

**Meeting Minutes of September 18, 2008  
Board of Supervisors**

Chairman Lindborg called the Board of Supervisors meeting of September 18, 2008 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 Manager Rambo noted Chairman Carl S. Lindborg and Vice-Chairman Josef G. Obernier, Sr. in attendance. Supervisor Thomas J. McCaffrey arrived at 7:39 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], Dale Barnett [Codes/Zoning Officer], and Thomas Eells [Director of Public Works].

**Acceptance of Minutes from Previous Meetings**

September 4, 2008. The Meeting Minutes were tabled.

**Appointment of Part-Time Officers**

Appointment of Christopher J. Rongaus, Christopher B. Young and Kristin N. Menna as part-time officers of the West Brandywine Township Police Department. Chairman Lindborg lead Rongaus, Young, and Menna in the WBTPD Oath of Office. The BoS welcomed the new officers.

**Treasurer's Report** *(As of the end of August)*

Presented by Manager Rambo. There were no comments.

Capital Reserve Fund	\$701,412.10	Operating Reserve Fund	\$188.34
Construction Sweep Fund	\$11,192.78	Police Pension Fund	\$1,329,902.20
Developer Escrow Fund	\$542,575.80	Solid Waste & Recycling Fund	\$140,407.01
General Fund	\$13,915.69	State Liquid Fuel Fund	\$158,082.42
Non-Uniform Pension Fund	\$294,150.48		

**Public Comments** (individuals requesting to be on agenda)

No one requested to be on the agenda.

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

*The Township is in receipt of the Benecon proposal for participation in the Pennsylvania Municipal Health Insurance Cooperative.* Manager Rambo recommended that the BoS move forward and invite representatives of Benecon and United Health Care to speak to the BoS, non-uniform and uniform employees to explain their program. Vice-Chairman Obernier questioned the level of benefits. Manager Rambo noted the benefits are the same or better. The BoS are okay for the Manager to set up a meeting.

*The Township has received an invitation from PECO to attend a "Go Green, Save Green" seminar on Wednesday, October 22, 2008 at the Desmond Hotel. This is regarding saving energy, saving power, fuel transportation vehicles, and building facilities. Chairman Lindborg is interested in attending.*

*Signing of the Chris Catania lot line change plans. Manager Rambo needed signatures from Chairman Lindborg and Supervisor McCaffrey.*

*The Township is in receipt of correspondence from Andy Eberwein of E. B. Walsh & Associates withdrawing the cul-de-sac length waiver request for the Brandywine Manor Project (Eck). Manager Rambo recommended that the BoS accept the withdraw request, they are modifying their plans and no longer need the waiver request. Vice-Chairman Obernier motioned to accept the rescinding of the waiver request. Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.*

The Township is in receipt of a letter of resignation from Paula Kondracki of the Parks and Recreation Board. Manager Rambo recommended that the BoS accept the resignation and prepare a plaque for presentation to Paula. Vice-Chairman Obernier motioned to accept Paula's resignation. Chairman Lindborg seconded the motion. Board Members Obernier, and Lindborg voted aye.

**Correspondence/Communications** *Information to note*

The Township is in receipt of correspondence from DEP with regard to the Township's MS4 permit extension that has been granted. Manager Rambo noted the Township has been granted an extension.

PECO has forwarded the Township information with regard to their upcoming Green Region Grant Program. Manager Rambo noted the Township was awarded a grant for \$5,000 last year, we are waiting to get things finalized from the Fish and Boat Commission.

The County Commissioners have forwarded the Township information with regard to Round 21 of the Municipal Acquisition and Development Grant Program. Manager Rambo noted he attended the grant seminar that was held. The Township will be resubmitting for assistance for the recently purchased conservation easement of the Henderson tract.

The Township is in receipt of paperwork from PECO with regard to obtaining the ability to utilize the PECO transmission line right-of-ways located throughout the Township. Manager Rambo noted that one of the issues that the Township lacked was trails and the ability to interconnect properties. With the grant received by PECO and the PECO power line easement, there would be a means to provide a point of access from the Henderson's border and then traverse north and south and connect to Icedale area. Vice-Chairman Obernier asked about the \$500 application fee for the PECO grant. Manager Rambo noted that the application is going before the Open Space Review Board so they can officially consider its value so that the Township will have the ability to utilize Open Space Funding to assist with the application.

The Township is in receipt of correspondence from Kevin Anderson of the Brandywine Conservancy with regard to the Thornbury Easement. Manager Rambo noted this is currently under review by John Good. Copies have been given to the BoS for their review.

**Reports of Departments:** *Month of August*

**Police Report** presented by Chief Werner. There were no comments.

Total Hours	1,448.5	Miles Patrolled	8795
Total Complaints	620	Accidents	8
Warrants	3	Fatalities	0
Domestic	13	Criminal Arrests	34
Non-Traffic Arrests	32	Traffic Arrests	181

**Public Works Department Report:** presented by Tom Eells. Tom noted the work completed for the month. There were no comments.

Total man-hours	869	Miles traversed	2,244
Total Equipment hours	87	Total fuel	485.8

**Buildings/Codes Department Report:** Submitted by Dale Barnett and presented by Manager Rambo.

Building Permits issued	29	Permit base fees collected	\$7164.80
Occupancy fees collected	\$200	U&O permits issued	7
U&O permits issued cursory	34	Contractor Licenses (CL) issued	13
CL Fees collected	\$975	Valley Mechanical Inspections	47
WBT Inspections completed	37	Failed Inspections (FI)	3
Failed Inspections Fees collected	\$100	Total fees collected	\$8439.80

**Fire Marshall Report** for July was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done	25	Campfire/Recreational Permits	20
Specialty Bonfire Permits	1	Agricultural Permits	1
Permits not given	2	Special permits given	1
Special permits not given	0	Other type inspections done	2
Code violations/Complaints	1		

**Wagontown Fire Company** Report submitted by Jeff Benach (Chief). There were no comments.

**Fire**

Number of calls dispatched into WBT	5	Initial dispatch into WBT	3
Second dispatch into WBT	2	Number of calls scratched	-

**Medical Assist**

Number of calls dispatched into WBT	1	Initial dispatch into WBT	1
Second dispatch into WBT	-	Number of calls scratched	0

**East Brandywine Fire Company** Report submitted by Robert Zynn and presented by Scott Piersol. Scott noted that they would be holding a chicken BBQ fundraiser.

**Fire**

Number of calls dispatched into WBT	8	Initial dispatch into WBT	8
Second dispatch into WBT		Number of calls scratched	0

## Medical Assist

Number of calls dispatched into WBT	12	Initial dispatch into WBT	12
Second dispatch into WBT		Number of calls scratched	0

*Martin's Corner Fire Company* Report: submitted by Chief Dan Metzler and presented by Manager Rambo. There were no comments.

Number of calls dispatched into WBT	2	Initial dispatch into WBT	-
Second dispatch into WBT	-	Number of calls scratched	-

## Reports of Organizations, Boards and Commissions

No representatives were in attendance from the following: Historical Commission, Parks and Recreation Board, Planning Commission, or Open Space Review Board. Manager Rambo noted that the Parks and Recreation Board is again requesting that the BoS judge the costumes in the second annual Halloween Parade on October 25<sup>th</sup> at 2 pm with a rain date of October 26<sup>th</sup>. Supervisor McCaffrey will judge the parade. It is anticipated that the Public Works Department will be assisting with the hayride.

*Municipal Authority*: Municipal Authority Manager Rambo noted that the Public Works Department finished the necessary repairs to the sewer lines within the Monacy Manor subdivision. They have to collapse one of the manholes in one of the lines that will no longer be utilized and sever the old easement. Manhole modifications still need to be done as well as final restoration of the Smith property, i.e. fencing, gates and final grading and seeding. A letter will be presented for approval at the next Authority meeting regarding the Monacy Manor resident's ability to arrange for connection of sewer. The Authority has also forwarded the necessary information to Public Financial Management regarding financing an upcoming project.

## Old Business

Dale Barnett, Codes Officer, continues his discussions with John Good, Esquire with regard to the establishment of a rental inspection requirement and the re-establishment of the re-sale U&O. Dale continues to work on the U&O.

The Manager is awaiting appraisals on the Baldwin Family parcels and the Pat Chase property with regard to the Township's purchase of development rights and/or the pursuing of conservation easements on their farms. Manager Rambo noted he is waiting to hear back from the appraiser to see when the Township will receive the appraisals.

The Manager is awaiting the 2009 budget requests from all department heads, commissions and boards. Manager Rambo noted he received the police partial request. The Manager will fill in the numbers regarding insurance.

The Fall edition of the newsletter has been completed and is scheduled to go to print for mailing at the end of September. There were no comments.

## Old Business from the Floor

There was no Old Business from the Floor.

## Old Business from the Board

Vice-Chairman Obernier requested that all of the Conditional Use and Opinions & Orders be assembled together. Manager Rambo stated this has been completed and placed in a three ring binder.

Supervisor McCaffrey questioned how to follow-up on Conditional Use to make it easier to track their progress. Manager Rambo will prepare a checklist on issues that will be addressed by the engineer as well as the codes officer so it can be officially signed off on.

Supervisor McCaffrey asked if there is a time limit for conditional use before it reverts back to nothing. If a Conditional Use is granted under zoning, then fifty years from now there could be a conditional use hanging out for that property. There was a gentleman that showed up with plans that were part of a Conditional Use, what was on the plans wasn't done because he decided not to take advantage of that process. There wasn't a way for anyone at the Township to tell what was done or what wasn't done without actually going to the site to look at it. Manager Rambo explained there is no time limit, once the Conditional Use is issued, if there is a requirement to do a land development plan, they have so many days within that to submit the plan. Once the land development plan is approved, we have to make sure that the conditions put upon the plan are checked. The engineer, through his review of the plan and inspections, that may require public improvements that are conditioned, can do this. The zoning officer will ensure that building permit issues have been met. In the instance that Supervisor McCaffrey was referring to, the gentleman wasn't required to put in a land development plan to put in a few parking spaces. Dialog continued regarding the best way to follow-up on Conditional Use Orders.

Supervisor McCaffrey suggested that at some point a review should be done and noted in the files with the date. Vice-Chairman Obernier suggested that they do the checklist that Manager Rambo suggested. The gentleman that didn't put the parking spaces in shouldn't be conducting business. Dale Barnett noted if something needs to be monitored, asked at what point do you start if they have continuing conditions.

Supervisor McCaffrey noted this brings up the point about occupancy reviews, that conditions issued have been met and put into place. Manager Rambo suggested that the Township create a resale U&O specifically to see if everything on the property has been permitted. This would be considered a modification from the property maintenance code. Other municipalities have this, where you don't check for every little item, you check for permits and setbacks to make sure that the property complies with all the permits. The BoS were in agreement if they are going to do a resale U&O, it would basically cover setbacks and permits issued.

## **Ordinances and Resolutions**

There were no Ordinances or Resolutions

## **New Business**

The Chief and Manager are working on finalizing the proposed changes to the Stopping, Standing and Parking Ordinance of the Township for review and consideration by the Board. This item is still being finalized.

The Chief and Manager are working on finalizing the proposed ordinance regulating the travel of oversized/overweight vehicles on Township roads for review and input. Chief Werner is emailing the information to the Manager for review.

The Regional UCC (Uniform Construction Code) Appeals Executive Board will meet for the first time on Monday, October 9, 2008. Manager Rambo noted it will be called the Western Chester County Regional UCC (WCCRUC) Board of Appeals. Thirteen municipalities are participating at this time. Chairman Lindborg asked what the advantages are to have the regional UCC board. Supervisor McCaffrey noted when they tried to fill the building appeals board it was difficult trying to fill with the right people and might be difficult to keep it staffed, this takes some of the heat off of trying to keep the board with the appropriate individuals. If our building code was different than everybody else's, then we

should keep our Building Appeals Board, but it is the same. Chairman Lindborg preference is to have local input. Manager Rambo noted he volunteered to be on the executive committee, which would consist of five individuals from the thirteen municipalities. It is being requested that one person, two at the maximum, from each municipality sit on the WCCRUC. Another benefit would be that you have shorter time frame constraints to have a hearing. The executive committee would establish the rules. Further discussion ensued. Manager Rambo will draft a letter to the executive committee with regard to assigning all five West Brandywine Township members to the list of available individuals.

Manager Rambo noted that the Manager of West Caln has asked if Wagontown Fire Company could park a fire truck in the bay across the street until it is sold. The BoS were okay for Wagontown to park their truck in the new Township facility.

Dale Barnett would like to make some amendments to the sign ordinance and requested that the BoS review the information.

### **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**

The Manager and Township Engineer continue in their efforts of reviewing and updating the Township's Act 537 Plan. There were no comments.

The Township continues to seek volunteers to serve on the Historic Commission and Parks and Recreation Board. Manager Rambo noted an ad would be placed in the upcoming Newsletter for volunteers.

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

Interest rate for the week (5.55%). There has been a 3.41% increase since last Thursday. With this variable rate, a lot of variable rate notes are currently increasing. In talking with several people from Commerce, PFM, etc., they see this happening for the next three weeks.

On another note, Vice-Chairman Obernier noted they have to be careful about the pension fund and suggested that representatives come in and meet with us to let us know the impact so that it can be budgeted for next year. If there is a loss, the Township has to make up the difference. Supervisor McCaffrey noted that theoretically they are meeting to talk about how they can lower the fund expectation. Manager Rambo noted that is a different entity; Vice-Chairman Obernier is talking about bringing in Bill Krempa. Manager Rambo noted that Mr. Krempa is coming in on October 3<sup>rd</sup> for a pension review meeting. Manager Rambo will also set up a meeting with Tom Anderson for the actuary. Supervisor McCaffrey would like to have a more conservative idea of return.

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

Manager Rambo noted the Solid Waste Bills totaling \$25,022.34 and General Fund bills totaling \$33,176.98. Vice-Chairman Obernier questioned the amount of the Protection Bureau bill. Manager Rambo explained it is for a panel that was struck by lightning that was replaced. The Township received a check back from the insurance company minus the deductible. Supervisor McCaffrey noted he review

the bills, found them in order, and motioned payment. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

### **Upcoming Meetings/Events**

Chairman Lindborg noted the upcoming meeting and events. There were no comments.

- Mango Men concert, Sunday, September 21, 2008 at 6:00 p.m.
- Open Space Review Board, Thursday, September 25, 2008 at 7:00 p.m.
- Planning Commission, Thursday, September 25, 2008 at 7:30 p.m.
- Board of Supervisors, Thursday, October 2, 2008 at 7:30 p.m.
- Municipal Authority, Thursday, October 9, 2008 at 7:30 p.m.
- Historic Commission, Monday, October 13, 2008 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, October 14, 2008 at 7:00 p.m.
- Board of Supervisors meeting, Thursday, October 16, 2008 at 7:30 p.m.

### **Adjournment**

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 8:25 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