

**Meeting Minutes of April 17, 2008
Board of Supervisors**

Chairman Lindborg called the Board of Supervisors Meeting of April 17, 2008 to order at 7:30 p.m. and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Chairman Carl S. Lindborg and Vice-Chairman Josef G. Obernier, Sr. in attendance. Supervisor Thomas J. McCaffrey arrived at 7:37 pm. 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

April 3, 2008. Chairman Lindborg noted that the Board would address the minutes later in the meeting after Supervisor McCaffrey arrives. The meeting minutes were tabled.

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

Presented by Manager Rambo. There were no comments.

Capital Reserve Fund	\$1,023,982.56	Police Pension Fund	\$1,357,728.00
Developer Escrow Fund	\$590,370.63	Public Works Cap. Projects Fund	\$137.58
General Fund	\$45,768.04	Solid Waste & Recycling Fund	\$234,435.16
Non-Uniform Pension Fund	\$302,440.16	State Liquid Fuel Fund	\$195.35
Operating Reserve Fund	\$186.65	Construction Sweep Fund	\$13,591.79

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 request from PAWC to meet with regard to a proposed rate increase being sought from the PUC. Manager Rambo will schedule the meeting on April 24, 2008 at 6:30 p.m.

The Coatesville Area Public Library is requesting an increase from \$1.00 per capita to \$1.50 per capita for the Township's 2008 contribution (\$7,153.00 to \$10,730.00). Chairman Lindborg and Vice-Chairman Obernier agreed they would like to get a list of active WBT library members prior to making a decision.

Correspondence/Communications *Information to Note*

Senator Rafferty has forwarded a copy of the DCNR response with regard to his request concerning the Township's recent denial letter from DCNR concerning the City of Coatesville Property. Manager

Rambo stated that they noted they didn't want to fund the project since this was already under public ownership. Chairman Lindborg suggested that the new grant submission clarify that if WBT doesn't purchase the property that chances are that it will be developed. Manager Rambo noted that Supervisor McCaffrey arrived at 7:37 p.m.

Thomas J. Anderson & Associates, Inc. has forwarded the Township correspondence with regard to a proposed Statewide Police Pension System. Manager Rambo noted that he would write a letter to Senator Rafferty and Representative Schroeder to suggest that they oppose this bill. This bill would take the police pension out of township hands, put it into the state, and still make the township liable for payments into it. Manager Rambo noted he didn't see any advantage and felt that it may even cost the township more. It could mean that there would be no further grant funds coming to the township for either plan if this should go through. Vice-Chairman Obernier concurred with Manager Rambo that it would take some level of control out of their reach.

John E. Good, Esquire has forwarded the Township his review of the proposed Ordinance dealing with the burning of recyclables. John Good found the ordinance in order.

The Township is in receipt of correspondence from William E. Jones, Esquire with regard to the purchase of the Henderson Conservation Easements. Manager Rambo met with John Good to answer questions that the Henderson's attorney Mr. Jones had brought up. Mr. Jones questions have been addressed. The easement documents are currently being completed.

West Nantmeal Township has forwarded the Township a copy of their draft Land Use Assumptions Report relative to their proposed Act 209 for review. Manager will send West Nantmeal comments.

Reports of Departments Month of March

Police Report submitted by Chief Werner and presented by Manager Rambo. There were no comments.

Total Hours	1,487	Fatalities	1
Miles Patrolled	10,082	Domestic	8
Total Complaints	757	Criminal Arrests	21
Accidents	8	Non-Traffic Arrests	12
Warrants	5	Traffic Arrests	248

Public Works Department Report: presented by Tom Eells.

Total man-hours	723	Total Equipment hours	48
Miles traversed	2,143	Total fuel	695

Tom noted work completed for March. There were no comments.

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

Building Permits issued	29	CL Fees collected	\$1,125
Permit base fees collected	\$10,517	Valley Mechanical Ins	27
Occupancy fees collected	\$200	WBT Inspections completed	27
U&O permits issued	5	Failed Inspections (FI) paid	7
U&O permits issued cursory	24	FI Fees collected	\$50.00

Contractor Licenses (CL) issued	15	Total fees collected	\$11,892
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Fire Marshall Report for March was submitted by Paul Gainor and presented by Manager Rambo. There were no comments.

Permit inspections done	60	Code violations/Complaints	4
Open Burning Permits	32	Hours on Permits	32
Container Permits	15	Hours on patrol	4
Other type inspections done	5	Hours on Ins/Complaints/Violations	12

East Brandywine Fire Company Report submitted by Robert Zynn.

Fire

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

Medical Assist

Number of calls dispatched into WBT	22	Second dispatch into WBT	-
Initial dispatch into WBT	19	Number of calls scratched	3

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

Fire

Number of calls dispatched into WBT	4	Second dispatch into WBT	1
Initial dispatch into WBT	3	Number of calls scratched	0

Medical Assist

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

Martin's Corner Fire Company Report: submitted by Chief Dan Metzler and presented by Manager Rambo. There were no comments.

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

Reports of Organizations, Boards and Commissions

Historical Commission: Hugh Redditt was in attendance to give the report of the Historical Commission. Mr. Redditt noted they are in need of volunteers. Manager Rambo stated there were no responses to the ad that was placed in the Daily Local News.

Parks and Recreation Board: Michelle Benkovich gave the report of the Parks and Recreation Board noting that the Easter Egg Hunt was a big success with over 300 children in attendance.

Planning Commission and Open Space Review Board: There was no one in attendance.

Municipal Authority: Manager Rambo noted the manholes for the Monacy Manor Sewer Project have arrived and that the Public Works Department will replace them. Manager Rambo will contact Mr. Smith to let him know that work will commence.

Adjournment from Township Meeting (time:7:50 p.m.)

Opening of Public Hearing (time: 7:51 p.m.)

Hearing on Ordinance No. 2008-02, proposed Burning Ordinance. Ordinance No. 2008-02 has been reviewed by John Good and found satisfactory. Manager Rambo noted that state law states that you are not allowed to burn anything that is recyclable e.g. plastic, paper, yard waste, leaves. Supervisor McCaffrey noted that this state regulation only seems to apply to southeastern Pennsylvania, there are news reports telling people when they can burn on channel 8. Sometimes after a storm there might be too much material for people to dispose of by bringing it to the township building. There should be a means for people to dispose this material rather than hauling it off to the township.

Manager Rambo noted that the Township is required to initiate a spring curbside pick-up of materials beginning next year. This will be done on a call-by-call basis. They could do something similar during a storm event as the Township has in the past. Manager Rambo explained he is trying to make it where the Township meets requirements so that it can apply for DEP grants. Supervisor McCaffrey would like to make sure this law is coming from DEP or if it is coming from the southeastern office of DEP. Manager Rambo noted it is coming from John Lunstrum, Operations Chief out of Harrisburg, who has advised the Township that WBT does not currently meet DEP's requirements for recycling of which WBT has to enact a burning ordinance as well as have a spring curbside pick-up of leaves and yard waste. The guidelines are spelled out in the materials, leaves, yard waste, and designated recyclables. WBT designated recyclables are plastic, paper, green, brown, and clear glass, bi metal, and aluminum.

Chairman Lindborg noted he didn't have an issue with the leaves and the recyclables and asked what the people are going to do with yard waste for the next year. Manager Rambo noted that residents could drop it off at the Public Works facility. Supervisor McCaffrey stated that it seems obscure that the Township is making regulations. Manager Rambo explained that residents could still obtain permits for bonfires and campfires, as one would not be burning recyclables. Chairman Lindborg felt that the Township should comply with DEP. Supervisor McCaffrey didn't feel that this ordinance is appropriate. Manager Rambo read out loud "nothing contained here shall prohibit a farmer from carrying out the normal customary activities of farming operations as provided under the Pennsylvania Right to Farm Act. Supervisor McCaffrey stated he looked at the Pennsylvania Farm Act, there is nothing in there about burning. Supervisor McCaffrey would like to hear from a DEP official or see where it says that you are not allowed to burn anything in the Township.

Mr. Grossman asked if this ordinance came about just so that the Township would be able to get grant money. Chairman Lindborg felt DEP is passing this because it is an environmental issue. Manager Rambo answered that is correct, the Township would not get anymore grant money from DEP. Chairman Lindborg noted if the Township didn't sign on years ago for Landscapes, the Township wouldn't have been able to receive money from the County. Manager Rambo noted that WBT is a mandated community to recycle. Supervisor McCaffrey noted if the state mandates the recycling of twigs then they should tell the Township where the twigs go and should accept them. He agrees that you should recycle grass clippings; you could have a small compost pile for them.

Supervisor McCaffrey noted he is a representative for people and is just trying to represent them. He has a farm and yard waste doesn't have anything to do with agriculture. Manager Rambo noted the definition for yard waste; part of solid waste composed of grass clippings, leaves, twigs, branches, and garden waste. Supervisor McCaffrey would like it to state, "Yard waste not to include agricultural operations." There is nothing in Act 101 that says anything about burning. It doesn't help or hinder you; it is just not there. Supervisor McCaffrey stated that the solicitor has said to make something "less stringent" doesn't need to be re-advertised. Supervisor McCaffrey would like a letter from DEP stating that it is a state law that you can't burn leaves, twigs, and branches. Supervisor McCaffrey noted he

would go along with this but would like a letter from DEP to explain how the regulations are enacted within the state. Manager Rambo explained that WBT is mandated by the state to recycle based on square miles of the Township and the number of people within the Township. There are a lot of townships that don't meet that mandate to recycle. Supervisor McCaffrey noted he is all for recycling, but it appears to be a back door to something else.

Michelle Benkovich noted she has so much brush that she has to burn it. Chairman Lindborg explained how you could still burn it; every year or two Chairman Lindborg applies for a "bonfire" permit.

Jesse Edwards noted he has a burning can next to his garden. Supervisor McCaffrey asked Jesse if he understands that the can he is using would no longer be legal. Jesse noted he would throw the brush over in the field in back of him. Chairman Lindborg noted he wouldn't be the first person to do that and explained he has the same problem.

Chairman Lindborg stated if this creates problems, the BoS would reinvestigate it. Supervisor McCaffrey reiterated that he would like a statement from DEP to clarify how they formulate if people can or can't burn twigs or branches. Manager Rambo will request the information from DEP. Chairman Lindborg moved to close the Public Hearing being there were no further comments.

Adjournment from Public Hearing (time: 8:12 p.m.)

Re-Opening of Township Meeting (time: 8:12p.m.)

Old Business

The Spring edition of the Township newsletter has been mailed. There were no comments.

Final discussions on proposed Ordinance No. 2008-02, proposed Burning Ordinance. There were no comments.

Discuss and consider participation on a Fire Services Committee/Task Force with East Brandywine, Upper Uwchlan, Wallace and West Nantmeal Townships with regard to fire and rescue services. Manager Rambo asked Jeff Benach from Wagontown if he was asked to participate in a committee or task force with East Brandywine concerning WBT. Jeff answered no. Manager Rambo asked if he would be interested in participating in a fire services task force committee to deal with fire services in WBT. Jeff answered no. Manager Rambo noted that he has been told that the Chief of Martins Corner said that he would not participate. Manager Rambo felt that the purpose of the task force is not to combine the fire companies, but to share equipment. Manager Rambo noted he is still waiting to hear back from Mr. Weber from the Governor's Center for Local Government Services. Vice-Chairman Obernier noted he attended a meeting at EBT where Glenmoore and EBFD was and it turned out, that there were supervisors from all the surrounding townships. Vice-Chairman Obernier didn't understand why Wagontown and Martins Corner were not invited to the meeting; they said that they would not work with Martins Corner. Then Vice-Chairman Obernier asked about Wagontown, he received dismissive answers. The impression Vice-Chairman Obernier got was that those two groups are looking to consolidate into a single department. Manager Rambo will write a letter to the Chief of Martins Corner to see if he will discuss this with WBT.

Old Business from the Board

There was no Old Business

Old Business from the Floor

Jeff Grossman asked the status of Brandamore Post Office. Manager Rambo noted he has a meeting with Jim Gerlach's office in May to discuss postal services. Jeff noticed a few businesses in the area that use West Brandywine as their address with the Coatesville zip. Discussion ensued.

Jeff Grossman asked how much money that WBT forgave the Archdiocese with back taxes. Manager Rambo answered approximately \$18,000. Jeff asked why the Township forgave them when he sat through meetings regarding budget stuff and that the Township didn't have any money. Chairman Lindborg explained that the argument, wasn't legitimate. If that school wasn't there, and those kids were in Coatesville area schools, then we would be paying a lot more taxes. It wasn't taxes that they owed. Manager Rambo noted they have been paying reduced taxes all along based on the property. The Archdiocese gave the Township over an acre to relocate the intersection at Culbertson Run Road and Jolly Joe Drive. They have also given the Township easements along their entire road frontage for future trails.

Manager Rambo noted that CASD Financial Administrator recommended that the school district waive the taxes due to the simple fact that if PJPII weren't there, there would be 600 more kids in Coatesville's schools that CASD would have to educate. If you look at 600 students multiplied by \$10,000, the average cost per year and the need for the district build more schools to handle what PJPII has done. Even at the recommendation of their financial person, the school board voted no. Jeff thanked them for the background on the situation and stated he does not have a problem with it. Chairman Lindborg noted you can't put a dollar value on that, PJPII is an asset to the whole community and feels that the Township made the right decision. Supervisor McCaffrey noted that CASD should consider the money that they gave away to residential developments for coming into Coatesville. They gave that tax money away without a second thought. PJPII has a tangible effect, for Supervisor McCaffrey the Township got the lions share of the deal, the Archdiocese got out of a few thousand dollars in taxes, but the Township got pieces of ground that would have cost a lot more if the Township had to purchase it.

Jeff Grossman commented on the highway cleanup that was performed by Boy Scout Troop 116 noting that they did a great good job but voiced concern about their supervision.

Ordinances and Resolutions

Ordinance No. 2008-02, adoption of Burning Ordinance. Vice-Chairman Obernier motioned to adopt Ordinance No. 2008-02, an ordinance prohibiting the burning of recyclables. Supervisor McCaffrey seconded the motion. Board Members Obernier, McCaffrey, and Lindborg voted aye.

Resolution # 05-2008, submission of DCNR Grant Application for the Conti Tract from City of Coatesville. Manager Rambo recommended that the BoS pass the resolution so that the Township can submit a grant application to DCNR. Supervisor McCaffrey motioned to pass Resolution #05-2008. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

New Business

The Township will be attending a demonstration at Weaver's Mulch of a Horizontal Grinder unit on Monday, April 21, 2008 at 10:30 p.m. There were no comments.

A Conditional Use Hearing for the Castaldi Tract has been established for Tuesday, May 6, 2008 at 7:30 p.m. There were no comments.

The Township is in the process of meeting with Ed and Mary Jane Henderson to begin finalizing the "Conservation Easement" purchase on 100+ acres of their property. There were no comments.

The Township is finalizing its re-application to DCNR for grant funding for the purchase of the City of Coatesville's Conti Tract. There were no comments.

The Township Manager will be meeting with Jason Carver from Congressmen's Gerlach office on May 6, 2008 to discuss postal service questions. There were no comments.

New Business from the Floor

Barry Parsons would like the BoS to consider moving the Veteran's monument to the Community Park. Discussion ensued. Chairman Lindborg's final comment was that he appreciated Mr. Parsons passion about the memorial and that the BoS would look into it.

Joan Thompson inquired about the DCNR grant. Manager Rambo answered that the application is due on April 25, 2008; the Township will not hear anything back from them until October.

New Business from the Board

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

Vice-Chairman Obernier asked Supervisor McCaffrey about inspections of conditional use plans. Supervisor McCaffrey asked what the process is for following up for conditions from a Conditional Use Hearing. Manager Rambo explained that for the large subdivisions the conditions are delineated on the plans. Those conditions are followed through by the engineer. On smaller Conditional Use Hearings, the Codes Officer Dale Barnett follows up on the conditions. Chairman Lindborg noted that the plan that was shown to them the other night didn't show the parking the way that it was on their plan from their original conditional use. Chairman Lindborg noted an island that was not put in that was shown on the plan. Dale Barnett noted that he inspected and approved the parking that was shown on their original plan. Manager Rambo explained that the additional parking was not going to get approved until such time that they came back for land development. That plan just showed "future," at the hearing they said that this is where future parking would go. Chairman Lindborg noted that the Codes Officer should receive copies of the order, plans and any pertinent material. Vice-Chairman Obernier noted that whether the plan gets delayed or not somebody has to be responsible that whatever it shows on the plan is actually done. Supervisor McCaffrey suggested that the Codes Officer send a letter out denoting that the conditions have been met. Dialog continued.

Pat Edwards noted that she had called 911 on March 22nd and commended Corporal Shappell for being so kind when he came to her house. Chairman Lindborg thanked Pat for her comment and noted that the BoS collectively feels that they have a very professional compassionate department.

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). 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 (2.24%). Chairman Lindborg noted that the Township had done very well so far with the interest rate; it has made a tremendous difference.

Review and Payment of the bills.

Manager Rambo noted the Solid Waste Bills totaling \$22,093.22, State Fund Bills totaling \$353.20 and General Fund bills totaling \$23,342.77. Supervisor McCaffrey noted he reviewed the bills, found them in order and motioned for payment. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye in favor to pay the bills.

Upcoming Meetings/Events

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

Adjournment

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 8:59 p.m. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye in favor of adjournment.

Ronald A. Rambo, Jr.

Township Manager/Secretary/Treasurer