

**Meeting Minutes of March 15, 2007**  
**Board of Supervisors**

Chairman McCaffrey called the Board of Supervisors Meeting of March 15, 2007 to order at 7:32 p.m. Roll call of the Board of Supervisors (BoS) by the Township Manager noted Chairman Thomas J. McCaffrey Jr., Vice-Chairman Carl S. Lindborg and Supervisor Josef G. Obernier Sr. in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], and Thomas Eells [Director of Public Works].

**Acceptance of Minutes from Previous Meetings**

March 1, 2007 BoS/Authority Special Meeting. Supervisor Obernier questioned the amount per gallon noted in the minutes and asked that the number be verified. Vice-Chairman Lindborg motioned to table the minutes. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye to table the minutes.

**Treasurer's Report** *Month ending February*

- Treasurer's Report presented by Manager Rambo. There were no comments.

Construction Sweep Fund .....	\$16,692.51	Operating Reserve Fund .....	\$2,105.68
Capital Reserve Fund .....	\$826,529.33	Police Pension Fund.....	\$1,272,217.98
Developer Escrow Fund .....	\$658,673.57	Public Works Cap. Projects Fund ..	\$656,047.67
General Fund .....	\$45,650.06	Solid Waste & Recycling Fund.....	\$69,871.34
Non-Uniform Pension Fund .....	\$289,941.45	State Liquid Fuel Fund.....	\$31,705.27

Vice-Chairman Lindborg motioned to approve the treasurer's report. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

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

The Township is in receipt of the final version of the Inter-Municipal Sewer Agreement for the proposed Pulte 55+ Project for signing consideration. Manager Rambo noted that Theresa Lemley has the latest version. Chairman McCaffrey didn't feel it was appropriate to have several renditions right up until the meeting. Manager Rambo noted that something that the BoS was not in agreement to was taken out, and what was agreed to "not to be removed" was left the same. The Authority and Township Engineer and Township Manager have reviewed the document and found it satisfactory. One item that was left the same was regarding dispute of payment. The second item was regarding section 14B, "including violations of exhibit B" has been totally removed from the agreement. The WBTMA met at 6:30 pm, which concluded at 7:23 pm, they agreed to sign the agreement. The Township Engineer was in attendance at that meeting and was in concurrence to sign the agreement.

Supervisor Obernier expressed that he was disturbed that he was not able to personally verify all the changes that were noted and stated that Jim MacCombie did attest to the fact that he checked every change, which made Supervisor Obernier more comfortable. Supervisor Obernier has an issue with the multitude of changes, and having insufficient time to check them out on a personal level. Both Jim MacCombie and Manager Rambo have both stated that they read the entire document and all of the changes that the BoS have asked for have been made on the final document. The document that is in the meeting books is not the final document. Vice-Chairman Lindborg asked how they could be assured that what they sign tonight is the final document. Chairman McCaffrey noted the document has been changed at least a half dozen times and asked where exhibit B is. Both Theresa Lemley and Manager Rambo explained that exhibit B is the Township's acceptability standard for the quality of sewage. Manager Rambo stated that he would sign and seal, at least one original, every page with the Authority seal, that will be kept at the Township. Supervisor Obernier observed that at their last regular Municipal Authority Meeting, he was with the understanding that East Brandywine Township Municipal Authority (EBTMA) had met this past Tuesday, where the EBTMA chose not to sign the agreement because not every member of EBTMA were in attendance. One thing of contention appears to be how a dispute is handled and the payment of the bill. Theresa Lemley concurred that is the issue that EBTMA is looking at.

Chairman McCaffrey felt that this will never be fully implemented or that the capacities will ever be fully utilized and wanted to make sure that being able to withdraw from it under the right conditions are not penalized. Theresa Lemley stated that it was a six-month notice and there is no other penalty.

Vice-Chairman Lindborg motioned to sign the final version of the Inter-Municipal Sewer Agreement for the proposed Pulte 55+ Project that the Municipal Authority signed at their advertised meeting of March 15, 2007. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

The Township is in receipt of an invitation to attend the Wagontown Volunteer Fire Company banquet on Saturday, March 24, 2006 at 6:00 p.m. Supervisor Obernier and Vice-Chairman Lindborg cannot attend. Chairman McCaffrey would attend if his other plans don't work out. Manager Rambo will email Jeff Benach and let him know.

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

John Snook has provided the Township with proposed zoning modifications to the Open Space Design Option for the Board's review. Manager Rambo noted that he and Jim MacCombie would be meeting with John next week.

The Township is in receipt of correspondence from the County Planning Commission with regard to the 2007 Chester County Transportation Improvements Inventory for review. Manager Rambo is currently reviewing the document.

The Township is in receipt of sample MS-4 Program information for consideration and placement on its website, etc. Chairman McCaffrey questioned what if a Township doesn't have a website. Manager Rambo noted you would be given notice of violation. That was a topic of discussion at PSATS. Chairman McCaffrey questioned PSATS funding source. Manager Rambo noted a resolution was passed onto PSATS with regard to the MS4 requirements.

The Township is in receipt of recently awarded bid information from the CCIU. Bids have been awarded for play ground mulch, heating fuel, and gas. The information has been forwarded to the Public Works department.

C. Stanley Stubbe has forwarded the Township a review of the proposed SL-5 proposed replacement lights for the St. Peter Church. Manager Rambo noted that he, Stanley Stubbe, and Dale Barnett met on March 1, 2007 to look at the lights. The ones proposed currently meet IESNA cutoff compliance, which the previous one did not, however, they don't come in full cut off as required by the Township's lighting ordinance. The church uses these for decorative purposes to allow lighting for ingress and egress out of the church in the evening. Manager Rambo will forward the information back to the lighting consultant and they will have to make a determination as to whether they may approach the BoS for a waiver request to use this type as permitted under the subdivision ordinance.

**Reports of Departments *Month of February***

- Police Report presented by Chief Werner. There were no comments.
 

Total hours.....	1,401.05	Fatalities.....	0
Miles patrolled .....	8,091	Domestics.....	8
Complaints .....	449	Criminal arrest.....	4
Accidents.....	9	Non-traffic arrest.....	19
Injuries.....	0	Traffic arrests .....	70
- Public Works Department Report, presented by Tom Eells.
 

Total man-hours .....	751.5	Total Equipment hours .....	71
Miles traversed .....	3,735	Fuel gallons .....	1,446

Tom summarized the work completed throughout the month.
- Buildings/Codes Department Report was submitted by Dale Barnett and presented by Manager Rambo.
 

Building Permits issued.....	33	CL Fees collected .....	\$1,425.00
Permit base fees collected ..	\$10,126.80	Inspections completed .....	15
Occupancy fees collected .....	\$400.00	Failed Inspections (FI) paid.....	1
U&O permits issued .....	3	FI Fees collected.....	\$80.00
U&O permits issued cursory .....	19	Total fees collected.....	\$12,031.80
Contractor Licenses (CL) issued...	20		
- Fire Marshall Report was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.
 

Permit inspections done .....	15	Hours on Permits .....	7
Other type inspections done .....	4	Hours on Ins/Complaints/Violations .....	5
Code violations/Complaints .....	1	Hours on patrol.....	3
- Wagontown Fire Company Report presented by Jeff Benach. There were no comments.
 

Total calls dispatched into WBT .....	6	West Brandywine Gas .....	39
Calls responded to into WBT .....	6		

Mary Lou Corey from Hibernia and Union Road asked about public sewer. Manager Rambo stated there are no plans to put public sewer in that area. Discussion ensued regarding the cost and effect of bringing in public sewer, sewer efficiency, environmental affect, and ground water recharge.

- Martin's Corner Fire Company Report for the month of February. Manager Rambo noted that Martin's Corner responded 6 times into WBT.

- East Brandywine Fire Company Report presented by Scott Piersol. There were no comments.  
Complete report on file  
Fire calls dispatched into WBT ..... 7  
Medical Assist calls dispatched into WBT ..... 15

**Reports of Organizations, Boards and Commissions**

No one was present from the Historical Commission or Parks and Recreation Board. Anita Ferenz was present to give the Planning Commission report. There were no comments.

Steve Jakatt was present to give the Open Space Review Board report noting that the BoS have been given a copy of the proposed Open Space Priorities Protection Plan (OSPPP). Manager Rambo noted that he would be forwarding the OSPPP to the solicitor for his review to ensure that it meets the intent of Act 153. Supervisor Obernier questioned if waterways were taken into consideration with the plan. Steve Jakatt answered yes; natural resources were taken into account.

Jeff Grossmen questioned the time frame to contact people on the Open Space list. Manager Rambo answered he is hoping that the time frame to approach people would be in a few months, they are already having discussions with two individuals with regard to their property. Steve Jakatt noted that time is of the essence; developers have regularly approached everybody on the priorities list.

The Municipal Authority report was given by Municipal Authority Manager Rambo noting that they signed the Intermunicipal Agreement, the same one that the BoS signed this evening. The Municipal Authority is approaching two individuals with regard to modifying the current sewer easements that will enable them to service and bring Monacy Manor on line.

**Old Business**

The Township Manager continues to finalize the Ordinance on the Technical Specifications for Traffic Control Signalization prepared by McMahon Associates, Inc. to be adopted as a stand-alone ordinance. There were no comments.

The Township Engineer and Manager continue to update the Township’s ACT 537 Plan for presentation to the BoS. There were no comments.

The Township continues to host meetings regarding COG’s (Council of Governments) on the second Thursday of each month at 11:00a.m. Manager Rambo noted they are discussing “Intermunicipal Agreements” rather than jumping right into a COG and will continue to meet. The purpose is to share knowledge for purchasing through state contracts, CCIU, etc. as well as entering into agreements to utilize and share resources.

The BoS and Manager are in the process of reviewing and updating the Township’s Non-Uniform Personnel Manual. Manager Rambo will be presenting suggestions to the board.

**Old Business from the Floor**

There was no Old Business from the Floor.

**Old Business from the Board**

Supervisor Obernier asked if the Township has received correspondence back from Representative Gerlach. Manager Rambo stated he drafted the letter but it hasn’t been sent yet.

## **Ordinances and Resolutions**

Manager Rambo stated that Resolution #03-07 regarding the by-pass was passed at the last meeting and needs to be signed.

Resolution #04-07: submission of grant to County requesting a minimum of \$350,000 for acquisition funding to assist with the purchase of the City of Coatesville's old Conti Tract. The rest of the funding would come from Open Space Funds. Manager Rambo recommended that the BoS pass the resolution, put the application in and see what happens, if the BoS decided they don't to purchase the property, they would void the contract and the resolution. Vice-Chairman Lindborg motioned to pass Resolution #04-07. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

## **New Business**

Award of bids for the Public Works Facility. Manager Rambo recommended the following contractors be awarded the bids. The General Contractor bid be awarded to McComsey Builders at a base bid of \$528,198.00 with alternate 1 included for an additional \$49,435.00 which would put more stone façade treatment on the building to match the Township building. The Mechanical Contractor bid to be awarded to Five Star, Inc at a bid amount of \$44,000.00. The Electrical Contractor bid be awarded to McCarty & Son, Inc. for a bid amount of \$46,736. The total amount would be \$668,369. The Public Works Department will be doing all the site work as well as the plumbing of the facility. Currently there is \$725,000 toward the project. Vice-Chairman Lindborg motioned to award the bids as aforementioned. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

The 2006 audit has been completed by Kimmel, Lorah & Associates and distributed to the appropriate agencies. Manager Rambo noted that the audit has been sent to DCED, County, BoS, and the condensed version has been advertised in the Daily Local News. It is available for public review upon contacting the Township Manager.

The Township Engineer and Manager will be meeting with John Snook to discuss the proposed changes to the Open Space Design Option. Manager Rambo noted the meeting is Tuesday, March 20<sup>th</sup> at 2:00 or 2:30. Manager Rambo will email the BoS with the time of the meeting.

## **New Business from the Floor**

There was no New Business from the Floor.

## **New Business from the Board**

Supervisor Obernier noted that that the YMCA has changed their lights and they are shining inappropriately and would like the Code Officer to address this. Manager Rambo noted that the YMCA has submitted a plan for their parking lot and improvements of the lights to meet all Township specifications. They may have put something up temporary because they were blown down in the recent windstorms. Supervisor Obernier requested that the Manager Rambo ask the YMCA point the lights down.

Supervisor Obernier noted a construction sign is down on Hurley Road and asked that the responsible developer be notified. Either Manager Rambo or Tom Eells will address the issue.

## **Public Comments**

There were public comments.

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

The Township continues to seek volunteers to serve on the Building Appeals Board and the Parks and Recreation Board. There were no comments.

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 received a package from Penn Dot. Tom Eells stated that the packet contains permits that Penn Dot authorized for the signal; there was nothing different in the packet from what was previously discussed.

**General Obligation Note** (Adjustable Rate Loan based on Harrisburg Bond for the Facility/Park Construction) Interest rate for the week is 3.95 %. There were no comments.

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

Review and Payment of the General Fund (\$55,251.78), Solid Waste Bills (\$21,676.04), and Liquid Fuel Fund Bills (\$6,345.14). Vice-Chairman Lindborg noted that half of the \$55,251.78 is for equipment purchased that is covered by a grant. Vice-Chairman Lindborg noted he reviewed the bills and invoices, found them satisfactory and motioned to pay them. Supervisor Obernier also reviewed and found the invoices in order and seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

### **Upcoming Meetings/Events**

Chairman McCaffrey noted the upcoming Meeting/Events. There were no comments.

### **Adjournment**

There being no further business before the Board, Vice-Chairman Lindborg motioned to adjourn the meeting at 9:00 p.m. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

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