

Meeting Minutes of November 20, 2008 Board of Supervisors

Chairman Lindborg called the Board of Supervisors meeting of November 20, 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 7:42 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.] and Sergeant John Coldren.

Acceptance of Minutes from Previous Meetings

September 4, 2008, September 18, 2008, October 2, 2008 and October 16, 2008. The Minutes were addressed after Supervisor McCaffrey arrived. Supervisor McCaffrey motioned to accept the September 4, 2008, September 18, 2008, October 2, 2008 and October 16, 2008 minutes. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

Treasurer's Report

There was no Treasurer's Report.

Correspondence/Communications *Information to act upon*

The Township is in receipt of an email from Cheri Marranzini with regard to participation on the Historic Commission. Vice-Chairman Obernier motioned to appoint Cheri Marranzini to the Historical Commission. Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.

The Chester County SPCA has forwarded the Township the proposed 2009 Stray Boarding and Animal Protection Services Contract for consideration. This information is in the Board's meeting book for their review.

Correspondence/Communications *Information to note*

The Township is in receipt of correspondence from Stacey Fuller with regard to the draft Inter-municipal Agreement for participation in the regional UCC Board of Appeals. Manager Rambo noted the BoS is in receipt of the information for their review. Vice-Chairman Obernier noted he didn't want this advertised until the BoS has discussed it.

Marsha Erickson of the Coatesville Area Public Library has forwarded the Township additional information. Chairman Lindborg noted he hasn't had a chance to review this yet.

The Township is in receipt of an email from Bill Yobbagy, President of the Suttonwoods Homeowner's Association, requesting information on the placement of dusk to dawn streetlights throughout their community. Manager Rambo noted he is putting information together for Mr. Yobbagy regarding the lighting ordinance and requirements under the second-class code.

Gordon R. Eck, D.O. has requested to be placed on the Open Space agenda with regard to his parcel on Germany Hollow Road that is currently in the subdivision process. Manager Rambo noted this information was forwarded onto the Open Space Review Board. Mr. Eck is considering conserving his land rather than developing it.

Jack Stefferud of Natural Lands Trust has forwarded the Township information on the Manthorpe Property located on Highspire Road ½ mile east of Route 322 on the south side. Manager Rambo has forwarded this information onto the Open Space Review Board.

The Township has received a donation of computer equipment from Barry Parsons of the Township's Historic Commission. Manager Rambo noted a letter of appreciation was sent to Mr. Parsons.

Reports of Departments: *Month of October unless otherwise noted.*

Police Report presented by Sergeant Coldren. There were no comments.

Total Hours	1473	Miles Patrolled	9355
Total Complaints	656	Accidents	17
Warrants	0	Fatalities	0
Domestic	5	Criminal Arrests	14
Non-Traffic Arrests	12	Traffic Arrests	102

Public Works Department Report: Submitted by Thomas Eells and presented by Manager Rambo and also noted the work completed for the month. There were no comments.

Total man-hours	839.5	Miles traversed	2,443
Total Equipment hours	65	Total fuel gallons	979.6

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

Building Permits issued	38	Permit base fees collected	\$6,414.80
Occupancy fees collected	\$200	U&O permits issued	5
U&O permits issued cursory	30	Contractor Licenses (CL) issued	13
CL Fees collected	\$975	Valley Mechanical Inspections	27
WBT Inspections completed	29	Failed Inspections (FI)	3
Failed Inspections Fees collected	\$150	Total fees collected	\$8696.06

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

Permit inspections done	42	Campfire/Recreational Permits	38
Specialty Bonfire Permits	0	Agricultural Permits	2

Permits not given	2	Special permits given	0
Special permits not given	0	Other type inspections done	3
Code violations/Complaints	3		

East Brandywine Fire Company Report presented by Scott Piersol. Mr. Piersol noted that a house bill change requires the fire company to provide a detailed report to the municipality and after speaking with Manager Rambo they determined that the current report provided to the Township is sufficient. There were no comments.

Fire

Number of calls dispatched into WBT	4	Initial dispatch into WBT	4
Second dispatch into WBT		Number of calls scratched	-

Medical Assist

Number of calls dispatched into WBT	19	Initial dispatch into WBT	18
Second dispatch into WBT		Number of calls scratched	1

Wagontown Fire Company Report submitted by Todd Zeigler. There were no comments.

Fire

Number of calls dispatched into WBT	9	Initial dispatch into WBT	7
Second dispatch into WBT	2	Number of calls scratched	-

Medical Assist

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

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	-

At this time Chairman Lindborg noted that Supervisor McCaffrey arrived in the meeting. Chairman Lindborg moved to address the Meeting Minutes.

Public Comments (individuals requesting to be on agenda)

Jeff Grossman is in attendance to talk to the Board with regard to the K-9 Rudy Fund and other Township matters. Mr. Grossman thanked Manager Rambo for a quick response to the political sign issue. Manager Rambo noted someone came into the Township this week stating that they saw employees in the Township's white truck putting the political sign out even after the retraction in the Daily Local News.

Mr. Grossman thanked Manager Rambo for setting up the K-9 Rudy fund at DNB First. There is \$3,850 in the K-9 Rudy fund so far. Tonight there will be a resolution passed officially adopting this, so that the Township can obtain checks to pay bills. Only medical vet bills will be paid from this fund, if there is any money left over it will be put into an account for future K-9. East Brandywine Township is going to donate their leftover money from their K-9 fund to WBT. Chemotherapy cost about \$500 a session. Each bill from the vet will be \$1,172.76. It is recommended that Rudy have this four times along with follow-up blood work and cardiograms; this totals to roughly \$5,600.

Mr. Grossman commented that the K-9 line items were difficult to understand and asked if it could be further explained. Supervisor McCaffrey explained included in the line items for the K-9 is a human that has to go to training with K-9 Rudy, a special vehicle, and special equipment. Mr. Grossman noted the vehicle was donated. Manager Rambo stated that the Township purchased the K-9 vehicle and also recently replaced the engine. Supervisor McCaffrey explained that the BoS does the best they can do, to ask a question is one thing, but to have accusations as if everything is misappropriated is wrong. Mr. Grossman asked if line items could be broken down further. Supervisor McCaffrey explained that sometimes K-9 Rudy does a job outside the community and asked how that could be presented. The state has specific line items that you have to follow to do the budget. The Township is constrained the way the state of Pennsylvania has to be put into the budget; they have a numbering system and specific accounts. So that when they audit WBT it is the same as other townships. The BoS is trying to follow the rules. Discussion ensued regarding the budget. Mr. Grossman noted that Lieutenant Painter, Lieutenant of Chester County District Attorney's office, forwarded him information regarding the amount that the County gave to the Township. This year so far the County reimbursed the Township \$1,800 for training, \$260 for vet bills, and \$45 for food. Chairman Lindborg explained that when the dog goes to training, an officer is paid and another officer takes his place. Chairman Lindborg also reiterated that the K-9 car was not donated. There are a lot of costs associated with the K-9 unit.

Mr. Grossman noted that he hoped the township doesn't cut the police force with all the crime going on and car break ins. Supervisor McCaffrey asked what Mr. Grossman would cut. Mr. Grossman answered that he would have to see the budget.

Vice-Chairman Obernier noted that Mr. Grossman said himself that he has been through the 2008 budget and asked what he would cut. Supervisor McCaffrey explained that the Township is not allowed to collect any money that is not earmarked for a purpose; you can't bank it for a rainy day. You have a choice when normal revenues fall, to increase taxes or decrease services and asked Mr. Grossman to pick something he would cut. Mr. Grossman answered the building across the street and asked if it was complete. Supervisor McCaffrey explained that was budgeted three years ago. Manager Rambo explained that the only thing that is not complete is the paving, which is being held until next year to make sure there is no settlement. Mr. Grossman asked if there were overages for the garage. Manager Rambo explained that they modified specs regarding footer's in front of the doors to ensure that the pad wouldn't lift. The public works did additional plumbing inside for future needs if they establish restroom facilities and shower areas. Not an overrun, a modification. The BoS thanked Mr. Grossman for getting the K-9 Rudy fund started.

Sheri Meleno and her husband were in attendance to express their thankfulness to Rudy for an incident that happened at their equestrian veterinary clinic and stated that they want to assist by donating vaccinations and medications at cost for Rudy. Chairman Lindborg stated they would look into that and the BoS appreciated the offer.

Dr. Carlos Jimenez understands that the K-9 unit is funded by drug money that is confiscated and felt that you couldn't easily replace a K-9 dog on the police force. Chairman Lindborg answered no; part of the training comes from those funds. Supervisor McCaffrey stated he would like to see Corporal Williams get some of the credit for K-9 Rudy, together they are a team, without his handler, Rudy might not be as successful as he is. Ms. Meleno wanted to clarify that she should have also mentioned the officer; the K-9 with the officer in charge makes a very efficient pair.

Paul Sell asked if the BoS could put the K-9 unit in the budget for next year. Chairman Lindborg explained that they have to come up with the money to put it in the budget.

Paul Sell asked why WBT promotes 55+ communities because there is no income from them. Vice-Chairman Obernier stated the BoS can't deny them. Chairman Lindborg stated they have to provide zoning for all types of uses and explained that the 55+ communities bring revenues in through building permits, real estate taxes, and transfer taxes. They also pay school taxes, have no children, and demand very few services.

Paul Sell asked about the apartment complex on Route 322. Chairman Lindborg explained they would generate earned income tax and real estate tax; the BoS can't zone out apartments.

Discussion continued about K-9 Rudy and the future of the K-9 unit.

Denise, part of the school faculty where Rudy visits expressed the value of Rudy and her appreciation for Rudy.

Reports of Organizations, Boards and Commissions

Hugh Redditt was in attendance to give the report of the Historical Commission. Mr. Redditt noted they have completed their report of historic properties within the Township and forwarded the report to the county who will submit it to the state. Manager Rambo requested that the Historical Commission provide a copy to the BoS.

No representatives were in attendance from the following: Parks and Recreation Board, Planning Commission, or Open Space Review Board.

Supervisor McCaffrey gave the report for the Municipal Authority and noted the audit has been completed. The Municipal Authority is looking at the possibility of refinancing. Manager Rambo noted that letters have been sent out for Monacy Manor, the lines are being video taped to ensure the location of the laterals. Water has been located in one of the existing lines on Connies drive and they have to figure out where it is coming from.

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-working of the resale U & O. Vice-Chairman Obernier would like to update the agenda, Dale has finished discussions with John Good and is just working on the U & O's.

The Manager is awaiting the appraisal on the Baldwin Family parcels with regard to the Township's purchase of development rights and/or the pursuing of conservation easements on their farms. There were no comments.

The Manager has met with representatives from PennDot and Representative Schroder's office regarding to the intersection of East Reeceville, Cedar Knoll and Manor Roads. Manager Rambo noted the Township performed a traffic study there, as a result the intersection warrants three scenarios. A four way stop, signalization, or the establishment of a roundabout. The possibility of constructing a roundabout was discussed with Fran Haney of PennDot. Mr. Haney advised Manager Rambo that PennDot has no funding available for projects such as this. The Township could elect to take on the project. Once complete, the Township would be required to maintain it similar to a traffic signal if erected. McCormick Taylor who does work with PennDot and reviews designs of roundabouts has provided the Township a quote of \$4,100 to perform an analysis of signalization versus the construction of a roundabout. This would have to be done prior to the Township obtaining any permits from PennDot. The elevation of the road to the south would have to be addressed prior to the project. There is a possibility to work with PennDot under the Agility Program to fix the site distance. The Manager will

be meeting with Senator Rafferty to see if any other funding will be made available. Discussion ensued. The final comment was when Vice-Chairman Obernier explained the Act 209 Study. For every residence that is built, money is donated for traffic improvements. In two to five years the Township may have enough money to do this project. It was noted by the Manager that the Township is broken down into two areas, North and South when it comes to Act 209 contributions.

The Manager awaits input from the Open Space Review Board (OSRB) with regard to the Pat Chase appraisal provided to them. A copy of the appraisal was provided to the OSRB for their review so they can make a recommendation to the BoS to pursue the purchase.

The Manager will be advertising Ordinance No. 2008-04, regulating the travel of oversized/overweight vehicles on Township roads, for a December 18, 2008 adoption consideration. There were no comments.

The Manager will be finalizing the amendments to the Stopping, Standing and Parking Ordinance for a January 2009 adoption consideration. There were no comments.

Old Business from the Floor

Bob DiLorenzo noted he sent an email regarding a request to finalize the dedication for Valley View and items that still need to be addressed prior to its dedication. Manager Rambo stated he did not receive the email and noted that he met with Mr. Fleming. Mr. Fleming is going to get in touch with Mr. DiLorenzo. Sue Crandall of Valley View noted Mr. Fleming is requesting that the Township approve a reduction in the tree size from 3" to 2 1/2" caliper for the purpose of compensation for the additional cost of asphalt. Adam Sauers of the Conservation District has informed the Township that they will not permit any basin restoration until next spring. With the BoS approval, the developer will start the landscaping except for the areas around the basin. Bob Fleming is requesting that the Board of Supervisors establish a drop-dead date of May 31, 2009 in which to pave. He also noted that he is willing to establish an escrow of \$5,000 to compensate for snow removal so that the Township can address it properly for the residents. Manager Rambo will also request that Mr. Fleming's lending institute forward the latest copy of his Letter of Credit. Mr. DiLorenzo asked if there is a time schedule. Manager Rambo stated by accepting this request, Mr. Fleming can be locked into this and we can push for them to pave by April or May. When he established the escrow for the paving four years ago, the price to pave was \$22,300. The current price is \$55,500, an increase of \$30,000 to finish the paving; prices are starting to go down. Chairman Lindborg asked the difference in growing time. Manager Rambo answered depending on the time of the year; it would be one growing season per year. They can be planted anytime of the year as long as the hole is dug and the trees are dug and balled. For the paving, it has to be at least 40 degrees and rising. Discussion continued. Manager Rambo recommended that the BoS consider the tree caliper change from 3" to 2 1/2". Supervisor McCaffrey was concerned if they grant him a waiver for that there is no guarantee that he is going to have the money to finish the roads after planting the trees. Chairman Lindborg agreed.

A resident asked if the types of trees were changed. Manager Rambo explained some of the trees were changed from oaks to something else due to an allergy that a resident has.

Manager Rambo recommended that the BoS make a motion to accept the Crandall email regarding the establishment of the escrows reduction of tree sizes and the establishment of a drop-dead date for the paving. Supervisor McCaffrey made that motion. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

Mr. Grossman stated if the Township were to purchase the development rights to the Baldwin farm, how would this effect doing the roundabout. Supervisor McCaffrey explained the money collected for the

purchase of development rights are earmarked for that purpose, when land changes hands voluntarily, to make it a friendlier exchange, they would come to an agreement.

Old Business from the Board

There was no Old Business from the Board.

Ordinances and Resolutions

Resolution #14-2008: establishment of the K-9 Rudy Fund at DNB First. Manager Rambo explained this resolution officially establishes the account. It will enable the Township to obtain checks to pay the vet bills. Daily reports are given to the police so they can create a log. A list of contributors will be posted on the website to thank them for their contributions. Vice-Chairman Obernier suggested that the Township create some type of proclamation to present to the kids of the Rainbow school thanking them for their efforts to help K-9 Rudy. Supervisor McCaffrey motioned to approve Resolution #14-2008. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

New Business

The Manager will be presenting the proposed 2009 budgets to the Board of Supervisors at their public meeting of Thursday, December 4, 2008 to allow a December 6, 2008 advertisement and adoption consideration at a special meeting on Monday December, 29, 2008. Manager Rambo noted that budget preparation has been ongoing since September. Department heads have provided budgets that are continually being reviewed. Income is checked regularly so that it can be properly addressed for next year. Income from real estate transfers, local services tax, and building permits have gone down this year and may continue to fall next year. Five scenarios have been prepared; three have been dropped. Manager Rambo is waiting to hear from the attorney of the WBT Police Association. There is a meeting scheduled with association's attorney next Wednesday to discuss requests that have been presented to him.

Chairman Lindborg noted that was the earliest time that the attorney could meet with Manager Rambo. The BoS decided to hold off presenting the budget until they see where they stand. Chairman Lindborg noted that these are difficult times, a year ago no one could have anticipated that the Township could be in this position today. A big part of it for this Township is earned income taxes, real estate taxes, transfer taxes, and the building permits that support the Codes Department. They continue to drop off dramatically. These are dire times and the Township only has so much money to work with. The BoS is not willing to increase taxes; it is not an option. They have asked different employees if they could help with the shortfalls. These decisions effect families and services that the Township provides.

Supervisor McCaffrey commented, in the future people will see increases in taxes from the county and school district. The BoS will not increase taxes, if they hear a general outcry from everyone in the community that they would like their taxes increased rather than change a level of service, they could always change their opinion based on popular approval of some other idea.

Ted Waltz asked if the money spent for Baldwin's and the Henderson is from the General Fund. Vice-Chairman Obernier answered no, that money comes from the open space tax. The BoS can't use it for anything but that purpose. Discussion continued regarding where money comes from and how it is earmarked.

Ted Waltz asked why the website is three months behind. Manager Rambo explained that the minutes don't get posted until they are approved. Chairman Lindborg stated that the website also doesn't show that he is the chairman.

Bob DiLorenzo suggested that the Township have permit parking in some areas in the Township to generate income. Chairman Lindborg explained that they feel that they are a fairly rural community and there is room to park. Vice-Chairman Obernier stated it rubs him wrong to create a permit to get money. There is no on street parking throughout the Township.

Approval of release #2 for the Costa Homes, Hidden Meadows Phase II project in the amount of \$238,251.42. Manager Rambo noted that the work has been performed, reviewed by the Engineer and Manager, found satisfactory, and recommended approval. Supervisor McCaffrey motioned to approve release request #2 for Costa. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

The Township will be submitting a grant application to the Coatesville Rotary for funding assistance toward a snack shack to be utilized during Park and Recreation Board activities and future community days. Manager Rambo noted that the staff is putting together an application on behalf of the Parks and Recreation Board for \$2,000.

New Business

Paul Sell questioned what work was done for the Costa release request.

New Business from the Floor

Supervisor McCaffrey expressed appreciation to see a lot of people at the meeting tonight. Chairman Lindborg explained that everyone that wants to comment gets a chance to do so. Vice-Chairman Obernier stated that Chairman Lindborg and Supervisor McCaffrey feel the same way as he does, that they are all neighbors here. The folks that work for the Township he truly understands how sensitive a time it is right now. It is not the Board's desire to make their lives more difficult, if they work in a common direction it may not be as bad as it could be. The Township has many older folks. Pat and Jesse that help with the newsletters, tell the BoS how difficult it is to get by on a fixed income and mark my words, the school district is going to have a whopper of an increase; the school district has the exact problem that the Township has. The Township is required by state law to bring the police pension fund up to a certain required amount. This year the Township is required to find an additional \$105,000 to put into the police pension fund. The Township doesn't have discretionary spending; it can't take the money from the fire services tax or the open space fund. Vice-Chairman Obernier asked if everyone could work together. The BoS put off tonight issuing the budget because the Township didn't hear from the police union's attorney. The BoS has no idea what the police union is willing to do.

Chairman Lindborg concurred with Vice-Chairman Obernier and wanted to make clear that the making up of the pension fund is just part of the problem and not the problem. The problem is that revenues are off and he didn't want to point a finger at any particular department; it is not the police department's fault. Vice-Chairman Obernier agreed and didn't mean to convey that. Chairman Lindborg stated that the problems are across the board.

New Business from the Board

Manager Rambo noted that the Coatesville library is seeking a WBT resident to serve on its board. The Coatesville librarian has approached Vice-Chairman Obernier to serve on the library board. Vice-Chairman Obernier stated he declined because he didn't feel it would be right, being he is a Township supervisor and has a vote in donating money to the library. Nancy Obernier also declined. Chairman Lindborg announced if a resident is interested in serving on the library board to contact the library.

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

Paul Sells commented if officers get laid off, the Township has to look at the cost to retrain employees. Chairman Lindborg expressed the BoS feels there are no better officers then the ones in our department,

the BoS values their professionalism and performance. The officers are representing all of us; it is a tough job being in the public. The BoS really values the personnel that work for the Township. Supervisor McCaffrey considers it unfair for local governments to demand more money and raise taxes. You have to work within what you have because everyone is struggling.

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. There were no comments.

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

Interest rate for the week (2.44%). There were no comments.

Review and Payment of the bills.

Manager Rambo stated the bills total \$57,844.16. Supervisor McCaffrey looked at the bills, found them in order, and motioned to pay the bills. 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.

- Open Space Review Board, Tuesday, November 25, 2008 at 7:00 p.m.
- Planning Commission, Tuesday, November 25, 2008 at 7:30 p.m.
- Board of Supervisors, Thursday, December 4, 2008 at 7:30 p.m.
- Historic Commission, Monday, December 8, 2008 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, December 9, 2008 at 7:00 p.m.
- Municipal Authority, Thursday, December 11, 2008 at 7:30 p.m.
- Board of Supervisors, Thursday, December 18, 2008 at 7:30 p.m.
- Open Space Review Board, Tuesday, December 23, 2008 at 7:00 p.m.
- Planning Commission, Tuesday, December 23, 2008 at 7:30 p.m.

Adjournment

There being no further business before the Board, Vice-Chairman Obernier motioned to adjourn the meeting at 9:14 p.m. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye in favor of adjournment.

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