

Meeting Minutes of January 3, 2006
Board of Supervisors

Chairman Obernier called the Board of Supervisors Meeting of January 3, 2006 to order at 7:48 p.m. 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, Codes/Zoning Officer and Thomas Eells, Director of Public Works.

Acceptance of Minutes from Previous Meetings

November 17, 2005, December 1, 2005 and December 15, 2005. Vice-Chairman McCaffrey motioned to accept the November 17, 2005, December 1, 2005 and December 15, 2005 meeting minutes. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

Public Comments *Those individuals requesting to be on the agenda*

No individuals requested to be on the agenda.

Correspondence/Communications *Information to act upon*

The Chester County SPCA has provided the Township with a copy of the proposed 2006 Stray Boarding and Animal Protective Services Contract for review and acceptance. Manager Rambo and Chief Werner have been looking for another service provider, but have not found anyone with the proper insurances. Chairman Obernier stated he would like for the contracted service provider to first stop in at our Police Department to find out if anything is amiss at that residence before going out there for their own safety and second that they provide the Police with a follow-report after going there. Further discussion ensued regarding the resolution that the BoS had passed. Chief Werner will contact the person that supplied the Township with the contract.

Schnatz & Rohrer Landscaping, Inc. has provided the Township with a sixty-day letter of extension in which to render a decision on their final land development plan. Manager Rambo noted they are currently addressing the final comments and recommended that the Board accept their letter of extension. Supervisor Lindborg motioned to accept Schnatz & Rohrer's sixty-day letter of extension. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Correspondence/Communications *Information to Note*

The Township is in receipt of correspondence from DEP with regard to PAWC. Manager Rambo is in the process of writing letters as requested by the BoS, which was a result of the meeting that was held at

the Township on December 7, 2005. It is Manager Rambo's understanding, since that time, PAWC has been approaching the various municipalities involved, they have yet to meet with WBT. Manager Rambo invited himself to attend a meeting on behalf of WBT that PAWC has set up with Sadsbury Township. The Township has to take a strong stance with PAWC; they want that capacity for next year that was already purchased. PAWC will have to go back, adjust their CMP, and make it available. DEP is not approving planning modules until it is shown on the CMP that is presented to them by PAWC.

Vice-Chairman McCaffrey questioned where their rights are from something that was purchased years and years ago. Manager Rambo noted item 6, that they are requesting from municipalities that each municipality identify their capacity needs. The Township's needs are what they purchased, period! The Township needs to show DEP the areas in our Township, based on the Township's negotiations with Bentley, the areas that are to be included, based on what they have agreed to that are going to be serviced by PAWC. Whatever the number coming from Bentley, the Township has already purchased capacity to ship gallons down to the treatment plant in Coatesville, and regardless of anything else with DEP, we already have the capacity to fill what Bentley has brought forth. Vice-Chairman McCaffrey felt that the capacity that the Township already reserved should be set aside, DEP seems to be looking at it as though they don't have any capacity.

Manager Rambo stated that currently they have not purchased any additional capacity from PAWC. Bentley has requested that they be permitted to purchase some of the Authority's excess capacity. The Authority is the only one that can buy back capacity and reallocate it. They are currently looking into whether there is capacity that could be freed up within the Authority. Bentley did two Special Studies; one being that sewage would go to the City and the other is for on-site sewage.

Vice-Chairman McCaffrey felt that Bentley didn't do enough research on their ground to show where everything is going to go. His objection from years back, when the Bentley Communities plan was voted on, is that if they ever have to do on-site sewer, the way that it had been worded is that all of the open space they are putting there as an amenity to the community, will evaporate and be used for sewage disposal. If that isn't enough, then the Municipal Authority has to keep the Kimberwick sewer plant operating.

The County Planning Commission has provided the Township with a copy of a review letter for the PAWC Act 537 Plan. Manager Rambo noted that it touches base with all the municipalities involved. It has to be amended because the County is using the Township's old Comp Plan rather than the new one.

Lincoln University has forwarded the Township correspondence with regard to their 3rd Annual Lincoln University Chester County Economic Breakfast at a cost of \$120 per person. Neither the Board or Manager will attend.

The Chester County Solid Waste Authority has forwarded a notice to the Township that tipping fees will be going up in 2006. Manager Rambo denoted the increases as being three to five dollars a ton, depending on the material. The next newsletter needs more educational material about recycling. People need to recycle more.

McComsey Builders has provided the Township the required two-year Maintenance Bond on the recently completed Salt Barn. There were no comments.

The Chester County Tax Claim Bureau has provided the Township with paperwork to complete with regard to outstanding 2005 taxes. The information has been forwarded to the tax collector.

Old Business

The Board of Supervisors is searching for volunteers to serve on the Building Appeals Board, Historic Commission and Parks and Recreation Board. There were no comments.

The Township's Building Inspector/Codes Officer is in the process of preparing an Ordinance amendment for the BoS to consider with regard to the International Building Code. Dale Barnett will be working on this for the next few months.

The Manager is awaiting input from the BoS on proposed Ordinance No. 05-10, Construction in Public Rights-of-Way. Manager Rambo is awaiting comments from Vice-Chairman McCaffrey and Supervisor Lindborg. The Board is okay for the Manager to advertise Ordinance No. 05-10 for the first meeting in February.

The Manager is awaiting input from the BoS on proposed Ordinance No. 05-12, Access Management. John Good is okay with Tier I and Tier II, but not with Tier III, which deals with establishing maps that coincide with zoning. Tier's I and II are standard. Manager Rambo recommended that the Board advertise Tier I and Tier II. The Board is okay for the Manager to advertise Tiers I and II.

The Township Engineer and Manager are finalizing their review of the PAWC Act 537 Plan. Manager Rambo stated that the review has been completed. The letter deals with updating all the maps within their studies to our current comp plan.

Discuss the acceptance of the Estates roadways and stormsewer easements. Manager Rambo noted that the recently completed Estates have been on the Township's books since 1998. Proper documentation is in place. Manager Rambo recommended that under "Resolutions," the BoS accept the Estates roadways. Vice-Chairman McCaffrey requested that developments always be referred to by the same name. Chairman Obernier asked who monitors the vegetation requirements. Manager Rambo noted that this subdivision was prior to any Township ordinance dealing with vegetation. Herb MacCombie and Manager Rambo are the persons that determine if the vegetation requirements have been met.

Discussion on the proposed "draft" Technical Specifications for Traffic Control Signalization prepared by McMahan Associates, Inc. Manager Rambo has a meeting with a representative from McMahan on January 4, 2006. Chairman Obernier had comments about the loop system. The representative was advised that specifications state infrared or video. The Township is looking for all LED lights, battery backup, and a generator at each light that will be in the cabinet.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from Board

Vice-Chairman McCaffrey reiterated that he would like that the same name denoted on plans from the time that it is set up and carried throughout the life of the project. Both Supervisor Lindborg and Chairman Obernier agreed.

Chairman Obernier asked Manager Rambo to pursue establishing "West Brandywine, PA."

Chairman Obernier stated that he would like to give Vice-Chairman McCaffrey an opportunity to discuss the Patriot Act and apologized that at a previous meeting he had not given him time to discuss it.

Ordinances and Resolutions

Resolution #01-06; acceptance of the Estate's roadways and stormsewer easements. Supervisor Lindborg motioned to adopt Resolution #01-06, acceptance of Fran Readon's, "The Estates." Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

New Business

Approval of the release of all remaining funds for the Suttonwoods Project. Manager Rambo noted that the engineer found it satisfactory to release all remaining funds in escrow for the Suttonwoods Project and recommended that the BoS motion approval. Supervisor Lindborg motioned to approve the release of the funds for Suttonwoods based on the Manager's recommendation. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Signing of paperwork for the Al Costa Subdivision. Manager Rambo is still waiting for the paperwork and recommended that the BoS table this item. Supervisor Lindborg motioned to table signing of the Al Costa Subdivision paperwork. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Recommendations of the Township Planning Commission. Manager Rambo noted the Planning Commission recommended that the BoS establish a hearing date to discuss Conditional Use Application for Pulte Homes. The BoS agreed with either January 31 or February 1, 2006 for the Conditional Use Hearing.

The Manager is in the process of scheduling a meeting with the Township's Emergency Operations Plan. The meeting may be scheduled either before or after a BoS meeting.

New Business from the Floor

There was no New Business from the Floor.

New Business from the Board

Vice-Chairman McCaffrey thanked Chairman Obernier for bringing up the Patriot Act issue from a few years ago.

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

There were no Public Comments.

Open Issues Before the Township

There are no Open Issues.

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

Interest rate for the week was 3.86 %. There were no comments.

Review and Payment of the bills.

Review and Payment of the State Fund bills, General Fund and Solid Waste Fund bills. Vice-Chairman McCaffrey noted he reviewed the bills, found them in order and motioned for payment of the bills. Supervisor Lindborg noted he reviewed the bills and seconded the motion. Chairman Obernier also

reviewed the bills and has no objections. Board Members McCaffrey, Lindborg and Obernier voted aye in favor of paying the bills as submitted.

Upcoming Meetings/Events

- Historic Commission meeting, Monday, January 9, 2006 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, January 10, 2006 at 7:30 p.m.
- Municipal Authority 2006 Re-Organizational meeting, Thursday, January 12, 2006 at 7:15 p.m.
- Municipal Authority first monthly meeting of 2006, Thursday, January 12, 2006 immediately following the re-organizational meeting.
- Board of Supervisors meeting, Thursday, January 19, 2006 at 7:30 p.m.

Manager Rambo noted the Board of Auditors are meeting on Wednesday, January 4, 2006 at 7:30 p.m. and requested that Chief Werner have an officer open the door at that time.

Adjournment

There being no further business before the Board, Vice-Chairman McCaffrey motioned to adjourn the meeting at 8:39 p.m. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

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