

Meeting Minutes of April 6, 2006
Board of Supervisors

Chairman Obernier called the Board of Supervisors Meeting of April 6, 2006 to order at 7:30 p.m. Roll call of the Board of Supervisors (BoS) by Chairman Josef G. Obernier, Sr. noted Chairman Josef G. Obernier, Sr. and Supervisor Carl S. Lindborg in attendance. Vice-Chairman Thomas J. McCaffrey, Jr. was delayed at his lab and didn't arrive at the BoS meeting until 8:09 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, Codes/Zoning Officer and Thomas Eells, Director of Public Works.

Acceptance of Minutes from Previous Meetings

March 2, 2006 and March 16, 2006. The Acceptance of the Meeting Minutes was tabled.

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

There were no Public Comments.

Correspondence/Communications *Information to act upon*

The Township is in receipt of comments from John E. Good, Esquire with regard to the proposed Noise Ordinance. This item will be discussed under Old Business.

John Good, Esquire has forwarded the Township correspondence from Kristin Camp, Esquire with regard to amending the zoning ordinance to allow the BoS to waive sign regulations. Manager Rambo will correspond with John Good that they will go by route of a variance.

The Township is in receipt of a letter of extension from Culbertson Realty for the rendering of a decision by the Township on the Final Subdivision Plans for the Bentley Community Townhouse Project. Upon the recommendation of the Township Manger, Supervisor Lindborg motioned to accept the letter of extension that will run until June 2, 2006. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

Stan Stubbe has provided the Township with correspondence pertaining to the Township's existing lighting ordinance along with some suggestions. This item was tabled at the request of the BoS to allow more time in which to review Stan Stubbe's correspondence.

The Township to consider accepting the Maintenance Agreement on its InterTel Phone System from D & E Communications. Supervisor Lindborg motioned to accept the maintenance agreement for the phone system. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

Correspondence/Communications *Information to Note*

The Township is in receipt of correspondence from John E. Good, Esquire and Joseph P. Caranci, Jr., Esquire with regard to the proposed Glen Loch Subdivision Temporary Access Easement. Manager Rambo noted that John Good is okay with the easement that was prepared relative to the temporary easement for the Glen Loch Subdivision where the common driveway would be built to service the two lots that are being proposed until such time that a public road is constructed.

The Township is in receipt of correspondence from Penn Dot's Bureau of Municipal Services with regard to this year's Liquid Fuel and Turn-back Funds. Manager Rambo noted that the funds were deposited into the account on April 3, 2006; the amount was a little higher than last year.

William Ogden of 195 Swinehart Road has forwarded the Township a letter with regard to his concerns for his well since the start of the Costa Homes Project. Manager Rambo noted he spoke with him and asked him to put his concerns in writing. Manager Rambo will send a letter to the developer in hopes that the developer and Mr. Ogden can come to an agreement.

The Township is in receipt of correspondence with regard to an upcoming Emergency Planning Seminar for Municipal Officials. Manager Rambo noted that he and Paul Gainor would be attending the seminar on April 27, 2007 from 8:00 until noon. They are also waiting to hear from Richard Guest. Both Supervisor Lindborg and Chairman Obernier expressed interest in attending as well.

The Archdiocese of Philadelphia, Catholic Cemeteries Office, has acknowledged that the springhouse located on Cemetery property will be restored. Manager Rambo noted that it doesn't need to be torn all the way down and rebuilt.

The Township is in receipt of correspondence from John E. Good, Esquire with regards to Ordinances No. 06-02 through 06-06. Manager Rambo noted 06-02 through 06-04 pertains to the new roads added, stops, and speeds. John Good has found them okay. Ordinance No. 06-05 through 06-06 can be discussed under New Business.

Old Business

The Township is searching for volunteers to serve on the Building Appeals Board and Historic Commission. There were no comments.

The Township Manager is in receipt of a propose "final draft" on the Technical Specifications for Traffic Control Signalization from McMahon Associates, Inc. and a review is taking place. Chairman Obernier noted there are typos and explanations are needed. Manager Rambo noted that he and Tom are also reviewing it.

Discussions on the Township's proposed Noise Ordinance No. 06-07. Manager Rambo read the review he received from John Good out loud. Manager Rambo noted that he prepared the ordinance based on information that Jeff Chalfant collected, and based on what they had in the past with decibel readings, as well as on some found on-line and presented it to John Good. John Good feels it does meet criteria that should be in the ordinance. Chairman Obernier noted he was okay with the ordinance, but didn't know what 55 or 65 decibels represent and would like to run a test to get a sense of the loudness. The BoS will run a decibel test at Community Day on May 6, 2006.

Michelle Benkovich requested that they run a test on the decibels on an ATV as well. Jeff Chalfant felt that would be a good idea, that the Parks and Recreation Board would be okay with the test.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from the Board

Chairman Obernier and Supervisor Lindborg discussed EMS planning and requested a meeting be scheduled on April 27, 2006 at 7:00 p.m.

Ordinances and Resolutions

Resolutions #02-06 through 04-06: establishment of accounting funds for the ACT 209 North fees, ACT 209 South fees, and the Highspire/Springton Traffic Review fees. Supervisor Lindborg motioned to adopt Resolutions #02-06 through #04-06. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

New Business

Recommendations of the Township Planning Commission. Manager Rambo noted that there are no recommendations from this month, but the previous month the Planning Commission recommended to the BoS a motion to recommend approval for the Glen Loch Minor Final Subdivision Plan pending completion of plans as presented to the Manager, a clean letter from the Township Engineer, establishment of an escrow, etc. The majority of issues have been addressed. Manager Rambo noted the only thing remaining on the plan, one lot shows a 40 foot side yard where it should be 20 foot, Manager Rambo spoke with Ron Scott about it who is going back to his engineer to change it, he is also going to have his engineer make sure that page 3 matches page 2. The Glen Loch representatives are in attendance tonight to get a conditioned preliminary final approval from the BoS, so that they can receive a letter from the Township that would allow them to go to a lending institute to get the necessary money to establish the financial requirements to build the common driveway. Supervisor Lindborg motioned conditioned approval based upon establishment of public improvements escrows and the final issue being addressed where the one lot has to receive a modified setback from 40 feet to 20 feet to match page 2. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye. Ron Scott still needs to get the planning module to send to DEP. The BoS can't sign the plans until DEP approves the planning module.

The Township Manager has advertised Ordinance No. 06-02 through 06-04, pertaining to the acceptance of new public streets and signage posting for a Public Hearing, consideration and adoption at the April 20, 2006 meeting of the BoS. Chairman Obernier questioned developers having to put in the bigger signs according to Penn DOT's new regulations. Manager Rambo noted, in the subdivision, it states that you have to have Penn DOT approved signs. Discussion ensued and it was determined that the Township would have the developers place street name signs as required by the manual on Uniform Traffic Control Devices as adopted by Penn DOT.

The Township Manager has forwarded Ordinances No. 06-05 and 06-06, pertaining to reimbursement of costs, expenses, etc. associated with police services, to John E. Good, Esquire for review and input prior to their consideration and adoption by the BoS. Manager Rambo noted that John Good has reviewed the ordinances and does not have an issue with verbiage or presentation; he did ask what state statute permits this. Manager Rambo is researching this issue.

The Township Manager and staff are meeting with the US Postal Service with regard to the Township's request to utilize West Brandywine, PA with a single zip code and a possible future Post Office. Manager Rambo noted a general meeting occurred between two representatives from the postal staff in Philadelphia. The Manager asked them to provide the Township with the requirements of the Post Office and whether or not they would consider this. The Post Office representatives are going to go back and discuss it to see if they can come up with something.

The Township is in receipt of revised renderings for the proposed upgrades to the Public Works Facilities. Both Manager Rambo and Dale Barnett have reviewed the renderings. Manager Rambo advised Martin Kimmel that after the staff has reviewed the renderings, he would probably recommend the third suggestion with a partial stone facade. The BoS will review the renderings for a decision at the next BoS meeting.

Ordinance No. 06-08, pertaining to Health/Spa Facilities has been forward to the CCPC for review and input. There were no comments.

The BoS to approve release request #1 for the Glenmoore Veterinary Hospital Project. Manager Rambo noted the release has been reviewed by himself and the Township Engineer in the amount of \$93,395.93 and recommended that the BoS sign the release. Supervisor Lindborg stated that based on the review of the Manager and Engineer, made a motion to approve the release. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye.

At this time in the meeting it was noted that Vice-Chairman McCaffrey has arrived.

The BoS to approve release request #3 for the Hide-Away Farms Project. Both the Manager and Engineer have reviewed the release for the amount of \$7,242.01 and found it satisfactory. Supervisor Lindborg stated that based on the recommendation and review of the Township Manager and Township Engineer, motioned to approve release request #3 for Hide-Away Farms. 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

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. Manager Rambo noted that Chief Werner had previously asked if the SPCA or their legal council had contacted him yet and Manager Rambo answered no.

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

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

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

Interest rate for the week (3.41 %). Chairman Obernier noted that it is continuing to be great.

Review and Payment of the bills.

Review and Payment of the General Fund (\$83,161.40), Solid Waste Fund (\$15,656.53) bills, and State Fund (\$5,839.52). Supervisor Lindborg motioned to pay the bills. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye in favor of paying the bills.

At this time there was discussion pertaining to Ordinance No. 06-08, Health/Spa Facilities. Supervisor Lindborg stated he was not necessarily in agreement with the parking requirements. Manager Rambo stated they would be having a hearing to discuss it. Supervisor Lindborg would like them to bring documentation from other types of facilities that reflect both square footage of the facilities and also the current and projected membership. Chairman Obernier reiterated a request for the number of square feet currently in use, the number of square feet that they propose to have when they add onto the building, the number of current existing parking spaces, as well as the current parking spaces that they are proposing. Vice-Chairman McCaffrey would like to see a formula type approach rather than have a person come in and define their needs, then the next person that comes in might need something slightly different.

Upcoming Meetings/Events

- Easter Egg Hunt, Saturday, April 8, 2006 at 10:00 a.m. at the Community Park.
- Pulte Conditional Use Hearing, Monday, April 10, 2006 at 7:30 p.m.
- Historical Commission meeting, Monday, April 10, 2006 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, April 11, 2006 at 7:30 p.m.
- WBTMA meeting, Thursday, April 13, 2006 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, April 20, 2006 at 7:30 p.m.
- Planning Commission meeting, Thursday, April 27, 2006 at 7:30 p.m.

Adjournment

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 8:21 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

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