

**Meeting Minutes of February 21, 2008
Board of Supervisors**

Chairman Lindborg called the Board of Supervisors Meeting of February 21, 2008 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 Manager Rambo noted Chairman Carl S. Lindborg and Vice-Chairman Josef G. Obernier, Sr. in attendance. Supervisor Thomas J. McCaffrey arrived at 7:37 p.m. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], and Dale Barnett [Codes/Zoning Officer].

Acceptance of Minutes from Previous Meetings

The February 7, 2008 Meeting Minutes were tabled.

Public Comments (individuals requesting to be on agenda)

Dr. Gordon Eck is in attendance to talk to the Board about getting permission to subdivide a parcel of ground from his previously approved Bed & breakfast property as required in the Opinion & Order issued by the Township. Dr. Eck explained that he wants to subdivide one acre off of his forty-six acre parcel for his daughter. One of the Township's qualifications of the Bed and Breakfast was if they were ever to subdivide that they come before the BoS first. Another condition was that they put 15 of the 45 acres in the conservation easement with North American Land Trust. They are in the process of putting an additional 10 to 12 acres under the easement and asked the Land Trust if they could exchange land acre for acre and the Land Trust was fine with that.

Manager Rambo noted that Dr. Eck is proposing to put a 50-foot right-of-way so that he has the required road frontage. Dr. Eck delineated the area on the map and is requesting to utilize parts of an existing driveway as a common driveway. Vice-Chairman Obernier noted that the requirement for a common driveway is that it has to be paved. Manager Rambo noted that Dr. Eck is going to request a waiver from paving the driveway. At this time it was noted that Supervisor McCaffrey arrived at the meeting.

Vice-Chairman Obernier was okay for Dr. Eck to move forward to present a subdivision plan as long as he is not expected to approve a subdivision plan later. Vice-Chairman Obernier noted he would like to get feedback from the engineer. Supervisor McCaffrey motioned to allow Dr. Eck to pursue a single lot subdivision as required in the Opinion & Order that was issued for the operation of his Bed and Breakfast. Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

Treasurer's Report (*As of the end of January*)

Presented by Manager Rambo. There were no comments.

Capital Reserve Fund	\$839,958.42	Developer Escrow Fund.....	\$581,107.46
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General Fund.....	\$11,328.33	Public Works Cap. Projects Fund	\$136,462.18
Non-Uniform Pension Fund	\$327,776.20	Solid Waste & Recycling Fund.....	\$30,433.50
Operating Reserve Fund.....	\$185.22	State Liquid Fuel Fund.....	\$10,943.78
Police Pension Fund	\$1,354,559.18	Construction Sweep Fund	\$2,291.92

Correspondence/Communications *Information to act upon*

Andy Eberwein of E. B. Walsh & Associates, Inc. has forwarded the Township a waiver request for the length of a cul-de-sac for the Brandywine Manor Project (Eck Property). Manager Rambo recommended that this item be tabled. Supervisor McCaffrey motioned to table the waiver request. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye. This item is to be placed under Open Issues Before the Board.

The Township is in receipt of a letter of extension that will expire on April 4, 2008 from Beaver Creek Realty, L.P. with regard to their preliminary plans before the Township. Manager Rambo noted the extension request and also noted letters from Scott Emerson and Jim MacCombie justifying the request. Jim MacCombie felt that an extension is reasonable through May. Supervisor McCaffrey motioned to accept the extension through April 4th. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

The Township is in receipt of a letter of extension through April 4, 2008 from Magothy Investment Partners, L.P. with regard to their preliminary plans before the Township. Manager Rambo noted a letter was received from Jim MacCombie noting that the request is warranted. Supervisor McCaffrey motioned to accept the extension letter. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

The Township is in receipt of a letter of resignation from Mark Hartnett of the Parks and Recreation Board. Chairman Lindborg noted that Mr. Hartnett has been on the Parks and Recreation Board for some time and will be missed. Supervisor McCaffrey motioned to accept Mr. Hartnett’s letter of resignation. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

The Pennsylvania Council of the Arts has forwarded a 2007-2008 Grant Award Agreement in the amount of \$325.00 for signing by the Township. Supervisor McCaffrey motioned to accept the Grant Award. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

The Township is in receipt of the CCATO registration for the 2008 Spring Convention scheduled for Thursday, March 13, 2008. Supervisor McCaffrey and Manager Rambo will be attending.

The Township of Newtown, Delaware County, is seeking support from local municipalities with regard to House Bill 397 and the ability to expand the local government’s authority to levy impact fees. Manager Rambo noted they are requesting that the Township write a letter to state legislators in support of Newtown Township and House Bill 397 that they consider amending what can be done as far as impact fees. Manager Rambo will write a letter of support.

Harold E. McCarter has presented the Township with an exemption determination from the Pennsylvania State Veteran’s Commission for his property tax. Manager Rambo recommended that the BoS accept the exemption request as in the past. The Pennsylvania State Veterans Commission has approved this application. Vice-Chairman Obernier motioned to grant exemption to Harold McCarter.

Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Correspondence/Communications Information to Note

James W. MacCombie, P.E, Township Engineer, has provided the Township a letter with regard to the cul-de-sac waiver request for the proposed Eck Property Subdivision. Vice-Chairman Obernier requested that this item be moved to "Open Issues."

DCNR has forwarded the Township notification that it was not selected for the award of a land acquisition grant to pursue the purchase of the Conti Tract from the City of Coatesville. This would be an outright purchase; the Township is not pursuing easements. DCNR noted that their next round of grant applications is due in April. Manager Rambo noted the Township already has a County grant for this property that was awarded last June. The consensus of the BoS was for Manager Rambo to pursue the acquisition grant for the City of Coatesville's Conti Tract.

The Chester County Agricultural Land Preservation Board has sent a copy of the 2008 Agricultural Security Area (ASA) records for the Township to review. This information has been forwarded onto the ASA Board for their review. Vice-Chairman Obernier voiced concern that Karen Vollmecke is not listed and that a loan was taken out under Vollmecke for the leaf turner. Manager Rambo stated that it is listed under Jeanette Harris. Chairman Lindborg asked Manager Rambo to contact the person that compiled the ASA list to ensure that it was listed properly.

Karen Marshall, Heritage Preservation Coordinator for Chester County Parks and Recreation Board, has forwarded the Township information with regard to procedures for subdivisions as it relates to historic and archeological resources in Pennsylvania. Manager Rambo noted that Karen Marshall took Jane Davidson's place over at the County. Ms. Marshall is recommending that the BoS look at the Township's zoning ordinance regarding preservation. She is also recommending that the Historical Commission look at the Historic Resource Atlas regarding historic structures so they know what they are responsible to do when an applicant comes in with plans. Manager Rambo noted their responsibilities include: 1) looking at the plans to try and make a determination what is historic, 2) make sure that everything goes to the Pennsylvania Historic Commission for their input to see if they feel that any sites are of historic nature. Manager Rambo asked the BoS if they agreed to give Ms. Marshall the okay to review the sections and meet with the Historical Commission. Discussion ensued. The BoS was okay for Manager Rambo to give Ms. Marshall the okay to review the sections and meet with the Historical Commission.

Caln Township has forwarded information to the Township with regard to the review of the Township Signal Specifications. Manager Rambo noted the Township received a review letter on February 12 from Greg Prowant that was issued by Jeffrey McClintock, Township Engineer for Caln Township. Manager Rambo read the letter out loud and asked the BoS if they want to pursue having the Township's name on the permit. Caln is still asking WBT to pay for the maintenance of the signal. Supervisor McCaffrey noted that Caln never asked WBT about putting the signals there. Usually in government situations you are asked to sign documents giving approval. Vice-Chairman Obernier noted he spoke with two of the Caln Commissioners, one of the reasons that they insist that the controller remain the same at the North Brandywine light is because they have the desire and plan with no funds to run a fiber optic line from Business 30 and connect the lights. The cost would be around \$800,000 to run the fiber optic line. Vice-Chairman Obernier would like a commitment that when money becomes available that they would connect them. Vice-Chairman Obernier is not in favor of paying to replace the wire loop in the road; they wear out every five to six years. This is an LED light so the electric won't be that high, but the cost in replacing the wire loop in the road is there. He would like to have the optical system, and is okay to pay half of the optical system. Supervisor McCaffrey noted the close proximity of

the lights as well, noting that he thought they had to be a certain distance apart from other traffic lights. The consensus of the BoS was that they would pay for half of the electric, half of the maintenance if they agree to utilize an optical system when the loops fail, WBT will contribute half the costs, and WBT is to be added to the permit.

Kevin Anderson of the Brandywine Conservancy has forwarded the Township additional information with regard to the purchase of the Conservation & Trail Easement on the Thornbury Property. Manager Rambo requested additional information asking what it would entail if the Township pursues the easement purchase with East Brandywine Township (EBT). There is an additional \$53.50 for time that would involve the Brandywine Conservancy Staff, \$9,200 for easement endowment, legal fees would have to be determined by the municipalities' attorneys, title insurance would cost \$900. This would be in addition to the 62%/38% purchase of the easement that was suggested. Manager Rambo explained that the appraisers came up with a value before easement of \$1,010,000; the easement should be worth \$705,000. The appraisers took a value after the easement and the difference was \$305,000. There are five developable acres in both WBT and EBT. It sounds feasible the way it has been explained. Suggesting that you pay \$5,000 for 12.7 acres rather than \$15,000 for 5 acres; it comes out to less. Manager Rambo felt that this could open the door for everybody with small parcels to approach the township. There is other ground in close proximity that could be pursued or they could come to the Township e.g. the Smith and Conquest property.

Vice-Chairman Obernier questioned if the Township were to purchase this easement, would the Township have enough money to purchase the Conti tract as well. Manager Rambo answered yes. Supervisor McCaffrey noted that the Township already has a plan, they have people that have decided what ground would be nice to get, but is not available. If you scatter a few seeds like this around the Township, you might have other people that would buy into that concept in the area. There is a potential for this to grow. Vice-Chairman Obernier noted that this property is not on the Open Space Priorities list and thought that it was policy to purchase off of the list. Supervisor McCaffrey stated that when people come in and offer something below the market value there should be some consideration for that. The added benefit is that maybe this will create an area that was not anticipated. The consensus of the BoS is that it is okay for the Manager to pursue the conservation & trail easement.

Reports of Departments Month of February

Police Report presented by Chief Werner. Vice-Chairman Obernier questioned Chief Werner as to who was on duty during a specific accident.

Total hours.....	1412	Fatalities	0
Miles patrolled	8950	Domestic.....	11
Total complaints	612	Criminal Arrests	5
Accidents.....	11	Non-Traffic Arrests	17
Warrants	2	Traffic Arrests	132

Public Works Department Report: presented by Tom Eells. Vice-Chairman Obernier expressed that he is impressed at what Tom Eells put together for the brine that is working very well on the roads.

Buildings/Codes Department Report: presented by Dale Barnett. There were no comments.

Building Permits issued.....	37	WBT Inspections completed.....	28
Permit base fees collected	\$6,660	Failed Inspections (FI) paid	3
Occupancy fees collected	\$0	FI Fees collected	\$0
U&O permits issued	7	Total fees collected	\$11,535
U&O permits issued cursory	21		
Contractor Licenses (CL) issued	65		
CL Fees collected	\$4,875		
Valley Mechanical Ins.....	38		

Fire Marshall Report for February was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done	33	Code violations/Complaints	2
Open Burning Permits	12	Hours on Permits	15
Container Permits	15	Hours on patrol	4
Other type inspections done	5	Hours on Ins/Complaints/Violations	10

East Brandywine Fire Company Report submitted by Robert Zynn and presented by Scott Piersol.

Fire

Number of calls dispatched into WBT	9
Initial dispatch into WBT	9
Second dispatch into WBT	_
Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	19
Initial dispatch into WBT	16
Second dispatch into WBT	_
Number of calls scratched	3

Wagontown Fire Company Report submitted by Jeff Benach. There were no comments.

Fire

Number of calls dispatched into WBT	6
Initial dispatch into WBT	5
Second dispatch into WBT	1
Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	0
Initial dispatch into WBT	_
Second dispatch into WBT	_
Number of calls scratched	_

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	-

Reports of Organizations, Boards and Commissions

Historical Commission, Parks and Recreation Board: No one present.

Planning Commission: Anita Ferenz was in attendance to give their report. There were no comments.

Open Space Review Board: No one present.

Municipal Authority: Municipal Authority Manager Rambo presented their report. They are waiting for a letter from PAWC regarding additional post plant sewer capacity. Manager Rambo and Jim MacCombie will be meeting with the Vice-President of Engineering of PAWC regarding the agreement for additional sewer capacity. The Public Works Department is finalizing their preparation and is almost ready to begin replacing pipe in at Monacy Manor.

Old Business

The Manager continues his draft "easement agreement" preparation based on County requirements for funding for presentation to the Henderson's with regard to the purchase of a conservation easement. Manager Rambo noted this has been put on hold until he hears back from the County.

The spring edition of the Township newsletter is being prepared for printing. There were no comments.

The Township is seeking volunteers to serve on the Historic Commission and Parks and Recreation Board. Manager Rambo noted that an advertisement has been placed in the Daily Local Newspaper.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from the Board

Vice-Chairman Obernier thanked Manager Rambo for putting the financial report in the meeting books.

Vice-Chairman Obernier questioned the Manager when the subdivision map would be finished. Manager Rambo answered in March.

Vice-Chairman Obernier asked if there is any update from the USPS. Manager Rambo stated he sent them another email requesting a meeting and is awaiting a response. Vice-Chairman Obernier suggested that the Manager send a letter to the U.S. Congressman requesting that he attend a meeting, and then maybe they could get a meeting with the USPS.

Ordinances and Resolutions

There were no Ordinances or Resolutions.

New Business

Discuss participation in a Joint UCC Board with surrounding municipalities. Manager Rambo suggested that the BoS review the UCC Board information that is included in the BoS meeting books so they could discuss this at their next meeting.

The Township has distributed the proposed amendments to the Open Space Design Option article of the zoning ordinance, Ordinance No. 2008-01, to the various agencies for reviews and comments. Ordinance No. 2008-01 was sent to the County Planning Commission, WBT Planning Commission, and Solicitor for review.

The Manager is preparing the advertisement for the Ordinance No. 2008-01. There were no comments.

New Business from the Floor

Jesse Edwards asked if the City of Coatesville was paying tax on the Conti property. The BoS explained that the City does not pay taxes.

New Business from the Board

Chairman Lindborg noted he had received complaints that the YMCA was not in compliance with the Township's recycling ordinance. Manager Rambo noted he has emailed the YMCA and requested an update as to what is going on. The next recourse is to do a spot inspection and start citing them. Chairman Lindborg would like the Manager to write the director a letter and provide the BoS a copy. Manager Rambo noted that both the YMCA and CASD are performing some recycling but not everything that they are required to.

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

Ben Scalia of Troop 16 was in attendance as a requirement to obtain a merit badge. Manager Rambo will provide him with a copy of the budget along with a sealed copy of the agenda.

Supervisor McCaffrey asked if a list of bills would be made available in the back of the room for residents to see. Manager Rambo explained that a list of bill and the original invoices are provided to the Board for review and approval. The list could be made available to anyone that follows proper procedure and fills out a Request for Information form.

Open Issues Before the Township

The Manager and Township Engineer continue in their efforts of reviewing and updating the Township's Act 537 Plan.

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

Interest rate for the week (1.59%). There were no comments.

Review and Payment of the bills.

Manager Rambo noted General Funds bills totaling \$68,693.17, Liquid Fuel Fund bills totaling \$10,831.20, and Solid Waste bills totaling \$68. Supervisor McCaffrey looked over the bills, found them satisfactory, and motioned to pay the bills. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

Upcoming Meetings/Events

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

Adjournment

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 8:57 p.m. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye in favor of adjournment.

Ronald A. Rambo, Jr.

Township Manager/Secretary/Treasurer