

**Meeting Minutes of October 18, 2007
Board of Supervisors**

Chairman McCaffrey called the Board of Supervisors meeting of October 18, 2007 to order at 7:37 p.m. Those who desired stood to Pledge Allegiance to the flag. Roll call of the Board of Supervisors (BoS) by the Township Manager noted Chairman Thomas J. McCaffrey Jr. and Vice-Chairman Carl S. Lindborg in attendance. Supervisor Josef G. Obernier Sr. was absent for medical reasons. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], Dale Barnett [Codes/Zoning Officer], and Thomas Eells [Director of Public Works].

Acceptance of Minutes from Previous Meetings

September 6, 2007, September 20, 2007 and October 4, 2007. Vice-Chairman Lindborg motioned to approve the September 6, 2007 and September 20, 2007 meeting minutes. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

Treasurer's Report *(As of the end of September)*

Presented by Manager Rambo. There were no comments.

Capital Reserve Fund	\$971,466.93	Police Pension Fund.....	\$1,320,246.34
Developer Escrow Fund	\$603,412.26	Public Works Cap. Projects Fund	\$485,324.73
General Fund	\$51,436.14	Solid Waste & Recycling Fund.....	\$74,577.94
Non-Uniform Pension Fund	\$305,735.77	State Liquid Fuel Fund.....	\$158,898.79
Operating Reserve Fund.....	\$2,170.96	Construction Sweep Fund	\$16,717.03

Correspondence/Communications *Information to act upon*

- John Snook of the Brandywine Conservancy has provided the Township with amendments to the Open Space Design Option for review and input prior to preparing them in ordinance format for advertisement. Manager Rambo is waiting for the BoS comments. Vice-Chairman Lindborg noted that Supervisor Obernier has some concerns that he wanted to address. Manager Rambo stated that Supervisor Obernier hasn't told him what they were. Chairman McCaffrey suggested if Supervisor Obernier doesn't come back soon, they could pass it and then address the changes with small amendments at a future time.

Correspondence/Communications *Information to Note*

- The Township is in receipt of a thank you letter from the Coatesville Library for its continuing support. Manager Rambo noted they are thanking the Township for its contribution of \$7,153. Vice-Chairman Lindborg has not received the list of active Township members that belong to the Coatesville Library that he requested. Manager Rambo will contact them to request the list.

- The Township has received information from the County that the Reid Road bridge replacement project will be going out for bid and will be given the notice to proceed in February 2008. There were no comments.
- The Brandywine Conservancy has forwarded the Township information with regards to an upcoming seminar, Separating the Trees From the Forest. Manager Rambo noted the seminar is going to be held on October 25, 2007.
- PEMA has forwarded the Township a fact sheet with regard to NIMS compliance requirements for review, along with a reminder that future grant funding will be tied to levels of compliance. Manager Rambo will be meeting with Chief Werner in regards to where they stand concerning compliance in training and preparedness.
- John E. Good, Esquire has forwarded the Township correspondence noting that proposed Ordinance No. 07-06 is in accordance with Act 7 of 2007. Manager Rambo noted this ordinance replaces the Emergency Services Tax and now becomes a Local Services Tax. The difference is the way it is collected, distributed to the municipalities, and that you have to make a minimum of \$12,000 before you have to pay it.

Reports of Departments *Month of September*

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

Total hours.....	1,210	Disturbances	7
Miles patrolled	6,938	Domestic.....	16
Total complaints.....	431	Criminal Arrests	15
Accidents.....	7	Traffic Arrests	73
Warrants	0	Non-Traffic Arrests.....	10
- Public Works Department Report: submitted and presented by Tom Eells.

Total man-hours	738	Total Equipment hours	156
Miles traversed	1,872	Total fuel	887.2

 Tom Eells summarized the work completed throughout the month. There were no comments.
- Buildings/Codes Department Report: presented by Dale Barnett. There were no comments.

Building Permits issued.....	32	CL Fees collected	\$1,125
Permit base fees collected ...	\$14,906.00	Inspections completed	52
Occupancy fees collected	\$500.00	Failed Inspections (FI) paid.....	4
U&O permits issued	1	FI Fees collected.....	\$100.00
U&O permits issued cursory	4	Total fees collected.....	\$16,631.00
Contractor Licenses (CL) issued...	15		
- Fire Marshall Report for August was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done	28	Code violations/Complaints	4
Open Burning Permits.....	9	Hours on Permits.....	14
Container Permits.....	8	Hours on patrol.....	4
Other type inspections done	2	Hours on Ins/Complaints/Violations.....	9
- Wagontown Fire Company Report submitted by Jeff Benach. Mr. Benach noted their upcoming anniversary and that their Pasta and Movie night will be held on October 20, 2007. There were no comments.

Fire

Number of calls dispatched into WBT	2
Initial dispatch into WBT	2
Second dispatch into WBT.....	0
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_
- East Brandywine Fire Company Report presented by Scott Piersol. Mr. Piersol noted their open house was well attended and also noted the fire training for schools that have taken place, as well as the future ones that are scheduled. There were no comments.
 - Fire**
 - Number of calls dispatched into WBT5
 - Initial dispatch into WBT5
 - Second dispatch into WBT....._
 - Number of calls scratched_
 - Medical Assist**
 - Number of calls dispatched into WBT 16
 - Initial dispatch into WBT 13
 - Second dispatch into WBT....._
 - Number of calls scratched3
- Martin’s Corner Fire Company Report: submitted by Chief Dan Metzler and presented by Manager Rambo. There were no comments.
 - Number of calls dispatched into WBT 1
 - Initial dispatch into WBT-
 - Second dispatch into WBT.....-
 - Number of calls scratched-

Reports of Organizations, Boards and Commissions

- John Vilcheck was in attendance from the Historical Commission to give their report. Dr. Vilcheck noted Haines & Kibblehouse are interested in a property on Route 322. The Historical Commission requested that Haines & Kibblehouse put markers where the barn had burned down a few years ago. It was suggested if they decide to expand their operations, they should consider building a barn similar to the one that was there.

Dr. Vilcheck inquired about the security and no trespassing of the Hide Away Farms building. Mr. Parsons requested that an advertisement be placed in the newsletter for volunteers for the Historical Commission. Dr. Vilcheck requested to pull three members from their roster because of their inability to serve or lack of attendance. Manager Rambo will write a letter asking the members if they can’t attend the meetings the Township would like to know, because it prevents the Commission from having a quorum. Dr. Vilcheck will provide Manager Rambo with a list of names.

Dr. Vilcheck requested security and asked about permits on the Reason Farm. A representative from the County of Historic Preservation office toured the Catania site off of Hurley Road and felt that it would be eligible for a restoration grant. The Historical Commission is requesting that a security fence be installed at the site to help prevent vandalism. Vice-Chairman Lindborg expressed that the site is dangerous, and didn’t want to wait years for a grant, he asked if the Historical Commission has a reasonable plan for the site that utilizes part of the wall. Dr. Vilcheck noted that he would let the BoS know by their next Board meeting.

Dr. Vilcheck next discussed the Pulte project regarding tree harvesting in riparian areas. Manager Rambo explained that it is the property owner that removed that trees and not Pulte. Dale Barnett noted that when this occurred he contacted the proper agencies and has not received a phone call back yet. Chairman McCaffrey asked that the Manager email the BoS when a Township regulation has been violated. Vice-Chairman Lindborg asked why the Historical Commission is interested in the trees in the riparian zone. Dr. Vilcheck noted the question was posed a while back and wasn’t answered and he just wanted an answer. Dialog ensued regarding trees in a historic setting.

Dr. Vilcheck stated that the Historical Commission would like clarification of what Bentley plans on doing with the barn at Swinehart Realty that is owned by Bentley. They would like a guarantee that the ruins will remain intact. The Historical Commission requested that a survey for historical artifacts be conducted on the site prior to development of the Gudal property on Pratts Dam and Union Road. Discussion followed.

- Paula Kondracki was in attendance to give the report for the Parks and Recreation Board. Paula noted the upcoming Halloween Parade. Chairman McCaffrey expressed it will be difficult to judge who has the best costume. There were no questions.
- John Cassels was in attendance to give the report from the September Planning Commission meeting. Mr. Cassels noted a lawyer who represented the property owner next to the James E. Scott Subdivision had an issue with setbacks along a future right-of-way that could have significance in the future and they would like to put a note on the plan and then to send it to Jim MacCombie.

Vice-Chairman Lindborg noted that John Cassels had voted against a plan 4 to 1, which was forwarded on to the BoS from the Planning Commission and was curious as to why Mr. Cassels voted against it. Vice-Chairman Lindborg expressed that the BoS would like to be given an explanation of the Planning Commission's concerns if they vote against something in the future.

- John Cassels also gave the report of the Open Space Review Board (OSRB). Mr. Cassels noted their first project, which accomplishes all three of their Priorities Protection Plan goals. The Henderson tract is on both sides of Route 322. By purchasing development rights they are protecting farmland, natural resources; Class I woodlands as were identified in the Comp Plan. They have asked the Henderson's to leave the woodlands undisturbed. They have agreed to allow the Township to have a trail around the property. They are also allowing public access so people can pull off and access the trail on both sides. With the Board's permission, the OSRB would like to contact the Henderson's neighbor PECO, and ask if they would work with the Township and allow access to the multiple use trail for people that might have horses. This is not suggesting motorized vehicle use at all.

The OSRB would like to initiate two other projects, one on the western border of the Township and the other on the eastern border. One property is identified by green, which means that it is protected. It is the former Icedale Lake owned by the PA Fish and Boat Commission. The OSRB would like the Board's permission to apply to have the OSRB adopt that reach of stream on the Commission's program called Adopt-A-Stream. This could be a destination on this trail network. They would like to see a trail put on either side of the stream with an observation deck for bird watching, nature study, etc. The OSRB would also like to see a roof with signs that highlight the history of Icedale. They would also propose that they apply for a grant with PECO for their Green Region Program. The BoS would have to sign a resolution. The BoS were in favor of John Cassels applying for the PECO Grant.

Chairman McCaffrey would like to see some activity along the west branch of the Brandywine. They may be able to keep additional wastewater facilities from going in along there. John Cassels also noted on the Thornberry's that have property in both East and West Brandywine adjacent to Applecross. All of the historic structures are in West Brandywine. The Thornberry's are interested in preserving their land to prevent it from ever being developed. East Brandywine has suggested being the primary easement holder and has already agreed to be the holder of the East Brandywine portion of it. Some of the features include a tributary to Beaver Creek, wetlands, hydric soils, and woodland. They agreed to have a trail easement along Hatfield Road. Mr. Cassels would like to talk to Pulte to see if they could continue it. The Thornberry's are asking that West Brandywine Township pay for West Brandywine's share of the appraisal that would cost as much as \$1,500, which is about to take place. Once the values of the land

are assessed a decision can be made about whether this is something that they want to invest in to help preserve these natural resources. Sixty-two percent of the land is in West Brandywine Township a total of 20.4 acres. This property didn't rank high on the priority analysis because they didn't consider the East Brandywine portion. The West Brandywine piece is small and not really adjacent to any green ones that would raise the score. It does have some significant natural resources and a trail.

Vice-Chairman Lindborg asked for the appraisal, if they are going to separate the buildings from the land. Mr. Cassels answered there will be a land value as if it were to be developed. Manager Rambo explained what they did with the Henderson's. They took the total acreage and took the building footprints and any other proposed footprints off of the easement value. The resident area would be taken off and the open space funds would be utilized to purchase the easements on the property. Chairman McCaffrey noted for the Open Space Priorities Plan (OSPP), there were no points offered if you could get multiple property owners together to go through this program. Mr. Cassels commented that was part of it and they would get a higher ranking because of their proximity to open spaces. Mr. Cassels noted that the OSPP is a living document, which can be revisited, and they can rerun some of the numbers.

- Municipal Authority Manager Rambo gave the report from the Municipal Authority. The Authority has obtained the final easements it needs in the Monacy Manor area in order to relocate some of the existing sanitary sewer pipes. Work is slated to commence in December.

Old Business

- The Manager is preparing a draft "easement agreement" based on County requirements for funding for presentation to the Henderson's regarding the purchase of a conservation easement. Manager Rambo noted that he has met with the Henderson's numerous times. John Cassels had sat in on their last meeting. A grant application is being prepared. One of the requirements is that the Township adopts the County's proposed 26-page conservation easement document. The Manager is currently reading through it to see if what the Henderson's would like to do is able to be done involving adding more quinine uses, pastures, redoing some of the existing historic houses, etc. Modifications have to be submitted to the County. The Henderson's are going to give a \$10,000 yearly contribution toward the project over a period of ten years.
- The Manager is in the process of preparing the proposed 2008 budget for distribution to the Board. Manager Rambo noted the BoS would have the budget at the end of the month.

The BoS has received proposed updates to the Township's Police Policy and Personnel Manual for review and adoption consideration. Manager Rambo suggested that the BoS review the manual so it could be adopted within the next few meetings.

Old Business from the Floor

Pat Edwards of Manor Road inquired about the old house on The Golf Zone property. Dale Barnett will pull the documents regarding the house and report back to the BoS at the next meeting.

Old Business from Board

There was no Old Business from the Board.

Ordinances and Resolutions

Resolution #17-07: submission of grant application for the purchase of the Henderson's Conservation Easements. Manager Rambo noted the Township will be submitting an application to the County in the amount of \$500,000. The resolution states that they will have \$852,000 available as the match. Chairman McCaffrey motioned to sign Resolution #17-07. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye. Manager Rambo also noted six copies of

grant contracts also need to be signed to send in along with the resolution. Vice-Chairman Lindborg motioned to sign the contract. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

The \$852,000 will come from the Open Space Tax Fund; it currently has \$700,000 in it. The Township receives about \$210,000 annually. The Henderson's would like payment over a ten-year period. Vice-Chairman Lindborg acknowledged that Baldwin's farm is one of the most visible centrally located farms. Manager Rambo noted if they get easements for the Henderson's as well as some other tracts and then Pulte's Swinehart farm which abuts the Baldwin farm, it might lend an easier means to obtain easements from that.

New Business

The Manager is in the process of preparing the Local Services Tax Ordinance No. 07-06 (formerly known as the Emergency and Municipal Services Tax) for advertisement and adoption consideration. The tax is \$1.00 per week or \$2.00 biweekly, quarterly reimbursements will be made to the Township, and the threshold has been raised to \$12,000.

Opening of bids received for the sale of used equipment and vehicles. Manager Rambo noted the bids for the 1999 Crown Victoria for \$901.50, \$1,626.00, \$925.00, \$1,079.00, \$555.00, \$1,468.00, and \$1,500.00. The bids for the 1995 Ford Bronco were \$600.00, \$350.00, \$379.00, and \$900.00. Manager Rambo recommended to the sale of the Crown Victoria to Rick Angley for \$1,626.00 and to award the sale of the Bronco to Mark Hartnett for \$900.00. There was only one bid for the computer equipment for \$25.00 from Joseph Obernier. Vice-Chairman Lindborg motioned to award the sale of the Crown Victoria to Rick Angley for \$1,626, Mark Hartnett for the Bronco for \$900, and the office equipment to Josef Obernier for \$25. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

The Township will be testing for part-time police officer positions. There were no comments.

Discuss scheduling a public hearing to consider the removal of individuals from the Historic Commission for non-attendance at their monthly meetings. Chairman McCaffrey stated that rather than scheduling a public hearing, to send a letter to the individuals explaining that the Commission is handicapped because they never have a quorum.

Signing of the Order for the Praise Fellowship Church for the use of public water at their proposed new church. Manager Rambo read the Order out loud. Upon the Manager's recommendation, Vice-Chairman Lindborg motioned to sign the Opinion and Order for Praise Fellowship Church. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

New Business from the Floor

Jess Edwards asked a question regarding All Souls Cemetery.

New Business from the Board

Manager Rambo noted the Township has purchased an ID Maker and will be contacting each department so that members can come in and receive an ID badge. It will be a policy that when anyone goes to a site, they must have their ID badge with them.

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

Dr. Vilcheck asked if the Township was incurring any liability for cost of corrective measures for the new public works facility. Manager Rambo answered no.

Dr. Vilcheck asked a question dealing with public safety, noted Route 82, Cedar Knoll Road, and East Reeceville Road and asked if PennDot is planning any improvements there. Manager Rambo noted the Township just purchased counters and will be doing a traffic study of that intersection to determine what would be warranted, e.g. four way stop sign, traffic signal, or a round about. The traffic study will commence within the next few weeks. The intent is to show PennDot that they need to do something.

Open Issues Before the Township

The Township has forwarded its Signal Specifications to Caln Township for review. Manager Rambo noted he spoke with Greg Prowant who will ask his engineer to review it.

The Manager and Township Engineer continue in their efforts of reviewing and updating the Township's Act 537 Plan. There were no comments.

The Manager and Supervisors are in the process of updating the Township's Non-Uniform Personnel Policy Manual. Manager Rambo noted the BoS has received a copy via email.

The Township continues to review information with regard to the State Turnback Program. This will be reviewed in the near future.

General Obligation Note (Adjustable Rate Loan based on Harrisburg Bond for the Facility/Park Construction) Interest rate for the week is 4.12%.

Review and Payment of the bills.

Manager Rambo noted the General Fund bills total \$85,413.25. The State Fund bills total \$5,941.23. Vice-Chairman Lindborg noted he reviewed the bills, found them in order and motioned to pay the bills at the Manager's recommendation. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

Upcoming Meetings/Events

Chairman McCaffrey noted the upcoming Meeting/Events.

Adjournment

There being no further business before the Board, Vice-Chairman Lindborg motioned to adjourn the meeting at 9:13 p.m. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

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