

## **Meeting Minutes of January 6, 2003 Board of Supervisors**

Chairman Obernier called the Board of Supervisors Meeting of January 6, 2003 to order at 7:16 p.m. Roll call of the Board of Supervisors by the Township Manager noted Chairman Obernier, Vice-Chairman McCaffrey, and Supervisor Lindborg in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr.; Township Manager, and Capt. Walter M. Werner; Chief, Dale Barnett; Codes Officer, and Thomas Eells; Road Foreman.

The next item of business to address was the approval of the Township minutes of November 6, 2002, November 21, 2002, December 5, 2002 and December 19, 2002. Supervisor Lindborg motioned to accept the minutes and Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye.

Being there were no individuals requesting to be on the agenda Chairman Obernier moved onto Correspondence/Communications (information to note and act upon). The first item under Information to Act Upon was the Board of Supervisors is in receipt of correspondence from the Jehovah's Witnesses with regard to waiver requests for their Land Development Plan for the construction of their Kingdom Hall. Manager Rambo suggested tabling the waiver requests for the Jehovah's and also for the next item on the agenda also pertaining to waiver requests for the Valley View Subdivision (Genterra) until he sends them a letter requesting their presence at the January 16, 2003 Board meeting for discussions of the waiver requests. Supervisor Lindborg made a motion to table the first two items to act upon regarding the waiver requests. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey all voted aye.

The third item to act upon was the Township is in receipt of correspondence from Bursich Associates, Inc. with regard to a request to adjust the number of replacement trees and shrubs planned for Phase I of Suttonwoods. Manager Rambo noted he and Herb MacCombie are reviewing the information that was provided and will make a recommendation to the Board after determining what is required.

The fourth item under information to act upon was the Township is in receipt of a sixty-day letter of extension in which to render a decision on the Hanna/Ziegler Subdivision Plan. Supervisor Lindborg made a motion to accept the extension. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey all voted aye.

The fifth item under information to act upon was the Township is in receipt of a letter from Christopher E. Cummings, Esquire with regard to two waiver requests for the All Souls Cemetery Preliminary Land Development plans. Manager Rambo noted he will request their attendance at the next Board Meeting.

The sixth item was the West Brandywine Police Association is requesting that an Actuarial Study be performed to the Police Pension Plan to determine the feasibility of additional benefits. Manager Rambo noted they are requesting to change the Social Security offset retirement age, and add the new Act 600 requirements to the plan. Vice-Chairman McCaffrey commented on the adjustment of retirement from fifty-five years to fifty years; stating, "we would all like to retire then." Vice-Chairman McCaffrey made a motion to approve the study. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, Obernier and all voted aye.

The seventh item to act upon was John E. Good, Esquire has forwarded correspondence to the Township with regard to the Brandywine Hospital's real estate assessment appeal. Manager Rambo noted that Jeff Sommer of Buckley Nagle has forwarded a letter desiring West Brandywine to participate in Brandywine Hospital's tax appeal as to whether or not we want to share the costs and sit in on an appeal process. Vice-Chairman McCaffrey asked what percentage of Brandywine Hospital is in West Brandywine Township, noting it should be based on a proportionate share. Manager Rambo will look into what the cost will be to participate.

The eighth and final piece of information to act upon was the Township is in receipt of a Holding Tank Permit application to be utilized on lot #40 of the Suttonwoods Project until such time that the sand mound system can be constructed in the spring. Manager Rambo stated that lot #40 is scheduled for settlement on January 17, 2003 and noted Jack Stewart (Woodstone Homes) to be in attendance. The Manager said Jim MacCombie has reviewed what they are proposing.

Jack Stewart stated the tank would need to be emptied approximately every ten days and went on to delineate their proposed plan.

Manager Rambo stated they would require the U&O that is issued contingent upon the conditions upon the driveway, paving, final grading and the establishment of all funds necessary to complete the project. And a separate escrow would be held with the Township for the pumping, noting that Woodstone will still be responsible for the pumping. Manager Rambo will draft a letter requiring an escrow be set-up for \$2500 for John E. Good, Esquire to review. If all parties are in agreement with the letter then Mr. Stewart will be able to obtain a U&O.

Information to Note was the next item on the agenda. The first piece of Information to Note was John E. Good, Esquire has forwarded the Township his comments with regard to the Homeowner Association document information submitted to the Township by Colin Judge. Manager Rambo

noted John E. Good, Esquire said the Township has nothing to do with the Homeowners procedures. Chairman Obernier noted he passed the letter on to Colin Judge.

The second piece of Information to Note was the Chester County Department of Emergency Services has forwarded a request to the Township to update its Emergency Operations Plan. Manager Rambo noted that he and Paul Gainor are looking at the original to update.

The third piece of Information to Note was the Township is in receipt of a thank you letter for the recently held Saturday with Santa.

The fourth piece of Information to Note was the Chester County Intermediate Unit has forwarded the Township correspondence with regard to the upcoming bid for copy and computer paper. Manager Rambo noted they would be participating in this and will be forwarding CCIU information with regards to our needs.

The fifth and final piece of Information to Note was Representative Curt Schroder has forwarded the Township a copy of recent correspondence he received with regard to the proposed City of Coatesville Golf Training Facility. Manager Rambo noted this was from Mr. Carlson of 50 Walden Way requesting assistance.

Being the Reports of Departments and Reports of Organizations, Boards, and Commissions are not applicable for this meeting, Chairman Obernier moved onto Old Business. The first piece of Old Business was the Codes Officer and Township Manager are continuing their preparation of ordinance amendments with regard to; signage, day-care facilities, solid waste, etc., and will present draft proposals to the Board of Supervisors in the immediate future.

The next item under Old Business was the Board of Supervisors have completed their interviews for the Planning Commission vacancy and is to consider appointing an individual to fill the vacancy. Chairman Obernier noted they should have their decision made by the next Board Meeting. Supervisor Lindborg commented they had a large number of qualified applicants that were interviewed and said it will be a difficult decision to make.

The next item under Old Business is the Board of Supervisors is continuing their search to fill the Historic Commission and Building Appeals Board vacancies. Manager Rambo noted an ad will appear in the Newsletter.

Being there was no Old Business from the Floor or from the Board the Chairman moved onto Ordinances and Resolutions. Resolution #01-03 pertained to the acceptance of the Ashberry Lane Project (Hammell North) roadways. Manager Rambo noted that John E. Good, Esquire has reviewed the dedication papers and found them to be acceptable. MacCombie has found the road descriptions adequate and the bond company has established bond for an eighteen-month period through the Travelers Casualty and Surety Company. Vice-Chairman McCaffrey made a motion to accept the Ashberry Lane Project. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, Obernier and all voted aye.

Chairman Obernier then moved onto New Business. The first item under New Business was the Code Officer and Manager are finalizing Ordinances to adopt the ICC Building, Mechanical, Plumbing and Maintenance Codes at the February 6, 2003 Board of Supervisors meeting. Manager Rambo noted that this was being finalized for advertising, and copies will be given to the Board. Supervisor Lindborg made comments noting he would like to make sure the verbiage they noted in the past is clear on the Ordinance.

Chairman Obernier moved onto the next item on the agenda being there were no recommendations of the Township Planning, the approval of release request #12 for the Ashberry Lane Project (Hammell North). The Board tabled this request due to the Managers recommendation, being they had not received the final review.

The fourth and final item under New Business was the Manager has advertised for consideration Ordinance No. 03-01 and 03-02 for public hearing and possible adoption on Thursday, February 6, 2003. Manager Rambo noted this pertained to the Woodland and Scenic Overlay. He noted they have been sent to the various Commissions, County, our Planning Commission, and John E. Good, Esquire for review.

Chairman Obernier moved onto New Business from the Floor. Pat Edwards from the floor asked if a sign could be erected on Reeceville Road stating "put your lights on if you can go," noting that you sit there a long time and can't tell if people are turning or not. Manager Rambo stated that would be PennDOT.

Chairman Obernier moved on to New Business from the Board. The Chairman complemented the Road Department on how well West Brandywine Township plowed and maintained their roads during the last snowstorm, when the roads in other townships were still snow covered.

Vice-Chairman McCaffrey stated he would like to look into possible shared funding for 911 related issues, preparations, and plans. Look for the money from the Managers Consortium and County. The Manager and Police Chief Walt Werner will look into this. Supervisor Lindborg suggested looking into a tire-recycling grant.

The Chairman moved onto Public Comments. Jesse Edwards noted that Pat Baldwin had passed away and hoped her farm would not be sold.

Chairman Obernier then moved onto Open Issues. Irish Oaks Golf Facility barn restoration and preservation was first. Manager Rambo noted they will be scheduling an appointment with Dale and himself.

The next Open Issue was the CASD tax audit review with nothing new to note.

The last Open Issue was the Cable Franchise review letter. Manager Rambo will request the list of participants.

Chairman Obernier moved onto the next item on the agenda regarding the Facility/Park Update.

Manager Rambo noted they are behind schedule due to the bad weather and stated the current interest rate is 1.44%.

The Chairman moved onto the payment of the bills. Supervisor Lindborg motioned to pay the bills and Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye in favor of their payment.

Chairman Lindborg noted upcoming meetings and events as follows:

Historic Commission, Tuesday, January 7, 2003 at 7:30 p.m.  
Municipal Authority, Thursday, January 9, 2003 at 7:30 p.m.  
Conditional Use Hearing at North Brandywine Middle School, City of Coatesville, Monday, January 13, 2003 at 7:00 p.m.  
Park and Recreation Board, Tuesday, Tuesday, January 14, 2003 at 7:30 p.m.  
Zoning and Subdivision Task Force, Wednesday, January 15, 2003 at 7:30 p.m.  
Board of Supervisors, Thursday, January 16, 2003, at 7:30 p.m.  
Planning Commission, Thursday, January 23, 2003, re-organization at 7:00 p.m., regular meeting at 7:30 p.m.

Supervisor Lindborg suggested having the design of the plaque finalized before the completion of the facility.

Vice-Chairman McCaffrey voiced his opinion on the City of Coatesville and the loophole they feel they have discovered in our Ordinance, and would like to resist having anything imposed on us. He wouldn't mind having a specific real estate property assessment tax put in place for defense for that particular Ordinance. He also noted that the relationship between West Brandywine and the City of Coatesville should be reevaluated due to the fact of how they are treating our citizens, noting that the Conditional Use Hearings are a way for the citizens to voice their opinions or concerns.

Supervisor Lindborg noted that the Conditional Use Process is continuing and would like to first see where it goes.

Vice-Chairman McCaffrey's final comment was, he has yet to see the City of Coatesville ask their residents if this project is how they would like to see their money spent.

With no other business to discuss, Supervisor Lindborg motioned to adjourn the meeting at 8:10 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg McCaffrey, and Obernier all voted aye in favor of adjournment.

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