins.	Fuel Usage QRS: 145 miles
- Vice-Chairman McCaffrey questioned if most of the 30 QRS calls came from a particular area.
- Wagontown Fire Company Report presented by Mike Ahrens. There were no comments.

W. Brandywine..... 6	WBT Motor Vehicle Accident 2
WBT Fire Police..... 1	WBT Structure Fire..... 1
WBT Fuel Spill..... 1	WBT Trees & Wires..... 1
 - Buildings/Codes Department Report presented by Dale Barnett. There were no comments.

Building permits issued 21	Failed inspections paid 0
U&O permits issued 19	Total fees collected..... \$15,256.60
Contractor licenses issued 40	
Inspections completed 55	

Reports of Organizations, Boards and Commissions

Historic Commission, no report was given. Parks and Recreation Committee Report was presented by Jeff Chalfant; there were no comments. Planning Commission, no report was given.

Municipal Authority Report, presented by Municipal Authority Manager Rambo. Manager Rambo noted that the Municipal Authority held a special meeting to address a letter received by DEP on March 9, 2006. Manager Rambo will be submitting to DEP, two remaining comments. The Authority would like the BoS to allow the Municipal Authority to begin the updates of the Act 537 with regards to the special study areas of the future service areas that needs to be done. Vice-Chairman McCaffrey noted that all the work that went into this was so that they would be able to close an existing sewer plant. Manager Rambo stated that is projected to happen in 2009. Manager Rambo and Jim MacCombie have to give a revised Act 537 to DEP by the end of this year. Chairman Obernier pointed out, the people that currently live around the spray irrigation plant that is on Route 322, for years have been asking for the plant to be shut down, and now the Municipal Authority is taking steps to do that.

Supervisor Lindborg motioned to authorize the Manager and Township Engineer to proceed with the Act 537 Study and possibly review other changes that would be appropriate. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Chairman Obernier asked when the flagpole on Reeceville Road would be erected. Manager Rambo stated they hope that the contractor will have it erected by the next meeting.

Old Business

The Township is searching for volunteers to serve on the Building Appeals Board and Historic Commission. There were no comments.

The Manager is awaiting input from Supervisors Lindborg and McCaffrey on proposed Ordinance NO. 05-12, Access Management. Chairman Obernier suggested that this item be moved to the category "Open Issues" on the agenda.

The Township Manager has received the "final draft" on the proposed Technical Specifications for Traffic Control Signalization from McMahon Associates, Inc. Chairman Obernier stated that he had not received this information. Manager Rambo will resent it.

The Township Manager is finalizing Ordinances NO. 06-02 through 06-04 with regard to recently accepted public streets. This pertains to stop signs, speed limit, and no parking. Chairman Obernier would like to move this item to "Open Issue" on the agenda.

Old Business from the Floor

Jeff Chalfant asked for an update to the noise ordinance. Manager Rambo noted that he contacted John Good, Esquire who asked him to forward the information again. Chairman Obernier asked if Manager Rambo could ask that John Good expedite it. Jeff asked if they would get the information by the beginning of the summer. Manager Rambo answered that he would get the solicitor's comments, but it is up to the BoS if they want to move forward with it. Vice-Chairman McCaffrey has reservations about some of the language that goes into those ordinances; a person has the right as an individual to take the other individual to court. Jeff Chalfant commented.

Old Business from the Board

Vice-Chairman McCaffrey noted the soil violation reports and stated that it would be nice to know how they are resolved. Manager Rambo noted they visit the site and that Herb MacCombie shuts them down through cease and desist.

Supervisor Lindborg noted that the Township is going to look into samples of the Emergency Management regulations. Chairman Obernier noted since the BoS met with the Emergency Management Coordinators, he pulled out a copy of the old ordinance and suggested that instead of hashing over the old list, that they begin by listing different types of emergencies and then start to put together a plan for those specific emergencies. Supervisor Lindborg was okay with that, he said that what came out of the meeting with the Emergency Management Coordinators was that if something happens, they are not ready. They need to have a clear chain of command. The BoS would like to schedule another meeting with the Emergency Management Coordinators. Vice-Chairman McCaffrey noted that the communication system is structured to pass Township information up to the County, but are not to be passed back down to the Township. This is highly inappropriate and makes it difficult for anyone in our Township to plan on anything if they don't know what is going on in the general area around us. The BoS would like to invite the Chester County Emergency Management Coordinator to a future meeting to address that issue.

Chairman Obernier would like to make a change to the lighting ordinance that was passed six years ago; that the filament of the bulb not be visible beyond the property line. Vice-Chairman McCaffrey would like clarification. Lighting Consultant Stan Stubbe will be contacted for his recommendations.

New Business

Recommendations of the Township Planning Commission. Manager Rambo noted the Glen Loch Minor Subdivision, John Conti motioned to recommend they were supposed to come back with their plans, they have not done so yet, it was tabled.

The next recommendation by the Planning Commission pertained to the Brandywine YMCA. Manager Rambo read the recommendation out loud. Supervisor Lindborg noted that the other ingredient in this mix is the number of members. Vice-Chairman McCaffrey also noted the summertime activities and asked if they are going to design parking for those areas. Ross Unruh, Esquire, as well as Gary Reem, Executive Director of the entire Brandywine Valley YMCA, and several other representatives of the YMCA were also in attendance. Representatives of the YMCA then gave a brief explanation to address the Boards concerns. Vice-Chairman McCaffrey had concerns with the definition and would like to have one ordinance that has a logical and methodical way of approaching this, then anyone can figure it out just by looking at it. Discussion ensued. Vice-Chairman McCaffrey stated if it doesn't work and problems develop, then whose responsibility is it to deal with the problem. Discussion ensued. A Hearing date will be set for the 1st BoS meeting in May, Ross Unruh will do all the necessary advertising for the hearing.

The BoS to establish a date for the Steve Janiec Conditional Use Hearing for the proposed convenience store at the intersection of Swinehart Road and Horseshoe Pike. Manager Rambo will get available dates from John Good.

The Township continues to meet with various municipalities with regard to franchise fees for the fiber-optic networks being placed throughout the Township's by Verizon. Manager Rambo noted that thirteen municipalities have been meeting as a COG (Council of Governments), they are waiting to hear how some other municipalities are doing this, and then they are going to Verizon with information.

Appointment of Township Administrative Receptionist. Manager Rambo recommended that the BoS appoint Terri Kelly as the fulltime Administrative Receptionist; she is available to start work on April 3, 2006. The Township received eighteen applications, eight were interviewed, and four were interviewed a second time. Both Chairman Obernier and Supervisor Lindborg noted they had an opportunity to meet with Ms. Kelly. Vice-Chairman McCaffrey stated he would like to have been notified so that he could have had the opportunity to go through the applicants. Manager Rambo stated the applications are available in the office. Supervisor Lindborg motioned to appoint Terri Kelly to the fulltime Administrative Receptionist position. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

The Township Police Chief is working on an Ordinance pertaining to reimbursement of costs, expenses and fees associated with police services. Chief Werner stated that this pertains to criminal investigations, accidents, etc., once a person is found guilty they can go after that person to reimburse expenses; it would take the burden off of the Township taxpayers.

New Business from the Floor

Joan Thompson asked a question regarding a monetary amount for Act 537.

New Business from the Board

Chairman Obernier gave Vice-Chairman McCaffrey an honorary badge for his Irish heritage to wear on his jacket.

Vice-Chairman McCaffrey noted that the County Association has bylaws that will be updated at some point and would like to make a suggestion. First, the president of the association should not make the appointment; the entire board should make it. Second, there should be a set term limit. Chairman Obernier stated he was okay with Vice-Chairman McCaffrey's suggestion.

Chairman Obernier would like to change the SPCA Resolution that was passed last year and make it specifically pertain to the SPCA and resubmit it to the Police Chief's Association. The BoS was okay for the Manager to revise the SPCA Resolution.

Vice-Chairman McCaffrey suggested that Manager Rambo write a letter to the Manager of Uwchlan Township asking how they decided the YMCA parking in their Township.

A resident from Highspire Road asked for updates to the request to USPS to have one zip code for West Brandywine Township. Manager Rambo noted the Township received correspondence back stating what was requested was unavailable. They have to find out the process to go to the next step to have West Brandywine Township as a separate zip code. The resident asked if the past survey indicated that the majority of people were in favor of having a WBT zip code. Manager Rambo noted that they were in favor of the single zip, but were not in favor of utilizing the Coatesville Post Office. Chairman Obernier explained that there have been three surveys, the Comprehensive Plan from ten to twelve years ago, second was a survey for the post office, and the third survey was for the most recent Comprehensive Plan. The third survey was two years ago, he recalls that there was a 25% response (not to be quoted) and 60% wanted to see West Brandywine, Pennsylvania. This will be a step-by-step process, it will be years if it happens at all.

Jim Connor of Lafayette Road noted that there is both a Lafayette Street and Lafayette Ave. in Coatesville and that he continuously receives their mail.

Public Comments (individuals not requesting to be on the agenda)

There were no Public Comments.

Open Issues Before the Township

SPCA 2006 Animal Control Contract. Chief Werner noted that he spoke with the SPCA and they said that the SPCA's attorney is supposed to call the Township. Chairman Obernier suggested that Chief Werner speak to them, perhaps they are stumbling over the proposed resolution.

Ordinance amendments with regard to the IBC (International Building Code). Dale Barnett is currently working on it.

General Obligation Note (Adjustable Rate Bond for the Facility/Park Construction)

Interest rate for the week was 3.40 %. There were no comments.

Review and Payment of the bills

The bills totaled \$28,846.88 from the General Fund and \$19,905.62 from the Solid Waste Fund. Supervisor Lindborg motioned to approve payment of the bills. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Upcoming Meetings/Events

- Planning Commission meeting, Thursday, March 23, 2006 at 7:30 p.m.
- Pulte Conditional Use Hearing, Monday, March 27, 2006 at 7:30 p.m.
- Dr. Gordon Eck Conditional Use Hearing, Wednesday, March 29, 2006 at 7:30 p.m.

- Board of Supervisors meeting, Thursday, April 6, 2006 at 7:30 p.m.
- Easter Egg Hunt, Saturday, April 8, 2006 at 10:00 a.m.
- Historical Commission meeting, Monday, April 10, 2006 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, April 11, 2006 at 7:30 p.m.
- WBTMA meeting, Thursday, April 13, 2006 at 7:30 p.m.

Adjournment

With no other business to discuss, Supervisor Lindborg motioned to adjourn the meeting at 8:58 p.m. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye in favor to adjourn.

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