

Meeting Minutes of December 4, 2008
Board of Supervisors

Chairman Lindborg called the Board of Supervisors meeting of December 4, 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 Supervisor Carl S. Lindborg, Supervisor Josef G. Obernier, Sr. and Supervisor Thomas J. McCaffrey in attendance. Township Manager Ronald A. Rambo, Jr. was also present.

Acceptance of Minutes from Previous Meetings

November 5, 2008. Vice-Chairman Obernier noted he has changes to make. The minutes were tabled.

Public Comments (individuals requesting to be on agenda)

No one has requested to be on the agenda.

Chairman Lindborg noted the Township has purchased the conservation easement rights to the Henderson farm for preservation of agricultural use. The Henderson's have provided the Township with a check for \$5,000 that will go into the open space fund as a gesture of appreciation. Chairman Lindborg thanked the Henderson's on behalf of the BoS and residents of the Township.

Correspondence/Communications *Information to act upon*

The Chester County SPCA has forwarded the Township the proposed 2009 Stray Boarding and Animal Protection Services Contract for consideration. Manager Rambo recommended the BoS review the contract for consideration for approval at the next BoS meeting.

The Township is in receipt of the final documents pertaining to the Thornbury Conservation and Trail Easement being purchased to be signed at the December 18, 2008 meeting. Manager Rambo noted John Good has reviewed the resolution regarding payment and recommended that the BoS review this prior to the next BoS meeting.

The Township is in receipt of correspondence pertaining to sewer capacity that has been provided to the Authority by Bentley Communities. Manager Rambo explained the Authority would consider this agreement at their next meeting. The Manager recommended that the BoS review this for consideration to sign at the next BoS meeting.

The Township is in receipt of a Master Casting Agreement for review and consideration from PennDot. Manager Rambo explained this is sent to the Township by PennDot to be forwarded on to the Authority for their consideration.

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. The BoS has not had the opportunity to review this information.

Marsha Erickson of the Coatesville Area Public Library has forwarded the Township additional information. Manager Rambo noted that Ms. Erickson is requesting the payment that has been dedicated for the year. Chairman Lindborg will review the information but also has several questions.

The Township is in receipt of correspondence from DCNR advising us that our grant application to purchase the Conti Tract from the City of Coatesville was not funded. Manager Rambo will write a letter to the City of Coatesville advising them that the Township has been turned down for assistance for the second time and will no longer be pursuing the purchase of the Conti Tract. The Manager will ask the County if they would consider putting their grant award toward the Henderson application.

The Township is in receipt of correspondence from the Chester County Solid Waste Authority with regard to the upcoming Processing and Marketing Contract review meeting scheduled for January 29, 2009. There were no comments.

Old Business

Dale Barnett, Codes Officer, is in the process of preparing an ordinance with regard to the establishment of a rental inspection requirement and the resale U & O. Manager Rambo is awaiting information from Dale.

The Manager is awaiting the appraisal on the Baldwin Family parcels with regard to the Township's purchase of development rights and/or the pursuing of conservation easements on their farms. There were no comments.

The Manager awaits input from the Open Space Review Board with regard to the Pat Chase appraisal provided to them. There were no comments.

The Manager will be advertising Ordinance No. 2008-04, regulating the travel of oversized/overweight vehicles on Township roads, for a December 18, 2008 adoption consideration. There were no comments.

The Manager is working on finalizing the amendments to the Stopping, Standing and Parking Ordinance for a January 2009 adoption consideration. There were no comments.

Old Business from the Floor

There was no Old Business from the Floor.

Old Business from Board

There was no Old Business from the Board.

Ordinances and Resolutions

There were no Ordinances or Resolutions.

New Business

Presentation of the proposed 2009 budgets to the BoS. Manager Rambo stated the BoS held an executive session the previous night to advise the Manager that he was to finalize the 2009 Budget for presentation that shows no lay offs and some modifications to working hours. This budget has been done for presentation tonight. The anticipated revenues for 2009 have been decreased by 4% as a result of the economy this year to ensure that the Township falls within what is anticipated. Various departments have cut proposed budgets as much as they can. Full time non-uniform personnel, the administrative staff, will be reduced to a 35-hour workweek. The police secretary will become part-time at 20 hours a week. Benefits will be provided. Vacation and personal time will be adjusted. The non-uniform personnel policy manual will be done for presentation to the BoS once the new budget is adopted.

Mary Jo Bird had questions regarding K-9 Rudy. Manager Rambo explained the K-9 Rudy fund has \$10,267.80 to help pay for emergency surgery and chemotherapy treatments. Chairman Lindborg noted

that the BoS greatly appreciates the outpouring of goodwill; it is a great testament to the people in the area. Mary Joe noted that Rudy came from their farm and asked if Rudy gets any type of pension. Chairman Lindborg answered no, but Rudy is well taken care of.

Jeff Grossman asked who is in charge of the Rudy fund. Manager Rambo explained that the account has been established at DNB First and that the Township Manager/Secretary/Treasurer and Board of Supervisors will oversee the account. The Manager noted that two signatures are required on the approved checks and that one must be the Township Treasurer; the account has been designated strictly for Rudy.

Lori Petri asked if the actual budgets for the past few years are available to compare this year's proposed budgets with. Vice-Chairman Obernier answered yes, this will be available on the website tomorrow.

Paul Sell asked about the sewer bids. Manager Rambo explained that the Sewer Authority is a separate entity. The Authority is in the process of decommissioning the Kimberwick spray irrigation system and doing an interconnection project between the Kimberwick spray system and current Friendship Village system that ends in the area of East Reeceville and Reeceville and the Harlan subdivision within the interconnect, two developers are tying in to it and are paying their own internal pipes. A force main is coming by Cochran Drive but the residents of Cochran Drive will not be tying into it. Chairman Lindborg stated that the BoS has a policy that the Municipal Authority has never forced anyone to hook up to a sewer system that happens to be running by his or her home. Supervisor McCaffrey stated that some people want to hook into it if they are having trouble with their septic system, but with a force main there isn't a way to connect into it. Manager Rambo noted that the water is owned by Aqua Pennsylvania and if someone wants to hook into that, they would have to agree to pay to run pipes into their respective subdivisions and their own house.

Paul Sell asked if the Township could look into what the neighboring farm is dumping and complained about the flies. Manager Rambo explained it is chicken byproducts from Tyson in New Holland, which is a permitted use for agriculture. Supervisor McCaffrey stated that the Township could make requests but there is no legal position the Township can take because the state supersedes the Township. Paul Sell stated he heard rumors that the area will become open space. Manager Rambo agreed that would become property of the Township. Once the Township owns it, it can regulate what can be done.

Supervisor McCaffrey commented about Rudy noting that the BoS feels for Rudy, whatever is happening with Rudy is also happening to his partner. Even though the dog is property of the Township, his handler Gary Williams should make decisions for Rudy; he would know the best treatment Rudy. Mary Jo felt that Rudy is a police officer and that some type of funding should be made available. Supervisor McCaffrey stated that Rudy is not technically a police officer he is sort of a tool to the police department. Rudy is not a human being, we all feel dedicated to Rudy for his service. There is limited funding that comes from the Township. Supervisor McCaffrey stated he is stunned by what was donated by private individuals; it is nice to see people are behind something.

Mary Jo stated God forbid something should happen to Rudy, would he get any type of burial. Supervisor McCaffrey stated personally he feels that would be up to Gary Williams.

Chairman Lindborg stated they are not committing to any further K-9 training, the BoS doesn't know today what is going to happen three months from now. The BoS is trying to do its best to maintain a level of services and keep up a fair workload for everyone to have. They are putting off road paving along with many other things because the economy is close to dire.

Vice-Chairman Obernier stated that Gary is willing to go on his days off to bring the dog to his treatments, that is not an expense for the Township; Gary is doing that on his own, that is his contribution. The Township is not selling any equipment related to Rudy. Vice-Chairman Obernier agrees with Chairman Lindborg, that the BoS doesn't need to make firm commitments right now because things are very grey. As far as Rudy's replacement, he didn't know if the pups are old enough to train yet. The issue is that they should all relax about Rudy; there is money for Rudy's treatment that won't be used for anything else.

Supervisor McCaffrey commented that he would like to see the pain of what the Township is suffering shared, he was disappointed in their trying to talk with the police association representative, it has been over one month and the BoS has heard nothing back from the police association. The BoS has tried to talk to the association to see if there is anything that they can sacrifice while the Township tries to recover from what has hit us all.

Jeff Grossman asked about budget advertisement requirements. Manager Rambo answered the budget will be advertised in tomorrow's paper, for a minimum 20 day period, and a special meeting to adopt the budget will be held on Monday, December 29, 2008 at 7:30 pm.

Lori Petri asked about the budget categories for salaries in the budget. Supervisor McCaffrey explained the way it is set up it's difficult to follow, the reason it is this way is because the state of Pennsylvania requires those categories and the way it is setup. A person may have several different jobs and his salary is split between several categories according to the state's way of putting the budget together. Ms. Petri requested a list of employees and what job each person does. Chairman Lindborg stated the positions are listed at the reorganization meeting. Ms. Petri would like to compare salaries of West Brandywine Township to that of other townships.

Dave Domblesky, WBTPD Police Association, wanted to comment and clarify to what Supervisor McCaffrey had said. The police association is still in discussion with Mr. Rambo, it took an hour to go over the budget with the association's attorney. Supervisor McCaffrey stated it is not his responsibility to explain how the budget is written to the attorney. It is difficult to begin speaking with the police association on November 3rd, postpone budgets several times from being adopted in regular meetings, and having to run up to the 29th of December which is the very last day that the Township has. During the meeting last night, there was a phone call from Dave Domblesky stating that he has nothing further to offer right now, but they were working on it. Dave stated that is not true, the Manager, Dave Domblesky, and the attorney sat down last week to go over the budget and they are supposed to get an answer by the end of the week. The police association is still working on it. Vice-Chairman Obernier asked if the association was in agreement with any parts of what was presented. Dave Domblesky answered yes. Vice-Chairman Obernier suggested that the association bring that forward so that the BoS would have something to work with.

Supervisor McCaffrey commented that you have to pick a premise to work from, theirs is that the Township residents cannot be expected to pay more for existing services, the BoS in good faith, could not increase taxes. That is why the BoS is struggling to make up unpredicted shortfalls, funding that wasn't anticipated, and hold onto all of the jobs and services that they can.

Ted Waltz stated he would rather pay an extra \$50 per year to not have a cut in the police department.

Scott Finley suggested that the BoS let the residents decide whether to have higher taxes to or have a reduction in services.

Jeff Grossman asked why the Municipal Authority was not in the budget. The BoS explained that the authority is a separate entity with a separate budget.

The BoS thanked the women that work at the Township for offering to share the shortcomings.

Mary Jo commented that the website states that Rudy is an active member of the police force; it doesn't state that he is a tool. Discussion regarding Rudy's years of service and funding the K-9 unit ensued.

Ted Waltz asked if Rudy ever brought drug money into the Township. The BoS and Manager Rambo explained the Township does not get money directly from that, the money is turned over county, who then gives it to the state and the state then gives money back to the county's DA's office to do more drug work. That money is distributed to various dogs and townships.

Jack Bear stated he is Rudy's breeder who donated him. Rudy's parents came from Germany, if Rudy was for sale he would be worth about \$10,000. Rudy is part of the American melting pot.

Paul Gainor asked about the police pension plan. The BoS explained that the state law requires the Township to contribute a set amount of money called the MMO. The amount this year is \$134,000 that they didn't foresee to make up the difference. If the economy was okay and investments were performing, the Township wouldn't have to pay anything. It is nobody's fault except the economy. The BoS is looking for a way to mitigate the effect.

Jeff Grossman asked if the heads of departments were no longer going to be coming to the BoS meetings. Chairman Lindborg explained the BoS decided to eliminate them from coming to the BoS meetings to save money. If there were ever an issue that needs to be addressed at a public meeting pertaining to one of the department heads, the BoS would absolutely have them at the meeting.

The Township has submitted a grant application in the amount of \$2,000.00 to the Coatesville Rotary for funding assistance toward a snack shack to be utilized during Park and Recreation Board activities and future community days. There were no comments.

Approval of release request # 1 for the James P. Bryant common driveway construction escrow. Manager Rambo recommended the release request be tabled because the Township has not received approval from the Township engineer. Vice-Chairman Obernier motioned to table the request. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg 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)

There were no Public Comments.

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 and Parks and Recreation Board. There were no comments.

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

Interest rate for the week (5.83%). Manager Rambo requested that he research fixed rates. Vice-Chairman Obernier explained he was not in favor of doing that. Chairman Lindborg and Supervisor McCaffrey were in favor of the Manager researching fixed rates.

Review and Payment of the bills.

The general fund bills total \$55,453.15, solid waste bills total \$5,175.76, and liquid fuel fund bills total \$9,274.93. Manager Rambo noted there are two veterinary bills and recommended that Rudy's oncology bill be paid. Chairman Lindborg was okay to pay the oncology bill but would like to hold the bill from the West Chester Veterinary Medical Center and suggested that a letter be written to them to consider that they donate their services. Supervisor McCaffrey reviewed the bills, found them in order, and motioned payment. Vice-Chairman Obernier seconded the motion. Board Members, McCaffrey, Obernier and Lindborg voted aye.

Upcoming Meetings/Events

- Historic Commission, Monday, December 8, 2008 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, December 9, 2008 at 7:00 p.m.
- Municipal Authority, Thursday, December 11, 2008 at 7:30 p.m.
- Board of Supervisors, Thursday, December 18, 2008 at 7:30 p.m.
- Open Space Review Board, Tuesday, December 23, 2008 at 7:00 p.m.
- Planning Commission, Tuesday, December 23, 2008 at 7:30 p.m.
- Board of Supervisors, Monday, December 29, 2008 at 7:30 p.m.

Adjournment

There being no further business before the Board, Vice-Chairman Obernier motioned to adjourn the meeting at 9:04 pm. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

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