

**Meeting Minutes of September 6, 2007**  
**Board of Supervisors**

Vice-Chairman Lindborg called the Board of Supervisors Meeting of September 6, 2007 to order at 7:35 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Vice-Chairman Carl S. Lindborg and Supervisor Josef G. Obernier, Sr. in attendance. Chairman Thomas J. McCaffrey arrived at 7:36 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**

July 19, 2007, August 2, 2007 and August 16, 2007. There was no action on the minutes.

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

John Snook of the Brandywine Conservancy has provided the Township with amendments to the Open Space Design Option and is preparing them in ordinance format for advertisement. Manager Rambo has provided the BoS with a copy and is awaiting their input before sending it off to the county. Both Vice-Chairman Lindborg and Supervisor Obernier noted they have begun reviewing it.

The Township is in receipt of a sixty-day letter of extension, dated August 23, 2007, from James E. Scott for the rendering of a decision on his Final Subdivision Plan located on Horseshoe Pike. Manager Rambo recommended that the BoS accept the letter of extension so that Mr. Scott can address the Engineer's final comments. At this time Vice-Chairman Lindborg turned the meeting over to Chairman McCaffrey who had just arrived in the meeting. Vice-Chairman Lindborg motioned to accept the extension letter. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

The Township is in receipt of a letter of extension, dated September 6, 2007, from Scott Emerson, granting until Friday, November 16, 2007 to render a decision on the Preliminary Subdivision Plan for the Beaver Creek Realty Associates, L.P. Project. Manager Rambo noted that they are addressing the initial review letter from the Township Engineer. Chairman McCaffrey questioned why they need an extension. Manager Rambo explained they are addressing MacCombie's 12-page review letter. Mr. Emerson only received the letter a month ago. Beaver Creek subdivision includes apartments and is located just west of Watters Trucking. Chairman McCaffrey asked if there was enough in the 12-page letter to reject the plan. Manager Rambo answered they he would have to get the letter and read all 12 pages. Chairman McCaffrey felt that if there were enough in the letter to reject the plan, then he would rather reject the plan, that the plan is an eyesore and they refuse to work with the Township on it. Manager Rambo read out loud the items listed in the 12-page letter. This plan officially went on the time clock in June, the letter was received in August; there was no quorum for July's Planning Commission.

Chairman McCaffrey noted that this plan has been a “poke in the eye” for WBT from the beginning and wished there was some way they could say no to this plan and have them resubmit it without the loophole. Manager Rambo noted he could not recommend this plan be rejected knowing that Mr. Emerson has only had the letter two weeks prior to the Planning Commission meeting. Chairman McCaffrey would like the Manager to contact John Good and ask what they can do with a less than acceptable plan. Manager Rambo will contact John Good. Vice-Chairman Lindborg noted based on the above-mentioned, made a motion to accept the extension until November 16, 2007. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye. Supervisor Obernier noted Beaver Creek Realty really became resistant and took advantage of a loophole. Chairman McCaffrey pointed out that they did work with the Township on the Culbertson Village Commercial Project.

The Township is in receipt of a letter of extension from Scott Emerson, dated September 6, 2007, granting until Friday, November 16, 2007 to render a decision on the Preliminary Land Development Plan for the Culbertson Village Commercial Project. Chairman McCaffrey expressed he didn't have a problem with this development. Vice-Chairman Lindborg motioned to accept the letter of extension. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

The Township is in receipt of a list of waiver requests from Jeffrey Burrell, P. E. for the Jelke's Manufacturing Preliminary Land Development Plan. Manager Rambo noted the Township just received this on August 31; the Township has not received any correspondence back from the landscape consultant or the township engineer. Manager Rambo recommended that the BoS table the waiver requests until such time that input is received from the above noted review agencies. Vice-Chairman Lindborg motioned to table the request until the BoS gets feedback from the landscape architect and township engineer. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Peter Shu of 39 Mendenhall Drive has forwarded the Township various pieces of correspondence requesting that Oak trees not be planted at the Valley View Project due to an acute allergy that his wife has to this specimen of trees. Mr. and Mrs. Shu were in attendance to further explain the allergy. Supervisor Obernier stated he was okay to substitute another tree for the oak tree. Vice-Chairman Lindborg asked Mr. Sandone what type of tree would be comparable to the longevity, etc. to an oak tree. Mr. Sandone answered the sycamore. Dialog continued regarding different tree species. Supervisor Obernier suggested that the Shu's approach their homeowners association. The Shu's had approached the homeowners association and they explained that the developer had a landscaping plan that was approved by the Township that they had to follow. Vice-Chairman Lindborg suggested that the Township Engineer review the list of suggested substitution trees that Mr. Sandone provided that are consistent with the longevity, look, etc., of the oak tree. Chairman McCaffrey was okay to have a substitute for the initial planting, but would have a problem with recording a restriction. Manager Rambo will meet with Jim MacCombie and Mr. Sandone to discuss the matter and come up with a solution.

The Township is in receipt of a letter from Scott Sandone with regard to a suggested list for the substitution of trees on the approved landscape plan for the Valley View Project. This item was addressed above.

John E. Good, Esquire has provided the Township with a list of dates he has available for the Praise Fellowship Church Conditional Use Hearing. Manager Rambo noted this is to allow them to use public water. The BoS agreed for the hearing to be held on October 2<sup>nd</sup>.

The Township is in receipt of information with regard to the Fall Convention of the Chester County Association of Township Officials scheduled for Thursday, November 8, 2007 at the Mendenhall Inn. Chairman McCaffrey and Manager Rambo would like to attend the meeting. Supervisor Obernier will be attending the Municipal Authority meeting. Vice-Chairman Lindborg will let Manager Rambo know.

The Township has been invited to attend the Chief Joseph Friel Recognition Dinner being held by Valley Township for being named the Pennsylvania American Legion 2007 Lawmen of the Year. Chief Werner is sending an Officer to represent WBT Police Department.

The Board of Supervisors has been invited to attend the 2007 Meet Your Judges Program on Wednesday, September 19, 2007 from 7:00 p.m. until 9:00 p.m. in Courtroom #1. Chairman McCaffrey expressed that he might attend.

#### **Correspondence/Communications** *Information to Note*

The Township is in receipt of the Henderson Appraisal Report from Robert M. Bohem of Bohem Appraisal Associates. Manager Rambo noted he has emailed and copied the BoS with this report. Manager Rambo explained that the “fair market value” is what the property is valued at today with no restrictions. The “easement value” is when you put a conservation easement on the entire tract that would not permit any further development, but would allow them to continue what they are currently using the property for and maybe add other facilities. The “agricultural value” is the value of the property. The Township would be paying the easement value. Manager Rambo noted that the Open Space Priorities Plan recommends that the Township pursue both the Henderson and the City of Coatesville properties. If the BoS is okay with this, he will contact the Henderson’s to find out what they want to do on the property. Chairman McCaffrey suggested that they contact the Agricultural Land Preservation Board to see if the Henderson’s are willing to take a little less. Supervisor Obernier would like to see a trail around the perimeter of the property. Manager Rambo noted the Township received an Acquisition Grant application from the County for a maximum amount of \$500,000 due November 2, 2007. The BoS was in agreement for Manager Rambo to contact the Henderson’s.

Valley Township has forwarded a letter to the Township acknowledging their receipt of the Township proposal to provide Mechanical Inspection assistance on a temporary basis and their concurrence with such. Manager Rambo read the proposal out loud. The BoS agreed that they are okay for Codes/Zoning Officer Dale Barnett to assist on a temporary basis. Dale Barnett will contact Valley and let them know that the BoS is okay with Valley’s proposal.

The Township is in receipt of the Chester County Open Space Preservation Department Municipal Grant Program, Round XX application. Manager Rambo noted the Township would be submitting a grant application.

#### **Old Business**

The Manager is continuing talks with the Henderson’s of Horseshoe Pike and Manor Road with regard to the purchase of development rights. This item was discussed earlier; there were no further comments.

The Township will be advertising the sale of used equipment and vehicles at their meeting of Thursday, October 4, 2007. Manager Rambo asked the BoS what they would like to do with the old computer

equipment that doesn't sell. Supervisor Obernier suggested that the Manager talk with Mr. Bingham about the old equipment.

### **Old Business from the Floor**

Katherine Turpack was in attendance from the Coatesville Public Library regarding the appropriation to the library noting that they are requesting one dollar per person in the Township, which is matched by both the county and state. Ms. Turpack noted that 10% of their circulation is from WBT. Vice-Chairman Lindborg would like to see documentation regarding the number of people from WBT utilizing the Coatesville Library. Vice-Chairman Lindborg would also like to see an ad put in the newsletter for residents since the Township supports the library. Ms. Turpack noted that the money is supposed to be in by first of September in order for the state and county to match, but it would be okay by the end of the month.

### **Old Business from the Board**

There was no Old Business from the Board.

### **Ordinances and Resolutions**

Resolution #13-07: Support of Senate Bill No. 1035, Returnable Beverage Container Act. Manager Rambo noted this was discussed at the last BoS meeting; the BoS was in favor to adopt it.

Resolution #14-07: Support of Public Safety Training Facility. Manager Rambo noted they are seeking support from WBT. Supervisor Obernier asked if they would be asking for money from WBT. Manager Rambo answered no. Chief Werner noted that it would be for fire, police, and EMS. They have a seventy-acre tract available located in East Fallowfield. They are purchasing it from PECO for a reasonable price. Chief Werner noted that just about every county around has a training facility and often they have to go to other counties for training. Supervisor Obernier stated since there is no cost he sees no harm in stating that it is a great idea. Manager Rambo noted there is state money and county commissioner money pledged to it. Vice-Chairman Lindborg expressed that he would like to see who was in support of the training facility.

Resolution #15-07: establishment of a Super-Now account, known as WBT Public Works Reserve III, at DNB First. Manager Rambo noted that the CD ran out and the money is going to be put in a Super-Now account to earn more interest.

Supervisor Obernier motioned to approve Resolution #13-07, Resolution #14-07, and Resolution #15-07. Chairman McCaffrey motioned to second Resolution #13-07, Resolution #14-07, and Resolution #15-07. Board Members Obernier, McCaffrey and Lindborg voted aye. Vice-Chairman Lindborg noted he would still like to see a list of all the municipalities that have passed the resolution in support of the Public Safety Training Facility.

### **New Business**

Approval of release request #4 for the All Souls Cemetery Project. Manager Rambo recommended approval of release #4 that has been reviewed by Jim MacCombie and Manager Rambo and found to be satisfactory in the amount of \$375,820.92. Vice-Chairman Lindborg motioned to approve the request based on the Manager's recommendation. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

The Manager and Code Officer have met with representatives of Valley Township to discuss a cooperative agreement for the use of the Township's Code Officer for Mechanical Inspections. This item was discussed earlier in the meeting.

The Parks and Recreation Board will be sponsoring a Halloween Parade on Saturday, October 27, 2007 at 2:00 p.m., with judging of costumes by the Board of Supervisors. Chairman McCaffrey will be in attendance at the Halloween Parade to judge the costumes.

Recommendations of the Township Planning Commission. Manager Rambo noted the recommendations of the Planning Commission noting that they support the Conditional Use for Praise Fellowship Church and are asking the BoS to establish a hearing. The date for the hearing was discussed earlier in the meeting.

The Manager is presenting the 2008 Uniform and Non-Uniform MMO information compiled by Thomas J Anderson. Manager Rambo noted that the required MMO for Non-Uniform for 2008 needs to be established at \$29,409. The required MMO for the Police pension plan is scheduled to be \$102,249. Manager Rambo suggested that the current 3% that is contributed by the Police be raised to 5%, which is the maximum that is permissible. Manager Rambo explained the formula used to come up with the amount required.

Supervisor Obernier asked if the Police Department needs another full-time person and noted that they are always over the 30-hour limit for one part-time officer. Manager Rambo noted there are 6 part-time officers on staff and estimated it would cost \$100,000 to add another full-time officer. Discussion continued.

#### **New Business from the Floor**

Pat Edwards asked the status of the house on the Golf Zone property. Vice-Chairman Lindborg asked Manager Rambo to pull out the files about the Romano house.

#### **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 Township has forwarded Signal Specifications to Caln Township for review. Manager Rambo is awaiting information from Caln.

The Manager and Township Engineer continue in their efforts of reviewing and updating the Township's Act 537 Plan. Manager Rambo is waiting for text from Jim MacCombie.

The Manager and Supervisors are in the process of updating the Township's Non-Uniform Personnel Policy Manual. Manager Rambo is waiting for input from the BoS. The Board requested that they get an additional copy of the manual and that it be emailed.

The Township is in receipt of a Memorandum of Understanding from the CASD with regard to the Township providing law enforcement services as part of the District's Safe School Plan and has amended them and returned them to the District for review. Manager Rambo noted that at the last BoS meeting, Supervisor Obernier stated he was okay with it as long as Chief Werner and Manager Rambo found it acceptable. Both Chairman McCaffrey and Vice-Chairman Lindborg were okay with the Memorandum as well. Manager Rambo stated he would finalize it for signing.

The Township continues to review information with regard to the State Turnback Program. There were no comments.

Manager Rambo is waiting to hear back from PennDot regarding the requested traffic study.

**General Obligation Note** (Adjustable Rate Bond for the Facility/Park Construction)  
Interest rate for the week (4.30%). There were no comments.

**Review and Payment of the bills.**

Manager Rambo noted the bills for payment. Vice-Chairman Lindborg noted he reviewed the bills, found them satisfactory, and motioned to pay them. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye in favor to pay the bills.

**Upcoming Meetings/Events**

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

**Adjournment**

There being no further business before the Board, Vice-Chairman Lindborg motioned to adjourn the meeting at 9:16 p.m. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

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