

**Meeting Minutes of June 7, 2007**  
**Board of Supervisors**

Chairman McCaffrey called the Board of Supervisors Meeting of June 7, 2007 to order at 7:30 p.m. Roll call of the Board of Supervisors (BoS) by the Chairman noted Chairman Thomas J. McCaffrey and Supervisor Josef G. Obernier, Sr. in attendance. Vice-Chairman Carl S. Lindborg was absent. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.] (arrived late in the meeting), Walter Werner [Chief of Police], and Thomas Eells [Director of Public Works].

**Acceptance of Minutes from Previous Meetings**

April 5, 2007, April 19, 2007, May 3, 2007 and May 17, 2007. Chairman McCaffrey motioned to approve April 5, 2007 and April 19, 2007 meeting minutes. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye. The meeting minutes of May 3, 2007 and May 17, 2007 were tabled.

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

The Township is in receipt of a letter of extension from Ross Unruh, Esquire for the Swinehart Realty Associates, L.P. Project for the single-family home development until Friday, August 3, 2007. Ross Unruh explained that they are down to a short list of issues that should be resolved by the end of the extension period. Jim MacCombie concurred that the applicant could submit revised drawings and have them reviewed by their office to meet their August 3, 2007 deadline. Supervisor Obernier motioned to accept the letter of extension for the Swinehart Realty Associates project until Friday, August 3, 2007. Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye.

The YMCA has forwarded the Township a letter of extension for their land development plan until Friday, September 21, 2007. Jim MacCombie noted that they are in the process of resolving comments regarding parking expansion and stormwater management issues. Chairman McCaffrey motioned to accept the letter of extension for the land development plan for the YMCA until September 21, 2007. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

The Township is in receipt of a letter of extension from Lake, Roeder, Hillard & Associates for the James E. Scott plan until Monday, September 17, 2007. Chairman McCaffrey noted that they are in the final subdivision part and felt that there are only a few details that need to be addressed. Chairman McCaffrey motioned to accept the letter of extension for the James E. Scott plan until September 17, 2007. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

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 Districts Safe School Plan. Chairman McCaffrey explained that after reading the document, felt that the Township has no jurisdiction over the school district while the school district had their police on duty. Chief Werner noted that this is the same agreement that the BoS signed back in 1996 when they started their own police department. Supervisor Obernier noted he also read the document and it wasn't clear to him about the reporting requirements. Discussion ensued. Supervisor Obernier noted that neither Vice-Chairman Lindborg nor Manager Rambo are in attendance and that Supervisor Obernier would like to hold off discussing this further until they are in attendance. Chairman McCaffrey noted that he would like to be sure that people have the right to come to WBTPD if they are not satisfied with enforcement actions of CASD.

At this time it was noted that Manager Rambo has arrived at the meeting (7:50 p.m.). The BoS gave a brief summary of the happenings thus far in the meeting for Manager Rambo.

The Township is in receipt of Agreements from Valley Township pertaining to the use of the Township's Police and equipment and the Township's Building Appeals Board for signing. Manager Rambo noted this is the draft in the final form and needs the Chairman's signature. Supervisor Obernier noted they voted on this item at the BoS meeting two weeks ago. Chairman McCaffrey signed the document.

John Snook of the Brandywine Conservancy has forwarded the Township zoning amendments to be considered under the Township's Open Space Design Option. Manager Rambo has met with Mr. Snook and they have some other proposed amendments which would be prepared in Ordinance No. 07-05 for review and discussion at a later date and would be forwarding to the County Planning Commission for review and input.

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

The Township is in receipt of correspondence from the Chester County Planning Commission with regard to proposed zoning Ordinance No. 07-01, amendments to the Township's Open Space Design Option. This item will be discussed during the public hearing.

The Township is in receipt of copies of three land appraisals for the City of Coatesville Property located at 340 and 82; Bohem Appraisal Associates of Exton (\$1,100,000), John P. DiRomualdo of Honey Brook (\$1,271,000) and Carmody & Associates of Paoli (\$1,375,000). Manager Rambo recommended that the BoS review the appraisals for later discussion when the entire Board is present.

The Township is in receipt of the DCNR Ethics Act Certification for signing with regard to its grant application submitted under the Community Conservation Partnerships Program. Manager Rambo requested the Board's approval to sign this document on behalf of the Township as the individual that submitted the grant. Manager Rambo will sign it, certifying that he does not know any of the people reviewing the grant and that they are not part of the Township.

#### **Adjournment from Township Meeting** at 7:57 p.m.

#### **Opening of Public Hearing** at 7:57 p.m.

Ordinance No. 07-01; amendments to the Township's Open Space Design Option. Manager Rambo noted the Ordinance was duly advertised in the Daily Local Newspaper. There are three copies of the complete text. The Township is in receipt of the County Planning Commission's letter as well as comments from two members of the Township's Planning Commission. Manager Rambo read the County's Planning Commission letter out loud. The final statement in the correspondence was that the

Township should adopt the amendment after reviewing the comments in this letter and forward a copy to the County. There were no questions or comments from the floor. Chairman McCaffrey noted that in reviewing this with the engineer and others, they found differences and small conflicts that the BoS would like to address, rather than start over and re-advertise the entire document, they would like to present Ordinance No. 07-01 and accept it and then make small amendments to what has been adopted. Manager Rambo then read out loud the two letters from the Township's Planning Commission. There were no further comments so Chairman McCaffrey moved to close the public hearing.

**Adjournment from Public Hearing** at 8:05 p.m.

**Re-Opening of Township Meeting** at 8:05 p.m.

### **Old Business**

Final discussions on Ordinance No. 07-01: amendments to the Township's Open Space Design Option. Supervisor Obernier noted after many months of looking at this, he is very comfortable with this ordinance. He is not changing his thoughts after hearing the Planning Commissions' comments that Ron read. If something comes up, he is amenable to altering the ordinance. There were no further comments.

The Manager is continuing talks with the Henderson's of Horseshoe Pike and Manor Road with regard to the purchase of development rights. Manager Rambo noted he spoke with Dave Shields of the Brandywine Conservancy who is going to provide Ron the names of some appraisers. Chairman McCaffrey would like the Open Space Committee to have a basic formula applied to try and give an estimate on parcels as being the most desirable or how to get the most "bang for the buck." He doesn't want to pay huge amounts of money to appraise properties that are not going to be purchased and whose values will shift over time. Manager Rambo explained that is why he requested a list and the opportunity to meet with different appraisers to see how they do it.

Further discussions with regard to the purchase of the City of Coatesville property and possible consideration of having an Agreement of Sale prepared for review. Manager Rambo noted that the BoS has the three appraisals. Kirby Hudson and Rick Dean from the City of Coatesville met with Manager Rambo; they have requested that the Township utilize the appraisal that the Township obtained, which is in the middle price range at \$1,271,000. Grants have been submitted to both the County and the State for the purchase of this property. The Township is awaiting a response. An agreement would not jeopardize getting the grants; the Township cannot yet purchase the property. Manager Rambo stated that they could agree to purchase based on receiving grants, based on the ability to utilize open space funds, or agree to purchase it based on the Board's approval. If they do agree, there are conditions that can be put on the agreement; the BoS could request a Phase I study. Supervisor Obernier stated that it is his understanding that if you request the current property owner to do a Phase I study on the property that they are trying to sell to you, that normally that doesn't happen unless you have the intent to purchase.

Manager Rambo noted that they would not be able to subdivide if they use grant monies, they would have to use it for open space. Dialog ensued regarding its use: recreational, trails, equestrian, etc. Supervisor Obernier asked how much money would have to be used out of the open space tax fund, assuming that the Township were to be awarded the two grants. Manager Rambo answered they would have to borrow funds from a lending institute and would get reimbursement from the grant. They would then utilize the remaining funds from the open space. Currently there is approximately \$700,000 in the open space fund. Supervisor Obernier noted if they went with the lowest of the three appraised amounts, then what portion would the Township have to pay. Manager Rambo answered with the grants; the Township's portion would be around \$450,000. Chairman McCaffrey stated he didn't want to decimate that fund so that it was not usable for anything else, they need further discussion on the fund, e.g., how

fast does it grow and when will it be available. Jim MacCombie explained that the Township would have to put up 100% of the money, then apply for reimbursement, which may take 6 to 8 weeks or longer.

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

There was no Old Business from the Floor.

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

There was no Old Business from the Board.

### **Ordinances and Resolutions**

Ordinance No. 07-01: amendments to the Township's Open Space Design Option. Supervisor Obernier motioned to adopt Ordinance No. 07-01. Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye.

### **New Business**

The Township to finalize and prepare for advertisement, Ordinance No. 07-05, amendments to the Township's Open Space Design Option based on recommendations of the Township's Planning Consultant. Manager Rambo recommended that the Board review and comment on John Snook's recommendations. When the Manager receives the Board's comments he and Jim MacCombie will put the amendments in Ordinance format to forward to the County for their review as well as advertise it in the newspaper. Chairman McCaffrey stated that making these amendments would make it easier to understand.

Recommendations of the Township Planning Commission. Manager Rambo noted that the Planning Commission recommended approval and signing of the Carli Minor Subdivision. This is the official document subdividing it off and turning it over to Bentley Communities, which will become open space within the Culbertson Village Project. Manager Rambo recommended approval based on the Planning Commission's recommendation and that the Township's Engineer has also reviewed it. Chairman McCaffrey motioned to approve and sign the Carli Minor Subdivision. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

Release request #1 for the All Souls Cemetery Project. Jim MacCombie noted he has reviewed the release request in the amount of \$294,189.88 and found it satisfactory. Supervisor Obernier motioned to approve the release request based on the opinion of both the Township Manager and the Township Engineer; who have reviewed the numbers for this release request and found them acceptable.

The Manager is looking into the steps necessary to add properties into the Township's Agricultural Security Area (ASA). Manager Rambo explained the correct process to add properties to the Agricultural Security District noting that the BoS says to pass it to the Planning Commission; the Planning Commission would recommend adding them. The Township would then hold a public hearing, post the property five different places. Since the Township has defaulted by not doing this in a timely manner, Manager Rambo can just request that they be added; it would be a lot cheaper and would also be legal. Chairman McCaffrey noted that Mr. Sandone has been elected Vice-Chairman of the ASA Committee. Chairman McCaffrey also noted that the ASA Committee is going to try and put an ad in the newsletter to explain what the ASA is. Manager Rambo will contact other municipalities that have an ASA and forward their information to the committee.

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

Jim MacCombie asked if he was needed to answer any questions. The BoS had requested that Jim

MacCombie be present at tonight's meeting to answer any questions regarding Ordinance No. 07-01. Chairman McCaffrey noted that Mr. MacCombie was free to leave the meeting.

**New Business from the Board.**

There was no New Business from the Board.

**Public Comments**

There were no Public Comments.

**Open Issues Before the Township**

The Township has received information from Caln Township with regard to the traffic signal at the hospital/school entrance and it is under review by Township representatives. Manager Rambo noted he spoke with Greg Prowant of Caln who noted that their engineer is reviewing the information.

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

The Manager and Supervisors are in the process of updating the Township's Non-Uniform Personnel Policy Manual. Manager Rambo noted he emailed the BoS with the updates so far.

**General Obligation Note** (Adjustable Rate Loan based on Harrisburg Bond for the Facility/Park Construction) Interest rate for the week is 4.18%. There were no comments.

**Review and Payment of the bills.**

Manager Rambo noted that all the invoices received by the Township are included for payment, since he will be on vacation and not be in attendance at the next BoS meeting. General Fund bills total \$110,583.00. The check that was sent to Personal Choice from last month was never received, a stop payment was done, and a check was issued for double the normal amount for this month. Solid Waste bills total \$34,604.39. State Funds bills total \$4,200.00. Supervisor Obernier noted that after reviewing all of the bills and supporting invoices, found everything in order, motioned to pay the bills from the General Fund, Solid Waste Fund, and State Fund. Chairman McCaffrey noted he also reviewed the bills and found them in order and seconded the motion. Board Members Obernier and McCaffrey voted aye.

**Upcoming Meetings/Events**

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

**Adjournment**

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 8:47 p.m. Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye.

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