

**Meeting Minutes of October 5, 2006**  
**Board of Supervisors**

Chairman Obernier called the Board of Supervisors Meeting of October 5, 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 the BoS meeting at 7:43 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager; Walter Werner, Chief of Police and Thomas Eells, Director of Public Works.

**Appointment of Employee**

The BoS to appoint John Sidiras as a part-time Police Officer. Chairman Obernier swore in John Sidiras. The BoS welcomed him to West Brandywine.

**Acceptance of Minutes from Previous Meetings**

July 20, 2006, July 26, 2006, August 17, 2006, September 7, 2006, September 20, 2006 and September 21, 2006. Supervisor Lindborg motioned to approve the minutes of July 20, 2006, July 26, 2006, August 17, 2006, and September 7, 2006. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

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

There were no Public Comments.

**Correspondence/Communications** *Information to act upon*

The BoS is in receipt of correspondence from CCATO with regard to the upcoming Fall County Convention scheduled for Thursday, November 9, 2006. Chairman Obernier will be attending. Supervisor Lindborg and Manager Rambo will not attend; they will be attending the Municipal Authority meeting that evening.

The Township is in receipt of a “draft” proposal from the City of Coatesville for the furnishing of Animal Control Services. Manager Rambo is in the process of reviewing the proposal. The City wants to charge double time on Saturday and Sunday, and triple time on holidays. Chairman Obernier noted that he is okay with time and half after an eight hour day or forty hour week, but not double and triple time. Manager Rambo noted that Dale Scott, who is an employee of the City, is also a member of a union. Manager Rambo will look into what Ms. Scott’s contract states.

**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. Neither Chairman Obernier nor Supervisor Lindborg has had an opportunity to review the proposed modifications.

Stan Stubbe has forwarded the Township proposed language to update and modify the Township's existing lighting ordinance requirements. Neither Chairman Obernier nor Supervisor Lindborg has had an opportunity to review the modifications.

The Township is in receipt of the signed and sealed Verizon Franchise Agreement. There were no comments.

The Township is in receipt of the 2007 Chester County Municipal Waste Hauler License Application for completion. This will enable the Township to continue taking its trucks up to the landfill.

Gannett Fleming has provided the Township notification that PAWC is submitting an application to renew its NPDES Permit for its Wastewater Treatment Plant. The current permit expires on May 5, 2007.

The Township is in receipt of a letter from Ms. M. Cynthia Quinn, CPA, that she will be unable to submit an RFP for the Township's 2006 audit services due to current commitments for the tax and audit season. The Township is awaiting replies from the other five RFP's. The submission deadline is the end of October.

The Township is in receipt of correspondence from the CASD with regard to a presentation on Act 1, formerly House Bill 39, the performing of a local tax study with regard to EIT and PIT. Representatives of the Commission will be in attendance at the November 2, 2006 BoS meeting. The presentation will explain the work of the Commission and the potential impact of an increased EIT/PIT on citizens of the District.

The Township is waiting for a response from the USPS with regard to having one zip code in West Brandywine Township (WBT). Manager Rambo noted that the last response from USPS was that they are working on other projects and that ours is on the list. Chairman Obernier suggested that the Manager ask Representative Gerlach to contact the USPS to see if he can get the Township moved further up on the list. Manager Rambo will contact Representative Jim Gerlach.

**Adjournment from Township Meeting** (time: 7:39 p.m.)

**Opening of Public Hearing** (time: 7:39 p.m.)

Ordinance NO. 06-11, a proposed Ordinance to establish the Township's Open Space Review Board. Manager Rambo noted this is the establishment of the Open Space Review Board; it consists of nine members, seven Planning Commission and two Parks and Recreation Board Members. This Board will be reviewing the various pieces of open space, establishing a rating system to pursue open space, have open space appraised, and would then present it back to the BoS. The BoS would then consider either outright purchase, easement purchase by utilizing the EIT that was established for the purchase of or use for conservation easements or property. The solicitor suggested that the BoS not be part of the Open Space Review Board because they will be making the final decision. At this time it was noted that Vice-Chairman McCaffrey arrived at the meeting. There were no comments. Chairman Obernier entertained a motion to adjourn. Supervisor Lindborg motioned to adjourn from the Public Hearing.

**Adjournment from Public Hearing** (time: 7:41 p.m.)

## **Re-Opening of Township Meeting (time: 7:43 p.m.)**

### **Old Business**

The Township Manager is finalizing an Ordinance to enable the Technical Specifications for Traffic Control Signalization prepared by McMahon Associates, Inc. to be adopted. Manager Rambo is finalizing the legal text of the Ordinance.

The Township Engineer and Manager are meeting with the BoS to give input and go over the Township's ACT 537 Plan that deals with waste and sewage in the Township. Manager Rambo will get available dates from Jim MacCombie.

Further discussion on proposed Ordinance NO. 06-11, Open Space Review Board. There were no further comments on Ordinance NO. 06-11.

The Township has mailed out RFP's for Audit services of the 2006 Financial Statements. This was noted earlier in the meeting.

The Manager is preparing the "draft" 2007 budget for presentation to the Board. Chief Werner has submitted his budget for the Police Department. No other departments have submitted a budget.

### **Old Business from the Floor**

Jesse Edwards asked if anything could be done with the bush along Route 82 and Culbertson Run Road. Tom Eells notified PennDOT and they didn't see a problem with the bush. Manager Rambo suggested that they approach the property owner. The Township can't trim the bush because it is a state road and it is the property owner's plant material. Manager Rambo suggested that the Public Works Director contact the property owner and ask the owner if he/she will trim the bush.

### **Old Business from the Board**

There was no Old Business from the Board.

### **Ordinances and Resolutions**

Ordinance NO. 06-11, adopt to establish the Township's Open Space Review Board. Manager Rambo recommended that the BoS adopt Ordinance NO. 06-11, establishing the WBT's Open Space Review Board. In the interim until such time that they have their official meeting and appoint their own Chairman, Vice-Chairman, and Secretary, that the BoS appoint John Cassels as Chairman. Supervisor Lindborg motioned to adopt Ordinance NO 06-11 as aforementioned by Manager Rambo. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

### **New Business**

The Township Manager has advertised the Floodplain Ordinance NO. 06-10 changes as required by the NFIP and PA Act 166, the PA Floodplain Management Act for a public hearing and adoption consideration on Thursday, October 19, 2006. The County's review found everything in order. Manager Rambo recommended after the Hearing, that the BoS adopt the Floodplain Ordinance.

The Chief and Manager have met with representatives of the City of Coatesville to discuss shared animal control services. This was discussed earlier in the meeting.

Recommendations of the Township Planning Commission. Manager Rambo noted that the Planning Commission recommended approval of the Preliminary Final Plan of Chester Point Development Corporation, a 2-lot subdivision located on Gable Road.

Signing of final plans and establishment of escrows of the following: All Souls Cemetery, Chester Point Development (2-lots on Gabel Road), and Glen Loch Subdivision (3-lots at intersection of Baker and Hurley Roads). Supervisor Lindborg motioned to approve the three noted plans. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

The Township Engineer and Manager are in the process of reviewing the PAWC Act 537 Plan as it pertains to WBT. Manager Rambo stated they would be providing comments to the BoS.

### **New Business from the Floor**

Sketch plan presentation: Girl Scout Tract, 15 single family lots in Wallace Township, plan prepared on behalf of Rotelle Development. Anthony Holowsko of Rotelle Development Company is in attendance to give the BoS a presentation of their sketch plan. The 155-acre piece of property has access from Indian Run Road. It is split 70 acres and 75 acres between the two townships. A year ago the Natural Lands Trust (NLT) put in an application for an easement on this property. What they were trying to accomplish was to cast an easement on the majority of the property and then do a small-scale development. The Girl Scouts who owned the property at the time allowed NLT to submit for an easement for a trail network with the state and county, however, they would not cast the easement because they didn't want to diminish the value of the property. The easement is partially funded to this date; it still has to go in front of the county for the balance of funding. Rotelle Development purchased the property not knowing about the applications with the state and county. They met Jack Stefford from NLT who started telling them the possibility of doing a conservation plan. Their original thought was to do a by right subdivision. In looking at the Township's Ordinance and the plan given to them by the Girl Scouts, it showed a potential 40 to 50 lot subdivision.

What was submitted prior to Rotelle's involvement was part of that submission to the state and county, an easement pass through the majority of the property, and a small-scale subdivision. After they purchased the property, they found out that the state had funded money (\$740,000) for this preservation. Rotelle will find out what the county is going to do in the early part of 2007. If it doesn't get funded from the county, they will have a larger subdivision. Right now they are assuming that the funding is coming from the county. Rotelle Development has 15 lots. The 16<sup>th</sup> lot contains 123 acres that are under easement. Mr. Holowsko stated he was looking for support from the BoS to allow them to work through Wallace Township allowing Wallace to take the lead on the subdivision portion of this; to refer the engineering to Wallace. Supervisor Lindborg stated they would be interested in the site development engineering and at least have it reviewed to how it may affect the portion in WBT. Manager Rambo stated that Wallace would take the lead anyway because everything they would be doing is in Wallace. WBT BoS would have to sign off on it at the end of the process so that it could be recorded because it is within two Townships. WBT would probably want to see the creation of the trail network and how it impacts the existing properties. The latest copy of WBT's comprehensive plan shows the proposed network trail system.

Vice-Chairman McCaffrey noted that property has one of the largest old contiguous forest groves around and was concerned that they are going to be chopping it up where the development is going. Mr. Holowsko delineated on his map where the majority of the meadows are located. Chairman Obernier asked Mr. Holowsko if he considered selling the part of land that is in WBT. Supervisor Lindborg asked what the Township would gain if it is already going to be open space. Chairman Obernier stated his thought is that this would be another amenity and not be developed. Supervisor Lindborg stated that it

might be preserved as open space, without a dime of Township money; the Township would be able to use the trail. Discussion followed.

### **New Business from the Board & Public Comments**

There was no New Business from the Board or Public Comments.

### **Open Issues Before the Township**

Ordinance amendments with regard to the IBC (International Building Code). Dale Barnett is not in attendance; he had personal business to attend to. There were no comments.

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 Building Appeals Board and the Parks and Recreation Board. There were no comments.

The Township Engineer and Manager continue in the efforts in preparing updates to the Township's ACT 537 Plan for presentation to the Board.

**General Obligation Note** (Adjustable Rate Loan based on Harrisburg Bond for the Facility/Park Construction) Interest rate for the week is 3.72 %.

### **Review and Payment of the bills.**

Review and Payment of the General Fund (\$48,605.82), Solid Waste Fund bills (\$30,461.49), and the State Fund (\$200.00). Supervisor Lindborg reviewed the invoices and purchase orders, found them satisfactory, and motioned to pay the bills. Vice-Chairman McCaffrey also reviewed the bills and seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

### **Upcoming Meetings/Events**

- Historic Commission, Monday, October 9, 2006 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, October 10, 2006 at 7:30 p.m.
- Open Space Planning Committee meeting, Thursday, October 12, 2006 at 7:00 p.m.
- Municipal Authority, Thursday, October 12, 2006 at 7:30 p.m.
- Board of Supervisors, Thursday, October 19, 2006 at 7:30 p.m.
- Planning Commission, Thursday, October 26, 2006 at 7:30 p.m.

Vice-Chairman McCaffrey passed out correspondence regarding firearm safety. Supervisor Lindborg suggested if there are safety courses available to the public, that they be published in the newsletter.

### **Adjournment**

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 8:36 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

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