

**Meeting Minutes of December 3, 2009**  
**Board of Supervisors**

Chairman Obernier called the Board of Supervisors meeting of December 3, 2009 to order at 7:30 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Township Manager Ronald A. Rambo, Jr. noted Supervisors Josef G. Obernier, Sr. and Carl S. Lindborg in attendance. Thomas J. McCaffrey Jr. arrived at 7:37 pm.

**Acceptance of Minutes from Previous Meetings**

November 19, 2009. The Minutes were addressed upon Vice-Chairman McCaffrey's arrival. Chairman Obernier noted that he and Manager Rambo reviewed and edited the minutes. Supervisor Lindborg motioned to approve the November 19, 2009 Meeting Minutes. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

**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 summary appraisal report for the purchase of the Lindborg Conservation Easements.* Manager Rambo noted the report was presented to the Open Space Review Board (OSRB) at their November 24<sup>th</sup> meeting where it was reviewed. This was a revised report, the first report had individual parcel assessments that totaled \$422,000 for conservation easements, and during the process Sue Lindborg approached the OSRB and said they were in favor of combining the properties rather than single parcels. A revised appraisal was received totaling \$290,000 for the conservation easement. At that OSRB meeting, Sue Lindborg advised the Board that she was okay with the revised appraisal. Manager Rambo then read the minutes from the OSRB. The OSRB is recommending to the BoS, that the BoS pursue the establishment of conservation easements on the Lindborg property. All OSRB members voted in favor except for Bob Schini who disagreed with the approach to the evaluation. Bob felt that the BoS should stick to the initial appraisal that the parcels be separate rather than combined. The majority of the OSRB voted that it should be based on the most recent appraisal where everything has been combined into one parcel. Vice-Chairman McCaffrey stated that he personally didn't have anything to do with the decision, the BoS asked the OSRB to examine the property and give their recommendations. Vice-Chairman McCaffrey expressed that it is good to see a Supervisor support the open Space program even though Supervisor Lindborg will see less of a return on his property value. Chairman Obernier stated that given the same situation, he wasn't sure that he would personally give of that much money. Whether it was appraised as one property or several properties, Chairman Obernier is absolutely okay to go along with the OSRB recommendation.

At this time Manager Rambo noted that Supervisor McCaffrey had already arrived. Chairman Obernier moved to go back to the acceptance of the minutes and Information to Act Upon.

Elizabeth Zanowiak commented on the timing of the purchase of the Lindborg property. Since the Township is in such financial straits, how much is the Township going to pay for the property and also does he get a tax break. Chairman Obernier answered that the money comes from the Township's open space tax that the Township has been collecting for years; it is not connected in any way with the general fund. Vice-Chairman McCaffrey further explained that they discussed with the Lindborg's, they would like them to take the money for development rights for that property in small increments rather than one lump sum. That way the Township can buy more open space if another valuable property comes along. Chairman Obernier noted that Lindborg's taxes are their personal business. Vice-Chairman McCaffrey explained their property is already enrolled in the agricultural land preservation program and already gets a tax break.

Ms. Zanowiak asked how much money is in the open space tax fund. Manager Rambo answered it was established in 2004. The Township currently has about \$475,000 in the fund. Manager Rambo briefly explained the open space program and noted the Lindborg's amount for the easement is \$290,000. Discussion ensued.

Vice-Chairman McCaffrey motioned to follow the advisory OSRB decision to pursue discussions for a conservation easement with the Lindborg's. Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye. Supervisor Lindborg abstained because it would be a conflict of interest.

*The Township is in receipt of the 2010 K-9 Training Contract through Castle's K-9 Inc.* Manager Rambo met with Mr. Grossman. Mr. Grossman advised that his group would like to continue paying for K-9 training. Vice-Chairman McCaffrey expressed the K-9 unit has a value to the police department. Mr. Grossman gave a brief summary of donations, payments, and how K-9 Donner's training is progressing. Vice-Chairman McCaffrey motioned to approve the contract for \$1,860 to Castle's K-9 Inc. Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

*The Township is in receipt of a letter of extension for the Pulte Project from Lou Colagreco, Esquire.* Manager Rambo noted Pulte is in the process of addressing the engineer's latest review letter. It is anticipated that they will have the items addressed by the next Planning Commission meeting. Both Manager Rambo and Jim MacCombie recommended that the BoS accept the extension letter that goes to January 22, 2010. Vice-Chairman McCaffrey motioned to accept the extension letter. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

*Signal Service, Inc. has forwarded the Township their 2010 Traffic Signal Maintenance Contract Renewal for consideration and acceptance.* Manager Rambo recommended the BoS accept the contract. Vice-Chairman McCaffrey motioned to renew the contract with Signal Service for the same price as last year. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

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

*The Township is in receipt of correspondence from Marsha Erickson, Director of the Coatesville Area Public Library, as to a decision by the Board to contribute to the library and its amount.* Manager Rambo noted discussions by the BoS have taken place but no figures have been provided, 1,361 residents have utilized the library. Discussion ensued. Ms. Petri asked if the money was there since it was put in the budget. Manager Rambo explained the budget was based on anticipated money coming in, which it hasn't. Supervisor Lindborg motioned to approve \$3 per person that utilized the library.

Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

*The Brandywine Conservancy has sent the Township information on an upcoming program on the Sustainable Community Development Code conceived in Denver scheduled for December 15<sup>th</sup>. There were no comments.*

*Thomas J. Anderson & Associates, Inc. has forwarded the Township correspondence on the ACT 51, Killed-in-Service Benefit. Manager Rambo explained with the most recent adoption of Act 51 by the State, where the State was saying that the killed-in-service benefit would be funded by the Commonwealth, it appears that there is a difference of opinion through various attorney's, associations, and unions that it is a negotiable item. This is currently in the contract and would have to be negotiated out.*

*ImageNet has forwarded the Township additional information on DocStar for its consideration as part of the 2010 budget process. Manager Rambo noted money is budgeted in the 2010 budget to pursue DocStar. Caln Township is interested in participating in paying part of the amount because the proposal includes an E size scanner. The Manager will talk to the Municipal Authority to see if they are willing to contribute to the cost.*

Elizabeth Zanolwiak of Woodbrooke Drive asked the Manager to further explain DocStar and questioned if the Township needs something like this, along with another monthly bill, being it is a small town bedroom community. Manager Rambo gave a brief explanation noting that all paper documents will be scanned in. Vice-Chairman McCaffrey stated at the last BoS meeting he asked the Manager to mitigate the cost; the Manager has been able to get the cost down to half of the original price. With DocStar there will be less filing, less recordkeeping, this will free up space, save labor costs, and eventually pay for itself. Discussion continued. Lori Petri of Horseshoe Pike suggested the BoS not make a decision on this and put it on the back burner.

*DEP has forwarded the Township a copy of their November 19, 2009 clarification letter for its PAWC ACT 537 Plan Update approval letter of the October 21, 2009. Manager Rambo explained as a result of the various municipalities meeting with PAWC that PAWC Act 537 has been accepted and approved by DEP. Dialog continued. Vice-Chairman McCaffrey questioned why DEP doesn't require treated effluent to be piped back to communities for free use, for lawn watering, car washing, etc. To make it an asset rather than something that just goes into the river.*

*The Township is in receipt of a \$5,000.00 contribution to the Open Space Fund from Ed and Mary Jane Henderson. Manager Rambo stated when the Township purchased the Henderson's conservation easement; they agreed to donate \$10,000 a year to put back into the Open Space Fund. The BoS thanked the Henderson's for their contribution.*

### **Old Business**

*Finalize paperwork for the borrowing of funds for a six-month period to assist with the payment of Solid Waste & Recycling bills for the remainder of 2009 until outstanding revenues are received. Manager Rambo noted this is under Resolutions later in the meeting. The Township has received \$5,000 from past due trash fees within the past two weeks. The Township is borrowing \$125,000.*

*The Manager is awaiting dates and times from the West Caln Township BoS in which to get together to discuss ambulance service. Manager Rambo stated he spoke with Gary Dunlap from West Caln and suggested that their BoS meet with our BoS next Thursday December 10, 2009 at 6 pm. Gary will let Manager Rambo know.*

*The 2010 budgets have been advertised and are available for review.* Lori Petri Formica asked about money in revenue having to do with cemeteries. Ms. Zanowiak also asked about for an explanation of why the Township is responsible for the cemeteries. Manager Rambo explained that is part of the zoning, the Codes Officer has to go out and inspect the site called an interment fee. Vice-Chairman McCaffrey explained the original ordinance was put together in 1994 to make sure that all burials take place above the water table. The resolution states the cost is \$75, a new resolution will be established that the cost will be \$20 unless the BoS wants to raise it according to today's rates. Ms. Petri and Ms. Zanowiak asked about miscellaneous items in the budget. Manager Rambo explained this category is used when there is no specific line item. The amounts are printed out for the auditors. Ms. Zanowiak then asked about various items in the budget. Mr. Gainor also asked general questions about salaries, vacations, and personal time in the budget. Ms. Petri expressed that she didn't like the way the budget is done, noting that you don't do business this way. Mr. Petri would like the budget so you can understand the numbers. Manager Rambo explained the number includes vacation, holiday, and personal time. Chairman Obernier stated that Ms. Petrie was correct, what the BoS is faced with, as things come up the Board addresses them to make the budget better about how the numbers are broken up. Discussion ensued regarding various budget numbers and how to make it easier to read. The BoS agreed that amounts listed in the miscellaneous category exceeding \$1,000 should have an explanation for that item presented with the budget.

Chairman Obernier suggested that the Manager look at West Bradford Township's budget the way it is broken down it might be easier to follow. Jeff Grossman also asked general questions about the budget and the capital reserve. Chairman Obernier discussed other budget items that included the capital reserve, medical insurance, holiday vacation, the temporary loan for solid waste, and the liquid fuels fund. Chairman Obernier would like to change things around in the budget and remove the two public works employee's salaries out of the liquid fuels fund because this is taking money away from purchasing asphalt, etc. and suggested the Township utilize State Police at the least demanding time of the week, Sunday three shifts and the very first shift on Monday. If 2010 turns out to be a good year; the BoS could always cancel the State Police service. Vice-Chairman McCaffrey disagreed with Chairman Obernier about the liquid fuels noting that a lot of Townships use liquid fuels to pay for labor even when there is a healthy economy. The most alarming thing that Jeff Grossman had pointed out is the lack of any money for future purchases; going into the capital reserve.

Vice-Chairman McCaffrey suggested that a certain percentage be assigned to each department, when the budget is decreased because of income by 10%, everybody's department would go down 10% in available funding; you don't rob one to pay for another. Vice-Chairman McCaffrey reiterated that there should be an explanation given if a miscellaneous expense exceeds \$1,000.

*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**

*Resolution #16-2009; borrowing of funds from DNB First to be deposited into the Solid Waste and Recycling Fund until outstanding revenues are received from outside agencies and citations.* Vice-Chairman McCaffrey motioned to borrow funds from DNB First to be deposited into the Solid Waste Recycling Fund. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

## **New Business**

*Establishment of the Phase I public escrows for the Bentley Projects.* The Township is awaiting the necessary documents. Vice-Chairman McCaffrey motioned to table this item. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

*Release request #3 for the planting of street trees at the Valley View Subdivision in the amount of \$20,250.00.* Manager Rambo stated the tree planting has been completed; they are now putting in the shrubs. This release for \$20,250 has been reviewed by Manager Rambo and Jim MacCombie and found satisfactory. Manager Rambo recommended the BoS approve the release request. Vice-Chairman McCaffrey motioned to approve the request and Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

*Discuss the RFP's received for computer services.* Chairman Obernier read a statement out loud that being the owner of OAC Network Solutions, responded to an advertisement for computer services and submitted a bid. This submission represents a conflict of interest as a WBT Supervisor and is abstaining from discussing or voting on this item unless a tie vote requires his vote to break the tie. Manager Rambo noted that the Township sent an RFP out to six companies, four were duly submitted. The Manager is in the process of reviewing the RFP's. Ms. Zanowiak asked if Chairman Obernier was the owner of OAC and Chairman Obernier reiterated the statement again out loud. Ms. Zanowiak felt that it is a conflict of interest for Chairman Obernier to submit a bid. Chairman Obernier directed Ms. Zanowiak to sections 1103a and 1103j of the ethics act. Ms. Zanowiak asked how many years that OAC held the contract and Chairman Obernier answered that he didn't recall. Manager Rambo will not make a recommendation until he has had ample time to review the proposals.

*Recommendations of the Township Planning Commission* Manager Rambo noted the Planning Commission's recommendations, to accept Pulte's extension letter and table all plans.

*Discuss looking into the furnishing of 40 gallon recycling totes to each residence for the placement of single stream recycling products.* Jeff Grossman asked about recycling and the totes. Manager Rambo gave a brief description of the tote and noted the price would be \$107,000 or \$42.73 per household to purchase and distribute them to all residences. The Manager is looking into getting grant money to purchase the totes. Michelle Benkovich suggested purchasing totes for only those that want them. Supervisor Lindborg stated the thought is to increase recycling participation by making it more convenient to recycle. Discussion continued.

A resident requested the BoS hand out a more simplistic financial report to view. Discussion ensued.

## **New Business from the Floor**

There was no New Business from the Floor.

## **New Business from the Board**

Vice-Chairman McCaffrey questioned the BoS what to do with the invoice for water testing from his place of employment, Cedar Grove Environmental that he signed. The ethics committee said that it didn't matter it is too small of an amount. Chairman Obernier stated that he and Supervisor Lindborg would vote and sign that payment separately.

Chairman Obernier read a statement out loud regarding work that OAC Network Solutions did for Genterra Corporation on October 8, 2009, this represents a conflict of interest being a WBT Supervisor should there be a vote on any development by Genterra. Therefore Chairman Obernier will be abstaining from voting on this item unless a tie vote requires his vote to break the tie.

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

There were no Public Comments.

**Open Issues Before the Township**

*The Township continues to seek volunteers to serve on the Historic Commission.* There were no comments.

*Proposed Rental Inspection Ordinance.* This is being worked on.

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

Interest rate for the week 3.57%. There were no comments.

**Review and Payment of the bills.**

Manager Rambo noted the general fund bills total \$31,033.13, state fund bills total \$2,950.34, and the solid waste bills total \$99,190.70. Chairman Obernier motioned to approve all the bills including Cedar Grove Environmental. Supervisor Lindborg seconded the motion. Board Members Obernier and Lindborg voted aye. Vice-Chairman McCaffrey abstained because he is employed at Cedar Grove.

**Upcoming Meetings/Events**

- Saturday with Santa, December 5, 2009 at 10:00 a.m.
- Parks and Recreation Board, Tuesday, December 8, 2009 at 7:00 p.m.
- Municipal Authority meeting, Thursday, December 10, 2009 at 7:30 p.m.
- Historic Commission meeting, Monday, December 14, 2009 at 7:30 p.m.
- Board of Supervisors, Thursday, December 17, 2009 at 7:30 p.m.
- Open Space Review Board, Tuesday, December 22, 2009 at 6:45 p.m.
- Planning Commission, Tuesday, December 22, 2009 at 7:30 p.m.

**Adjournment**

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 10:10 pm. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

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