

**Meeting Minutes of April 16, 2009
Board of Supervisors**

Vice-Chairman McCaffrey called the Board of Supervisors meeting of April 16, 2009 to order at 7:34 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Supervisor's Thomas J. McCaffrey, Jr. and Carl S. Lindborg in attendance. Josef G. Obernier, Sr. arrived at 7:53 p.m. Township Manager Ronald A. Rambo, Jr. was also present.

Acceptance of Minutes from Previous Meetings

April 2, 2009. The Minutes were tabled.

Treasurer's Report

Manager Rambo presented the Treasurer's Report, balance as of the end of February.

Capital Reserve Fund	\$686,043.96	Operating Reserve Fund	\$190.52
Construction Sweep Fund	\$2,934.88	Police Pension Fund	\$1,086,277.06
Developer Escrow Fund	\$470,715.56	Solid Waste & Recycling Fund	\$345,956.57
General Fund	\$60,183.88	State Liquid Fuel Fund	\$62,309.85
Non-Uniform Pension Fund	\$210,066.65	K-9 Rudy Fund	\$1,043.76
Payroll Fund	\$13,659.59		

Public Comments (individuals requesting to be on agenda)

Vice-Chairman McCaffrey noted that no one requested to be on the agenda.

Correspondence/Communications *Information to act upon*

The Township is in receipt of the County of Chester GIS Consortium Tier II Agreement for consideration.

Manager Rambo noted that various Boards and Commissions were contacted to see if they have any need to utilize the agreement. The Manager is awaiting their response and recommended this be tabled. Supervisor Lindborg motioned to table this item. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

The Board of Supervisors is in receipt of a volunteer form from Ms. Tara Miller to serve on the Township's Historic Commission. Manager Rambo will email Ms. Miller again to see if she will meet the BoS prior to the next meeting.

David J. Sanders, P.E. of DL Howell has provided the Township a ninety-day letter of extension on behalf of his client, Clifford J. Murray, owner of Cyclemax. (time clock will run until Sunday, July 19, 2009). Manager Rambo noted the engineer's letter stated that the extension is warranted and recommended the BoS grant the extension to allow them time to address the engineer's comments. Supervisor Lindborg motioned to grant the extension of time. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye.

Correspondence/Communications *Information to note*

The Township is in receipt of correspondence from Stacey Fuller with regard to the draft Inter-municipal Agreement for participation in the regional UCC Board of Appeals. Manager Rambo recommended the BoS review the information so it can be discussed at the next BoS meeting.

PAWC has forwarded the Township information on their Environmental Grant Program for 2009. Manager Rambo noted this information would be forwarded onto the Open Space Review Board (OSRB). It allows funds to be requested for the improvements of stream banks.

PECO is hosting a seminar on May 21, 2009 with regard to electric deregulation. This is regarding an explanation before they raise our rates.

The Township received Notice of Pending Payment for the 2009 Liquid Fuel Funds in the amount of \$173,387.97. Manager Rambo stated that is to be received on April 20, 2009.

Kim Merritt, Municipal Grants Coordinator, has forwarded the Township information on the 2010 (Round 22) Municipal Park Grant Applications that will be due on Friday, July 17, 2009. This information has been distributed to the Parks and Recreation Board, the OSRB, and Township staff.

Reports of Departments: Month of March unless otherwise noted.

Police Report presented by Manager Rambo. There were no comments.

Total Hours	1286	Miles Patrolled	8866
Total Complaints	631	Accidents	12
Warrants	1	Fatalities	1
Domestic	10	Criminal Arrests	10
Non-Traffic Arrests	16	Traffic Arrests	170

Public Works Department Report: Submitted by Thomas Eells and presented by Manager Rambo who also noted work completed for the month. There were no comments.

Total man-hours	801.75	Miles traversed	2,154
Total Equipment hours	132	Total fuel gallons	990

Buildings/Codes Department Report: Submitted by Dale Barnett and presented by Manager Rambo.

Building Permits issued	18	Permit base fees collected	\$1,975
Occupancy fees collected	0	U&O permits issued	2
U&O permits issued cursory	17	Contractor Licenses (CL) issued	22
CL Fees collected	\$1,650	WBT Inspections completed	16
Failed Inspections (FI)	0	Failed Inspections Fees collected	0
		Total fees collected	\$3,625.00

Fire Marshall Report presented by Paul Gainor. There were no comments.

Permit inspections done	42	Campfire/Recreational Permits	37
Specialty Bonfire Permits	0	Agricultural Permits	2
Permits not given	3	Special permits given	0
Special permits not given	0	Other type inspections done	7
Code violations/Complaints	8		

East Brandywine Fire Company Report presented by Mike Conlan.

Fire			
Number of calls dispatched into WBT	11	Initial dispatch into WBT	11
Second dispatch into WBT	-	Number of calls scratched	0
Medical Assist			
Number of calls dispatched into WBT	20	Initial dispatch into WBT	17
Second dispatch into WBT	-	Number of calls scratched	3

Martin's Corner Fire Company Report: submitted by Chief Dan Metzler and presented by Manager Rambo. There were no comments.

Number of calls dispatched into WBT	4	Initial dispatch into WBT	-
Second dispatch into WBT	-	Number of calls scratched	-
Gallons of WBT fuel	64		

Wagontown Fire Company Submitted by Todd Ziegler and presented by Manager Rambo.

Fire			
Number of calls dispatched into WBT	7	Initial dispatch into WBT	5
Second dispatch into WBT	2	Number of calls scratched	0
Medical Assist			
Number of calls dispatched into WBT	-	Initial dispatch into WBT	0
Second dispatch into WBT	-	Number of calls scratched	-
Types and # of Ambulance and/or Medical Assist Calls			
ALS	0	BLS	0
MVA	0	Fire Standby	0

Public Comments (individuals requesting to be on agenda)
There were no public comments.

Reports of Organizations, Boards and Commissions

No one was present from the Historical Commission (HC). However, Manager Rambo noted that Hugh Redditt, Chairman of the HC phoned him after the HC meeting to let him know that they are recommending that Mr. Grossman be permitted to temporarily use laminated beams to repair his barn. Mr. Grossman explained that he has rotted beams that have to be replaced in his old barn and asked Mr. Barnett about a building permit. Mr. Barnett recommended that he approach the HC. Manager Rambo explained that Mr. Snelson went to the HC to request a recommendation that a demolition permit be issued. The HC recommended that Mr. Snelson can tear down his beams and that they could be used in lieu of the temporary laminated beams. Mr. Grossman stated they are going to use the permanent beams rather than the temporary laminated beams. Mr. Barnett will be granting the demolition permit for Mr. Snelson's building. This information will be forwarded onto Mr. Barnett.

At this time it was noted that Chairman Obernier arrived and Vice-Chairman McCaffrey turned the meeting over to the Chairman.

Michelle Benkovich gave the report of the Parks and Recreation Board, noting the success of the Easter Egg Hunt as well as the number of attendees. Ms. Benkovich also expressed thanks to the Girl Scouts who were a tremendous help at the Egg Hunt.

Chuck Dobson, Planning Commission (PC) gave a brief summery of their report. Mr. Dobson noted that Mr. Janiec is looking to modify some of the uses that he was previously granted. Chairman Obernier asked for clarification of what Janiec is looking to do. Mr. Dobson explained he had approval for previous use that showed two separate buildings; he is looking to modify the configuration and some of the uses of tenants. Discussion ensued. Chairman Obernier requested that the PC give the BoS an opinion if they object to one pad and if so, if

that pad is bigger than the original pad. Vice-Chairman McCaffrey noted the thought for him is that the development along that corridor it is supposed to be broken up and not look linear.

Chuck Dobson also gave the report of the OSRB. Items discussed were Icedale Meadows and the lease agreement, Chase property, Baldwin property, and Dr. Eck's property. The Lindborg property is being revisited looking at some of its natural features under some different considerations that were brought to their attention.

Municipal Authority (MA) Manager Rambo gave the report of the Authority. The MA received the \$1,000,000 contribution from Bentley Communities that will go toward to the sewer project as well as the documents establishing the escrows necessary to construct each respective subdivision's sewer. Once the system is constructed the lines will be complete from Friendship Village to the Kimberwick area. The Township is talking with Pulte regarding their participation with the project. The Township and MA are in the process of preparing an agreement of sale for the purchase of the 16.9-acre Bentley tract located on Route 322. Supervisor Lindborg expressed that was a culmination of a tremendous amount of work by the Township Manager and Jim MacCombie; a lot of years and effort with a very positive outcome. Vice-Chairman McCaffrey explained there are some things that happen in WBT that don't happen elsewhere because there is a sense of continuity in these plans, this brings a real strength to us which gives us the ability to do these kinds of things. Chairman Obernier concurred.

Old Business

The Manager continues his review of the "draft" ordinance prepared by the Codes Officer with regard to the establishment of a rental inspection requirement and the resale U & O. Manager Rambo noted this information has been forwarded to the BoS.

The Township Manager has met with Sandy Martin of McCormick Taylor to discuss the Icedale Road bridges. Manager Rambo stated they are reviewing both bridges to see if it would be feasible to have one bridge constructed in place of the two. These bridges are on last years bridge bill.

The Manager is preparing an updated Chester County Transportation Improvements Inventory (TII) for submission to the County Planning Commission. Manager Rambo noted this has two areas of special need, the Icedale Bridge and the intersection of East Reeceville, Cedar Knoll, and Route 82.

Old Business from the Floor

Jeff Grossman asked for an update for doing away with a non-performing fund that was previously discussed. Manager Rambo noted they cashed out on the Santa Martin fund; money was reinvested into a 30-day money market with the intension of having a vote at the next pension committee meeting to see where it should be reinvested. Chairman Obernier explained there was a Pension Committee meeting on April 15th; only two members were present so there was no vote.

Rich Lescavage asked for an update on the Valley View Development. Manager Rambo noted he has a meeting scheduled next Thursday with the contractor Allen Myers, Bob Fleming, and Township Inspector Herb MacCombie. Mr. Fleming has contacted the landscaper Scott Sandone regarding the trees. It will be the Manager's recommendation to first do the plantings and the basins so that they don't have heavy equipment on a new road. It will be up to the contractor to tell the Township what they intend to do. The work must be completed by May 31, 2009.

Chairman Obernier stated he read the petition from Valley View's residents and explained that the BoS is trying to get the developer to finish; if he doesn't there is money in escrow. If there isn't enough money, then it will be the resident's of Mendenhall Drive that will make up the difference. The BoS is trying to do it in a way that it will not cost more money. If it were to come to the resident's of Mendenhall paying the difference, their course of action would be to take the developer to civil court to recover the resident's additional costs.

Vice-Chairman McCaffrey explained the escrows that were collected were 110% of the estimate. This normally works well, but this is a particular set of circumstances with everything taking a downturn, while the prices of materials have gone up. The BoS was in agreement that they have dealt with this for years and are taking the path

they find works most effectively. Vice-Chairman McCaffrey stated there are two things he would like to do. First, if the developer holds back on something, what the BoS has granted him as leeway would be removed if the BoS has to force the issue. Second, ask the solicitor if there is anything under the law where you can have these things reevaluated over time to increase escrows. Manager Rambo is also going to find out if there is escrow money left then could it be reappointed back to the caliper of the trees. Manager Rambo noted they could always require more screening and buffering should it not be adequate in certain areas around the perimeter.

Bob DiLorenzo of 16 Mendenhall Drive asked if the Township would be able to put a time limitation on a developer after the last sale of a home to stop this from happening again. Vice-Chairman McCaffrey agreed with the principle, but technically they would be right where they are now anyway.

Manager Rambo will ask John Good if the BoS can put a time limit on after the last house sells and also if they can have a variable escrow account.

Old Business from the Board

There was no Old Business from the Board.

Ordinances and Resolutions

There were no Ordinances or Resolutions.

New Business

Approval of release request # 1 for the James P. Bryant common driveway construction escrow. Manager Rambo stated they are waiting for the contractors to have the lots established, until then the engineer is recommending the request be tabled. Vice-Chairman McCaffrey motioned to table the request. Supervisor Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

Approval of release request #1 in the amount of \$109,186.35 for the Jelke Manufacturing project. The engineer reviewed the request, found it satisfactory, and recommended approval. Supervisor Lindborg motioned for the approval. Vice-Chairman McCaffrey seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye. Supervisor Lindborg commented that this immensely improved the appearance of the area.

Approval of release request #2 for the Cannon/Lodge minor subdivision project. There were no comments.

Release request #1 for the re-construction of the springhouse on the All Souls Cemetery property. Manager Rambo noted the HC Chairman did a site visit and stated the work is being done as the Archdiocese had presented it. The codes officer found the footers satisfactory. It is recommended that the request be granted for \$10,000. Supervisor Lindborg motioned to approve release request #1 based on the recommendations of the engineer and codes enforcement officer. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

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)

Mr. Lescavage questioned the process for deciding what is going to happen with the police department verses the state police and suggested a study be done for police costs. Vice-Chairman McCaffrey felt that it would be the decision of the BoS. If you wait until the yearly election period to bring this up and have it acted on, it would cost a lot of money while you are waiting, it may defeat the whole purpose of making that decision in the first place. You may find yourself deeper and deeper in debt. The BoS welcomes anyone's comments. Chairman Obernier stated there will be an open house at the Township on Tuesday, April 28, 2009 at 7:30 p.m. The purpose of the state police coming is to answer any questions that residents have of them providing service, whether it is for a shift or a group of shifts.

Supervisor Lindborg explained the BoS has the duty to maintain the fiscal responsibility of this Township. To put it on a referendum and everybody would say they want 24/7 coverage by WBTPD, when in fact the Township can't pay the bills. The Township needs to investigate its options.

Whatever the BoS does, they are going to discuss it openly. The Township would have a chance to evaluate what the state police could perform for the Township before it is critical. It may be that we will recover quickly.

Jeff Grossman of Beaver Creek Road commented that Governor Rendell is creating a bill for municipalities to pay for state police coverage. Vice-Chairman McCaffrey stated that this has been an issue that has been talked about since the eighty's. Manager Rambo explained the way he sees the bill written, it is for municipalities that have no police and are dependent on the state police and have a population of 10,000 or more. Discussion ensued.

Open Issues Before the Township

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

The Township continues to seek volunteers to serve on the Historic Commission. The individual that was interested in serving on the HC did not show up tonight to meet the BoS. Manager Rambo stated there may be another individual interested in serving.

The Chief and Manager are finalizing the Stopping, Standing and Parking Ordinance and the Oversized/Overweight Vehicles on Township Roads Ordinance for advertisement and adoption. Manager Rambo stated this information has been forwarded to the BoS for their review.

General Obligation Note (Adjustable Rate Bond for the Facility/Park Construction) Interest rate for the week (3.83%).

Review and Payment of the bills.

Manager Rambo stated the general fund bills total \$53,798.72 of which some can be recouped from escrows, solid waste bills total \$32,645.08, and liquid fuels bills total \$2,606.15. Supervisor Lindborg motioned to pay the bills. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

Vice-Chairman McCaffrey asked for a year to date comparison for revenue. Manager Rambo noted the revenues last year at this time were \$1,467,426.86 and this year the revenues are \$1,139,435.00 (\$330,000 less). Expenses have been cut back from \$1,457,000 to \$1,000,054. Manager Rambo noted the Township is behind a total of \$165,321 in revenues. This does not include the \$286,000 uniform pension plan losses that will have to be made up.

Chairman Obernier said that all along the BoS has stated over and over they will not have a tax increase. They will do what has to be done to live within the Township's means. Vice-Chairman McCaffrey and Supervisor Lindborg concurred.

Jeff Grossman asked if the \$286,000 for the uniform pension has to be paid all at once. Manager Rambo explained that similar to what happened in 2001 when the market went sour, legislation was passed to allow payment over a period of time. That is being discussed once again. Dialog continued.

Jeff Grossman asked about the Stopping Standing Ordinance. Manager Rambo explained it is just a formality mostly pertaining to developments.

Upcoming Meetings/Events

- Open Space Review Board meeting, Thursday, April 23, 2009 at 6:45 p.m.
- Planning Commission meeting, Thursday, April 23, 2009 at 7:30 p.m.
- Open House with PSP, Lt. A. J. Krawczel, Station Commander, Troop J, Embreeville, Tuesday, April 28, 2009 at 7:30 p.m.

- Board of Supervisors meeting, Thursday, May 7, 2009 at 7:30 p.m.
- Historic Commission meeting, Monday, May 11, 2009 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, May 12, 2009 at 7:00 p.m.
- Municipal Authority meeting, Thursday, May 14, 2009 at 7:30 p.m.

Vice-Chairman McCaffrey encourages everyone to attend the Open House meeting on April 28th to ask questions. Supervisor Lindborg explained this is an Open House of the state police and not a BoS meeting. The meeting will be advertised in the Daily Local Newspaper.

Adjournment

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 9:02 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye in favor of adjournment.

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