

**Meeting Minutes of August 7, 2008**  
**Board of Supervisors**

Chairman Lindborg called the Board of Supervisors meeting of August 7, 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 and Supervisor Josef G. Obernier, Sr. in attendance. Supervisor Thomas J. McCaffrey arrived at 7:31 pm. 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].

**Recognition of Employee**

Corporal Daniel Shappell, twenty years of service. Chairman Lindborg commended Dan for his service to the Township. Chief Werner expressed that Dan excelled over the years specializing in child abuse cases. Vice-Chairman Obernier also expressed that Dan has had a lot to do with the high clearance rate over 80% that WBTPD has. Dan thanked his wife and children for their support. Pat Edwards also noted how Dan assisted when they had to call 911, that Dan is a special person in the Township.

**Recognition of Conservation Easement Purchase**

Ed Sr, Mary Jane, and Ed Jr. Henderson are in attendance. Chairman Lindborg thanked the Henderson's noting that it is a great piece of property that will be preserved for future generations. Supervisor McCaffrey noted that it could have been a real contrast to the 4H Center as to what could have been there and expressed much appreciation to the Henderson's. Vice-Chairman Obernier noted he was happy that the things that the Township were interested in were the same as the things that the Henderson's were interested in. This easement purchase is good for everyone and especially the community. Pictures were taken.

**Acceptance of Minutes from Previous Meetings**

May 1, 2008, June 5, 2008, June 19, 2008, July 3, 2008 and July 21, 2008. Vice-Chairman Obernier noted he read and commented on all the Minutes except for May 1<sup>st</sup>. Supervisor McCaffrey noted if there were changes other than nominal corrections then the minutes should be redistributed to the BoS. Vice-Chairman Obernier noted he made changes on each one and that Supervisor McCaffrey should read them. Supervisor McCaffrey motioned to table the Minutes. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg 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 a grant award in the amount of \$15,000.00 from the Pennsylvania Department of Community and Economic Development for a Police Safe Highway Project for acceptance and signing.* Chief Werner explained they received this grant with the assistance of Senator Rafferty's office. The \$15,000 will go toward purchasing a multi-purpose vehicle, to use for truck detail, accident investigation, etc. Manager Rambo recommended that the BoS make the motion that the Chief and Manager sign on behalf of the Township to accept the grant. Vice-Chairman Obernier made the motion and Supervisor McCaffrey seconded it. Board Members Obernier, McCaffrey, and Lindborg voted aye.

*The Township is in receipt of a letter dated July 2, 2008 from Andy Eberwein with regard to a waiver request pertaining to the construction requirements of a common driveway for the Eck 2-Lot Subdivision Plan.* Manager Rambo noted that Mr. Eck is currently subdividing a lot off for his daughter. The Planning Commission recommended that the BoS consider granting a waiver that would allow them to utilize the current paved stone driveway that has a 10-foot width and not require them to pave it and widen it to 12-foot. Manager Rambo noted he didn't see any problem with keeping it the same; it is utilized now for the bed and breakfast. Supervisor McCaffrey suggested that the condition be added that if it changes ownership, they would need to pave it. Vice-Chairman Obernier and Chairman Lindborg concurred. Manager Rambo will write Mr. Eck a letter with conditions if the waiver is granted, should the lot be sold to a non-family member, it be constructed to township specifications for a common driveway. It will also be put on the title page for recording. Vice-Chairman Obernier suggested that it also be noted on the daughter's property also so it is denoted in both places. Vice-Chairman Obernier motioned to accept the waiver request. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

*Tim and Ginny Wright have forwarded the Township correspondence with regard to the purchase of the Mayes Tract and their desire to modify the existing "Declaration of Covenants, Conditions and Restrictions for Open Space" that were established as a result of the Mayes Subdivision and previous Conditional Use Application of Genterra for said property.* Manager Rambo noted the Wright's are requesting that the easement include utilities. Manager Rambo will further review the Wright's other requests. The BoS was in agreement for the easement to include subsurface utilities.

*PennDot has forwarded the Township the 2008/2009 Winter Traffic Services Agreement for review and signing.* Manager Rambo found the agreement in order and recommended that he sign it on behalf of the Township. The cost is \$17,008 an increase of \$300 - \$400 over last year. Supervisor McCaffrey motioned to approve the agreement. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

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

*Stan Stubbe has provided the Township a letter with regard to the YMCA project and its new lighting.* Manager Rambo requested Stan Stubbe inspect the lighting because the project is complete. There is a timer but not a programmable timer. Stan is recommending a programmable timer.

*Caln Township has forwarded the Township a letter with regard to the Reeceville Road signal interconnections.* Manager Rambo noted that Caln is waiting for PennDot to complete the project. Vice-Chairman Obernier noted in Caln's letter it states that it is up to PennDot to connect the fiber optic line between them, once complete, Caln will work with PennDot to enhance the signal timings should the need arise. Vice-Chairman Obernier noted it is a problem now and suggested that the Township ask PennDot when they are going to finish their installation. When it is finished, they can look at the traffic. Manager Rambo will send a letter to Caln Township and copy PennDot on the letter.

*Senator Rafferty has forwarded the Township a copy of his letter of support sent to DEP for the Township's multi-municipal grant application.* Chairman Lindborg noted that Senator Rafferty has been very helpful and a real advocate for the Township.

*The Township is in receipt of correspondence with regard to the Regional UCC Appeals Board being established.* Manager Rambo explained this is the regional board in which several municipalities are going to participate in. WBT voted a few months ago to be part of this. Chairman Lindborg asked what the benefit is to the Township by joining a regional board as opposed to having your own. Supervisor McCaffrey explained that since the building code is a statewide code and the Township doesn't have a building code that is different from anybody else's, they would be able to share and keep the board populated with people. Vice-Chairman Oberner clarified that the Township's local board is no more. Manager Rambo concurred that upon official establishment of the Regional Board, that any local Boards would not be required. Manager Rambo explained that WBT would provide two individuals that will be available for hearings. The Township's local board will be working its first hearing for Valley Township. It might be a benefit to have a regional board because you would have a more unbiased opinion on a request.

*The Open Space Review Board has sent an email to the Manager with regard to their upcoming August meeting at which time they will vote to recommend the Township obtain an appraisal of the Baldwin property for the purchase of either development rights or conservation easements.* Manager Rambo has met with Ed Baldwin and Mary Jane Trego twice and attended the Open Space meeting to let them know the Baldwin's interest and to get the Open Space Board to forward the BoS a request to get the Baldwin's property appraised. They didn't have a quorum so John Cassels sent a letter that they are going to act on this at their next meeting. Manager Rambo suggested that the Township get quotes for appraisals that they can present back to the Open Space Review Board so that they can include that in their recommendation back to the BoS. Chairman Lindborg would like to see the Manager move forward with this. Manager Rambo will obtain quotes for the appraisals.

*URS has forwarded the Township Act 537 information pertaining to the PAWC Act 537 Plan for review.* Jim MacCombie and Manager Rambo have provided URS information regarding future needs for the Township. They will incorporate that into the current Act 537 plan that URS is in the process of updating. The Township is also updating based on the map that was presented nine months ago.

*The Township is in receipt of the Auditor General's compliance reports for the Township's Pension Plans and Liquid Fuel Funds.* Manager Rambo noted the Auditor General did the liquid fuels for 2005 & 2006, the pension for 2006 & 2007, and found them in order. They will be out again in two years.

### **Old Business**

*The Castaldi Conditional Use Hearing has been continued until Tuesday, August 26, 2008 at 7:30 p.m.*

*Dale Barnett, Codes Officer, continues his discussions with John Good, Esquire with regard to the establishment of a rental inspection requirement and the re-establishment of the re-sale U & O.* Dale Barnett noted he contacted John Good who is giving him direction for rental inspection. Supervisor McCaffrey noted he would like that the property complies with building code and make sure for example, if there is a deck that it is permitted, but on the other hand, he didn't want to send a letter about a cracked back window. At some point, the buyer of the property should have it inspected. If he wants to take care of it, that is up to him. If the Township were involved the Township would have the deepest pockets to go after for a lawsuit. Supervisor McCaffrey would just assume not get involved in re-sale U&O.

Chairman Lindborg is adamantly opposed to being involved in this. At the cost of homes today, most people have a company do inspections, let them have the liability. Chairman Lindborg would be interested in listening to the rental part of it and asked what the benefit would be. Dale noted if you don't stay on top of rental properties, the properties go down hill but still continue to be rented. Dale will present the information to John Good when he finished compiling it. Chairman Lindborg expressed concern that the Township may say that a building is sound for rental, then someone may measure the height of the stair treads that they are not compliant. Chairman Lindborg doesn't want to rehabilitate a property, just to rent it. And make sure that it is generally safe, checking the smoke alarms, electrical wiring, that type of thing.

Vice-Chairman Obernier noted earlier in the meeting Supervisor McCaffrey mentioned he wanted to have a method to check and see if there is a deck or shed permit and asked how that would be done. Supervisor McCaffrey noted the purpose of the U&O would be to review whatever is there, we knew was there. Vice-Chairman Obernier asked for clarification, stating that it sounds like Supervisor McCaffrey wants to do those things and on the other hand doesn't want to have a resale U&O. Supervisor McCaffrey explained he didn't want to be responsible to make sure that everything there, is okay. That is the responsibility of the property buyer, not a supervisor's job. He wants to make sure that, for example, the deck there was permitted. Vice-Chairman Obernier asked Supervisor McCaffrey if someone has a deck and there is no permit for it, then what would he want to happen. Supervisor McCaffrey stated then they get the permit for it, get it inspected, make sure it meets code, and if it doesn't it would be replaced. Chairman Lindborg disagreed. Vice-Chairman Obernier suggested that Dale put something together regarding the rental U&O and the BoS could converse more at the next BoS meeting about the resale U&O. Manager Rambo noted there is a way to craft an ordinance that would permit the Township to do specific things that the Township would want to do. They have a suggested ordinance that could be done to make sure permits have been issued for everything on the property. Both Chairman Lindborg and Supervisor McCaffrey agreed their preference is to stay away from a resale U&O but would look at the rental U&O. Supervisor McCaffrey didn't want to legislate what people should be doing for themselves. Chairman Lindborg felt that rental U&O's would be justifiable.

*The Manager has met with the Baldwin Family for a second time to discuss the Township's purchase of development rights and/or the pursuing of conservation easements on their farm. This item was discussed earlier in the meeting.*

### **Old Business from the Floor**

There was no Old Business from the Floor.

### **Old Business from Board**

Vice-Chairman Obernier asked if the BoS passed something prior regarding access in and out of subdivisions. Manager Rambo explained they only have what is in the subdivision ordinance for new developments. About four years ago the BoS tabled the three-tier process regarding access onto township roads.

### **New Business**

Final release request approvals of the Public Works Facility for McCarty & Son, Inc. in the amount of \$2,931.19, McComsey Builders, Inc. in the amount of \$12,270.40 and Five Star Mechanical in the amount of \$500.00. Manager Rambo noted the public works facility is complete structure wise. The Public Works Department has to finish the paving. Vice-Chairman Obernier asked about the correspondence the Township received from the Electrical Union regarding wage information. Manager Rambo noted the union is requesting the electrical contractors wage information. Manager Rambo will

gather the information for them. The Township is not required to award the contract to a Union; the Township is required to pay prevailing wages. The Manager recommended that they release final payments. Vice-Chairman Obernier motioned to approve the release request.

Recommendations of the Township Planning Commission. Manager Rambo noted there is only one recommendation. The Planning Commission motioned to reject the Brandywine Manor Subdivision Plan unless a letter of extension is received. There was no action taken.

The Archdiocese of Philadelphia has forwarded the Township a release request for the All Souls Cemetery Project in the amount of \$161,810.25 for consideration. Manager Rambo recommended that the BoS table the release until final inspection report is received from the engineer. Vice-Chairman Obernier asked for a review of the vegetative buffering, noting that there may be more required than what was shown on the plan and would like that specifically noted in the engineer's review letter.

The Manager will be meeting with Charles Blosenski to discuss going to a Single Stream Recycling Process for the remainder of the current Solid Waste and Recycling Contract. The current contract runs out in 16 months. Manager Rambo is meeting with Charles to discuss implementing Single Stream for the remainder of this contract. Single Stream should be easier for everyone and also improve recycling tonnage. Phoenixville started two weeks ago with Single Stream Recycling and have seen a 3% increase in recycling efforts. Chairman Lindborg asked if Single Stream includes trash. Manager Rambo explained that it is only Recycling. Vice-Chairman Obernier asked if the YMCA and CASD are recycling. Manager Rambo noted they are both on board with recycling.

#### **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 is in receipt of correspondence from E. B. Walsh & Associates and the Township Engineer with regard to the cul-de-sac waiver request for the Brandywine Manor Project (Gordon Eck Property). Manager Rambo noted this might not happen contingent upon what happens with the other project.

The Township continues to seek volunteers to serve on the Historic Commission and Parks and Recreation Board. Manager Rambo noted that some of the Historic Commission members met on Friday at the old Township building and started cleaning it out to move into the old office. Vice-Chairman Obernier asked which offices in the building the Historical Commission and post office were going to utilize and if the Historical Commission's use was going to be problematic for the post office. Manager Rambo explained that the reception area and police offices would be utilized by the post office should they decide to move there. The Historical Commission would utilize Manager Rambo's old office and administrative area. The Historical Commission would like a display case. Manager Rambo has contacted Federal Surplus for the case.

**General Obligation Note** (Adjustable Rate Bond for the Facility/Park Construction)  
Interest rate for the week (2.59%). Chairman Lindborg noted that the Note has been tremendous.

**Review and Payment of the bills.**

Manager Rambo noted the Solid Waste Bills totaling \$19,696.45 and General Fund bills totaling \$60,186.47. Vice-Chairman Obernier reviewed the bills prior to tonight's meeting, found them order, and motioned for payment. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

**Upcoming Meetings/Events**

- Historic Commission, Monday, August 11, 2008 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, August 12, 2008 at 7:00 p.m.
- Municipal Authority, Thursday, August 14, 2008 at 7:30 p.m.
- Board of Supervisors, Thursday, August 21, 2008 at 7:30 p.m.
- Castaldi CUH, Tuesday, August 26, 2008 at 7:30 p.m.
- Open Space Review Board, Thursday, August 28, 2008 at 7:00 p.m.
- Planning Commission, Thursday, August 28, 2008 at 7:30 p.m.

**Adjournment**

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 8:40 pm. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

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