

## **Meeting Minutes of December 16, 2004 Board of Supervisors**

Chairman McCaffrey called the Board of Supervisors Meeting of December 16, 2004 to order at 7:30 p.m. and then led those present in the Pledge of Allegiance. Chairman Thomas J. McCaffrey, Vice-Chairman Carl S. Lindborg and Supervisor Josef G. Obernier, Sr. were in attendance. The following individuals were present to represent the various departments: Ronald A. Rambo, Jr., Township Manager; Capt. Walter M. Werner, Chief of Police; Dale Barnett, Codes/Zoning Officer; and Thomas Eells, Director of Public Works.

### **Acceptance of Minutes from Previous Meetings**

October 21, 2004, November 4, 2004, November 18, 2004 and December 2, 2004. Vice-Chairman Lindborg motioned to accept the October and November minutes and table the December 2, 2004 minutes. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

### **Public Comments** (those individuals requesting to be on the agenda)

Theresa R. Lemley, Esquire is in attendance to talk to the Board of Supervisors with regard to her petition to amend the Township's Zoning Ordinance and establish a Transfer of Development Rights (TDR's) section within the ordinance. John Snook of the Brandywine Conservancy noted that they have dealt with TDR's. Vice-Chairman Lindborg asked if there are any parcels in Chester County that have utilized this TDR. Mr. Snook answered not the program they are proposing. Ms. Lemley noted that that TDR's have been used in other County's; particularly in Buck's and Lancaster County, in Chester County there would be limited examples. Vice-Chairman Lindborg asked how the "by right" numbers are determined. Chairman McCaffrey said that was an important question and noted that it spells out what should be saved, it includes wetlands and flood planes that can't be built on already, a gift shouldn't be given to people not to build on what you can't build on anyway and was concerned about creating development rights when you couldn't even build there in the first place. John Cassels explained that they debated that long and hard, in order to get people to enter the program without them having to pay, they have decided what densities are available in certain districts and decided to give certain density across the board. They are trying to open up as many properties to enter into the program as possible, they envisioned a person coming into the Township and registering their land and not spend any money until there was a developer on the other end that would pay for that. Vice-Chairman Lindborg stated that over the years they have tried to do their best at protecting the rights of the small individual landowner

and was concerned that someone could take advantage of that and would like to see some criteria to establish those by-right numbers. Chairman McCaffrey suggested there be a way to attached some sort of value at creation, or take away value at creation, e.g., if today you buy development rights that would be worth \$30,000 and if you waited for ten more years and go back and get development rights from him they are going to be worth more, so it might be an incentive for a person to buy more development rights if he knows that the value will increase as time goes on. Steve Jakatt explained part of what the code would be that the Township establish each year what the development right is for that year, as time goes by, the prices would go as the Township dictates. Mr. Jakatt would like the TDR presented to the Planning Commission. Chairman McCaffrey felt that it would be a great idea to have a TDR Ordinance, but must be cautious in the creation of it.

Marie Pantalone, P.E. of McMahan Associates, Inc. is in attendance to present the ACT 209 Transportation Capital Improvements Plan to the Board. Last month Ms. Pantalone had presented the Roadway Sufficiency Analysis to the Board. Ms. Pantalone stated the Transportation Capital Improvement Plan is completed and appended into the Roadway Sufficiency Analysis to create one document dated December 2004. The Transportation Impact Fee for service area TSA North is \$2,611.13 per peak hour trip and \$959.55 per peak hour trip in service area TSA South. Chairman McCaffrey was relieved that this could be amended as time goes on. Ms. Pantalone also stated the Township would have the opportunity to implement roadway improvements that are not identified in this document. Vice-Chairman Lindborg was concerned about not having a left turn lane at Hurley Road. Ms. Pantalone explained that they addressed this issue with the use of a traffic signal. If a traffic signal wasn't utilized and you simply put in a left turn lane, it won't help the delay for people that are turning left. Supervisor Obernier stated that Vice-Chairman Lindborg's point is that if they have a left turn lane and a right turn lane, the right turn cars can keep going, then the vast majority of turns on that corner are improved. Ms. Pantalone stated she has to address the issue with a whole approach. Putting in a traffic signal speaks to both movements, however, if you want to still put a left turn lane along with the traffic signal, then you are getting into a preferred level of service threshold, where you are now requiring a more stringent level of capacity associated with that commission. Supervisor Obernier asked that Ms. Pantalone look at it from this point of view, by simply putting in a left turn lane, you may help defer the ongoing electric costs, as well as the ability to put off putting in a signal for quite a while. Ms. Pantalone stated that she is bound to implement improvements and can't do that according to the Act 209 law.

Supervisor Obernier asked for clarification regarding two different developers, one developer is building near an intersection that was identified in the Act 209 plan, the other developer is building near an intersection that is not identified in the plan. If they get Act 209 money in to do roadway improvements, that Act 209 money can only be used at that identified intersection. Ms. Pantalone answered correct, that Act 209 money can only be used for Transportation Capitol Improvement projects. Supervisor Obernier asked if the other developer who's not in an identified intersection, the improvements he needs to do has to be paid for by him. Ms. Pantalone stated that on-site improvements are always paid for one hundred percent by the developer. Supervisor Obernier asked if it was correct that for the first developer that has a development on that intersection where it was identified on the Act 209 report, then he doesn't need to use Act 209 money for that. Ms. Pantalone answered that would be a gray area; you would have to bring the solicitor in on. It is

always a point of much debate as to what is on-site and what is off-site. Supervisor Obernier asked for clarification on that point.

Representatives of the Board of Supervisors, East Brandywine Township (EBT), and the East Brandywine Fire Company (EBFC) are in attendance to talk to the Board with regard to yearly contributions to the fire company. Dave Kirkner of East Brandywine explained they are short-term, looking for some additional funding for the Fire Company. Funding has not increased and fifty percent of the fire calls and approximately two thirds of the QRS calls come into West Brandywine Township. The East Brandywine Township Supervisors have asked the Fire Company to develop a program within the last few years for the costs for improvements that are needed. East Brandywine would like to discuss long-term goals and how WBT and EBT could work with the fire company regarding if they have a substation.

Chairman McCaffrey noted that EBFC is a volunteer organization and asked what percent increase they are looking for over last year from WBT. Mr. Kirkner answered three hundred percent. EBFC is trying to get commitments so they have some basic consistent funding in place, so that they are not dependent upon fund drives. Within ten to twenty years they felt they will have paid fireman. Chairman McCaffrey asked for an explanation of why a volunteer organization costs for grounds keeping and administration is over \$5,000 a month. Mr. Kirkner explained the costs were associated with the sewer system. Chairman McCaffrey felt that he is contributing money where he has no authority and can't get the money back if it is misapplied. Vice-Chairman Lindborg concurred with Chairman McCaffrey that if they put money into this, they have no say in how it is spent. Mr. Kirkner stated that as a Supervisor in EBT he trusts the individuals there to properly create their own direction and figure out what their needs are.

Chairman McCaffrey explained that when he was a Supervisor in East Bradford Township, their fire department had purchased equipment without studying it first, and drew up bids that were very specific to one unique piece of equipment so they could purchase their equipment from known contributors or friends of the fire company. Supervisor Obernier stated that the WBT Board's concern was that they want to be sure that whatever they put money into, that there isn't the likelihood later of losing that equipment, etc., that the service to the public continues. Supervisor Obernier would like to talk more on a regular basis about it. Mr. Kirkner stated they are open to communication. Chairman McCaffrey stated that there is concern from the citizens in our community, there are more and more people living here, they feel that the fire companies that service WBT are further away than they should be. The protection is not inadequate; it should just be closer.

Manager Rambo would like to get together for open discussions, WBT has discussed the establishment of a substation and how they want to pursue it with regards to meeting with the different fire companies and then selecting the one to best service the entire Township where everything would be turned over to them. Manager Rambo stated that Mr. Poff pledged \$225,000 to WBT for a truck and there is money sitting in escrow for another truck. He feels that there are trucks capable to service the Township without having all the "bells and whistles," trucks that will go up driveways that the bigger pieces can't get up. Chairman McCaffrey stated he didn't want East Brandywine to think he was influenced by Mr. Rambo, if you went through the West Bradford situation as he had, they bought a tanker that had every bell and whistle, and he talked to the people that were building it, and they didn't think that it was safe to be on the road the way it

was being constructed, and that truck did flip over. Rather than see a total amount of money being applied to new equipment, they would like to know that it was well thought out purchase. He stated that it didn't seem appropriate to have ties to another particular fire company being that WBT has to deal with three of them.

Supervisor Obernier noted a particular situation where there was a fire and that the firemen couldn't go in until the appropriate fire chief was there, maybe there are some policy's as to how things are addressed, or maybe it has been changed since then. Jim Whitmore, Fire Chief of EBFC stated that he was disappointed by the comments from the WBT Supervisors from things that happened in the 1980's and 1990's. He noted that EBFC is an excellent fire company. They don't go out on a whim and buy fire trucks, they appoint committees of experienced men and women that spend a minimum of six months to buy a major piece of apparatus. They have interviewed four or five manufacturers with experienced sales people from the factories. They buy a fire truck to suit the needs of the community, that will last at least fifteen years, they don't necessarily always buy the least expensive fire truck, as WBT didn't build the least expensive building that they could have possibly have built. As far as leadership is concerned EBFC has highly experienced fire chiefs in their community, they have four fire chiefs. Mr. Whitmore has thirty-two years of experience and is one hundred percent confident of his deputy chiefs and assistant chief handling a fire situation. He noted Supervisor Obernier's comment about a fire not being attacked because a certain chief wasn't there, he has never heard of such a thing at EBFC nor would he expect to ever hear that. He doesn't feel there would be too many critical situations brought up about this fire company. They have a highly professional well trained, many businessmen, hard working guys that pour their lives into this. And feels that it has been portrayed here tonight, that they make fast decisions, they spend money frivolously, that they don't plan on future purchases and that is not true of their fire department.

Chairman McCaffrey asked if EBFC had ever sent WBT any information about what they are purchasing and noted he had not criticized anyone in their fire company, and commented that they do provide a very professional service. He has not been privy to any information that has gone into decision making for their purchases and has to be the administrator for WBT, it makes sense before spending the taxpayers money that he have some cursory understanding of what the money is being spent on. Mr. Kirkner feels that Chairman McCaffrey is misdirecting the idea of what they are paying for, they are not paying for equipment directly; the constituents are being given a service. The constituents are not paying their fair share of the costs of having that fire equipment available. Chairman McCaffrey sees it in a different context and feels that the person providing the service is determining his fee to this community based on the way he decides to construct and purchase equipment. Chairman McCaffrey feels that WBT is buying a service and has no right or authority to understand where the money is going, he is just paying for it, because he has to buy the service and feels that he has more of a responsibility than just paying for a service. They are not looking to switch all the services to one particular fire company, he just wants a better understanding of what EBFC is asking of the Township, as one of the contributing services to the community.

Todd Schaffer, President of EBFC, noted that Manager Rambo made the comment that the Township is looking to consolidate to one fire department for the entire Township. Chairman McCaffrey stated that it seems like EBFC is doing the lions share of the work and the Township would like to make some sort of comparison to that effect. Manager Rambo noted that EBFC does

give the Township a monthly treasurers report with the breakdown of everything and are just beginning to submit to the Township their audits of the funds and how they are expended.

Chairman McCaffrey stated he is sympathetic to the need for additional funding, the Township has the capability to some degree to provide that, they would like to tailor make that expense to something that our residents actually see as a genuine benefit, rather than to continue the existing services with three times the calls. Jesse Edwards stated he received a notice from the fire company asking for \$170. Mr. Schaffer explained how their fund drive works and how their drive netted \$92,000 last year. The number of the people that donate from WBT is substantially less than they would like percentage wise, they mail out to 1,700 residents, which includes Freedom Village, who treats them very well and received \$2,600 from WBT residents. Donations of any amount are appreciated.

Chairman McCaffrey suggested that East Brandywine enact an Ordinance that would allow the Fire Company to bill the insurance company to try and recoup some of their costs. Chairman McCaffrey explained that WBT is in the highest taxed school district in Chester County and if they wanted to raise taxes, they would be asking for retaliation because of the school district. Supervisor Obernier stated that the comment about the “expensive Township building” was ten years in the planning and there was no tax increase to pay for it, because the residents in the Township do not want to pay more taxes.

Chairman McCaffrey asked if there was a way to make these services seem more close to home, then people may not look at it as the EBFC, and would look at it as their own. Manager Rambo stated that the Township’s campus plan shows the reconfiguration of the Public Works building and also has a substation located on it. The BoS would like to move forward with future meetings with EBT to discuss these issues. Mr. Kirkner suggested that the Township write down their concerns so that EBFC can address them. Chairman McCaffrey reiterated that he did not want them to go away feeling that the Board was criticizing anything to do with the fire company; he would just like a better understanding of what is going on.

Don Copeland of 483 Reeceville Road is in attendance to present a sketch plan to the Board for the creation of a 1-acre lot from their current tract of 23 acres located at the intersection of Caln Meeting House and Reeceville Road. Chairman McCaffrey suggested if there was a way to show that they were just going to add one lot on the property and preserve what is in there as open, then everybody would give as much support as they could for it. He wouldn’t want to support a road that would open the property up for a subdivision sometime in the future. Manager Rambo had suggested that Mr. Copeland attend tonight’s meeting to get the Boards feel and also attend the Planning Commission meeting so that if he does apply for a variance and go before the Zoning Hearing Board, he can say he has been before the Board. Mr. Copeland wants to see if there are any issues that the Board may have and stated that they are looking at the feasibility of it at this point. Manager Rambo noted they have seen a sketch plan for a development from Pulte that they had shown part of a road on the upper corner of their old walnut patch, and if that were to occur, there could be Mr. Copeland’s road frontage. Mr. Copeland stated that Pulte had approached him and said they needed the corner of his property so they wouldn’t have to go through two Townships. Manager Rambo stated that through that corner they are trying to put a small road to connect the two parcels, but by doing that, if they were able to get an easement or right-of-way that would give Mr. Copeland access. The Copeland’s intend to hook up to public water.

**Correspondence/Communications *Information to Act Upon***

The Chester County SPCA has forwarded the Township a copy of the 2005 Boarding and Animal Protective Services Contracts for review and consideration. Vice-Chairman Lindborg motioned to table signing the contract. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

Charles M. Pennypacker has forwarded the Township correspondence with regard to the possible sale of his client's property to the Township. Vice-Chairman Lindborg motioned to table this item. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

The Township is in receipt of correspondence from James W. MacCombie, P.E. with regard to the waiver requests for the Susan B. Maes Minor Subdivision Plan. Vice-Chairman Lindborg motioned to table Maes Minor Subdivision Plan waiver requests. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

The Township is in receipt of a letter of extension for the rendering of an Opinion and Order on the Siousca Conditional Use Hearing from Jack Conti. Vice-Chairman Lindborg motioned to accept the extension. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

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

John E. Good, Esquire has forwarded the Township his review of proposed Ordinance NO. 05-01. Manager Rambo noted that John Good has a concern about the maintenance of a fence placed on a surveyed property line.

The Chester County Department of Emergency Services has forwarded the Township a "draft" Ordinance pertaining to minimum regulations applicable to Emergency Communication Systems. Manager Rambo and Dale Barnett will look further into this Ordinance.

The Chester County Department of Emergency Services has forwarded the Township a "draft" Resolution with regard to the designation of the National Incident Management System as the standard for the Township. Manager Rambo will discuss this resolution with Chief Werner.

PECO has forwarded the Township information with regard to its Green Region Open Space Grant Program administered by Natural Lands Trust. Manager Rambo will be looking into this grant program.

The Township is in receipt of correspondence from Verizon with regard to its plans to upgrade their lines to fiber optics in 2005. Manager Rambo stated they have already begun. Their intent is to complete fiber optics both in current underground subdivisions and aerial lines by the end of the year, once that is done they will offer quicker Internet service.

**Reports of Departments**

Chairman McCaffrey then moved onto the Reports of Departments for the month of November 2004. Chief Werner presented the police report. There were no questions or comments. Tom Eells

presented the Public Works report. Dale Barnett gave the report from the Buildings/Codes Department. Manager Rambo gave the report of the Fire Marshall and also East Brandywine, Wagontown, and Martins Corner Fire Departments. There were no comments.

### **Reports of Organizations, Boards and Commissions**

Chairman McCaffrey moved onto Reports of Organizations, Boards, and Commissions for the month of November. Steve Jakatt gave the report of the Planning Commission. Mr. Jakatt stated that some Planning Commission members have asked how long they have to keep a plan before them before it becomes stale, referring to “Schnatz and Rohrer Landscaping,” who have been before the Planning Commission for four years. The BoS suggested they send them a letter; Manager Rambo will look into pulling their latest review letter.

Manager Rambo noted that there will be a recommendation to move the reports to the first BoS meeting of each month. There were no comments. There was no one present from the Historic Commission or the Parks and Recreation Board. Manager Rambo gave the report of the Municipal Authority. Chairman McCaffrey commented that he doesn't know what to believe regarding Pennsylvania American, whether they will have sufficient capacity available. Manager Rambo noted they have received approval in a revised construction management plan for 87,000 gallons, the Authority needs to approach them for an additional 50,000, in which they have met with Mr. Crooks from Pennsylvania American this afternoon. Mr. Crooks will be forwarding on to the Authority a completed addendum with all blanks filled out tomorrow for submission to John E. Good, as well as costs associated with upgrades of the lines that are deficient within the City itself. A meeting is scheduled with Manager Rambo, Jim MacCombie, Mr. Poff and Mr. Unruh for Monday to make sure they continue on track.

The Municipal Authority Board is requesting that the BoS take a vote this evening to allow Act 537 to be amended. This amendment would be tied into the first Act 537 Special Study that Mr. Poff was working on. Chairman McCaffrey was concerned that the EDU for this Township doesn't change. Manager Rambo noted that the EDU in the plan says 300; they will be keeping with the issuance of the Opinion and Order at 262 ½, which is what is submitted in the current special study. Chairman McCaffrey stated that if they continue to allow these exceptions to the number of gallons that we specify in our existing Act 537 plan and keep lowering it for future subdivisions that apply before us, he would like to make sure that it be specific for an individual's project based on the conditions that are involved there and not something that should be applied to the entire Act 537 Plan. Manager Rambo stated that it will be specific to this special study. Mr. Poff stated they have always been willing to do what is being discussed this evening, as long as everything is proceeding in that direction, but the instant it starts to slow down they will be right back where they started with their plan.

Manager Rambo recommended the BoS to take a vote to allow the Special Study that is going to be performed by Bentley Communities to be the amendment to the Township's Act 537 Plan to allow the Municipal Authority to expand the current Friendship Village Sewer District North to encompass the Kimberwick and abutting areas that they have been discussing over the last few years. Vice-Chairman Lindborg made the motion per the Manager's recommendation as stated above. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye. Chairman McCaffrey wanted to make clear that he had been told that this

would not affect the Township's Act 537 Plan as far as outside of the Study area for the number of gallons, and if it is, he will hold the executive director of the Municipal Authority responsible.

**Adjournment from Township Meeting 9:45 p.m.**

**Opening of Public Hearing 9:46 p.m.**

Public Hearing for consideration of the Transportation Capital Improvements Plan (TCIP) component of the Traffic Impact Study. Manager Rambo noted the Hearing was duly advertised. Mary Pantalone, of McMahan Associates gave a brief review of the TCIP and noted that last month the BoS adopted the Roadway Sufficiency Analysis. The TCIP builds upon the Roadway Sufficiency Analysis and translates the improvements and identifies the costs that translate into a Transportation Impact Fee. The Transportation Impact Fee for TSA North is \$2,611.13 per peak hour trip and \$959.55 per peak hour trip in TSA South.

**Public Comment.**

There were no comments.

**Questions from the BoS.**

Supervisor Obernier asked if Ms. Pantalone was able to answer his previous question. Ms. Pantalone stated at this time she was not able to get an answer because of a break in at her office and apologized for any inconvenience. She noted that this is very specific to the developer on a case-by-case basis and is a very common concern. There were no further questions.

**Adjournment from Public Hearing was at 9:03 p.m.**

Vice-Chairman Lindborg motioned to adjourn from the Public Hearing. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

**Re-Opening of Township Meeting was at 9:04 p.m.**

**Old Business**

The Board of Supervisors is searching for volunteers to serve on the Building Appeals Board and Historic Commission. Supervisor Obernier noted that they had talked in the summer about having another person and the Manager wasn't sure if the person could fill that position because of other commitments, but will find out.

The Township's Building Inspector/Codes Officer has finalized his review of the recently adopted building code bill and has presented his recommendations to the Manager and Board of Supervisors for review. Copies were placed in the BoS mailboxes for their review and discussion at the next meeting.

The Manager has forwarded the proposed zoning amendments with regard to fences and signage to the Chester County Planning Commission and WBT Planning Commission for review and comments. There were no comments.

Final comments on the Township's 2005 budget prior to its adoption. There were no comments from the Floor or the Board.

The Township will be accepting bids for the sale of surplus equipment on Thursday, January 20, 2005. The list will be available at the Township on January 1, 2005.

Discussion on the proposed fee schedule with regards to submission of plans, hearing applications, etc. Manager Rambo noted the fee schedule is up for adoption. Slight modifications have been made to the submission of Zoning Hearings and Conditional Use Applications. All the fees are based on actual cost. Chairman McCaffrey asked how much a variance costs. Manager Rambo stated that with the use of the building and advertisement the cost is \$650 to \$700, which doesn't include the Township's time. The cost will increase from \$500 to \$750. Vice-Chairman Lindborg was okay with the fees as long as they stay reasonable. Chairman McCaffrey was concerned about the affordability if they have damage do to a storm. Vice-Chairman Lindborg explained that if something already exists, you would just replace it and wouldn't need a variance.

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

Jim Connor of Lafayette Road questioned Ordinance No. 04-04 and suggested that the use of high-powered rifles not be allowed in WBT.

Jesse Edwards of Manor Road noted that all rifles are projectiles.

### **Old Business from the Board**

Supervisor Obernier noted two unresolved issues still remain with Comcast. First, there are three revenue line items that they have not identified the amount the Township would be receiving on them. Second, the Township supplied Comcast with a list of residents that should be allocated to WBT in their database. Supervisor Obernier would like to put an advertisement in the newspaper for a RFP to supply cable, because Comcast has not been responsive. This may wake them up and let them know that they may lose their franchise. Manager Rambo stated that he doesn't know any other cable providers, that Comcast owns all of them in the area. Chairman McCaffrey suggested they hold them responsible to pay for the additional 350 residents, and by ignoring the fact that additional revenues are due to the Township does not remove the obligation to pay that tax. They have been dealing with this issue for two years. Both Chairman McCaffrey and Supervisor Obernier feel that the contract they currently have that was signed in 1968 is illegal. The BoS is not permitted to pass any contract that exceeds three years, with the exception of the trash contract that can be extended beyond the initial three years for an additional two years. Manager Rambo will contact Comcast, East Goshen Township who just did a new contract, and also look into advertising for a new cable company. Manager Rambo noted that Verizon is going to establish fiber optics, which they can than send over TV signals. Until they get everything done and set up in the area they will not come in to discuss it. The residents would then have both Comcast and Verizon.

### **Ordinances and Resolutions**

Ordinance NO. 04-04; dealing with the discharging of firearms in residential areas. Vice-Chairman Lindborg tabled Ordinance NO. 04-04. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #11-04; adoption of the Land Use Assumption Report as part of the ACT 209 Traffic Impact Fee Study. Vice-Chairman Lindborg motioned to adopt Resolution #11-04. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #12-04; adoption of the Transportation Capital Improvements Plan as part of the ACT 209 Traffic Impact Fee Study. Vice-Chairman Lindborg motioned to adopt Resolution #12-04. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #13-04; adoption of the 2005 Operating Budget. Supervisor Obernier motioned to adopt the 2005 Operating Budget. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye.

Resolution #14-04; adoption of the 2005 Real Estate Tax millage rate, with no change in the millage rate. Vice-Chairman Lindborg motioned to adopt Resolution # 14-04. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

Resolution #15-04; adoption of the 2005 Fire Hydrant Tax millage rate. The Fire Hydrant Tax millage rate has no increase. Supervisor Obernier motioned to adopt the Fire Hydrant Tax millage rate. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye.

Resolution #16-04; adoption of the 2005 Solid Waste and Recycling Fee. The Solid Waste and Recycling Fee is being increased to \$212 per year. Chairman McCaffrey motioned to adopt the Solid Waste and Recycling Fee. Supervisor Obernier seconded the motion. Board Members McCaffrey, Obernier, and Lindborg voted aye.

Resolution #17-04; adoption of the Plan Submission, Land Development, Zoning Hearing and Conditional Use Hearing Fees. Vice-Chairman Lindborg motioned to adopt Resolution #17-04. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

### **New Business**

The Winter edition of the Township Newsletter is slated for mailing the week of Monday, December 27, 2004. There were no comments.

Award of bids for the purchase of three recycling roll-off containers. Manager Rambo noted that Tom Eells and himself opened the four bids the Township received at 12:00 noon today. The first bid was from Thompson Fabricating (\$17,280) and was incomplete because there was no bid bond or certified check. The completed bids were from Mid-Atlantic Waste Systems (\$24,295), A.J. Blosenski (\$16,800), and Paulsonbilt (\$13,020). Manager Rambo and Tom Eells recommended they go with the 3/8" bar, which adds an additional \$144 per container, and that the award go to Paulsonbilt for three containers at a total price of \$13,452. Chairman McCaffrey motioned to accept the bid from Paulsonbilt. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

The Township is meeting with Honey Brook Township with regard to providing police services. There was no updated information.

The Township will hold its yearly re-organizational meeting on Monday, January 3, 2005 at 7:00 p.m. with its first yearly meeting of 2005 to immediately follow. There were no comments.

The Township to consider amending the current Occupational Privilege Tax (\$10) to comply with ACT 222 of 2004 and rename it the Emergency and Municipal Services Tax (\$52). Jesse Edwards stated there were concerns about West Chester having it as part of their budget. Manager Rambo stated they would be using the additional funds to hire road personnel as needed, maintain road personnel, and address any additional police needs. Chairman McCaffrey explained that employers take this out of their employees, which then gets forwarded to the municipality where their employee resides to help maintain the roads. Manager Rambo recommended that the Board allow the Township solicitor to continue writing the Ordinance and preparation to duly advertise the Ordinance so they can adopt it, so that it becomes effective on January 1, 2005. Chairman McCaffrey motioned to accept the Managers aforementioned recommendation. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey, Lindborg, and Obernier voted aye.

The Manager has forwarded Ms. Cindy Quinn, President of the CASD Board, dates for joint meetings with the Township Board of Supervisors. Manager Rambo would like to have a meeting set up in February, April, and June before the CASB passes their budget.

#### **New Business from the Floor**

There was none.

#### **New Business from the Board**

There was none.

#### **Public comments (individuals not requesting to be on the agenda)**

Jesse Edwards noted the damage from the armored truck that hit the barn on Route 82.

#### **Open Issues**

Cable Franchise was discussed earlier in the meeting.

#### **General Obligation Note**

The current interest rate for the adjustable rate loan based on a bond for the Facility/Park construction is 2.00%. Chairman McCaffrey noted that 2.00% is less than they would have paid if they would have taken it out on the most advantageous conditions, plus they would have paid \$50,00 if they took it out as a bond issue for the community and feels they are still way ahead.

#### **Review and Payment of the bills**

Chairman McCaffrey noted bills totaling \$57,344.35. Vice-Chairman Lindborg motioned to pay the bills and Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye in favor of their payment.

#### **Upcoming Meetings/Events**

- Christmas with Santa, Saturday, December 18, 2004 at 11:30 a.m.
- WBT Planning Commission meeting, Tuesday, December 21, 2004 at 7:30 p.m.
- Yearly Board of Supervisors re-organizational meeting, Monday, January 3, 2005 at 7:00 p.m.

- Board of Supervisors first monthly meeting, Monday, January 3, 2005 after re-organizational meeting.
- Elected Board of Auditors re-organizational meeting. Tuesday, January 4, 2005 at 7:00 p.m.
- Historic Commission meeting, Monday, January 10, 2005 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, January 11, 2005 at 7:30 p.m.
- Yearly WBT Municipal Authority re-organizational meeting, Thursday, January 13, 2005 at 7:00 p.m.
- WBT Municipal Authority meeting, Thursday, January 13, 2005 after re-organizational meeting.

### **Adjournment**

With no other business to discuss, Supervisor Obernier motioned to adjourn the meeting at 10:30 p.m. Vice-Chairman Lindborg seconded the motion. Board Members Obernier, Lindborg, and McCaffrey voted aye in favor of adjournment.

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