

Meeting Minutes of July 20, 2006
Board of Supervisors

Chairman Obernier called the Board of Supervisors Meeting of July 20, 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. and Supervisor Carl S. Lindborg in attendance. Vice-Chairman Thomas J. McCaffrey, Jr. arrived at 7:48 p.m. 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, Director of Public Works.

Acceptance of Minutes from Previous Meetings

June 1, 2006 & June 15, 2006, and July 6, 2006. The Minutes were tabled.

Treasurer's Report *Month ending June*

No Treasurer's Report was presented for tonight's meeting because it had not been printed out.

Public Comments *Individuals requesting to be on the agenda*

No one requested to be on the agenda.

Correspondence/Communications *Information to Act Upon*

The Township is in receipt of a letter of extension until Thursday, September 7, 2006 from Pulte Homes with regard to the rendering of an "Order" for their Conditional Use Application for their proposed 55+ Community. Manager Rambo recommended acceptance. Supervisor Lindborg motioned to accept the extension. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

Andrew Eberwein of E.B. Walsh & Associates has forwarded the township a waiver request with regard to the water supply flow for the new regional Catholic School. Mr. Eberwein gave a brief explanation of why they requested a waiver. Supervisor Lindborg requested that Mr. Eberwein obtain a letter stating that the system is designed in accordance with the National Fire Protection Association with the proposed pressures and flows. The waiver request was tabled until the BoS receives the requested letter.

The Township is in receipt of a sixty-day letter of extension dated July 9, 2006 from Thomas Rohrer with regard to the rendering of a decision on his Final Land Development Plan currently under review by the township. Manager Rambo noted it is under review by Jim MacCombie. Supervisor Lindborg motioned to accept the letter of extension. Chairman Obernier seconded the motion. Board Members

Lindborg and Obernier voted aye. Chairman Obernier requested the date they are asking for. The extension will run until November 26, 2006.

Correspondence/Communications *Information to Note*

John Snook has provided the township with proposed zoning modifications to the Open Space Design Option for the Board’s review. Chairman Obernier noted he read it, didn’t quite understand it, and would like to talk it over with Vice-Chairman McCaffrey and Supervisor Lindborg.

Stan Stubbe has forwarded the Township proposed language to update and modify the Township’s existing lighting ordinance requirements. This item will be discussed at the next meeting.

The Township is in receipt of information on the upcoming NATAT convention to take place in Washington, DC. Supervisor Lindborg will not be attending. Chairman Obernier and Vice-Chairman McCaffrey will let Manager Rambo know if they will be attending.

CCATO has forwarded the township a reminder of the September 30, 2006 deadline for NIMS Training, along with some upcoming training classes. The BoS requested the dates and times.

Reports of Departments *Month of June 2006 unless otherwise noted.*

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

Total hours.....	1493	Fatalities	0
Miles patrolled	9,633	Domestics	5
Complaints	486	Criminal arrest.....	54
Accidents.....	17	Non-traffic arrest	26
Injuries.....	0	Traffic arrests	122
- Public Works Department Report, presented by Tom Eells.

Total man-hours	996	Fuel.....	992
Miles patrolled	2,720	Residents monthly yard waste.....	50
Total Equipment hours	83	Loads Yard Waste	77

Chairman Obernier noted that Tom Eells drove to Baltimore to pick up 2,500 pounds of dry ice. PECO gave them an additional 80 pounds to hand out. The resident’s had expressed that they were grateful for the dry ice, water, and shower accommodations. Vice-Chairman McCaffrey explained that this is an unbudgeted expense and there should be an emergency plan in place. Discussion took place regarding having a plan in place and also including this in the budget. Chairman Obernier suggested when it is time to renew the Nextel contract, they look into another carrier; that the Nextel system failed. Supervisor Lindborg noted that the cell phones were having trouble as well. Chairman Obernier would like the Manager to write a letter to PECO requesting a power outage map on-line for the future.

- Buildings/Codes Department Report was not presented due to technical difficulties.
- Fire Marshall Report was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done	38	Hours on patrol.....	4
Other type inspections done	0	Code violations/Complaints	1
- East Brandywine Fire Company Report presented by Scott Piersol. Mr. Piersol noted their annual Chicken BBQ will be held on Saturday, July 22, 2006.

WBT Fire Total 15
 WBT QRS 19
 WBT Time in Service Fire: 9 hrs 47
 mins.

Time in Service QRS: 6 hrs 17 mins.
 WBT Fuel Usage 16.9
 WBT Miles traveled Fire 59
 WBT Miles traveled QRS..... 93

- Wagontown Fire Company Report presented by Jeff Benach. There were no comments.
- Martin’s Corner Ambulance Report presented by Manager Rambo. There were no comments.

ALS	13	Fire/Standbys.....	1
BLS	16	WBT Total Responses.....	39
MVA.....	9		
- Martin’s Corner Fire Company Report presented by Manager Rambo. There were no comments.

WBT Fire Calls	2
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Reports of Organizations, Boards and Commissions

There was no one present from the Historic Commission or the Parks and Recreation Board to give a report. Chairman Obernier thanked the Parks and Recreation Board for organizing movie night and noted he observed an increase in attendance over the previous movie night with higher sales in popcorn, candy, etc. Chairman Obernier also thanked Tom Eells for the improvements to the movie screen. There was no one present from the Planning Commission. Carl Lindborg, Chairman of the Municipal Authority gave the Municipal Authority report noting that discussions took place regarding the proposed agreement between East Brandywine Municipal Authority, West Brandywine Municipal Authority, and West Brandywine Township BoS, the draft was found unsatisfactory. The agreement is to accommodate on a temporary basis, the Pulte Home 55+ community that is being proposed. A special meeting has been setup to discuss the agreement.

Old Business

The Township Manager is finalizing the ad for the Technical Specifications for Traffic Control Signalization Ordinance. Manager Rambo noted he has a meeting scheduled with McMahon Associates to perform the final review and also to sit with the Public Works Director to go over the type of generators. Vice-Chairman McCaffrey noted that West Bradford’s red light was working when all the power was out. Manager Rambo explained that is the newer system with the battery backup. Manager Rambo stated that the Township’s lights are all LED’s, they need new cabinets to accommodate the battery backup systems and are looking for funds. Chairman Obernier explained that the Township has the Roadway Improvement Fund that developers put money into.

The Township Manager is finalizing Conservation Easement information for submission to the BoS and the Henderson’s with regard to their property at the intersection of 82 & 322. The township is looking into buying conservation easements. The Manager has gotten sample agreements from the Brandywine Conservancy and other Conservancies.

The Township Engineer and Manager continue their work on updating the township’s Act 537 Plan for submission to the BoS. A base map has been prepared for review and discussion. Elizabeth Zanoviak asked Manager Rambo what the Act 537 Plan is. Manager Rambo gave a brief explanation of the plan.

Old Business from the Floor

Elizabeth Zanoviak noted that it was an admirable decision what was done after the storm. Vice-Chairman McCaffrey stated that the Board needs to define what a true disaster is. Discussion followed.

Ms. Zanoviak had questions regarding the audit report and miscellaneous expenses. Ms. Zanoviak stated that she heard from a government official that someone under the BoS had used a credit card for personal use. Chairman Obernier asked who the official was. Ms. Zanoviak stated she wasn't going to say. Chairman Obernier explained that they are looking for truth, if she has a fact, then bring it up, and the BoS will follow it through. Chairman Obernier expressed that he was angry. Vice-Chairman McCaffrey explained that the township has gone from a small handshake organization to a business. Supervisor Lindborg stated that the audit report was advertised in the paper. There is nothing else that is required to be published. Further discussion ensued regarding the audit report.

Sherry Clemons of Germany Hollow Road expressed that the BoS did an excellent job handling Ms. Zanoviak's question.

Chairman Obernier publicly apologized to Ms. Zanoviak for losing his temper, noting that her question is reasonable. Chairman Obernier explained that the township had a comprehensive audit that went back three years, in addition to their regular audit. Supervisor Lindborg explained that what came out of the audit was that it was a positive critique on a number of issues pertaining to how the Township is run. There were a number of suggestions by the auditors, all of which have been implemented. Overall it has been a positive thing for the Township. It gives the BoS a handle on how the Township is operating and how it should operate. Chairman Obernier stated unequivocally, that no person benefited beyond what they should have been paid for the activities that they do, there was no money missing, none of that. The auditors indicated a better way of operating in some areas and the BoS accepted their guidance and have acted on it. At this point in time, the Township has passed everything that they suggested. Ms. Zanoviak asked the BoS how they would have recommended that she approached them with that question. Further dialog continued. Ms. Zanoviak requested a copy of the audit report.

Ms. Zanoviak asked about contributions to the Fire Departments. Manager Rambo gave a brief explanation of the Township's contributions to the three Fire Departments that service the township. After a brief discussion Chairman Obernier moved on to address the next item on the agenda.

Old Business from the Board

There was no Old Business from the Board.

Ordinances and Resolutions

There were no Ordinances and Resolutions.

New Business

The Township Manager and other municipalities have met with legal council to review the completed "franchise agreement" proposed with Verizon and will be advertising it for adoption consideration on Wednesday, July 26, 2006 at 7:00 p.m. Manager Rambo noted that the ordinance was duly advertised and they will be holding a special hearing next Wednesday, during the special meeting between the BoS and the Municipal Authority.

The BoS will be meeting with the Authority Board to review and discuss the proposed Inter-Municipal Sewer Agreement with regard to Pulte Homes 55+ Community on Wednesday, July 26, 2006 at 7:00 p.m. Mr. Thornberry of Hatfield Road asked a question regarding Pulte. Manager Rambo noted that Pulte currently has a copy of the Order draft that is being considered for issuance, they granted an extension until tonight, until they fully read what was presented to them. They need more time to think about what was presented to them. They have extended additional time until September 7, 2006 to issue the Order.

Mr. Thornberry asked where the emergency access is proposed. Manager Rambo answered the same place as depicted on the drawing. Chairman Obernier noted the draft copy states that the BoS wanted three two way access points, the BoS didn't specify where, it is up to them to provide it. Manager Rambo stated that the draft says that three access points are required and an emergency access. Manager Rambo will be meeting with East Brandywine's Manager to talk to him about it.

Mr. Thornberry would like to get a feeling of what it is going to look like when they put in a cul-de-sac and ten houses. Manager Rambo stated that until he sees the design of the site cut and fills, he can't say.

Release of escrow funds totaling \$279,184.91 for Jamie Lane. Manager Rambo noted this was reviewed by the Township Engineer and Township Manager and found to be satisfactory. Vice-Chairman McCaffrey motioned to release the escrow request since the Township Engineer and Township Manager have reviewed it. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

Ms. Zanoviack asked for an explanation of the escrow requests. Manager Rambo and Vice-Chairman McCaffrey gave a brief explanation of the escrow requests.

Release of escrow funds totaling \$85,183.47 for Hide-Away Farms. Manager Rambo and the Township Engineer have reviewed this release, done a site visit and found it in order. Supervisor Lindborg noted that based on the recommendation of the Township Manager and Township Engineer, he motioned to approve the escrow release. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

New Business from the Floor

There was no New Business from the Floor.

New Business from the Board

Vice-Chairman McCaffrey would like to get a total of what the recent storm cost the township, including the Public Works Department, Police Department, volunteer hours, etc. Manager Rambo noted that the township has received forms from the County, who is trying to get the area declared as a disaster.

Vice-Chairman McCaffrey would also like to send a letter from the township asking for some degree of cooperation from the utility company to get an outage time frame. They mentioned a map where areas are red when they are out and then returning to yellow when they have electric. The local government or Police Department couldn't get through to PECO.

Jesse Edwards of Manor Road asked how much time it takes from when you lose electric until you get help. Supervisor Lindborg answered that was Vice-Chairman McCaffrey's point, to have some kind of plan in place for the future, this is the first time they have done it, they need to take a look and see if they are going to help out every time. Tom Eells noted that they had dry ice at the township on Wednesday night and were attempting to contact people to let them know that it was available. Manager Rambo will check on reverse 911. Pat Edwards stated that they would be glad to pay for the dry ice. Chairman Obernier explained that they weren't looking to sell the dry ice; they were just looking to provide some level of service to people in the township.

Elizabeth Zanoviack suggested that a list of residents that would be willing to open up their homes to others that are without power be included in the emergency policy. Vice-Chairman McCaffrey asked if the Township Facility's generator supports the air conditioner. Manager Rambo answered some of the

air conditioning is on the generator. Dialog ensued regarding the use of the Township Facility for emergency situations.

Vice-Chairman McCaffrey expressed that he didn't want to see his tax dollars spent on spoon-feeding individuals, when they should be making inquiry on their own. You have to draw a line somewhere; you want to make things better, but you aren't here to take up all the slack that is missing in a persons home. It is not the responsibility of the Police Department in an emergency situation to be running about the township with a loud speaker letting them know there is dry ice. Neighborhoods could send one person down to the township to see if something is going to be provided. At some point people have to take hold of their own life and make an effort...

Sherry Clemmons suggested they put together a flow chart with services that the township would provide. Elderly citizens could register with the township, have a neighborhood community watch, and also use the township website. Chairman Obernier stated that they learned a lot through this experience with regard to communications and how to plan for a hard-core emergency.

Tom Eells stated that one of the issues with the situation was that the township didn't have the knowledge as to PECO's response time to getting the electric back or which areas were without electric. Vice-Chairman McCaffrey stated that PECO gave no advance notice that they wouldn't be providing dry ice after they have done so for the past two decades and they didn't tell the township who might have wanted to pick up the slack.

Elizabeth Zanolviak asked what the township is prepared to do in the event of a national catastrophe. Manager Rambo explained that the township has an Emergency Management Plan on file with a flow chart of who is supposed to do what. This is updated every three to five years, according to County requirements. Chief Werner explained that the BoS, Manager and Chief Werner have to take the National Emergency Management Courses that are required by September 1, 2006 and noted that his officers are also required to take courses. This is nationwide so that everyone has the same thought process. Further discussion ensued regarding preparedness for emergency situations. Supervisor Lindborg suggested that they put something in the Newsletter with township amenities in emergency situations.

Public Comments (individuals not requesting to be on the agenda)
No individuals requested to be on the agenda.

Open Issues Before the Township

SPCA 2006 Animal Control Contract. Chairman Obernier noted that the contract with the SPCA has ended and the Manager had requested that the Police Chief make arrangements. The Police Chief is in the process of making arrangements.

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

The Manager is awaiting input on the proposed Access Management Ordinance from Supervisors Lindborg and McCaffrey. There were no comments.

The township continues to seek volunteers to serve on the Buildings Appeals Board, the Parks and Recreation Board, and the Historic Commission. There were no comments.

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

Interest rate for the week was 3.78 %. There were no comments.

Review and Payment of the bills

Bills from the General Fund (\$35,934.94) and Solid Waste Fund (\$35,334.17). Upon the Board's reviewing the invoices and finding them in order, 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

- Special hearing and meeting between the BoS and Municipal Authority on Wednesday, July 26, 2006 at 7:00 p.m.
- Planning Commission meeting, Thursday, July 27, 2006 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, August 8, 2006 at 7:30 p.m.
- Municipal Authority meeting, Thursday, August 10, 2006 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, August 21, 2006 at 7:30 p.m.

Adjournment

With no other business to discuss, Vice-Chairman McCaffrey motioned to adjourn the meeting at 9:45 p.m. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye in favor to adjourn.

Ronald A. Rambo, Jr.

Township Manager/Secretary/Treasurer