

**Meeting Minutes of October 16, 2003**  
**Board of Supervisors**

Chairman Obernier called the Board of Supervisors Meeting of October 16, 2003 to order at 7:35 p.m., and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors by the Township Manager noted Chairman Obernier and Vice-Chairman McCaffrey in attendance. Supervisor Lindborg arrived at 8:25 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr.; Township Manager, Capt. Walter M. Werner; Chief, Dale Barnett; Codes Officer, and Thomas Eells; Road Foreman.

Being that Supervisor Lindborg was not yet in attendance to discuss the previous Meeting Minutes, Chairman Obernier moved on to address the Treasurer's Report. Manager Rambo presented the Treasurer's Report for the month ending September 2003 as follows:

General Fund.....	\$52,944.34
Solid Waste and Recycling Fund.....	\$73,443.86
Capital Reserve Fund.....	\$1,157,540.90
Developer Escrow Fund.....	\$260,306.16
State Liquid Fuel Fund.....	\$118,882.87
Operating Reserve Fund .....	\$223,002.59
Payroll Fund.....	\$33,877.71

Chairman Obernier moved onto Public Comments. The first item was regarding Marc Jonas, Esquire and the Elliot Building Group who are in attendance to talk to the Board with regard to requesting an extension of approval of the Ridings of Hibernia Subdivision Plan of 1989 subject to storm water management and the engineer's approval. Mr. Jonas stated they would like to extend this approval to apply to a new development. They passed out handouts with a booklet version of their PowerPoint presentation. He asked the Board to look at the old plan and compare it with the new plan. Their new proposal is still under the R-2 zoning, they are proposing less lots, less linear feet of roads, more open space and 1.8 miles of trails and sidewalks combined. The Open Space contribution to the Township will be \$100,000. At this time in the meeting, Nicole from their group gave a PowerPoint presentation delineating their new plan verses their old plan. The Elliott Building Group in now proposing ninety new homes rather than the ninety-eight that was previously approved. She noted they are in the process of exploring a connection to Philadelphia

Suburban in lieu of an on-lot package water system. They have also eliminated the access to Manor Road, thereby allowing for less impervious cover and additional open space.

Mr. Jonas noted that the Township Engineer has done a preliminary review of the sketch plan. The plan is less dense than what is permitted. They will submit a proposal that would encompass what is contained in the presentation at tonight's meeting, he noted the plan was based on the zoning configuration of 1989.

Chairman Obernier asked what Mr. Jonas would have to change in order to make the plan conform to current regulations. Mr. Jonas stated they would have to do a whole site analysis. The Township Engineer suggested that the open space may be somewhat different under the ordinance today. They would have to go back to "square one," that is why they proposed a contribution towards the acquisition of open space. They recognize the cost it would save the developer by being able to go by a previously approved plan.

Vice-Chairman McCaffrey pointed out the fact that they made it very clear that they will be contributing \$100,000 towards open space. It's true that West Brandywine Township and its citizens would like to preserve open space, they also have moral compunction about how developments take place in the community today, it may have a higher price than \$100,000. He noted that in the past they have rejected current plans and asked for a new plan to be submitted simply for changing the amount of roadways or moving lot lines, there is no reason why this has to be approved or considered.

Vice-Chairman McCaffrey then listed the following items that he would like to see considered. 1. Storm water - he would like to see some sort of guarantee about storm water. The Township's concept about storm water has changed between 1989 to the present time. 2. Open Space - He would like to see a calculation of the unconstrained open space. If it is a swamp that you can't build on then it's leaving us with land that you can't use. 3. Sewage - the Township's 537 Plan has undergone numerous revisions since their plan was approved, the Township now has a Municipal Authority that oversees sewage. 4. Grading - they now have a Grading Ordinance that was not there in 1989. 5. Landscape - they have a Landscape Plan was not in the Ordinance back then. 6. Site analysis - currently have a vigorous site analysis that would be applicable on their site. 7. Waivers - detailed list of waivers they are requesting from the current zoning and current subdivision regulations before he would agree to move forward with the approval of their plan. 8. Analysis - based on the current regulations based on the net out provisions. 9. Planning Commission comments after they go over the plan and walk the site. 10. Nearby residents should be able to express their thoughts and views.

Mr. Jonas noted that Vice-Chairman McCaffrey had raised some very good points. He pointed out MacCombie's letter and suggestions and wanted to make clear that their intentions are not to sidestep these items. They would be willing to do their PowerPoint presentation and answer any questions the neighbors might have at a future meeting.

Chairman Obernier stated that several times during their presentation they referred to failing sewer systems of the surrounding neighbors and asked Mr. Jonas if they were aware of any specific ones.

Mr. Jonas stated they had an unconfirmed report of failing systems and thought they would offer sewer hook-up to anyone who was in need around them.

Chairman Obernier noted the Township has recently looked into having Traffic Impact Fees under Act 209, would they be willing to go along with this. Manager Rambo stated the fee is \$1,000 per peak a.m. trip per home.

Manager Rambo stated he has gone over the plan with the Township Engineer and has talked with the Elliot Group several times.

Elizabeth Zanowiak asked Mr. Jonas about their anticipated capacity for their sewer. Mr. Jonas stated they would have to have as much capacity as the Township feels necessary and appropriate for their development as well as enough to help in the surrounding area that needed sewer.

Manager Rambo asked if he would be willing to run all the pipes in advance should a failing system appear they will have the opportunity at any time to tie in. Mr. Jonas stated he will look into that issue, but not being an engineer he's not sure how it would work, but said yes, that was the idea of the offer.

Mr. Jonas asked the Manager what he was looking for with regards to additional sewer. Manager Rambo explained to Mr. Jonas that he was the one who said he would put the sewer lines around their entire property, if they could then that would be fine.

Steve Jakatt of the Planning Commission asked if their sewer system was going to be drip or spray. Mr. Jonas stated it will be a drip system which requires a lot less ground.

Steve Jakatt asked if they intended on putting drip irrigation on wetlands and asked about using retention basins. Mr. Jonas noted they are proposing seeping beds where it can infiltrate, which would allow them to have the cleanest water possible.

Steve Jakatt explained that their original plan had been described as the least imaginative plan that was ever presented to the Township. Their new plan is the exact same totally unimaginative plan minus the seven lots.

Ed Barns of Hibernia Road asked if they are allowed to put a road through wetlands and was also concerned about the impact of the number of cars that ninety-one homes would have. They are not putting in any acceleration or deceleration lanes.

Mr. Jonas answered yes, there are several types of roadways that are allowed by DEP and noted they have to exits onto Hibernia Road. They will put in acceleration and deceleration lanes if the Township wants them to.

Mr. Jonas noted the principle is that if its not this plan, the property owner has decided to develop, the question is how will it be developed. Jim MacCombie gave Mr. Jonas a preliminary analysis of 117 acres, which would yield 93 lots, the plan they have today they propose 91 lots.

Steve Jakatt suggested they go through the planning process as usual.

A resident asked if surrounding neighbors could hook into their public water. Mr. Jonas stated that would be an arrangement the resident would have to make with PSW. Manager Rambo noted that PSW that currently services the Township is in the process of entering into an agreement with the Downingtown Water Authority, to purchase water from their capacity that is currently at March Creek.

A resident asked how big the lots have to be. Manager Rambo answered under the Open Space plan they currently have in the Township, they can go down to 8,000 square foot lots with public water and sewer. The Elliot Group is proposing 20,000 square foot lots.

Richard Kane of Landover Road asked if West Brandywine Township had an Open Space Plan in 1989. Manager Rambo answered yes, there was a cluster option back then.

There were no further questions regarding the Elliot Group's presentation. At this time in the meeting Chairman Obernier noted that Supervisor Lindborg was in attendance. The Manager will contact Mr. Jonas with regards to any decisions or concerns the Board may have.

The second item under Public Comments was the Board of Supervisors will hold a general question and answer period with regard to the upcoming Open Space Referendum that will appear on the November 4, 2003 ballot.

Edward Baldwin asked if he has to pay the tax if he is keeping 103 acres of Open Space in the Township. Vice-Chairman McCaffrey stated that in past meetings the farming community doesn't want the ground zoned as farming grounds, another way to have ground protection is they would like to have development purchased from them or have some way they derive the same value for their land and yet they don't have buildings put on it. The tax that is being proposed is based on income, not based like a real estate tax is on just owning property.

Mary Baldwin Trego of Cedar Knoll Road read out loud a statement opposing the Open Space Tax Referendum.

Chairman Obernier noted that one aspect of this that he heard was to acquire money to buy development rights and he understands that the Baldwin's own a farm and asked if they would consider selling the development rights for a sum of money later, they would not be able to develop that ground it would have to remain a farm. He asked Ms. Baldwin Trego is she would be willing to have some sort of agreement like that as a farm owner.

Ms. Baldwin Trego answered in the past her family has not done this, they can't see what the future holds. She noted that her brother barely has health insurance; they can't afford any more taxes.

Vice-Chairman McCaffrey explained that if they are not making any money than they wouldn't be paying the tax. Some people complain about Township taxes when the CASD tax is about thirty times higher than what the Township charges.

Ms. Baldwin Trego stated she didn't appreciate Vice-Chairman McCaffrey's tone with her; she is merely at the meeting to state that the Open Space tax is going to hurt them. Supervisor Lindborg explained if they take \$50,000 of income you would be paying around \$50 of Open Space Tax.

Vice-Chairman McCaffrey noted this would be \$50 a year and so much more from everyone else to try and give her brother thousands of dollars an acre for the right to preserve their farm. Ms. Baldwin Trego stated that she is not interested in selling her development rights to the Township and asked why they are discussing development rights. Supervisor Lindborg explained they were trying to put it into perspective and he appreciates Ms. Baldwin Trego's points.

Vice-Chairman McCaffrey explained he had previously spoken with the late Pat Baldwin who stated they had a relative die and had to sell the ground that was on the other side of Route 82 to pay the taxes for that and she wished there was a program where they could sell the development rights for that property to satisfy the state and still keep their farm. Vice-Chairman McCaffrey was under the impression that this is what the Board is trying to do. The Board was looking for a way to try to preserve some of these things without taking any of the value out of it. At some point you have to do something and this seems to be the least expensive thing to do.

Steve Jakatt explained they see farms going on a regular basis and they can't save them or the open space that is being used up in this Township. Ms. Baldwin Trego stated she couldn't predict if and when she might have to sell her precious farm, and it is a "precious farm." If the tax goes through, as a Township, we may be able to buy and keep this as a farm. He explained that he supports this referendum.

Chairman Obernier explained that they are all neighbors and that this is a sensitive issue. They are trying to talk this out and hear everything that was the reason he asked if they would consider selling development rights, he was trying to understand what a farmer would want to do. The Chairman requested that everyone be considerate with his or her conversations and voices.

Vice-Chairman McCaffrey apologized if he was being too coarse and explained that he was in shock when he received his tax bill from the County.

Chuck Dobson of Freedom Drive suggested that the Township expand their efforts with whatever means they can come up to for Open Space.

Vice-Chairman McCaffrey stated they would all be happy if the CASD would control its taxation. That's what makes every other attempt to investment so difficult.

Elizabeth Zanowiak suggested stewardship programs for properties.

Bob Schini asked the definition of income for the Open Space tax. The Manager explained earned income is defined as salaries, wages, commissions, bonuses, incentive payment, fees, tips, and compensation for services rendered.

Mr. Baldwin asked if the Township has an amusement tax, he would like to put in a corn maze. Chairman Obernier asked if he would be collecting and reporting the money as earned income tax. Mr. Baldwin answered yes. Manager Rambo stated he would have to look at the amusement tax and see how it is written.

Manager Rambo explained that amusement taxes are usually passed on to the person who is attending the amusement. The Manager asked Mary Baldwin Trego for a copy of the statement she read earlier in the meeting.

Chairman Obernier pointed out that the next Board of Supervisors Meeting has changed from Thursday, November 6, 2003 to Wednesday, November 5, 2003. He noted that the Chester County Association of Township Officials is having their annual fall convention on that Thursday night. On Thursday, October 23, 2003 at the Planning Commission meeting, they will also be addressing questions with regards to the Open Space Referendum. The Chairman explained he would like to come up with a list of questions such as; ask Ms. Baldwin Trego if she would consider selling her property as a development rite or do they only want to use the money to buy a tangible where the people can use the land. If they buy a farm development rite it doesn't mean the people who paid the money will be able to utilize the land. He suggested that perhaps Township residents could give him guidance as to what they would like to have for open space.

Pat Edwards of Manor Road explained that she didn't feel comfortable voting for someone else to pay a tax, being she was on a fixed income she wouldn't have to pay the EIT. Chairman Obernier explained that what he would like see a survey taken from the people that would pay this tax, the list that Berkheimer collects from. He would like to see if more than 50% of those people are for the Open Space Tax. He never agreed to put this referendum on the ballot without having that second vote. If the people that actually have to pay the tax are for it, then he will vote in favor of it.

Supervisor Lindborg explained that he has open space and would be gladly willing to pay the tax fee which he feels is a small amount that could multiply into a lot more because the Township could get maximum funds from the County, Federal Government, and State. He felt that the miniscule amount could add up to a great investment in the Township.

Vice-Chairman McCaffrey explained that when the County, Federal, and State are going to give money to the community to help preserve open areas, they are going to look at the communities that put in money because their money goes further. By not having something to match funds they would be penalizing the community. He disagreed with Chairman Obernier with regards to having a second survey asking the people on the "Berkheimer" list about the Open Space Tax. He didn't feel you should do the additional survey at the taxpayer's expense.

Colin Judge of Hawthorne Lane stated that we as taxpayers are already paying an Open Space Tax but are not able to get any of it back in grant money. Chairman Obernier asked who we are paying an Open Space Tax to. Colin Judge answered the county, state, and federal government, all the places we are paying taxes.

Jesse Edwards of Manor Road hypothetically asked what if the Township were to purchase Ms. Baldwin's farm and then the federal government steps in and takes over half of that income. Vice-

Chairman McCaffrey stated that the Baldwin's would be selling something of value for money and there are programs where you could have a deferred payment over years.

A resident asked if the Township has a Nuisance Ordinance regarding signs that are being put on her property or nailed and stapled to trees. Manager Rambo suggested that she tear the signs down. Tom Eells suggested that she call him if there is a problem with signs, and stated that it is against the law to nail them into telephone poles.

Tom Eells expressed his concern regarding all the signs that are littering people's yards in the Township. Chairman Obernier asked if he was suggesting that the police pick up the signs and issue citations to the people whose names are on the signs. Mr. Eells suggested that people should be cited if they didn't pick up their sign after their yard sale is over.

Elizabeth Zanowiak was concerned about loose dogs in her neighborhood. It was suggested that she file a complaint or call the police. Manager Rambo noted the SPCA would come collect the dog but would not catch them.

The Chairman moved onto Correspondence/Communications - Information to act upon. The first item under Information to Act Upon was the Chester County Parks and Recreation Department have forwarded the Township correspondence with regard to the Round XI Park Facilities Grant. Manager Rambo noted he sent in an extension request.

The second item to act upon was Genterra Corporation has forwarded the Township a waiver request with regard to Basin B of the Valley View Subdivision. Manager Rambo stated he had talked with the Township Engineer with regards to this and it was also brought up at the Planning Commission and Jim MacCombie suggested that a waiver of design criteria for the Basin be requested to address issues of the height not to exceed 18" during a two year storm event.

A representative from Genterra then explained Jim MacCombie's request for the waiver. Vice-Chairman McCaffrey stated he would like to think about it, the whole idea of the basin was not to have bomb craters at the border of the subdivision or next to the street. He asked if this was basically like a large shallow basin and they would like to make a small section of it deeper.

Supervisor Lindborg explained Genterra doesn't want to change it, during the storm he wants to have more than 18" of water in the basin. Chairman Obernier noted he would like to ask the engineer about it. Manager Rambo stated that Jim MacCombie doesn't have a problem with it. Vice-Chairman McCaffrey explained that the purpose of this is to make it so it has a shallow basin that covers a larger area, or it may mean that you would make several basins down the hill to where the big basin is so that all the water doesn't go to one area. Manager Rambo explained that where the basin is there is a high water table so the next best management practice is the establishment of wetlands to purify the water as it leaves to basin and in creating the wetlands they are going to have 10" of water as long as the springs in that area perk up and fill the basin. When the basin dries up it is going to exceed maximum height requirements.

Bob Schini explained that the Planning Commission unanimously agrees with the waiver request. Vice-Chairman McCaffrey explained that he will agree in this case on the testimony of Bob Schini

but in the future he feels that there is a design standard and if it doesn't meet it then that's not the Board's problem.

Supervisor Lindborg made a motion that they grant the waiver request as requested on the October 2, 2003 letter the Manager referencing the Valley View Subdivision regarding Basin B. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

Jesse Edwards of Manor Road was concerned about small children playing around the basin filled with water. Mr. Jonas explained that it is designed in an appropriate manner, the slope is much more gentle than a pool.

The third piece of information to act upon was Ross Unruh, Esquire has forwarded the Township a copy of a proposed zoning ordinance map change with regard to the Steve Janiec Project for consideration. Manager Rambo noted the Board has been given the proposed change as presented at the Conditional Use Hearing the night before.

The fourth piece of information to act upon was East Brandywine Township Board of Supervisors has forwarded the Township a letter with regard to the Brandywine YMCA. Manager Rambo noted they are requesting in next year's budget that we consider contributing to the YMCA.

Information to Note was the next item of business on the agenda. The first piece of information to note was The Township is in receipt of correspondence from George F. Harlan with regard to the Hawthorne Lane Subdivision roadways. Manager Rambo will be corresponding with them requesting that they consider doing core samples and test it according to state standards. There is staining in the roadways that appear to be caused by iron in it.

The second piece of information to note was the Chester County Health Department has forwarded the Township its Municipal Waste Hauler License Application for completion. Manager Rambo noted the Road Forman will be completing this application. Supervisor Lindborg noted this is yet another significant tax.

The third piece of information to note was the Township is in receipt of information with regard to the upcoming Coatesville Christmas Parade. Manager Rambo noted the information has been forwarded onto Chief Walt Werner.

The fourth piece of information to note was Preston Luitweiler, P.E. of PSW has forwarded the Township a notice of the company's intent to get a subsidiary water allocation from the Downingtown Municipal Water Authority to provide potable water to the Township. Manager Rambo noted this was discussed previously in the meeting that the water would be coming from Marsh Creek. Chairman Obernier noted they need this in order to provide water to us because Downingtown doesn't have an allocation for our Township.

The fifth piece of information to note was Senator John C. Rafferty, Jr. has acknowledged the receipt of correspondence from the Township with regard to the gas tax proposal. Manager Rambo noted he had forwarded letters to Senator Rafferty and Representative Schroder.

The sixth piece of information to note was the Boy Scouts of America, Chester County Council, has forwarded a letter thanking the Township in advance for the use of the small meeting room for Eagle Scout Boards of Review. Manager Rambo explained that since the Township facility is one of the few public buildings that is ADA compliant, they requested to use the small meeting room once a month. Manager Rambo sent them correspondence letting them know that was okay to utilize the meeting room.

The final piece of information to note was the Township is in receipt of contribution information for the Coatesville Public Library. Supervisor Lindborg noted he has reviewed it and found the Township's donation to be appropriate according to the Census, by municipalities doing this the Coatesville Library gets matching funds from the county and state.

The next piece of information to note was the Township is in receipt of a letter dated October 14, 2003 from Edwin and Mary Jane Henderson requesting an exemption from the Fire Hydrant Tax. Manager Rambo noted they are a local farm that pays a significant amount of taxes and in the past the Board has allowed this exemption. Manager Rambo stated the Township's Ordinance states that the property is within 780 feet, not necessarily just the building as they have stated. Chairman Obernier asked if the fire department can get water to their house because of the hydrants there. Manager Rambo answered yes. Their tax is \$59.33. Supervisor Lindborg was concerned if they waive the tax for one person, they would have to waive it for another.

Vice-Chairman McCaffrey suggested that the Henderson's request a letter from their insurance company to be sent to the Township explaining why they don't give them a break on their insurance.

Chairman Obernier moved onto the Reports of Departments for the month of September 2003. Walt Werner was present from the Police Department to give the police report. There were no comments made. Tom Eells gave the report from the Road Department. Chairman Obernier was concerned about a stop sign and a street sign that are lying on the ground at Justin Lane. The street is not dedicated yet so the Township has no authority in having the signs put up. Manager Rambo will send a letter to Chris Catania regarding their signs.

Dale Barnett gave the report from the Buildings/Codes Department. No comments were made. Manager Rambo gave the report of the Fire Marshal and the Fire Department report from Wagontown. There were no reports from East Brandywine or Martin's Corner. Chairman Obernier noted that from month to month we have missing Fire Department Reports.

Chairman Obernier moved onto Reports of Organizations, Boards, and Commissions. Bob Schini gave the report of the Planning Commission. He noted an item concerning a permit with PennDOT. Manager Rambo explained that you cannot turn down a plan based on a requirement to obtain a PennDOT permit, it has to state on the plan that a PennDOT permit will be obtained prior to land development and construction. Bob Schini noted the action was taken by the Planning Commission prior to the Manager's arrival otherwise they wouldn't have made the mistake. Manager Rambo noted there was no harm done. Manager Rambo noted he would be attending the next Planning Commission meeting late. There were no further comments.

Being there was no one present from the Historic Commission the Chairman moved onto the Park and Recreation Board. Colin Judge gave the report from the Park and Recreation Board. Vice-Chairman McCaffrey commented about the bees at Unity Day. Chairman Obernier asked if the Park and Recreation Board had been in contact with Boy Scout Troop 116 Colin Judge answered yes; there were some members from the troop selling popcorn there. Vice-Chairman McCaffrey and Supervisor Lindborg both stated they had a lot of people approached them to let them know they enjoyed Unity Day.

Manager Rambo gave the report from the Municipal Authority. Vice-Chairman McCaffrey suggested that Jim MacCombie of the Municipal Authority review their bond with the Board of Supervisors.

Chairman Obernier moved onto Old Business. The first piece of Old Business was the Board of Supervisors is continuing their search to fill the Historic Commission and Building Appeals Board vacancies. Manager Rambo noted they have applicants. There was no action taken.

The second piece of Old Business was the Manager and Public Works Director are continuing the process of completing their list of proposed improvements to roadways being considered under the PennDOT Turnback Program. Manager Rambo noted this is almost completed, the final meeting with Jim will occur with regards to Receville Road.

The third piece of Old Business was the Township is finalizing the list of surplus equipment that will be bid out for sale at the November 20, 2003 meeting. Manager Rambo noted the list of equipment.

The fourth piece of Old Business was the Township will be advertising the updated ordinances pertaining to parking, speed limits, etc. for a November 5, 2003 hearing and adoption. The Manager will send a letter to Moe Finn regarding the November 20, 2003 hearing and adoption. Manager Rambo will forward the engine break ordinance information on to the Board for their review. This Ordinance does not disallow any kind of engine break retarders, as long as they do not modify the exhaust system.

Manager Rambo noted they are also looking at posting the Hammel North Roadways with regard to traffic at certain times of the day. Further discussion with a PennDOT individual has stated that what we thought we could do with regards to posting we couldn't do because we would lose liquid fuels funding on that road. Chairman Obernier suggested that they put the sign up now and hash it out with PennDOT later. Manager Rambo stated the times of the day were from 6:00 a.m. – 9:00 a.m. and 3:00 p.m. – 6:00 p.m. Supervisor Lindborg explained that he sees the bulk of the traffic from 7:00 a.m. – 7:30 a.m.

Vice-Chairman McCaffrey feels it sets a bad precedent if you put special signs up and possibly lose liquid fuels funding, then if anyone would want them in their area it would be difficult to say no. The Manager will follow-up with a letter to PennDOT.

The final piece of Old Business was the Township will be bidding out for the construction of a 40' x 80' pole barn for the storing of equipment. Manager Rambo noted this will occur sometime during December.

Old Business from the Floor was the next item on the agenda. Bob Karpovich of Frazier Boulevard asked if there were any no updates regarding the City of Coatesville's Golf Facility. Chairman Obernier noted they will be having another lighting test.

Elizabeth Zanowiak asked about the details of the lighting test. Vice-Chairman McCaffrey explained the test was done with and without shields to see its effects. He noted that they have a permit and as long as they can construct it according to our ordinance. Supervisor Lindborg noted that the bulk of the Golf Facility project will be across the street that is not in West Brandywine Township and feels the lights will be much more intrusive coming from there.

Bob Schini asked if Coatesville has the report on the water and lighting test. Manager Rambo noted the City of Coatesville should have confirmed the second lighting test and is waiting for the computer presentation with regards to how it will look schematically.

Being there was no Old Business from the Board the Chairman moved to Ordinances and Resolutions. Resolution No. 12-03 was regarding the establishment of ACT 209 Impact Fee Advisory Committee. Manager Rambo then read the Resolution out loud. The Manager noted this Resolution has been reviewed by the Township Solicitor and has been found to be in order. He noted this will be duly advertised. The Act 209 Study requires by law the developers that are currently working in the Township be participants, there will be seven members, four members (Bob Schini, Anita Ferenz, John Cassels, Steve Jakatt) from the Planning Commission. Chuck Dobson, Maureen Grimes, and Teresa Freed will also be on the Committee. The Manager noted that in the Act it states what the Board empowers the Committee to do. The Supervisors were given the information about the Act that includes their tentative schedule. Supervisor Lindborg asked if the Board could appoint a new member if they have a problem with someone. Manager Rambo answered not without starting over. Supervisor Lindborg made a motion to adopt Resolution No. 12-03. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye.

New Business was the next item on the agenda. The first item was the release of the remaining funds in the Ashberry Lane public improvements escrow account. Manager Rambo noted the funds totaling \$20,612.06 have been reviewed and approved by the Township Engineer for release. Supervisor Lindborg made a motion to release the funds based on the Township Engineer's review and the Manager's recommendation. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye.

The second item under New Business was the Board of Supervisors to consider releasing funds for Phase I & Phase II of the Suttonwoods Subdivision totaling \$99,808.07 and \$35,397.45 respectively. Manager Rambo noted they have been reviewed by the Township Engineer and himself and found them to be appropriate. Supervisor Lindborg made a motion to release the funds based on the Township Engineer and Manager's recommendation. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye.

The third item under New Business was the Board of Supervisors to render a decision on the Bentley Community Conditional Use Applications for Culbertson Village, Beaver Creek Realty and Swinehart Realty. Manager Rambo noted since the placement of this item on the agenda and since they are having further discussions they have received from Bentley an extension of time in which to render a decision. The Manager recommended accepting the extension of time. Supervisor Lindborg made a motion to accept the extension of time. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye.

The fourth item under New Business was the Board of Supervisors to discuss a means to deter the utilization of the new facilities sidewalks, ramps, and railings by skateboarders. Manager Rambo noted he has video showing skaters are utilizing the parking lot and sidewalks of the facility to skateboard and has signs ready to post. Chief Werner spoke with the mother of one of the skaters and told her they could use the trail to skateboard when wearing proper safety equipment but not use the sidewalks and railings. The Board was in agreement with the Manager to start posting the signs.

The final item under New Business was the Board of Supervisors will present a draft of the proposed 2004 budgets for general discussion at their meeting of November 20, 2003. Manager Rambo stated this would be finished within the next four weeks.

Chairman Obernier moved onto New Business from the floor. Bob Karpovich noted that EBYA had forwarded the Township a request for field use. Vice-Chairman McCaffrey suggested they have some field time left open for the township residents to utilize the fields. Manager Rambo explained that none of the residents have ever complained about not being able to use the field. The Manager will give EBYA a call and ask them about their dates.

Elizabeth Zanowiak had concerns about skateboarders and their safety. Supervisor Lindborg noted that the safety issue for the children is the parents' responsibility. Chairman Obernier noted he was speaking with Herb Leslie regarding their new park and the trouble they were having with skateboarders on the paths running people over and also with dogs relieving themselves.

Being there was no New Business from the Board or any Public Comments the Chairman moved on to address the approval of the Township Minutes of September 18, 2003 and October 2, 2003. Supervisor Lindborg motioned to accept the Minutes of September 18, 2003. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye. The minutes of October 2, 2003 were tabled.

Elizabeth Zanowiak asked if there are any plans to have a Township swimming pool. Chairman Obernier noted they had previously discussed this and felt that if people wanted to have a pool they would utilize the YMCA.

Chairman Obernier then moved onto Open Issues. The first Open Issue was the CASD tax audit review and response. Manager Rambo noted he sent a letter onto the school board regarding the rights-of-way along Reeceville and Hurley Roads for improvements. The Manager noted he had been requested to attend the School Board meeting on Monday night and ask if any of the Board

members would be able to attend in his place. Chairman Obernier stated he would be able to attend. Manager Rambo will write the details up and forward them onto the Board of Supervisors.

The last Open Issue was the Cable Franchise review letter. Manager Rambo noted this is under review.

Chairman Obernier moved onto the next item on the agenda regarding the Facility/Park Update. Manager Rambo noted there are minor repairs needed for the park. Chairman Obernier asked who manages the Township's computer that controls the facility. Manager Rambo noted they are still in the process of balancing the heating units. The current interest rate is 1.27%.

The Chairman moved onto the payment of the bills for the General Fund (\$320,921.25), State Fund (\$104,167.91), and Solid Waste Fund. Supervisor Lindborg motioned to pay the bills and Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye in favor of their payment.

Chairman Obernier noted upcoming meetings and events as follows:

- Planning Commission meeting, Thursday, October 23, 2003 at 7:30 p.m.
- Trick or Treat, Friday, October 31, 2003, 6:00 p.m. until 8:00 p.m.
- Historic Commission meeting, Monday, November 3, 2003 at 7:30 p.m.
- Election Day, Tuesday, November 4, 2003 from 7:00 a.m. to 8:00 p.m.
- Board of Supervisors meeting, Wednesday, November 5, 2003 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, November 11, 2003 at 7:30 p.m.
- Municipal Authority meeting, Thursday, November 13, 2003 at 7:30 p.m.

Elizabeth Zanowiak asked if the Meeting Minutes are available. Chairman Obernier stated they are available after they have been approved and are available on the website.

Jesse Edwards of Manor Road asked if the Supervisors would be moving everything except the flagpole across the street. Manager Rambo noted that eventually they would restore the old building and make it into a community hall.

Chairman Obernier requested that the three lights in the meeting room be put on a separate switch from the ceiling lights.

With no other business to discuss, Supervisor Lindborg motioned to adjourn the meeting at 10:25 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier all voted aye in favor of adjournment.

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