

**Meeting Minutes of December 20, 2007
Board of Supervisors**

Vice-Chairman Lindborg called the Board of Supervisors meeting of December 20, 2007 to order at 7:30 p.m. and led the Pledge Allegiance to the flag. Roll call of the Board of Supervisors (BoS) by the Township Manager noted Chairman Thomas J. McCaffrey Jr., Vice-Chairman Carl S. Lindborg and Supervisor Josef G. Obernier Sr. in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr. [Twp. Mgr./Sec./Treas.], Walter Werner [Chief of Police], Dale Barnett [Codes/Zoning Officer], and Thomas Eells [Director of Public Works].

Acceptance of Minutes from Previous Meetings

November 1, 2007, November 15, 2007 and December 6, 2007. Vice-Chairman Lindborg motioned to table the minutes. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Recognition of Individuals

Jonathan George Pfeiffer; Eagle Scout achievement as a member of Troop 51. Chairman McCaffrey commended Jonathan on his accomplishment. Supervisor Obernier also said a few words regarding the effort required to become an Eagle Scout and presented Jonathan with plaque commemorating the date he received his Eagle Scout rank. The audience applauded. Vice-Chairman Lindborg also noted that many Eagle Scouts go on to be very successful contributing members of society.

Maureen J. Zapf former member of the Historical Commission was to be presented with a plaque but was not in attendance.

Treasurer's Report (*Fund Balances as of the end of November*)

Presented by Manager Rambo. There were no comments.

Capital Reserve.....	\$895,500.18	Police Pension.....	\$1,344,269.76
Developer Escrow	\$581,812.58	Public Works Cap. Projects	\$259,265.89
General Fund	\$4,095.67	Solid Waste & Recycling.....	\$10,467.63
Non-Uniform Pension	\$316,923.23	State Liquid Fuel.....	\$27,598.71
Operating Reserve	\$179.63	Construction Sweep	\$17,934.48

Correspondence/Communications *Information to act upon*

John Snook of the Brandywine Conservancy has provided the Township with amendments to the Open Space Design Option for review and input prior to their advertising for adoption consideration. A meeting is scheduled with John Snook and the BoS on January 3, 2008 at 8:00 am.

The Chester County SPCA has forwarded the Township their proposed 2008 Stray Boarding and Animal Protective Services Contracts for consideration. Supervisor Obernier feels that the BoS has been under

the impression that they were providing the Township with a monthly report, although the SPCA is only sending a quarterly report. The Township pays more than the contract based on when they come out and transport animals, at the very least the Township should be given a monthly report. Supervisor Obernier would like to know how many animals the SPCA transports each month.

Vice-Chairman Lindborg expressed that the SPCA's accounting system is based on quarterly billing and along with their bill they send a quarterly report. Vice-Chairman Lindborg is not opposed to asking for a monthly report if it can be done.

Manager Rambo explained if the Township did not have a contract with the SPCA the charge would be \$35 to board an animal and \$100 to pick them up. The SPCA charges \$20 for the boarding of the animal because the Township has a contract with them. Manager Rambo noted when the same individual calls about animals to be picked, the Township bills that individual. Manager Rambo will request whether the contract be changed to monthly billing and reporting. Vice-Chairman Lindborg motioned to table the SPCA's contract until the reorganization meeting. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

The Township is in receipt of the 2008 Traffic Signal Maintenance Contract for \$850 from Signal Service for consideration. Vice-Chairman Lindborg motioned to allow Manager Rambo to sign the Signal Service contract. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Beaver Creek Realty Associates, L. P. has forwarded the Township a letter of extension until February 22, 2008 in which to act on their preliminary subdivision plan for their apartments located on Route 322. Manager Rambo noted they are currently addressing the Township Engineer's latest review letter. Supervisor Obernier asked what happens if the BoS does not approve the extension. Manager Rambo explained that in a previous BoS meeting, he read a letter out loud from the solicitor that states anytime that a developer is addressing the comments of the Township Engineer, the Township is required to accept the extension so they can continue to review and address the Engineer's comments.

Chairman McCaffrey asked how many letters were sent from the Engineer. Manager Rambo answered they are doing the second review at the current time. Chairman McCaffrey stated if they don't give them an extension then the best way...Manager Rambo stated if the Chairman would like to go against what is recommended by the solicitor, he could feel free to make a motion. Manager Rambo will not recommend that motion. Chairman McCaffrey would like Manager Rambo to ask the solicitor if the applicant requests an extension every three months for the next ten years, is the Board supposed to give it to them? Manager Rambo stated they are actively addressing the comments of the Engineer. Chairman McCaffrey noted that Beaver Creek Realty; the set of hideous apartments, the cancer on West Brandywine Township's soil, that will spring up and grow on Route 322 is one of the worst plans he has ever seen in his life and doesn't want to feel like he is facilitating it in any way. Chairman McCaffrey would like the Manager to request another letter from the solicitor with a definitive answer as to when he can stop going along with the plans. Vice-Chairman Lindborg stated he didn't disagree with Chairman McCaffrey and motioned to accept the letter of extension and ask the Manager to request another letter from the solicitor. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Magothy Investment Partners, L.P. has forwarded the Township a letter of extension until February 22, 2008 in which to act on their preliminary land development plan. Manager Rambo explained this is a commercial development located on Route 322 in front of the townhouses and across from Dr.

Tremoglie's office. Mogothy is one of Bentley's investment groups. This is their second extension. Discussion ensued regarding if the BoS could change the amount of time for which an extension is given. Vice-Chairman Lindborg motioned to accept the letter of extension until February 22, 2008 and Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey Obernier and voted aye.

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 (Gordon Eck Property). Manager Rambo recommended the BoS table the request until after they meet with the Planning Commission. The requirement is 1,000 feet and they want to go to 1,259.35 feet. A resident asked the difference between requesting a waiver and getting a variance. Vice-Chairman Lindborg explained that the BoS is able to waive some things except for zoning issues. Vice-Chairman Lindborg motioned to table the request. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye.

Correspondence/Communications *Information to Note*

The Township is in receipt of a letter from Wallace Township requesting that the Township sign the Camp Indian Run Subdivision Plans. Manager Rambo noted after the last BoS meeting the Township received a letter from the developer requesting that the plans be signed so that they can be returned back to Wallace Township. The plans are to be signed by the BoS after the meeting.

The County Department of Emergency Services has requested the Township to review the current information that they have on file with regard to emergency services. Manager Rambo noted this has been addressed.

The Township is in receipt of an invitation to attend the 5th Annual Pennsylvania Farm Show Public Officials Day Luncheon scheduled for Thursday, January 10, 2008. The BoS is planning on attending.

James A. MacCombie, P.E., Township Engineer, has provided the Board with a review of the proposed Open Space Design Option amendments. Manager Rambo noted the BoS has the review in their book and will address this when they meet with John Snook.

The Township is in receipt of the Homeowners Documents for the Brandywine View (Gudal Tract) subdivision for its review. Manager Rambo noted the documents were reviewed and found in order by John Good.

Reports of Departments *Month of November*

Police Report presented by Chief Werner. There were no comments.

Total hours.....	937	Domestic.....	4
Miles patrolled	6,731	Criminal Arrests	6
Total complaints	330	Traffic Arrests	50
Accidents	18	Non-Traffic Arrests	12
Disturbances	2		

Public Works Department Report: submitted and presented by Tom Eells.

Total man-hours	797	Total Equipment hours	24
Miles traversed	2,594	Total fuel	1,036

Tom Eells summarized the work completed throughout the month. Tom Eells also gave an update regarding the new garage facility. Supervisor Obernier questioned Tom about the size of the plastic tank on the back of the truck.

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

Building Permits issued.....	52	CL Fees collected	\$900
Permit base fees collected	\$13,912.60	Valley Mechanical Ins.....	34
Occupancy fees collected	\$500.00	WBT Inspections completed	48
U&O permits issued	5	Failed Inspections (FI) paid.....	9
U&O permits issued cursory	5	FI Fees collected.....	\$300
Contractor Licenses (CL) issued	12	Total fees collected.....	\$15,612.60

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

Permit inspections done.....	38	Code violations/Complaints	5
Open Burning Permits	15	Hrs. on Permits	20
Container Permits	9	Hrs. on patrol.....	4
Special Permits Given	12	Hrs. Ins/Complaints/Violations	14
Other type inspections done	4		

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

Fire

Number of calls dispatched into WBT	6
Initial dispatch into WBT	3
Second dispatch into WBT.....	3
Number of calls scratched	0

Medical Assist

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

East Brandywine Fire Company Report submitted by Scott Piersol. There were no comments.

Fire

Number of calls dispatched into WBT	7
Initial dispatch into WBT	7
Second dispatch into WBT.....	_
Number of calls scratched	0

Medical Assist

Number of calls dispatched into WBT	14
Initial dispatch into WBT	13
Second dispatch into WBT.....	_
Number of calls scratched	1

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	1
Initial dispatch into WBT	-
Second dispatch into WBT.....	-
Number of calls scratched	-

Reports of Organizations, Boards and Commissions

Historical Commission: Barry Parsons of the Historical Commission gave the report for the month of November noted he had one change to the meeting minutes. The Township is in receipt of correspondence from the Chester County Historical Preservation Committee of which Mr. Rambo sent copies to the Historical Commission for consideration. Mr. Parsons noted that the Swinehart Road and Beaver Creek project is an archeological site. The site cannot be developed until the dig is complete. Karen Marshall from the Chester County Historical Commission pointed this out to the Historical Commission. There is also a historical site on the Catania property, the Culbertson Village location;

there has been some damage to this area. Mr. Parsons noted that the applicant should be preserving all buildings, which is not being done. There was discussion regarding the historical properties that are listed on the map and what the property owner is permitted and prohibited to do according to historic code. Hugh Redditt noted the Catania property is an archeological dig because it is a historic property, which goes back to the Chester County map and state map. The reason that Karen came back to look at all this has to do with the one house in East Brandywine that accidentally got knocked down. Manager Rambo asked if Karen Marshall is the person that replaced Jane Davidson. Hugh Redditt answered yes. Manager Rambo asked Mr. Redditt about the historic laws that he is referring to. Mr. Redditt answered the state historic code. One Saturday in November Vilcheck, Redditt, and Marshall went around to visit properties and Ms. Marshall pointed out different areas to make sure to bring to the Township's attention that archeological digs need to be done if something is going to be developed there.

Mr. Redditt stated that Carl Lindborg could do almost anything that he wants with his house. Carl stated he could do anything he wants with his house and said he objects to anyone stepping in unless he agreed to putting his property on the historical register. Mr. Redditt stated that it was already on the historical register before he bought it. Manager Rambo will look into historical state code.

Chairman McCaffrey explained how he interpreted the historical code, that if a property is on the historic map it could be examined before it is torn down to make sure that it is not a prime historic structure, if it is found to be this special type of asset then you can't tear it down. Mr. Redditt explained that you have to use common sense when you read the code, look at the intent, and read the preamble. Someone has to look at the property and historically catalog it, which takes about two days at a cost of \$400. This is not a big deal; it could be a college student's school project. Mr. Parsons explained that people didn't have disposal service back in 1792 and they threw their trash in the privies and noted the many artifacts they find in an archeological dig.

Supervisor Obernier asked for clarification regarding the Catania property, that this is a historical site for an archeological dig, and the owner of the property is the one responsible for the dig. Mr. Parsons answered yes. Dialog continued. Mr. Parsons requested that the Township advertise for a new Historical Commission Member.

Parks and Recreation Board. No one was in attendance.

Planning Commission: John Cassels was in attendance to give their report. Mr. Cassels noted they had to reject the Cobblestone project on Route 322 unless they receive a letter of extension. All other items were tabled.

Manager Rambo explained when an individual's term is up they need to send in a letter requesting to be reappointed at the reorganization meeting.

Open Space Review Board: John Cassels noted they didn't have enough members in attendance for a quorum and noted they received an appraisal for the Thornberry property. Chuck Dobson who is in the appraisal industry feels that the appraisal is accurate and reasonable. The Thornberry's want to preserve their property anyway, in retrospect Mr. Cassels requested to use open space funds to pay for a portion of the appraisal. If they donate their property easement to Brandywine or the Township they have a value for taxes. There is a ½ acre parcel next to where the Township owns, the Grip's Inc. is offering the ½ acre for \$7,500. Manager Rambo noted there are funds available through the open space to consider purchasing this property.

Municipal Authority: Municipal Authority Manager Rambo presented the report of the Municipal Authority noting that the authority has begun repair construction on the Monacy Manor sewer line. The

public works department will be performing the work and the Authority will be paying the Township for the public works department.

Adjournment from Township Meeting 8:42 p.m.

Opening of Public Hearing 8:43 p.m.

Chairman McCaffrey noted the Township is presenting two budgets. One budget has no tax increase and the second budget has a minor tax increase, about .80 per week per household. The need for this is that there will be a bigger bite for everyone in the future if the BoS does not maintain some level of reserves so that when equipment wears out there is money there to purchase new equipment. If there is no money in reserves there will be a sizable tax increase all at once. This proposed increase will allow new residents to be contributors of this and perhaps over a period of years there will be no need for any kind of additional tax increase.

Vice-Chairman Lindborg explained that the reason they find it necessary and have not been able to replenish the reserves because there have been dramatic increased costs in energy, insurances, and asphalt. For years the Township has been able to cover the increased costs, they have just come to a point where the increases will just eat up the remaining reserves.

Chairman McCaffrey stated the BoS is trying to make sure that this is managed the best that it can be. Some of the increases have been tremendous; with all of the hurricanes, insurance companies have raised insurance over the last few years. The BoS is waiting for prices to stop rising and level off or start to go down and they have not. Another thing the Township could do would be cut services. Supervisor Obernier stated that everything that Chairman McCaffrey and Vice-Chairman Lindborg said was correct and he does not disagree with what they say.

Jeff Grossman of Beaver Creek noted he was looking at some of the fees and one thing that caught his eye was the franchise fee that the Township gets from Comcast and asked how that fee is set. Manager Rambo answered 5%. Supervisor Obernier explained that Comcast signed a contract with the Township back in the 70's, as it is today, the maximum that could be charged is 5%. In the Comcast contract it was 5% on the gross revenue. The interesting thing that happened in the past year is that the Township signed a multi municipal agreement with Verizon at 5%.

Mr. Grossman asked if the Township plans on opening its fire substation in 2008. Manager Rambo explained that there is no ambulance planned at the facility across the street. For the substation, it is the intent for the BoS to meet with all three-fire companies that service the Township to review personnel, their functions, and their funding. The trucks the Township are to get, hinge on developers starting projects. Pulte, the developer that is doing the 55+, once they break ground, there are two things they must do. They must first provide the Township with 2/3 of the 150 acres of open space that they have pledged to the Township. They are also to give the Township a contribution of \$325,000 toward the purchase of a truck. As soon as Bentley Community establishes their escrow, they are required to give the Township \$225,00 toward a truck. Genterra Associates is also required to give the Township \$75,000 towards a truck. The Township already has money in an account from Freedom Village that is being used to help construct the substation. Manager Rambo noted his recommendation would be to establish a substation rather than try to establish its own West Brandywine Fire Company due to the fact that you would be breaking up other companies. It is easier to get someone to operate a substation. The Township would buy the trucks, house them, pay the fuel, and repairs. All someone has to do is operate fire trucks.

Mr. Grossman asked what if they go out of the Township to help with another fire. Manager Rambo answered that would be considered mutual aid. A question was then raised about the current means of contributions to the fire companies such as fuel as part of its donation. The Manager noted that this is

done and by law the Township is also required to pay their workman's compensation whether they are located in another municipality or not. It was noted also that with the fire appropriations tax the Township contributes over \$65,000 to the three fire companies that service the Township. The Township does not contribute to the ambulance because the ambulance service is self-supporting.

Mr. Grossman asked if the amount for the SPCA was included in the budget. Manager Rambo answered yes. Chairman McCaffrey explained the way he sees it for the "no tax increase," the money that normally went into the capital reserve fund has been slowly building up to purchase things that have to be replaced so you don't have a big debt. The difference that you would see the most, instead of the capital reserve going up slowly every year, it would be coming down. It seems smart to try and keep the capital reserve increasing. You have a choice, either cut services somewhere or stop building the reserve.

Dave Finely asked for clarification for capital equipment. Manager Rambo explained that each department has their own capital refund within the capital reserve fund. If an issue comes up within a specific department, money is taken from there. Vice-Chairman Lindborg noted that rising fuel cost is the reason they can't put the money into the reserves. They are taking money that would have gone into the reserves and are using it to pay for the dramatic increase in fuel and insurance costs.

Dave Finely noted it is not going to improve and was concerned that each year the BoS would say the same thing. Vice-Chairman Lindborg stated they have not done this in the past and their intentions are to do it now rather than a few years down the road where the cost would be higher.

Chairman McCaffrey stated the BoS has also projected new residents coming in, new building going up, and a slow increase of income level of people that are living here. All these things add money. They tried to figure how much more they would need so that over the next several years they wouldn't need to have a tax increase again. The Township would be dependant on the steady growth. Dave said so this is a wild guess. Vice-Chairman Lindborg explained that this is not a wild guess; Manager Rambo spent a tremendous amount of time working on this. It is not a wild guess; it is assumptions based on certain plans that have been approved, plans in the process, increase in population, etc. All these things have been taken into consideration. This is not a short term, little bit of money to hold us over for this year, this amount is supposed to be the little bit that we need. At some point we will catch up and be where we should be. This Board lives in Coatesville School District and knows what taxes can do to you. The school district is 30 times the tax that WBT charges. When the BoS is talking about an increase, we are talking pennies, .85 or \$1 per week. When the school district talks about an increase, the increase is more than the Township's entire tax. The school districts taxes are about 30 mills; with WBT's increase will be 1.081 mills.

Every purchase has to be approved by the BoS. Manager Rambo explained that all the trucks and police cars have a schedule of replacement. The Township knows what has to be put aside. Instead of replacing cars every 3 to 4 years, we might have to spread it out to 5 or 6 years, so that they can keep adding to the reserve. The Township has run into problems when they get a quote for insurance rates. The insurance companies say that the rate will increase 6% for the year; Manager Rambo adds 10% for the budget. The actual increase turns out to be 15% or 20%. The Township has switched to another health insurance plan, saving a little bit. If you have an association or union you have to see if you are permitted to change. At this point the operating reserve is being depleted because the BoS has never wanted to raise any taxes for the past six years.

Supervisor Obernier explained the way that vehicles were replaced many years ago. The police cars were overdue in needing to be replaced and had over 150,000 miles on them, beyond the point where they were safe. The Township would purchase a new police car with a loan, with interest you end up

paying a lot more for the car than you need to. The three current supervisors came on the board with Manager Rambo and started putting money away for future purchases. Unfortunately, the last time they had to replace a police car they had to do it entire in a lease purchase agreement. The Township has been drawing on the capital reserve accounts and that is not a good way for a township to operate.

Manager Rambo explained that the BoS has a capital reserve, the financial department, public works, building and grounds, police department; there is one for every department. The fire appropriation also has a reserve. It is very specific.

Dave Finely asked the percentage of reserve and noted that there is a law that has a maximum percentage that you are allowed to have. The resident noted that the school district had to go by state law. Above a certain level they couldn't raise taxes if they exceed that level. Manager Rambo explained that the Township's operating reserves have requirements such as that. Chairman McCaffrey noted that the BoS reserves are down to \$479.53.

Jesse Edwards asked if this is a one-time thing. Vice-Chairman Lindborg noted the BoS intension is that this is a one-time thing for a while. The BoS has not raised taxes since the year 2000. There is a fire appropriations tax that was established because the Township was requested to contribute a lot more money to the volunteer fire companies. Chairman McCaffrey explained that he likes a tax that is earmarked for a purpose. If it can't be used for the fireman, you have to give it back. Vice-Chairman Lindborg expressed the value of the services that the Township provides for the dollar amount that everyone pays. The residents are getting a real value, the police department, road department, parks and other things that the Township has been doing. Chairman McCaffrey stated the Township is trying to do the best with what they have. If you look at the information it is not that complex, it is an easy call, you either have to decrease services and spending or you have to raise money somewhere.

A resident asked if the only downside to the alternative budget is that they foresee a huge tax increase in the future or are there other downsides. Vice-Chairman Lindborg noted that other downside is that you have to take a look at the services that the Township provides. The residents want 24/7 police protection, plowing, mowing, road maintenance; all those things make it a safer place. As Chairman McCaffrey said, you have to either increase revenue or decrease services because of those things you can't control.

Chairman McCaffrey stated that the reserve that they are spending would be dissipated. It has been built up over a decade, you can live off of that for a while, but at some point when the equipment has to be replaced there would be nothing there. The best advice would be to do something minor today to forestall a big problem in the future. That is why the Township is looking for the .82 to \$1 increase.

Manager Rambo noted instances where the Township has to replace equipment; they are now purchasing multifunctional equipment. The last truck that was purchased, the Township received 40% of the purchase price from the state because it is also for recycling. It collects leaves and they use it to haul recycled paper. The Township is not just buying a truck for a single purpose. Everything has to be documented as far as showing the number of hours the truck is used for recycling and leaf pickup. The Township has submitted a grant application last October for an articulated loader because the Township is working with a local farmer who accepts all the leaves it collects, rather than taking them to the landfill and having to pay to get rid of them. The Township also makes purchases through the Federal Surplus Program. The Township tries to make every dollar go as far as possible.

Chairman McCaffrey also noted that the new Township building and the new public works facility that is being built have been pre-planned and budgeted for. That is not why they need the funding. Everything is going along smooth except the increases in oil, items made with oil, and also insurances.

Adjournment from Public Hearing 9:16 p.m.

Re-Opening of Township Meeting 9:16 p.m.

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 is waiting to hear if the Township has been awarded a grant. As of this date no awards have been given.

Final discussions on the Police Policy Manual. Manager Rambo noted this is for modification of their existing manual and how they may use some of the equipment that they were issued. This has been discussed with Chief Werner. Manager Rambo recommended the manual be adopted if there are no comments. Vice-Chairman Lindborg noted himself, Supervisor Obernier, Chief Werner, and Manager Rambo met and reviewed the changes. They are logical changes that addresses some issues on equipment that has been updated.

Final discussions on the proposed 2008 Township budgets. There were no further 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

Resolution #20-07; adoption of the amendments to the Police Policy. Vice-Chairman Lindborg motioned to adopt Resolution #20-07. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye.

Resolution #21-07; adoption of the 2008 Budgets. Supervisor Obernier noted he was going to abstain on voting on the Budgets, the Real Estate Tax Rate, and the Fire Appropriation Tax Rate being that his wife Nancy Obernier is the tax collector. After speaking with the State Ethics Commission they advised Supervisor Obernier that he should not be voting on these things because there are increases that would have a direct affect on what is earned and it is against regulation and then turned a letter over to the Manager noting such.

Vice-Chairman Lindborg stated that he would like to have for the record what his feeling is as far the budget. Supervisor Obernier stated as he said earlier, everything that Chairman McCaffrey and Vice-Chairman Lindborg were saying is true and correct. The only reason he is abstaining from voting is because of the Ethics Commission. Vice-Chairman Lindborg asked how voting on a tax increase affects if he should vote. Supervisor Obernier explained if they vote on a budget where the taxes are increased, because Nancy is collecting the taxes, he is not ethically allowed to vote where he, his spouse, or his children are enriched. Supervisor Obernier didn't bring it up earlier in the meeting because he didn't want to cloud the issue. Supervisor Obernier explained he had to state before the motion to take the vote, as well as put it in writing and give it to the person that does the meeting minutes that he is going to abstain. The only way he could vote is to break a tie, but doesn't believe that is going to happen. Vice-Chairman Lindborg asked Supervisor Obernier if he has a problem with the proposed budget. Supervisor Obernier stated he already answered that. Vice-Chairman Lindborg would like a more explicit answer.

Manager Rambo noted there are two budgets before the Board, Budget A that shows no tax increase and Budget B that has been presented so that the Township's capital reserves and operation reserves can be replenished a small amount each year into the future. Jesse Edwards asked what the tax collector receives. Manager Rambo answered the tax collector receives 5% of the taxes that she collects. Chairman McCaffrey suggested that they lower the amount that the tax collector gets.

Vice-Chairman Lindborg motioned to adopt Budget B with the slight increase noting that he is very disappointed that this has come up at the very last minute. With more clarity he would be more satisfied if Supervisor Obernier indicated if he was able to vote, and because of the ethics issue he is not, if he could vote he would have voted for an increase. Supervisor Obernier said he already stated that he agreed with what Vice-Chairman Lindborg and Chairman McCaffrey were saying. Supervisor Obernier stated he is doing this because the Ethics Commission dictates that he do it this way. Vice-Chairman Lindborg was disappointed that he didn't know about the ethics prior to this and would have felt more comfortable if Supervisor Obernier would have been a little more explicit.

Vice-Chairman Lindborg went on to make the motion. Chairman McCaffrey seconded the motion to adopt the slight tax increase version of the 2008 Budget. Board Members Lindborg and McCaffrey voted aye. Obernier abstained for the reason that he has stated above and as outlined in the document that he gave to Manager Rambo. Chairman McCaffrey noted that the only thing that upset Vice-Chairman Lindborg and it also caught Chairman McCaffrey off guard was that he didn't realize that this sprung up yesterday afternoon and Supervisor Obernier didn't have a chance to let the rest of the Board know.

Resolution #22-07; adoption of the 2008 Real Estate Tax Millage Rate. Manager Rambo noted that it establishes the millage rate at 1.081 and Resolution #23-07; adoption of the 2008 Fire Appropriation Tax Millage Rate. Manager Rambo noted Resolution #23-07 keeps the rate at the current .22 mills. Vice-Chairman Lindborg motioned to adopt Resolutions #22-07 and #23-07. Chairman McCaffrey seconded the motion. Board Members Lindborg and McCaffrey voted aye. Supervisor Obernier abstained.

Resolution #24-07; adoption of the 2008 Solid Waste and Recycling Fee Rate. The rate will remain at \$225 the same as in 2007. Vice-Chairman Lindborg motioned to adopt Resolution #24-07. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey and Obernier voted aye. Jesse Edwards asked if the fee would remain the same next year as well. Manager Rambo explained that he reviews the fee yearly; it is dependent upon tipping fees and other costs associated with solid waste pick-up.

New Business

Signing of the Girl Scout Plans located in Wallace/West Brandywine Townships. Manager Rambo noted the plans are in the back to be signed after the meeting.

New Business from the Floor

Manager Rambo noted Mr. Baldwin was in the audience earlier and explained that Mr. Baldwin's nephew is interested in farming the property that the Township is to obtain from Pulte. Vice-Chairman Lindborg asked if anyone from the Open Space Review Board has spoken with him about that farm. John Cassels stated he attended the first meeting and that he was against the open space referendum. Vice-Chairman Lindborg felt he was initially because he may not have been fully informed about what it was. Manager Rambo stated he would approach him within the next year. Manager Rambo also advised the Open Space Review Board that Pat Chase has also approached the Township. John Cassels asked Manager Rambo about the Girl Scout property. Manager Rambo noted he forwarded the information on to him via email.

New Business from the Board

Chairman McCaffrey noted an anonymous letter for PSATS and would like to ask the County Association to look into that and give an answer as to whether the attorney general has taken documents for examination and what the compensation rates are for the officers of the associations. Vice-Chairman Lindborg expressed that he didn't like the fact that the letter was not signed. Chairman McCaffrey said that there are enough people that were retaliated against by the State Association. They are afraid to say anything; people have been fired. Chairman McCaffrey stated he used to be appointed to all sorts of positions up there until he started asking questions. If there were something wrong he would like it to become public knowledge.

A resident asked for clarification on the barking dog ordinance and felt it is vague with no guidelines. Chief Werner gave a brief explanation of the ordinance, noted that they look at each case as an individual case, and asked the resident to call him. The resident asked how much industrial chemicals can you store on your property if you are a resident running a commercial business out of your home and voiced concern that one of the chemical drums would leak and pollute the ground water. Supervisor Obernier stated that there is a limit. Dale Barnett noted the home occupation ordinance and asked if the resident would like to file a complaint against the resident. Manager Rambo explained that until a complaint is filed that requires Dale to go out to investigate to find that something is wrong; he can't look into other codes besides what is required by zoning. The resident noted that his neighbor has a commercial cleaning business. Further discussion ensued regarding clarification of the barking dog ordinance.

Mr. Grossman questioned if the Township is purchasing easements utilizing taxpayer money. Manager Rambo explained that the Township would be utilizing the funds from the EIT Open Space Fund.

Mr. Grossman asked if PECO is required to replace any trees that they take down. Manager Rambo answered not if they are in the road right-of-way. Chairman McCaffrey stated he would like to ask PECO about that; some of the trees form the streetscape. Some of what they do is ugly and defacing.

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

There were no Public Comments.

Open Issues Before the Township

The Township has forwarded its Signal Specifications to Caln Township for review. There were no comments.

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 review information with regard to the State Turnback Program. There were no comments.

The Board and Manager are continuing their updates to the Non-Uniform Personnel Policy Manual. There were no comments.

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

Interest rate for the week is 3.44%

Review and Payment of Bills

The General Fund bills totaled \$10,140.38 and the State Liquid Fuel Fund bills totaled \$247.39. Vice-Chairman Lindborg noted he reviewed the invoices, found them satisfactory, and motioned to pay the bills. Supervisor Obernier noted he also reviewed the checks and seconded the motion. Chairman McCaffrey questioned why Reed Smith photocopied something that cost \$110. Manager Rambo explained Reed Smith is the attorney that the Township is working with for the police arbitration that covered a lot of pages. Chairman McCaffrey stated he is okay with the bills. Board Members Lindborg, Obernier and McCaffrey voted aye.

Upcoming Meetings/Events

Chairman McCaffrey noted the meetings and events.

Adjournment

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 9:42 p.m. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg and McCaffrey voted aye.

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