

Meeting Minutes of July 06, 2006
Board of Supervisors

Chairman Obernier called the Board of Supervisors Meeting of July 06, 2006 to order at 7:30 p.m. Roll call of the Board of Supervisors (BoS) by Ronald A. Rambo, Jr. noted Chairman Josef G. Obernier, Sr., and Supervisor Carl S. Lindborg in attendance. Vice-Chairman Thomas J. McCaffrey, Jr. arrived at 7:38 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager and Thomas Eells, Director of Public Works. Chief Walter Werner was on vacation.

Acceptance of Minutes from Previous Meetings

May 18, 2006, June 1, 2006 & June 15, 2006. Supervisor Lindborg motioned to adopt the minutes of May 18, 2006. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye. The minutes of June 1, 2006 and June 15, 2006 were tabled.

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

Michael Geary, Director of the Coatesville Library requested to be on the agenda regarding several issues. Mr. Geary stated he had three brief items. First was a certificate of appreciation to the Township for its financial support over a number of years. The second item was a letter requesting financial support of the library. The last item was noting that Dallas Krapf resigned from the Library Board. Mr. Krapf was the WBT representative for many years. The Library Board has informally sought to replace him and has not found anyone to commit yet. They are asking the BoS to help them find a Township representative to be on the Library Board to watch out for Township interest. Mr. Geary handed out statistics denoting WBT membership.

Correspondence/Communications *Information to act upon*

The Township is in receipt of a letter from Ross Unruh, Esquire requesting an extension of time until December 31, 2007 in which to submit Preliminary Subdivision and Land Development Plans for the Beaver Creek Realty Associates, LP proposed project. Manager Rambo recommended that the BoS give a six-month extension in anticipation that they have the sewer issue resolved.

At this time it was noted that Vice-Chairman McCaffrey arrived. He was given a brief recap. Vice-Chairman McCaffrey felt that it was to Beaver Creek's advantage to send the sewage down to Coatesville. Vice-Chairman McCaffrey felt that they did not cooperate with the Township. These approved plans are one of the worst plans ever approved here since he has been a supervisor. Beaver Creek Realty has ignored the recommendations of the Township's land planner. This is one of the primary view sheds that has been identified by the Township for the last fifteen years. Vice-Chairman McCaffrey had voted against it when it was approved. If they don't get the extension, the time clock would begin on and they would have to develop that property. Vice-Chairman McCaffrey adamantly would not vote for anything to help this particular plan, unless they want to come back and discuss Brandywine Conservancy's points.

Supervisor Lindborg felt that it would be a benefit to the Township if they don't have separate systems that they would need to maintain and operate over the years. Supervisor Lindborg motioned for a six-month extension. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye. Vice-Chairman McCaffrey voted nay for the above stated reasons. The motion carried 2 to 1.

Chairman Obernier noted that Sergeant John Coldren was in attendance and asked if there were any questions that deal with the Police Department. There were none.

John E. Good, Esquire has forwarded the Pulte "Order" for the Township's review, reading and consideration of issuance by the Township. Theresa Lemley was in attendance. Vice-Chairman McCaffrey suggested that Ms. Lemley review and comment on the Order. Supervisor Lindborg motioned to table the issuance of the Order until July 20, 2006 upon receipt of the letter of extension. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Ms. Lemley provided the BoS with a letter of extension. Supervisor Lindborg motioned to accept the two-week extension from Pulte homes. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Steve Janiec of Janiec Associates has forwarded the Township a letter requesting an additional ninety days in which to submit subdivision and land development plans for his project proposed for the 29.9 acre site of 32 single-family homes, located north of Horseshoe Pike on the old Plank Farm. Mr. Janiec's engineer is currently in the process of finishing up. Janiec is also dependant upon sewer. Supervisor Lindborg motioned to accept the extension. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Chairman Obernier suggested they have a pumping station on Dr. Eck's property running to Indian Run Village, and then onto Janiec into a gravity line. Vice-Chairman McCaffrey disagreed with Chairman Obernier's suggestion, feeling that it would open other areas of the Township up to more dense development by extending sewer systems into those areas. It would be smart to stick to the Act 537 plans general area and avoid expanding the municipal sewer system unless it is absolutely necessary. Sewer will be discussed further in the near future.

The Township is in receipt of the Ford Lease Agreement approved earlier in the year for signing, of which has been reviewed by John E. Good, Esquire and signed. Manager Rambo recommended that the BoS agree that Manager Rambo sign the agreement on behalf of the Township to replace four vehicles. Vice-Chairman McCaffrey stated he would like to see the Township get back to replacing a few cars each year, rather than many at once.

Manager Rambo explained that this is half of the vehicles; they got an extra year out of the Expedition, which should have been replaced last year. The two Dodges are starting to cost money, if they don't replace them this year, they would need replaced early next year. Supervisor Lindborg motioned for the Manager to sign the lease agreement for four police cars. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Kristin Camp, Esquire has forwarded the Township correspondence with regard to the Horseshoe Village Associates, LP Conditional Use Application before the Township. This was put on hold by Steve Janiec, who initially wanted to put a Turkey Hill at the intersection of Route 322 and Swinehart, now he is looking into putting a bank or drugstore there. Horseshoe Village Associates has already paid

the application fee, the plans are in. Manager Rambo recommended acceptance to allow them to find a tenant and modify their application. The extension runs until December 15, 2006. Supervisor Lindborg motioned to accept the Manager's recommendation. Vice-Chairman McCaffrey seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

DEP has forwarded the Township contracts for signing for the recently awarded recycling grant. Vice-Chairman McCaffrey motioned to accept the grant award. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

The Township is in receipt of a request from Rhonda Mowday to have 9.9 acres, located on the west side of Hibernia Road, added onto the Ag. Security District. Vice-Chairman McCaffrey motioned that the 9.9 acres be added to the District and for the Agricultural Security Board to prepare the necessary paperwork. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg and Obernier voted aye.

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. Manager Rambo recommended that the BoS review the document.

John Good, Esquire has provided the BoS with his comments on the proposed zoning changes dealing with the Open Space Option. Manager Rambo recommended that the BoS review this document in concert with John Snook's document.

The Township and Authority are in receipt of a proposed Temporary Inter-municipal Agreement from Pulte Homes for sewer capacity, along with a response from John E. Good, Esquire on the said Agreement. Manager Rambo recommended that the BoS provide input so that the Manager can forward this to the Municipal Authority so that the Authority can discuss it next week. A special meeting should be held with the BoS and Municipal Authority to combine the information so that it can be forwarded onto Pulte. Manager Rambo will email everyone with the meeting date and time.

The County has forwarded grant information on Round XVIII of the Chester County Landscapes 21st Century Fund Municipal Grant Program to the Township. This is currently under review.

The Township is in receipt of correspondence from the Chester County Health Department with regard to DEP's requirement for Septage Management Systems on individual lots to be in place. Manager Rambo stated that it appears that it is going to be required. Supervisor Lindborg would like to see other municipalities adopt it first. Vice-Chairman McCaffrey explained that the state and county are permitting these things, have all the authority to allow them and the conditions to monitor them. When the septic systems malfunction, the responsibility to clean them up and enforce regulations upon the homeowners is given to the Township. Both Vice-Chairman McCaffrey and Supervisor Lindborg feel that this is unfair. DEP and the county have all the authority and none of the responsibility. Supervisor Lindborg would like to know which municipalities have already adopted the Septage Management ordinance.

The Township is in receipt of the 2005 audit report from Barbacane/Thornton & Company. Copies of the report have been distributed to the appropriate entities.

Chris Catania has forwarded the Township a letter with regard to the Jamie Lane Tree Survey's that will take place. Manager Rambo stated that the letter acknowledges that Mr. Catania will pay for each site surveyed to determine the trees per lot.

Manager Rambo noted the Township has been invited to West Caln Township on July 13, 2006 between 9:00 a.m. and 12:00 to meet with Tim Ostrich of Asphalt Zipper to look at recycling and pulverizing. There will be a demonstration of equipment that can be utilized to recycle roadways.

Manager Rambo noted that the Township has been invited to the West Bradford Township Shadyside Park Dedication on July 7, 2006 at 6:00 p.m.

Old Business

The Township Manager is finalizing the ad for the Technical Specifications for Traffic Control Signalization Ordinance. There were no comments.

The Township Manager is preparing Conservation Easement information for submission to the BoS and the Henderson's with regard to their property at the intersection of 82 & 322. Manager Rambo noted he contacted John Snook because they had originally approached the Conservancy and have asked Mr. Snook to provide the Township with easement documentation language.

The Township Engineer and Manager continue their work on updating the Township's Act 537 Plan for submission to the BoS. Manager Rambo has requested that the BoS provide him with their comments; Chairman Obernier has already provided his comments. Chairman Obernier would like a draft of what was done so far.

The BoS will be reviewing lighting concerns with Stan Stubbe after tonight's meeting. There were no comments.

Old Business from the Floor

Karen Vollemecke asked if there is a time frame for people to join the Ag. Security District. Vice-Chairman McCaffrey gave a brief summary of the Agricultural Security Committee meeting that was held on May 30th. Karen Vollemecke would like to get a copy of the notes from that meeting.

Lyle Thornbury of Hatfield Road asked if Pulte has been given permission for modifications and waivers. Manager Rambo answered no. Mr. Thornbury asked when he would be able to bring up his concerns. Dialog ensued explaining the whole development process, noting that this has been going on for over a year. Manager Rambo noted that John Good has five pages of suggested conditions from the Hearings and is in the process of putting it into a legal order for reviewing, reading and issuance. The BoS were required tonight to do that, however, Mr. Good didn't have this put together, so they received a two-week extension. On July 20, 2006, once they receive the Order from Mr. Good, it will be read out loud. Pulte or individuals in the audience have a right to appeal it. Another resident voiced concern that the Pulte development would affect their water supply as well as the stream that they use to water their horses.

Marjorie Smith was concerned about the environmental impact that the dense development would have and was also concerned about lights. Supervisor Lindborg explained that these particular parcels have high density, while other parcels have no development and are open space. Vice-Chairman McCaffrey explained that the BoS is limited to what they can do; they can try and mold it so that it has as little impact as possible. They don't have the authority to keep ground open. The Township has an ordinance to control light.

Lyle Thornbury asked if anyone suggested moving the two rows of houses that would require major cuts to a location that he delineated on the map. Chairman Obernier answered that they were unwilling to do that.

Barry Cascara asked if topographical depictions of the Pulte Development had been done. Manager Rambo answered they will be done; this is all conceptual right now.

Manager Rambo explained that they are ready to issue the Order, which is the legal paperwork prepared by legal council. It states everything about the project, any conditions that the BoS put upon the project, any waivers, and modifications that they may grant based on presentation. Once the Order is issued, they have six months to get the Preliminary Plans to the Township, which begins the plan review process through the Planning Commission. There were no further comments.

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 a “draft franchise agreement” with Verizon. The agreement was compiled by the West Chester Area of Council of Governments and are having it formatted to fit the needs of the various Township’s in western Chester County for presentation to the Township’s for consideration. They requested that it be similar to the Comcast Agreement, that they have PEG (public education) channels through the CCIU, and would like that everybody in the Township has the ability to receive fiber optics. Verizon agreed that they would abide by what the Township adopts rather than abide by Senator Pileggi’s State Bill.

The Wagontown Fire Company is requesting that the Township consider establishing an Ordinance to allow the fire company to seek reimbursement for responses in coordination with the Emergency Management Agency. This is strictly through the County for reimbursements on Hazardous Materials when special people are called out. Manager Rambo will look into its preparation.

Donna Jones to be appointed of to the position of Administrative Assistant to the Codes Department. Upon the recommendation of Dale Barnett and Manager Rambo, Supervisor Lindborg motioned to appoint Donna Jones to the position of Administrative Assistant to the Codes Department. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye. Vice-Chairman McCaffrey suggested in the future that the BoS review the final applications after the selection has been narrowed down. Chairman Obernier stated that he would like the ability to meet the person prior to them being appointed. Manager Rambo stated that Dale Barnett had sent a letter to the BoS prior to the appointment denoting his recommendation and asked if the BoS would like to interview that person.

New Business from the Floor

Sherri Clemens of Germany Hollow Road asked if the BoS had heard anything regarding work to be done on the bridge on Route 82 near Germany Hollow Road. Both Manager Rambo and Tom Eells stated they have not received notification of any work to be done on the bridge. Ms. Clemens asked if Conditional Use Hearings are held as needed or scheduled a few times a year. Manager Rambo answered as needed. Ms. Clemens asked if the BoS foresees sewer running through the Township and making people hook up to the sewer. Supervisor Lindborg explained that one of the things that this BoS

collectively agrees on, is that they have never required anybody to hook up to sewer unless someone other than this BoS has mandated it. If sewer becomes available and it was feasible for someone to hook into, it would be an option. Manager Rambo stated that in many instances when sewer has gone by a home, the homeowners themselves have elected to hook up because it has increased the value of their home. Chairman Obernier stated those homeowners that have elected not to hook up, are required to hook up when they sell their house. Manager Rambo noted if everything comes to fruition, there may be a means for sewer with Gordon Eck's property, dependant upon the topography and Indian Run Village, because the creek itself flows through Indian Run village, they would be able to follow that creek by means of a gravity system. Dr. Eck has had his Conditional Use Hearing on his Bed and Breakfast. On the subdivision; the BoS has only seen a sketch plan. If Dr. Eck elects to go with a plan that doesn't require an open space design option, he wouldn't have hearings. Discussion ensued regarding the noise that comes from Dr. Eck's property as well as Dr. Eck's proposed subdivision.

Supervisor Lindborg asked Mr. Geary which surrounding municipalities are in the service area for the Coatesville Library. Mr. Geary answered that it is comprised of CASD and West Bradford Township, a total of ten municipalities. Last year seven of the ten municipalities contributed one dollar per capita. West Caln and East Fallowfield contributed fifty cents per capita; Modena didn't contribute. They have 15,000 cardholders in Coatesville with 2,000 new members each year.

Karen Vollemecke stated that it was difficult to hear from the back of the room.

New Business from the Board

There was no New Business from the Board.

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

There were no Public Comments.

Open Issues Before the Township

SPCA 2006 Animal Control Contract. Chairman Obernier stated he had an opportunity to read the information that was sent to the Township, which has nothing to do with what they asked them to do. They want it totally up to them as to what reports they file, if filing anything. Chairman Obernier suggested that the Township write a simpler resolution than the one they wrote previously and send it back to them. Vice-Chairman McCaffrey suggested they look into the cost of having someone else.

Ordinance amendments with regard to the IBC (International Building Code). Dale Barnett is currently working on these 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 Building Appeals Board, the Parks and Recreation Board and the Historic Commission. There were no comments.

General Obligation Note (Adjustable Rate Loan based on Harrisburg Bond for the Facility/Park Construction) Interest rate for the week is 4.32 %. There were no comments.

Review and Payment of the bills.

Review and Payment of the General Fund (\$62,701.79), Solid Waste Fund bills (\$2,529.23), State Fund (\$408.10), and the Coatesville Library contribution (\$7,153.00). Vice-Chairman McCaffrey questioned the cleaning bill. Manager Rambo stated they were behind on their weekly payment. Supervisor

Lindborg reviewed the bills, 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 meeting, Monday, July 10, 2006 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, July 11, 2006 at 7:30 p.m.
- Municipal Authority meeting, Thursday, July 13, 2006 at 7:30 p.m.
- Movie night, Friday, July 14, 2006 at dusk at the amphitheatre.
- Board of Supervisors meeting, Thursday, July 20, 2006 at 7:30 p.m.
- Planning Commission meeting, Thursday, July 27, 2006 at 7:30 p.m.

Supervisor Lindborg suggested that the BoS cancel the August 3, 2006 meeting. Manager Rambo noted they could hold a special meeting if any business needs to be addressed. Supervisor Lindborg motioned to cancel the August 3, 2006 meeting. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Adjournment

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 9:19 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

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