

**Meeting Minutes of January 4, 2010**  
**Board of Supervisors**

Vice-Chairman Lindborg called the Board of Supervisors meeting of January 4, 2010 to order at 7:47 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors by Township Manager Rambo noted Supervisors Lindborg and Obernier in attendance.

Vice-Chairman Lindborg noted the BoS held an executive session at 7:00 this evening regarding a personnel issue as a result of a memo from Chief Werner to Manager Rambo regarding disciplinary action for Corporal Gary Williams. The BoS decided on the following as recommended by the Chief, the loss of a two-day leave and placement of a written reprimand in his personnel file. Supervisor Obernier motioned to accept the Chief's recommendation. Vice-Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.

Lori Petri commented it is a disgrace that it took six weeks to address the situation. Elizabeth Zanowski asked about addressing a personnel issue during a public meeting. Manager Rambo explained that anytime that an individual receives time off or salary taken away and something put into his personnel file, it has to be brought up at a public meeting.

**Acceptance of Minutes from Previous Meetings**

December 3, 2009: The minutes were addressed after the arrival of Chairman McCaffrey at 8:13 p.m. Supervisor Obernier noted he reviewed the December 3<sup>rd</sup> minutes and motioned approval. Chairman McCaffrey seconded the motion. Board members Obernier, McCaffrey, and Lindborg voted aye. The minutes of December 17, 2009 were not yet available.

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

No one requested to be on the agenda.

**Correspondence/Communications** Information to act upon

*The Township is in receipt of the Opinion & Orders for the Janiec Conditional Use Hearings for consideration and signing.* To keep the meeting moving and to allow Chairman McCaffrey the opportunity to comment on the proposed Opinion & Orders, Supervisors Lindborg and Obernier requested to move onto the next item of the agenda until such time that Chairman McCaffrey arrived.

*The Township is in receipt of a letter of extension until June 30, 2010, from John E. Panizza for his Brandywine Meadows Preliminary Subdivision Plan.* Manager Rambo recommended the BoS accept the letter of extension noting the Township is in receipt of a letter from the Township Engineer stating that he has no objections to the applicant's extension request. Supervisor Obernier motioned to accept the letter of extension based on the Manager and Engineer's recommendation. Vice-Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.

*The Township is in receipt of a ninety-day letter of extension from David J. Sanders, P.E., on behalf of Clifford J. Murray, for the Preliminary Land Development Plans for the proposed Cyclemax Self-Storage Units. Manager Rambo noted that Cyclemax recently resubmitted revised plans to the Township Engineer for review and recommended the BoS accept the letter of extension. The Township is in receipt of a letter from the Township Engineer stating that he has no objections to the applicant's extension request. Supervisor Obernier motioned to accept the letter of extension based on the Manager and Engineer's recommendation. Vice-Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.*

*The Camp at Old Mill is requesting to connect their one-bedroom cottage to the existing 4,000 holding tank. Manager Rambo noted that Eric Leskowich of the Health Department advised the Old Mill they need to ask the Township to have the ability to connect to the tank, since the original holding tank permit was issued by the Township. Manager Rambo recommended the Old Mill be allowed to connect the sewer line to the holding tank. Supervisor Obernier motioned to allow the connection, Vice-Chairman Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye.*

**Correspondence/Communications Information to Note**

*The Township is in receipt of a thank you letter from the Coatesville Library for its 2009 donation. There were no comments.*

*The Chester County Planning Commission has sent the Township a list of Municipal Park Land/Open Space and HOA information for review and updating. Manager Rambo noted he is reviewing this information for accuracy.*

*PSATS has forwarded the Township information with regard to Act 51 of 2009. Manager Rambo explained Act 51, passed on October 9, 2009, amends Emergency and Law Enforcement Death Benefits Act of 1976. A few years ago it was passed where the municipality was responsible under Act 600 to pay death benefits for those killed in service. Now the Commonwealth is taking over the responsibility up to \$100,000. The Township will review its ordinance, resolution, and contract to make sure that it reflects the changes of Act 51.*

*The Township has received an invitation from Senator Dominic Pileggi to attend a breakfast meeting regarding the upcoming 2010 Census. Manager Rambo will attend. Elizabeth Zanolwiak asked if the meeting was open to the public.*

*The Chester County Department of Emergency Services is requesting that the Township review various documents to stay in compliance with State and Federal requirements. Manager Rambo is currently reviewing the documents.*

**Old Business**

*The Manager is awaiting meeting dates and times from West Caln Township Supervisors to meet and discuss ambulance service. There were no comments.*

*The Codes Officer and Manager are in the process of reviewing the current fees for permits, reviews, etc. There were no comments.*

**Old Business from the Floor.**

There was no Old Business from the Floor or from the Board.

## **Ordinances and Resolutions:** None

### **New Business**

*Establishment of the Phase I public escrows for the Bentley Projects.* Manager Rambo stated Bentley is making headway with Wachovia to have their funds available and sign the documents to establish their escrows.

*Recommendations of the Township Planning Commission.* Vice-Chairman Lindborg noted the Planning Commission recommendations. The first recommendation was regarding GenTerra's Brandywine Meadows. To reject the plan if a letter of extension is not received. An extension letter was received and the BoS had voted and accepted the letter.

The second item was regarding Pulte's final subdivision and land development plan. The PC Board recommended conditioned final approval of Phase I of the Pulte Del Webb project based upon all outstanding agencies approvals, obtaining sewer capacity from the WBTMA, presentation of a construction breakdown for review and acceptance by the Township Engineer, establishment of all public escrows and inspection fees for the Township, recording of the plans and meeting all monetary contributions, and assign all properties noted within the opinion and order to the Township. Sam Carlo of Pulte was in attendance and noted he understands the recommendation for approval. Manager Rambo asked if there is a recommendation by the BoS to grant conditioned final approval. Supervisor Obernier made that motion based on the Engineer and Township Manager's recommendation for the Phase I Pulte Del Webb project. Vice-Chairman Lindborg seconded the motion. Board members Obernier and Lindborg voted aye.

The third and fourth items under PC recommendations dealt with Cycle Max and Hammel O'Donnell Business Park. There were no further comments.

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

There was no New Business from the Floor.

### **New Business from the Board**

There was no New Business from the Board.

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

Elizabeth Zanowiak asked if the BoS considered assistance for senior citizens and tuition remission for DCCC. Discussion ensued regarding recycling, trash services, and pay-as-you-through program. The BoS will look into contributing to DCCC.

Lorie Petrie of Horseshoe Pike suggested using the sound system during the public meetings.

At this time it was noted that Chairman McCaffrey arrived. Upon arrival of Chairman McCaffrey, Manager Rambo requested to return back to the issuance of the Opinion & Orders. The Manager noted at a previous meeting Steve Janiec was requested to address some issues presented by the BoS. The first conditional use order discussed was the two acre parcel located at 1615 Horseshoe Pike. Mr. Janiec has talked with his legal council and addressed the BoS concerns, i.e. signage, roof façade, building façade, free standing sign, name of the amenity, and other outstanding issues.

Chairman McCaffrey noted his issues were with setback restrictions and the buildings facades having variations. After Mr. Janiec completed his explanation it made it acceptable to Chairman McCaffrey. The way it has been memorialized, if Mr. Janiec doesn't build it, it would have to be built the same way.

Chairman McCaffrey motioned for the application of East Horseshoe Village, L.P. of commercial development, two-acre parcel, that the BoS issue the Conditional Use Order. Supervisor Obernier seconded the motion. Board members McCaffrey, Obernier, and Lindborg voted aye.

Chairman McCaffrey motioned to issue the Conditional Use Order for the East Horseshoe Village, L.P. for the historic barn on Route 322. The Order has been amended and corrected since the last BoS meeting. Vice-Chairman Lindborg seconded the motion. Board members McCaffrey, Lindborg, and Obernier voted aye.

### **Open Issues Before the Township**

The Township continues to seek volunteers to serve on the Historic Commission. The BoS received a letter of interest to serve on the Historical Commission from Jeff Grossman.

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

Interest rate for the week 3.55%. There were no comments.

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

Manager Rambo noted the state fund bills total \$6,312.27 and solid waste bills total \$8,490.11. Supervisor Obernier reviewed the bills; found them satisfactory and motioned payment. Vice-Chairman Lindborg seconded the motion. Board members Obernier, Lindborg, and McCaffrey voted aye.

### **Upcoming Meetings/Events**

- Elected Board of Auditors meeting, Tuesday, January 5, 2010 at 7:30 p.m.
- Historic Commission meeting, Monday, January 11, 2010 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, January 12, 2010 at 7:00 p.m.
- Municipal Authority organizational meeting, Thursday, January 14, 2010 at 7:30 p.m., followed by the first meeting of the new year.
- Board of Supervisors meeting, Thursday, January 21, 2010 at 7:30 p.m.
- Open Space Review Board, Thursday, January 28, 2010 at 6:45 p.m.
- Planning Commission, Thursday, January 28, 2010 at 7:30 p.m

Chairman McCaffrey apologized for being late because of work related issues. Chairman McCaffrey asked if there were any further comments. Elizabeth Zanowiak reiterated that she couldn't hear the Supervisor's when they talk during the meeting.

### **Adjournment**

There being no further business before the Board, Chairman McCaffrey motioned to adjourn the meeting at 8:27 pm. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

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