

**Meeting Minutes of November 19, 2009
Board of Supervisors**

Chairman Obernier called the Board of Supervisors meeting of November 19, 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 Supervisor's Josef G. Obernier Sr. and Supervisor Carl S. Lindborg in attendance. Thomas J. McCaffrey, Jr. arrived at 7:32 p.m.

Acceptance of Minutes from Previous Meetings

October 1, 2009 and October 15, 2009 and November 4, 2009. Supervisor Lindborg motioned to approve the minutes of October 1st and October 15th, Chairman Obernier seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye. Supervisor Lindborg motioned to accept the minutes of November 4th and Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye. Chairman Obernier abstained, as he was not at the November 4th meeting.

Treasurer's Report

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

Capital Reserve Fund	\$502,090.90	Operating Reserve Fund	\$191.39
Construction Sweep Fund	\$12,717.32	Police Pension Fund	\$1,371,846.39
Developer Escrow Fund	\$554,305.92	Solid Waste & Recycling Fund	\$10,429.75
General Fund	\$76,273.68	State Liquid Fuel Fund	\$119,913.73
Non-Uniform Pension Fund	\$288,933.56	K-9 Rudy Fund	\$1,299.73

Public Comments (individuals requesting to be on agenda)

A Township resident is in attendance to discuss the process utilized to file citations for the Solid Waste & Recycling Ordinance. John Fallon of Baker Road was in attendance to challenge section 155.3 noting that the procedure listed on the bill is not being followed in WBT. Manager Rambo explained the procedure the Township follows, noting that the Township has never put a lien on anyone's property for not paying his or her trash bill, the Township goes through district court. John Fallon pointed out that the bill states that if it is not paid, a lien will be put on the property. The BoS agreed to change the wording on the bill to state that the Township *may* put a lien on the property.

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 this information has been forwarded to the OSRB for their review prior to their next meeting scheduled for Tuesday, November 24th.

Elizabeth Zanowiak asked if the public could review the Lindborg appraisal report. Manager Rambo answered yes the OSRB is in receipt of a copy and suggested that Ms. Zanowiak attend the next OSRB meeting.

The Township is in receipt of the proposed Chester County SPCA 2010 Stray Boarding and Animal Protective Services Contract. Manager Rambo noted the contract is \$3,262.50, \$1,300 less than the current year. Supervisor

Lindborg motioned to sign the proposed CC SPCA 2010 contract. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

The Township is in receipt of the 2010 K-9 Training Contract through Castle's K-9 Inc. Manager Rambo recommended the BoS table approval of the contract until it is revised to denote the new dog that is being trained. The cost is \$1,008.60 per year. Manager Rambo will contract Jeff Grossman to see if his group is still interested in paying the training costs. Chairman Obernier requested a copy of the contract.

The Township is in receipt of the Grant of Land Preservation Easement for the Haines/Kibblehouse, Inc. Property for consideration and signing. Manager Rambo stated that he and John Good have been working with the attorney from Haines/Kibblehouse to get the conservation/land preservation easement prepared. The final version has been received and reviewed by the solicitor. This gives the Township over 10 acres located on the north side of Horseshoe Pike across from Hibernia Road. This is fully restricted against any kind of additional development. The Township has the ability to put trails through it. Vice-Chairman McCaffrey motioned to accept and sign the Haines/Kibblehouse Easement. 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 Al Costa and ProTract Engineering, Inc. with regard to the Dedication of Open Space to the Township. There were no comments.

The Township is in receipt of correspondence from Tower One Partners who specialize in Cellular Tower Development. Manager Rambo noted they sent correspondence to the Township to see if the Township is interested in permitting towers on municipal property. The Manager will review the information.

The Township is in receipt of the 2010 Statement of Valuations from the Chester County Assessment Office. The Township's valuation is \$434,441,930; this is a minimal increase up \$200,000 from 2009

Reports of Departments: Month of October unless otherwise noted.

Police Report presented by Manager Rambo.

Total Hours	1,109	Miles Patrolled	5,812	Total Complaints	403
Accidents	7	Warrants	0	Fatalities	0
Domestic	14	Criminal Arrests	20	Non-Traffic Arrests	9
Traffic Arrests	72				

Vice-Chairman McCaffrey stated he would like to know what the complaints were regarding; perhaps the Chief could respond to some of these things.

Elizabeth Zanowiak asked why the department heads don't attend the meetings to give their own reports. Both Supervisor Lindborg and Vice-Chairman McCaffrey pointed out that the Township has had the department heads at the meeting for years but it seemed unnecessary. If there is something that a department head needs to answer, generally they don't have the answer right away and it would have to be researched. If it were necessary, a department head would be asked to attend a meeting.

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

Total man-hours	777	Miles traversed	1909
Total Equipment hours	39	Total fuel gallons	479

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

Building Permits issued	18	Permit base fees collected	\$4,580
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Occupancy fees collected	0	U&O permits issued	0
U&O permits issued cursory	16	Contractor Licenses (CL) issued	10
CL Fees collected	\$435	WBT Inspections completed	32
Failed Inspections (FI)	2	Failed Inspections Fees collected	\$0
		Total fees collected	\$5,402.91

Fire Marshal Report presented by Paul Gainor.

Permit inspections done	24	Campfire/Recreational Permits	22
Specialty Bonfire Permits	0	Agricultural Permits	
Permits not given	2	Special permits given for blasting	0
Special permits not given	0	Other type inspections done	0
Code violations/Complaints	3		

East Brandywine Fire Company Report presented by Mike Conlan.

Fire

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

Medical Assist

Number of calls dispatched into WBT	21	Initial dispatch into WBT	20
Second dispatch into WBT	-	Number of calls scratched	1

Martin's Corner Fire Company Reported presented by Manager Rambo.

Number of calls dispatched into WBT	2	Initial dispatch into WBT	
Second dispatch into WBT	-	Number of calls scratched	-

Wagontown Fire Company Presented by Manager Rambo.

Fire

Number of calls dispatched into WBT	0	Initial dispatch into WBT	1
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	-

Reports of Organizations, Boards and Commissions

There was nobody in attendance from the Historical Commission.

Michelle Benkovich gave the report for the Parks and Recreation Board. There were no comments. Chuck Dobson gave the report of the Planning Commission and the Open Space Review Board stating that the OSRB received the second appraisal for the Baker Road property and also noted that the Baldwin's are in receipt of an appraisal for their property. Chairman Obernier asked if the OSRB has had an opportunity to look at the revised appraisal for Baker Road. Chuck Dobson stated he hasn't had a chance to look at it but the OSRB has the information as requested. Manager Rambo noted the Baldwin family would be meeting with the Manager on Wednesday, December 2nd regarding questions about the appraisal and possibly making changes. John Cassels may sit in on the meeting.

Carl Lindborg gave the report of the Municipal Authority noting that the Friendship Village extension project will be commencing after the first of the New Year.

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 the Township is in receipt of a commitment letter from the bank to provide the funds for a six-month period and recommended that the BoS authorize signing the letter. The citations that were sent out for non-payment of the trash fee was about \$35,000. Supervisor Lindborg motioned to authorize the Manager to sign the necessary documents. Vice-Chairman McCaffrey seconded the motion for the Township to borrow money for solid waste and recycling bills. Board Members Lindborg, McCaffrey, and Obernier voted aye.

The Manager has prepared and mailed an RFP for computer services to local computer businesses. Manager Rambo noted an RFP has been sent to six companies to people that have shown an interest in providing IT services to the Township. Elizabeth Zanowiak asked if the RFP's went out to just selective people. Manager Rambo explained that professional services don't have to go through the normal bidding process. Vice-Chairman McCaffrey explained for professional services the Township can get someone they feel is superior at a slightly higher expense; if the Township were to hire an engineering firm, there might be someone you trust versus someone you don't trust.

The Chester Tax Collection District, as per Act 32 requirement, held its first meeting on November 12, 2009. Manager Rambo gave a brief explanation of Act 32 and explained the Chester County Tax Collection District would oversee establishing a request for proposal for the collection of earned income tax for all of Chester County and parts of Berks County. There were no comments.

The West Caln Township Board of Supervisors will be providing the Township dates and times in which to get together to discuss ambulance service. Manager Rambo noted the meeting should take place the first two weeks of December. John Fallon asked about ambulance service in WBT. Manager Rambo explained that WBT ambulance services are provided entirely by Martins Corner. It appears that Martins Corner wants to hire their own EMT's and may look toward municipalities for assistance. Discussion ensued. Vice-Chairman McCaffrey asked if the pass-through money from the state for Fireman's relief could be diverted to the ambulance services. Manager Rambo will look into it.

Old Business from the Floor and Old Business from the Board

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

Ordinances and Resolutions

Resolution #15-2009; acceptance of Hidden Meadows Open Space parcels from Al Costa. Manager Rambo explained this consists of two parcels, one is 3.94 and the other is 5.65 acres. The OSRB and Planning Commission have discussed this and it has been recommended to the BoS to be considered for acceptance. The BoS approved this a month ago and was waiting for the paperwork. The homeowners association will be responsible for any retention or detention basins that may be located on the open space. These parcels are being donated at no cost to the Township. Supervisor Lindborg motioned to accept Resolution #15-2009, Hidden Meadows Open Space parcels from Al Costa. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

New Business

Establishment of the Phase I public escrows for the Bentley Projects. Manager Rambo stated the Township awaits their final paperwork.

Release request #2 for the planting of street trees at the Valley View Subdivision. Manager Rambo noted the releases have been reviewed and approved by the Township Engineer and recommended the BoS approve the release for \$25,970 for work completed. The contractor has roughly another week of tree planting and two to three weeks of shrubbery planting. Vice-Chairman McCaffrey motioned to approve request #2. Supervisor Lindborg seconded the motion based on the Manager's recommendation. Board Members McCaffrey, Lindborg, and Obernier voted aye.

Presentation of the 2010 budgets. Manager Rambo explained the budgets are available for public review. Adoption of the budget will be considered on December 19th at the BoS meeting. There is no tax increase but there is an increase for solid waste fees due to the processing fees for recycling going from zero to \$30 a ton, as well as tipping fees going from \$55 to \$58 per ton. Vice-Chairman McCaffrey requested a periodic review.

Elizabeth Zanowiak asked about salary increases. Manager Rambo noted that police and non-uniform personnel have a 4% increase.

Lori Petri asked about the Municipal Authority's budget being a separate entity. The BoS answered that is correct.

Chairman Obernier asked about salaries coming about of the liquid fuels fund, three salaries this year. Manager Rambo answered next year the Township will have two. Vice-Chairman McCaffrey noted the office staff had no pay increase this year, whereas the police had a 4% increase and asked the savings if there was no increase for non-uniform. Manager Rambo answered approximately \$10,000 to \$15,000. Vice-Chairman McCaffrey was looking at the amount in the budget to play with, with a total budget of \$3,000,000 to squeeze the employees out of \$10,000 probably would do more harm than good.

Discuss raising fees associated with plan submissions, plan reviews and permits. Manager Rambo would like the ability for he and the Code Officer and to review existing fee structures and billing rates of individuals of recoupable funds to ensure that the Township's permit fees are in line with what they should be. Vice-Chairman McCaffrey stated that as a Supervisor trying to preserve open areas he would like to see agriculture favored in some way so that the Township doesn't drive out the few remaining farmers.

Chairman Obernier noted a stenographer was at a recent conditional use hearing and asked who pays for the stenographer. Manager Rambo answered they are paid through the fees collected for the hearing, they have to look into whether the fees established are adequate.

New Business from the Floor

Elizabeth Zanowiak has three issues for the BoS: (1) cleanup across the street at the old schoolhouse; (2) what is the Township doing for senior citizens; and (3) require the employees to pay for part of their benefits.

Vice-Chairman McCaffrey asked where Ms. Zanowiak would move the stuff in that is in front of the building. Ms. Zanowiak answered in the rear of the building. Manager Rambo explained that the recycling trailers are located in front because of convenience and safety of the residents. Discussion ensued.

Ms. Zanowiak suggested that senior citizens get a break on the trash fee, property taxes, and also asked why things are not put on the ballot as referendums so that people would have a say in what is going on. Vice-Chairman McCaffrey noted the Township is not having a tax increase and explained there is a law stating that everyone has to be treated the same. Regarding referendums, there is a limit to what you can put on the ballot. Ms. Zanowiak asked if there was a point of contact when seniors are in need. Vice-Chairman McCaffrey suggested that a list of volunteers be put on the Township's website.

Ms. Zanowiak voiced disapproval for the Police Department having a K9 unit noting there is no reason for one. Ms. Zanowiak further voiced displeasure with employee benefits, life insurance, subscriptions, and dues noting these things are paid with taxpayer money. In the real world people contribute to their benefits, health insurance, and retirement. Vice-Chairman McCaffrey questioned if he had life insurance, noting that he just went through a divorce, if there was anything that someone could have cashed in he would have known about it. Vice-Chairman McCaffrey expressed that Ms. Zanowiak can't help but find fault in everything; there has not been one constructive piece of information. Vice-Chairman McCaffrey stated he works for the Township and gets no more than the State of Pennsylvania allows.

Lori Petri stated she added up the amount of the benefits that the supervisors receive every year, which is about \$25,000. Vice-Chairman McCaffrey didn't think that was possible being he is a single person and everyone else has dependants. Ms. Zanowiak strongly suggested that the Township reduce employee benefits. Dialog continued regarding subscriptions and dues.

New Business from the Board and Public Comments (None)

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. Manager Rambo noted this awaits written input from Supervisor McCaffrey. Vice-Chairman McCaffrey stated the only objection he has is that for people that are renting a room in their house they should not be considered under this rental ordinance where you have to have an inspections and approvals. If the homeowner is turning it into a non-residential hotel in which the homeowner doesn't live there then Vice-Chairman McCaffrey has a problem with it. If the residence is already approved by the county to have three bedrooms with three individuals then the occupants shouldn't have to be related to the person that owns the building. Supervisor Lindborg stated that a single family residence is supposed to be occupied by a single family, though he appreciates Vice-Chairman McCaffrey point, he didn't know how to put a limit on it. John Fallon felt that it already falls within the scope of what is allowed by code for a single-family dwelling. The BoS agreed that is the argument. Discussion ensued.

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

Interest rate for the week is 3.58%. There were no comments.

Review and Payment of the Bills

The general fund bills total \$52,597.44, solid waste bills total \$2,734.25, and liquid fuels bills total \$6,054.99. Manager Rambo stated he would like a vote for the payment of all general fund bills by the entire BoS except for OAC Network Solutions and Thomas McCaffrey for the attending of the convention. Supervisor Lindborg motioned to approve all general fund bills except the two noted above. Chairman Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye. Manager Rambo asked if there is a motion for payment of the OAC Network Solutions bill. Vice-Chairman McCaffrey motioned to pay OAC. Supervisor Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye. Chairman Obernier abstained. Supervisor Lindborg then motioned to pay the bill for Thomas McCaffrey. Chairman Obernier seconded the motion. Board Members Lindborg and Obernier voted aye. Vice-Chairman McCaffrey abstained.

Supervisor Lindborg noted he reviewed the solid waste and liquid fuel bills, found them in order, and motioned payment. Vice-Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

Elizabeth Zanowiak asked if the whole BoS reviewed the bills. Both Vice-Chairman McCaffrey and Supervisor Lindborg stated they had reviewed the bills, Chairman Obernier stated he is running the meeting.

Upcoming Meetings/Events

- Open Space Review Board, Tuesday, November 24, 2009 at 6:45 p.m.
- Planning Commission meeting, Tuesday, November 24, 2009 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, December 3, 2009 at 7:30 p.m.
- 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.

Adjournment

There being no further business before the Board, Supervisor Lindborg motioned to adjourn the meeting at 9:25 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