

Meeting Minutes of May 5, 2005
Board of Supervisors

Chairman Lindborg called the Board of Supervisors Meeting of May 5, 2005 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 Carl S. Lindborg, Vice-Chairman Josef G. Obernier, Sr., and Supervisor Thomas J. McCaffrey in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager; Walter Werner, Police Chief; Dale Barnett, Codes/Zoning Officer; and Thomas Eells, Director of Public Works.

Appointment of Officer

The Board of Supervisors to appoint Sean Graham as a West Brandywine Township part-time police officer. After the swearing in of Sean Graham by Chairman Lindborg, Chief Werner noted that Officer Graham just returned from Iraq after a year of service there. The BoS thanked him for his service to the country.

Acceptance of Minutes from Previous Meetings

March 16, 2005, April 7, 2005 and April 21, 2005. Vice-Chairman Obernier motioned to adopt the Meeting Minutes of March 16, April 7, and April 21. Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye, McCaffrey abstained.

Public Comments *Individuals requesting to be on the agenda*

No one requested to be on the agenda.

Correspondence/Communications *Information to Act Upon*

Carroll Engineering Corporation has forwarded the Township a waiver request for the light fixture heights of the Coatesville Golf Training Facility. Upon the Manager's recommendation, Vice-Chairman Obernier motioned to table the Coatesville Golf Training Facility's waiver request. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Drew Taylor of Nave/Newell has forwarded the Township a letter requesting a reduction in the planting requirements of the St. Peter's Church Land Development Plan. At the Manager's recommendation, Vice-Chairman Obernier motioned to table St. Peter's request. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

The Township is in receipt of a letter of extension from Steve Janiec with regard to his Plank Barn Land Development Plan. At the Manager's recommendation, Supervisor McCaffrey motioned to accept the

sixty-day extension. Vice-Chairman Obernier seconded the motion. Board Members, McCaffrey, Obernier and Lindborg voted aye.

Scott Emerson of Bentley Communities has forwarded the Township a letter of extension that runs until July 8, 2005, for the rendering of a decision on the Preliminary Subdivision Plans for Swinehart Realty. Manager Rambo recommended that the BoS accept the extension; Bentley is currently working on the comments of the Township Engineer's review letter. Vice-Chairman Obernier motioned to accept the letter of extension. Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye. Supervisor McCaffrey voted nay.

The Township is in receipt of a Cash Management Proposal from DNB for signing. Manager Rambo explained the proposal, noting that the Township would be switching all its cash money including PLGIT. The Township would then earn 3.04% interest. Currently the Township has its checking account at DNB First. This is not a locked in contract, the monies would be able to be moved at any time. Manager Rambo recommended that the BoS accept the Cash Management Proposal from DNB First. Vice-Chairman Obernier motioned to accept the DNB First Proposal and shift the appropriate funds into it. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

The Township is in receipt of a ninety-day letter of extension from Marc Jonas, Esquire on behalf of his client, The City of Coatesville Golf Training Facility. Manager Rambo recommended that the BoS accept the extension; Marc Jonas is currently working on addressing the engineer's letter. Vice-Chairman Obernier motioned to accept the ninety-day letter of extension. Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye.

The Township is in receipt of correspondence from Ross Unruh, Esquire with regard to Bentley Community Projects, the existing Opinion and Order concerning sewage treatment and disposal and the need to open the Conditional Use Hearings (CUH). Ross Unruh was in attendance and requested that the BoS establish a CUH for the limited purpose of modifying the Conditional Use decision with respect to sanitary sewer. Manager Rambo expressed the need for the BoS to change the current Opinion and Order; currently it states that the sewer is supposed to be on-site.

Supervisor McCaffrey disagreed with the plan and had voted against it. If they couldn't run the sewage to the City of Coatesville, then they probably couldn't develop it as it is drawn and feels there is an error in the amount of open space that was guaranteed to the community. If they open up the CUH, Supervisor McCaffrey would like to see the amount of open space guaranteed, besides saying that the sewage is going down to the City of Coatesville. Supervisor McCaffrey would like to see the engineer's comments about it. Manager Rambo noted that the engineer has made one comment on the Swinehart plan with regards to open space.

Manager Rambo stated that as the Authority Manager at the last Authority meeting it was requested that they see the soil analysis information that was performed at the site, so that a complete review of the special study could be done, as of this date they have not received it. Ross Unruh stated that the BoS approved the plans 2 to 1. They are asking for a CUH because the Township and the Municipal Authority wants the sewer to go to the City of Coatesville, and doesn't feel it is fair that they be penalized by opening the CUH up in its entirety; they are cooperating with the Township. Ross Unruh also stated that the plan was approved with the expectation that the stormwater and sanitary sewer would be in the open space that was the understanding from the beginning; there was no indication that open

space was going to be deducted for any particular reason. Vice-Chairman Obernier asked Mr. Unruh if the amount of open space that Bentley Communities has delineated in the plan, isn't going to change. Ross Unruh answered that is correct. Supervisor McCaffrey didn't have an objection with the sewage from the resulting development going where it is going; his objection is that the developments, especially the apartments, are too intense for the pieces of ground that they are on.

Vice-Chairman Obernier noted that the Manager has asked to see soil analysis results, which may also shed some light for Supervisor McCaffrey on his point, Mr. Unruh is just looking to schedule the CUH. If they do all three things, they would be moving forward. Mr. Unruh objects to opening up the entire proceedings for the CUH, the Township has asked them to go to Pennsylvania American, he just wants to make sure that the decision is consistent with what Bentley has been asked to do.

Supervisor McCaffrey stated they only want to open up the piece that is to their benefit, that the conditional use was for the concept, after engineering you would see if the concept would be able to be done exactly as laid out, Supervisor McCaffrey doesn't believe that you could do that as laid out. All through the whole thing he felt that there was a loophole found in the Township's zoning regulations for those apartment buildings and that is why they didn't have a mixed use there as the Township's concept was, but were flooded with apartments crammed into that spot. Ross Unruh noted that the Conditional Use could be done exactly as shown on the concept plan; the only deviation was for Swinehart to incorporate some of the recommendation of the Township's planner.

Vice-Chairman Obernier felt that there are pieces of the ordinance that protected open areas and guaranteed undisturbed spaces that could not be met under the design criteria that was there. Ross Unruh stated he understood Supervisor McCaffrey's position, but the other two supervisors voted to approved those plans, he felt that if it wasn't for the Township bringing about the sewer issue, then they (Bentley) wouldn't be here asking for relief from the Conditional Use decision. Mr. Poff stated that if they had thought that this would have opened up their Conditional Use decision to this sort of thing, they never would have met after October of 2004, it was asked and they (Bentley) complied because they were told it was the right thing to do. Chairman Lindborg felt they couldn't justify that they ask Bentley to open everything up, when they have followed what the Township and Municipal Authority has asked them to do. If it was reversed and Bentley approached the Township and asked if they would like to take the sewer to Coatesville, then the BoS would have all the right to reopen the hearing.

Manager Rambo stated that what he was hearing from Mr. Unruh, was that Bentley Communities only wants to open up the Hearing to modify the Opinion and Order with regards to shipping sewer to the City of Coatesville. Bentley Communities is not going to require any modifications to contributions or anything else that has been pledged in the Opinion and Order, so they are not going to try and renegotiate the contributions that are spelled out. Mr. Poff answered, "nor are we going to agree to anything additional other than switching from the sewer plant to the disposal plant, that is the only change." Vice-Chairman Obernier suggested there might be a cost savings for shipping the sewage to Coatesville, could a portion of that savings be allocated to a fund for folks to switch to the gravity line. Both Ross Unruh and Craig Poff concurred that there wouldn't be a savings with all the additional costs and construction delays; it would be a wash.

Manager Rambo reiterated that contributions are going to remain the same as stated last fall, they are going to run the pipes according to how everything is down the road, etc. The Township has to come up with funds to tie into Kimberwick to purchase treatment capacity. Manager Rambo stated that Bentley Communities is required to tie into the Kimberwick system as part of the agreement. Ross Unruh stated

that whatever it says in the agreement regarding Kimberwick, Bentley Communities would do. Mr. Poff stated they would try and accommodate in their infrastructure with their project, the capability to do that at a minimum cost to the Township. Manager Rambo stated that originally Bentley was going to tie into Kimberwick. Mr. Poff stated that originally they would have probably been done with that process within the next couple months and they wouldn't be having this conversation. After further discussion, Manager Rambo stated they would meet and try to come up with an amicable solution prior to the hearing. Manager Rambo, Jim MacCombie, Ross Unruh, and Craig Poff will meet within the next week to discuss these issues. Mr. Poff also suggested they meet on a regular basis.

Vice-Chairman Obernier motioned to establish June 16, 2005 for the Conditional Use Hearing during the regular BoS meeting to address the existing Opinion and Order concerning sewage treatment and disposal on the Bentley Community Project. Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye.

The Township is in receipt of correspondence from Ross Unruh with regard to the submission of preliminary subdivision and land development plans for Beaver Creek Realty Associates, L.P. and Culbertson Realty Associates, L.P. commercial development plans. Vice-Chairman Obernier motioned to grant an extension until June 30, 2006 for the Beaver Creek Realty Associates and Culbertson Realty Associates land development plans. Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye. Supervisor McCaffrey voted nay.

Correspondence/Communications *Information to Note*

The Township is in receipt of a Post Construction Stormwater Management Model Ordinance from the Chester County Water Resources Authority for review and consideration as part of the Township's obligations under the NPDES4 requirements. Manager Rambo noted that the model ordinance that the BoS has is the only rendition that the Chester County Water Authority has ever had. The Manager and Jim MacCombie are currently reviewing the model ordinance.

The Township is in receipt of the MS4 Report Form, due June 2005. The Manager and Township Engineer are currently working on the report.

The Pennsylvania Department of Agriculture has forwarded the Township information on the ACRE initiative. The BoS will review this information and comment.

John E. Good, Esquire has forwarded the Township comments on proposed Ordinance No.'s 05-01 (fence), 05-04 (signs), 05-05 (TDR), and 05-07 (barking dogs). Manager Rambo noted that John Good made one typo recommendation and found everything else satisfactory.

M. Cynthia Quinn, President of the CASD Board of Directors, has forwarded the Township a general questionnaire with regard to the search for a new School Superintendent. The CASB is looking for input from the Township.

The East Brandywine Fire Company is requesting a letter of support for the recent grant applications submitted to the Department of Homeland Security. Manager Rambo will send a letter of recommendation.

DMJM Harris has forwarded the Township information for review on the proposed Reid Road bridge replacement project. There were no comments.

The Chester County Health Department has forwarded the Township comments on the Bentley Communities Act 537 Plan Special Study. Manager Rambo stated that the comments will become part of their Act 537 that Bentley Communities will have to respond to, the health department doesn't agree with the route that the sewage line has taken. Mr. Unruh and his client will have to address this. The problem is that it doesn't go with landscapes running the sewer line down through there.

The Department of Emergency Services has forwarded the Township information on upcoming training for Emergency Management Coordinators. There were no comments.

The Township has received correspondence from the lot owner from Hills Over Pratts Dam; he would like the Township to move forward in purchasing his lot for \$4,500 to add onto the Township's open space. There were no comments.

Adjournment from the Township (8:22 p.m.)

Opening of Public Hearing (8:22 p.m.)

Public hearing for Ordinance No. 05-06; Zoning Map change consideration. Manager Rambo stated this is a continuance of the original hearing held December 9, 2003 at that point it was known as Ordinance No. 03-17, which was a zoning map change presented by Mr. Unruh on behalf of his client Steve Janiec with regard to the intersection of Swinehart and Horseshoe Pike, the property north of Horseshoe Pike. Mr. Unruh noted they were in attendance before the BoS at the end of March finishing up the CUH. The initial CUH was held in October and December of 2003. In attendance tonight are Mr. Janiec, Mr. Lyons, Andrew Eberwein (consultant), and the co-owner of the property that is getting reorganized in terms of the zoning map change. Mr. Janiec presented his handouts as the following exhibits: Ordinance (A-23), proof of publication in the Daily Local (A-24), extract of the zoning map (A-25). Loose-leaf folders were also included as additional exhibits. It was noted that properties were properly posted on April 18, 2005 and letters were sent on April 18, 2005 to all surrounding neighbors for notice of the hearing. Andrew Eberwein stated they were before the BoS tonight to petition the Board to rezone the area denoted on his map. Mr. Eberwein then gave a brief synopsis of his proposal. Supervisor McCaffrey noted that there was road realignment, the traffic light and the general design characteristics being more logical along the highway to allow some setback from the roadway rather than the strip center appearance. In general it is better planned this way, when it was first gone over, it was pointed out that it was an odd shaped piece and they have established a zone based on parcels rather than trying to think of how something would go on the parcel.

Steve Jakatt, Planning Commission stated that the Planning Commission is in favor of the zoning change.

Adjournment from Public Hearing (8:29 p.m.)

Re-Opening of Township Meeting (8:29 p.m.)

Mr. Unruh asked the Manger about the Opinion and Order, Manager Rambo will let him know.

Old Business

The Board of Supervisors is searching for volunteers to serve on the Building

Appeals Board, Historic Commission and Planning Commission. Manager Rambo noted that an advertisement was placed in the Daily Local. Two individuals have contacted the Township with regards to the Planning Commission position.

The Township's Building Inspector/Codes Officer has finalized his review of the recently adopted building code bill and has presented his recommendations to the BoS for comments. Manager Rambo stated he and the Codes Officer are going to prepare an ordinance for the Board.

The Manager is awaiting comments from the BoS with regard to the "draft" of the Township's Comp Plan for submission to the Brandywine Conservancy and Task Force. Manager Rambo stated as it stands now; he does not believe they would be able to finish it by the end of the year. The contract runs out in August, the Manager will have to ask for an extension of time. The reimbursement of \$47,500 was included in this year's budget. Vice-Chairman Obernier noted that all his comments have been addressed. Both Supervisor McCaffrey and Chairman Lindborg stated they had comments, although there was nothing major. Manager Rambo requested that they establish a meeting for Wednesday, June 1, 2005 at 9:00 a.m. for comments and also speak with John Snook. Steve Jakatt suggested that the Task Force receive all the comments in writing.

The next item on the agenda was additional discussion on proposed amendments to Ordinance No. 05-06, zoning map change. At the Manager's recommendation, Vice-Chairman Obernier motioned to table additional discussion. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Review and discuss proposed ordinance amendments pertaining to fences No. 05-01. Vice-Chairman Obernier motioned for Manager Rambo to forward Ordinance No. 05-01 onto the County for review. Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye.

Review and discuss proposed ordinance amendments pertaining to signs No. 05-04. Vice-Chairman Obernier stated that this ordinance has changed in substantial ways, it's not anything he would like to see, but will go along with what's there, he already gave his comments to the Manager. Manager Rambo noted the suggested changes by Vice-Chairman Obernier have been incorporated into the sign ordinance. The Board will further discuss Ordinance No. 05-04 at the next BoS meeting.

Review and discuss proposed ordinance amendments pertaining to TDR's (Transfer Development Rights) No. 05-05. Manager Rambo recommended the Township forward Ordinance No. 05-05 to the County so they can begin negotiations with Pulte. Both Supervisor McCaffrey and Chairman Lindborg agreed they were disappointed that they can't use Ordinance No. 05-05 Township wide, but agreed to send it to the County. Vice-Chairman Obernier motioned for Manager Rambo to forward Ordinance No. 05-05 onto the County Planning Commission. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Review and discuss proposed ordinance amendments pertaining to barking dogs No. 05-07, so that they may be forwarded to the respective parties for review and input and prepared for advertising. Supervisor McCaffrey voiced concern that people a half mile away would complain. Manager Rambo explained the ordinance states, "a nuisance shall be presumed by proof of the continual barking or making of such noise for a period in excess of ten minutes for which it is audible on any adjacent property or public right-of-way." The Township solicitor found the ordinance satisfactory. Vice-Chairman Obernier

motioned for the Manager to advertise Ordinance No. 05-07. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Old Business from the Floor

There was none.

Old Business from the Board

Vice-Chairman Obernier asked the Manger if the Resolution pertaining to the SPCA was sent to CCATO. Manager Rambo answered yes, it went to Jack Hines and a copy was put in the Board's mailbox.

Vice-Chairman Obernier requested the variable rate information on the bond that the Township currently has. Manager Rambo stated he would obtain information that shows an analysis of the variable rates for the past twenty years or as many years that he can get.

Ordinances and Resolutions

Resolution #05-05; City of Coatesville proposed TIFF Plan to CASD. Vice-Chairman Obernier motioned to table Resolution #05-05. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Ordinance No. 05-06; zoning map change with regard to tax parcels in the Swinehart Road/Horseshoe Pike area. Manager Rambo recommended that Ordinance No. 05-06 be tabled until the Township addresses the Opinion and Order decision for Janiec. Vice-Chairman Obernier motioned to table Ordinance No. 05-06. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

New Business

The Manager is finalizing the "draft" cell phone policy, sign management program policy, snow removal policy and safety wellness program policy as recommended by the insurance company for presentation to the BoS. Manager Rambo expects to have this completed by the end of May.

The Township Manager and Chief are continuing in their efforts to have Airwork's Company, Inc. address the air circulation and exchange in the shooting range. The parts have been delivered; Airwork's are to install them.

The Board to review and provide input to the ACT 537 "draft" Bentley Community Special Study. Manager Rambo is waiting for the Board's input, he has responded to Mr. Unruh as the Township Manger.

Recommendations of the Township Planning Commission. Steve Jakatt was in attendance to give the recommendations of the Planning Commission. The Planning Commission recommended rejection of the City of Coatesville Golf Training Facility Preliminary Land Development based on outstanding engineering issues. Chairman Lindborg noted that is why the City of Coatesville asked for an extension. Manager Rambo stated they submitted revised plans addressing the engineer's comments.

The Planning Commission recommended approval of the Culbertson Run Village Preliminary Subdivision Plan. Manager Rambo noted several issues as per the Township Engineer's letter dated May 5, 2005. The Manager advised Mr. Unruh that based on the Engineer's letter, if the Township doesn't

receive an extension from Bentley Communities for Culbertson Run he would have to recommend rejection. Mr. Unruh and Mr. Poff then discussed the issues noted in Jim MacCombie's letter with regards to off-street parking and sidewalks. Chairman Lindborg recommended that Mr. Poff give the Board until the next Board meeting so that the Board can meet with and discuss the issues with Jim MacCombie. The Manager recommended the Board table the current recommendations of the Township's Planning Commission and except an extension of time until Friday, May 20, 2005 in which to consider the recommendations to the Township's Planning Commission and Township Engineer.

Mr. Unruh noted that it took eight weeks to get a review letter from Mr. MacCombie's and requested the cooperation of the Township in terms of timely review of their plans. Mr. Poff stated that they (the Township) have obstructed and sent them on wild goose chases with hyper technical reviews, and ridiculous comments from the Township Engineer and Zoning Officer. Plans have not been passed on and consultants have told Bentley Communities that they have been told what to write in the letter. The point is that they have an agreement in their Conditional Use that the Township was going to cooperate in this process, they came to the Township a year ago with the way that their plans were being handled. They were making good progress last fall when they were meeting regularly with the Manager, Engineer, and Supervisor Obernier. Supervisor McCaffrey stated that they already stated tonight what they were going to do to expedite his plan. Supervisor McCaffrey requested an example of what "ridiculous comments" are coming from the Engineer, and he will have them looked at by somebody and find out if they are ridiculous. Chairman Lindborg expressed that is not consistent by any means with his experience with the Township Engineer. Mr. MacCombie has been thorough, what he says you can take to the bank; it's not a subjective opinion. Chairman Lindborg took exception to Mr. Unruh's comments because he wasn't aware of any delays.

Mr. Unruh explained that it took eight weeks to get the engineer's review letter, which the Planning Commission reviewed last week, with the exception of the off-street parking issue, there was no citation within the engineer's letter of any violation of the subdivision ordinance. There were a lot of issue's in Mr. Biloon's review, a lot of issues that were subjective, and subsequently Bentley's engineer met with Jim MacCombie and all of those issues went away. It took nine weeks to get to that point. The Planning Commission had the wisdom to realize there was nothing for which they could recommend to turn down, and recognized there were some subjective engineering issues.

Chairman Lindborg stated there is no intension on the Township's part to slow things down. Supervisor McCaffrey stated he has been a resistant individual to some of Bentley's planning, but has been upfront with them with any particular problems or issues. When they say that the Township Engineer has been slow and unresponsive and has submitted ridiculous requirements in an effort to take time and delay, that is saying that the Board is directing their engineer to do that. Mr. Unruh stated he didn't say that the Board was directing the engineer, but it is happening. Mr. Poff stated they are not accusing the Board of anything, they are just explaining what has happened and how it is perceived by them. Chairman Lindborg stated that he is going to talk to the engineer about Bentley's comments. Mr. Poff also pointed out that last Thursday morning they mentioned that they are removing the sidewalks and then, low and behold within a couple days, Bentley received a letter from the township engineer coming up with a new citation as to why they have to have sidewalks. These sorts of things give Bentley the indication that there is something going on that is trying to keep them from the preliminary approval.

Vice-Chairman Obernier stated that in all the years he has known Mr. MacCombie, he has never seen him be wrong with anything that he cites, but feels that in this particular instance he is just busy. Both

Chairman Lindborg and Supervisor McCaffrey concurred they are going to be proactive in talking to the engineer.

Manager Rambo noted they have before the BoS a letter from Bentley Communities for Culbertson Run Village granting an extension until May 20, 2005. Chairman Lindborg motioned to accept the extension. Supervisor McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

At this time in the meeting, Steve Jakatt continued with the Planning Commission's recommendations, recommending final approval of the Coatesville Area Regional Catholic School. Vice-Chairman Obernier motioned to grant conditioned final approval for Coatesville Area Regional Catholic conditioned upon the establishment of public improvement escrows and the receipt of appropriate permits from other governmental agencies for sewer and PennDOT. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Steve Jakatt noted that Dr. Gottlieb of 1404 Horseshoe Pike was originally going to have a small chiropractic office with someone residing at the residence, now he does not want someone residing at the residence, he no longer wants to have a home occupation and wants to change the zoning. Vice-Chairman Obernier stated that originally Dr. Gottlieb was going to have up to three doctors there and at the Planning Commission Dr. Gottlieb stated it would be just him or his wife and never two at once, the story seemed to have changed. He seemed to be willing to change whatever it is that the Township asked for, simply to be able to use the place as soon as possible. Supervisor McCaffrey suggested that Dr. Gottlieb just have the place available for rent and if nobody wants to live there, the BoS didn't make that a requirement that it had to be occupied by someone that worked in the place. Manager Rambo stated that Dr. Gottlieb did not have a prior hearing. The Board granted to allow home occupation and modified the Township's zoning to permit the use there, it didn't permit him everything that he wanted. Manager Rambo will get some dates from Dr. Gottlieb's attorney to establish a Conditional Use Hearing.

The Township Manager is continuing in his efforts to meet with various lending institutes with regard to the Township's General Obligation Note and has prepared an RFQ for mailing and advertisement in the local paper. Manager Rambo sent four letters out with regards to the RFQ today.

The Manager is in the process of preparing a "draft" Right of Way Ordinance and Access Management Ordinance for review and input by the BoS. Manager Rambo explained that the Access Management Ordinance deals with entering onto roadways, both commercial and residential driveways.

The Manager and Township Solicitor will be meeting to prepare the Opinion and Orders for the Ridings of Brandywine Valley Project (aka Ridings of Hibernia) located on Hibernia Road and the Steve Janiec Project located on Horseshoe Pike.

New Business from the Floor

There were no comments.

New Business from the Board

Supervisor McCaffrey asked if there were any unresolved issues with regards to the Township's audit. Manager Rambo answered no, the only thing that came back with regards to the audit was for the BoS to see the invoices. The audit was closed a few months ago and the Township received the final report.

Manager Rambo noted he would like the BoS to consider the purchase of a used roller for \$9,500 from Stevenson Equipment; two compatible bids came in at \$10,500. They sold the roller they had years ago and put the money in the capital reserve fund. Vice-Chairman Obernier motioned to approve the purchase of the used roller for \$9,500. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

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

There were no Public Comments.

Open Issues Before the Township

Cable Franchise. The breakdown has been given to Vice-Chairman Obernier.

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

The interest rate for the week is (3.34%). The Township was previously paying \$8,000 per month; now they are paying \$12,000.

Review and Payment of the bills

Manager Rambo noted Solid Waste and General Fund bills totaling \$59,121.37 for payment, and State Fund bills totaling \$3,173.22. Supervisor McCaffrey motioned to pay the bills as presented. Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

Upcoming Meetings/Events

- Bike Derby and Safety Fair, Saturday, May 7, 2005 at 11:30 a.m.
- Historic Commission meeting, Monday, May 9, 2005 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, May 10, 2005 at 7:30 p.m.
- Municipal Authority meeting, Thursday, May 12, 2005 at 7:30 p.m.
- Primary elections, Tuesday, May 17, 2005 from 7:00 a.m. to 8:00 p.m.
- Board of Supervisors meeting, Thursday, May 19, 2005 at 7:30 p.m.
- Brandywine Meadows (Maes Tract) Conditional Use hearing, Tuesday, May 24, 2005 at 7:30 p.m.
- Planning Commission meeting, Thursday, May 26, 2005 at 7:30 p.m.

Adjournment

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 9:42 p.m. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye in favor of adjournment.

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