

**Meeting Minutes of February 17, 2011  
Board of Supervisors**

Vice-Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of February 17, 2011 to order at 7:40 pm and then led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Manager Rambo noted Supervisor's Josef G. Obernier Sr. and Thomas J. McCaffrey, Jr. in attendance. Supervisor Carl S. Lindborg was absent. Also present were Ronald A. Rambo, Jr., Township Manager, Jeff Kimes, Sergeant, Dale C. Barnett, Codes/Zoning Officer, and Thomas Eells, Public Works Director.

**Acceptance of Minutes from Previous Meetings**

*February 3, 2011.* Supervisor McCaffrey motioned to table the minutes until all BoS members are present, seconded by Vice-Chairman Obernier. Board members McCaffrey and Obernier voted aye.

**Treasurer's Report**

*Manager Rambo presented the Treasurer's Report, balance as of the end of January.*

General Fund	\$937.25	State Liquid Fuel Fund	\$2,333.62
K-9 Rudy Fund	\$294.20	Operating Reserve Fund	\$521.37
Solid Waste & Recycling Fund	\$218,428.56	Police Pension Fund	\$1,649,795.99
Capital Reserve Fund	\$240,710.10	Non-Uniform Pension Fund	\$358,758.73
Developer Escrow Fund	\$384,793.73	Payroll Fund	\$17,971.80
Construction Sweep Fund	\$1,181.57		

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

There were no Public Comments.

**Correspondence/Communications** *Information to act upon*

*The Board of Supervisors is in receipt of correspondence from John E. Good, Esquire with regard to dates for the Forrell Conditional Use Application. Both Vice-Chairman Obernier and Supervisor McCaffrey were okay for the Forrell Conditional Use Hearing to be on Tuesday, March 15<sup>th</sup>. The Manager Rambo will notify John Good.*

*The Board of Supervisors to consider the Authorization of the removal of tax liens on various mobile homes within the mobile home parks in the Township as submitted by the County Tax Claim Bureau. Supervisor McCaffrey requested the properties be inspected to ensure that these mobile homes are not there prior to approving their removal from the tax bureau. The BoS tabled this item until they receive this information. Supervisor McCaffrey also asked if they could look into Indian Run Village's (IRV) failed treatment plant. Manager Rambo will contact IRV and request updated information.*

**Correspondence/Communications** *Information to note*

*The Township is in receipt of correspondence from PADEP with regard to a Notice of Violation for the Indian Run Mobile Home Park Sewage Treatment Plant. There were no further comments.*

*The Township is in receipt of correspondence from the State Ethics Commission noting that Mr. Obernier is in full compliance with his Order. There were no comments.*

The Chester County Solid Waste Authority has forwarded the Township an update as to the current Processing and Marketing Contract Pricing noting that since April of 2010 it has gone from minus \$21.20/ton to \$12.70/ton for single stream recyclables. There were no comments.

Representative Schroder has acknowledged the Township's letter with regard to the PA Right to Know Law and the need to establish fees to cover research and reviews. Manager Rambo explained he sent a letter on behalf of the Township to Senator Pileggi, copied to our local Representatives and Senators, due to the fact the Township receives an abundance of Right to Know Requests with regard to subdivisions. It takes many hours of research, once the information is provided to some of these individuals asking for it, the individuals then prepare a spreadsheet and sell it to other developers. All the Township can recoup is .25 per page. Manager Rambo voiced concern of the costs associated with Right to Know, requesting the ability to charge fees for researching the information that is going to be sold by an outside agency. The Township receives two or three of these requests a week. There is a revised law before the State that will allow the Township to start requiring a deposit for a minimum of \$50, currently set at \$100.

The Township has received the PADEP reimbursement for the multi-municipal purchase of the horizontal grinder in the amount of \$169,277.73 (\$42,319.44/municipality). Manager Rambo noted the participants are West Bradford, Caln, East Brandywine, and West Brandywine.

The Township is in receipt of correspondence from Stubbe Consulting LLC and the YMCA of the Brandywine Valley with regard to the parking lot lighting at the Brandywine YMCA facility. Vice-Chairman Obernier asked Manager Rambo the YMCA's amount left in escrow. Manager Rambo answered \$20,139.29. Vice-Chairman Obernier requested the Manager contact the YMCA for their estimated date of completion.

**Reports of Departments: Month of January unless otherwise noted.**

**Police Report:** Sergeant Kimes gave the monthly police report. Supervisor McCaffrey questioned if the complaints listed on the report were all police matters. Sergeant Kimes answered yes; the report does not show the complaints that were turned over to other departments. Jeff Grossman of Manor Road stated he read in the newspaper that the County Sherriff's department will no longer be doing warrants in municipalities. Sergeant Kimes explained this only pertains to parking tickets and local municipal ordinance violations.

Vice-Chairman Obernier introduced Sergeant Kimes, noting that he is filling in for Chief Werner.

Criminal	8	Burglaries/Thefts	10	<b>Total Complaints</b>	<b>810</b>
Non Traffic	9	DOA's	0	Total hrs worked	1470
Parking	8	Domestic/Disturbance	19	Overtime hrs	40.5
Traffic	144	Harassment	9	Fuel Used	973.6
Warnings	36	Premise Check	255	Total Miles Driven	8339
<b>Total Arrests</b>	<b>169</b>	Susp. Cond/Vehs	17	Admin Hrs	215
Alarms	21	Vehicle Crashes	21	Court Hrs	39.5
Animal Calls	8	Vehicle Stops	145	Training Hrs	58.5
Assist other PD	20	All Other	285	Investigation Hrs	177

**Public Works Department Report:** Submitted by Tom Eells, Public Works Director and presented by Manager Rambo.

Total man-hours	1,187.5	Miles traversed	5,554
Total Equipment hours	414	Total fuel gallons	1,871

**Buildings/Codes/Fire Inspector Department Report:** presented by Dale Barnett.

**Building & Codes**

Building Permits issued	8	CL Fees collected	\$840
Permit base fees collected	\$1,523	Inspections completed	16
Occupancy fees collected	\$200	Failed Inspections (FI)	2

U&O permits issued	0	Failed Inspections Fees collected	0
U&O permits issued cursory	6	<b>Total fees collected</b>	<b>\$2,563</b>
Contractor Licenses (CL) issued	21		

Dale Barnett gave the Fire Report noting that he looking into issues regarding the fire lanes and fire hydrants at Freedom Village. Paul Gainor also noted other fire hydrants in the Township are covered with snow. Discussion ensued regarding issues with snow covered hydrants within the Township. Manager Rambo will look into Aqua PA's responsibility for the fire hydrants and also look into having markers placed at various hydrants.

**Fire Report:** Campfire/Recreational Permits

6	Fire Lane Investigation	1
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**Wagontown Fire Company:** Submitted by Captain Robert Yearsley and presented by Manager Rambo.

**Fire**

Number of calls dispatched into WBT	11	Initial dispatch into WBT	9
Second dispatch into WBT	2	Number of calls scratched	0

**Medical Assist**

Number of calls dispatched into WBT	0	Initial dispatch into WBT	0
Second dispatch into WBT	-	Number of calls scratched	0

**East Brandywine Fire Company:** Submitted by Chief Edwards and presented by Manager Rambo.

**Fire**

Number of calls dispatched into WBT	8	Initial dispatch into WBT	8
Second dispatch into WBT		Number of calls scratched	0

**Medical Assist**

Number of calls dispatched into WBT	23	Initial dispatch into WBT	21
Second dispatch into WBT	-	Number of calls scratched	2

**Martins Corner:** Submitted by Chief Dan Metzler and presented by Manager Rambo.

**Fire**

Number of calls dispatched into WBT	11	Initial dispatch into WBT	
Second dispatch into WBT		Number of calls scratched	

**EMS**

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

Paul Gainor asked if the Township was using Liquid Fuels money to pay for personnel this year as it had last year. Manager Rambo answered no.

**Reports of Organizations, Boards and Commissions**

Hugh Redditt gave the report of the Historical Commission, noting that the Historical Commission recommends that the BoS approve the Chester County Site Contractors demolition permit for the non-historic parts. Mr. Redditt also noted following in his report. The Historical Commission is okay with George Harlan's presentation for the Brandywine Manor House Inn. The roof is leaking on the historical log home at the corner of Route 82 & Route 322. There are old township markers on the Goodall property; it is one of the few places that these markers exist in Chester County from the original Penn days.

Manager Rambo noted the Parks and Recreation would like to have the Greaseband for their summer concert. Caln Township would share some of the cost.

There was nobody in attendance from the Planning Commission or the Open Space Review Board.

Municipal Authority Manager Rambo gave an update for the Authority projects and noted a water issue regarding the manholes on the Pulte site; the manholes will be raised to solve the issue. The Authority is receiving quotes to do the interconnect from Kimberwick.

**Adjournment from Township Meeting: time 8:26 p.m.**

**Opening of Public Hearing: time 8:26 p.m.**

*Ordinance NO. 2010-02; amendments to the zoning ordinance sections pertaining to signs.* Manager Rambo stated this hearing has been continued by request of the attorney until the March 3, 2011 BoS meeting.

**Adjournment from the Public Hearing: time 8:27 p.m.**

**Re-Opening of Township Meeting: time 8:27 p.m.**

**Old Business**

*The Manager is in the process of preparing the Airport Hazard Zoning Overlay District for incorporation into the Township's zoning ordinance as required by PA Act 1984-164.* There were no comments.

*Additional discussions on Ordinance NO. 2010-02.* There was no discussion.

**Old Business from the Floor**

There was no Old Business from the Floor.

**Old Business from the Board**

There was no Old Business from the Board.

**Ordinances and Resolutions**

*Resolution #02-2011; acceptance of the Parcel F, being UPI No. 29-7-53, as Open Space from Pulte Homes of PA, Limited Partnership.* Manager Rambo noted the Township awaits the necessary documents for recording and signing. The BoS tabled this item.

**New Business**

*Signing of previously approved subdivision plans: Pulte Homes of PA, LLP, Preliminary/Final Minor Subdivision Plan.* Supervisor McCaffrey motioned to table this item, seconded by Vice-Chairman Obernier. Board members McCaffrey and Obernier voted aye.

*The Board of Supervisors to consider modifying its Agenda to place developer presentations at the end of the meeting.* The Manager is looking into this to see if this is permitted.

*The Board of Supervisors to consider the establishment of a Safety Committee and a Medical Information Policy as recommended in the Township Insurance Company's recent loss control visit.* Manager Rambo explained the Insurance Company recommended the Township establish a safety committee to meet once a month to make sure there are no hazards that could create "workers comp" issues. The BoS was in favor for the Manager to move forward with obtaining the information to establish a safety committee and prepare a medical information policy.

*The Board of Supervisors to consider the borrowing of funds from the Township's Municipal Authority during the switch-over of EIT Collectors.* Manager Rambo explained the Township is behind on income since the switchover from Berkheimer to Keystone Collections. The Municipal Authority, at their last meeting, agreed to lend funds to the Township in the amount \$150,000 for a ninety-day period. The Authority requests that all penalties and lost interest are refunded to them. The Manager stated this will only be borrowed if needed. Supervisor McCaffrey noted the Municipal Authority has had money lent to them in the past from the Township; it is an entity that is sort of connected with the community. For smooth operating they should be able to pass money back and forth as long as there are no penalties or extra cost involved to anyone. Supervisor McCaffrey stated he is reticent about

making the motion because he is on the Authority. Since Chairman Lindborg is not in attendance and according to the Ethics Commission, Supervisor McCaffrey voiced he is allowed to facilitate a vote when another member is not present. With that said, Supervisor McCaffrey motioned to approve the borrowing of funds from the Municipal Authority, seconded by Vice-Chairman Obernier. Board members McCaffrey and Obernier voted aye.

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

There was no New Business from the Floor.

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

There was no New Business from the Board.

#### **Public Comments**

There were no Public Comments.

#### **Open Issues Before the Township**

*The Township Engineer and Manager continue their work on updating the Township's Act Plan. There were no comments.*

*The Township is looking for two volunteers to fill vacancies on the Parks and Recreation Board. There were no comments.*

#### **General Obligation Note**

*(Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public Works Facility/Park Construction: interest rate for the week is 2.23%). There were no comments.*

#### **Review and Payment of the Bills**

Manager Rambo noted the State Fund bills total \$95.98 and Solid Waste Fund bills total \$131,491.86 of which three checks are for the reimbursement to the other three municipalities that participated in the purchase of the horizontal grinder. The General Fund Bills total \$166,557.30 of which about \$6,000 to \$7,000 is recoupable from various escrows. The Manager would like to set aside the Cedar Grove check aside to address at the next BoS meeting. Supervisor McCaffrey explained there is an \$80 bill for Cedar Grove; this would cost the same elsewhere. In the absence of Chairman Lindborg not being here, McCaffrey would like to just pay the bill and not make a big game out of it. Supervisor McCaffrey stated he reviewed the bills, found them in order, and motioned payment of all the bills. Vice-Chairman Obernier seconded the motion. Board members McCaffrey and Obernier voted aye.

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

- Open Space Review Board meeting, Thursday, February 24, 2010 at 7:00 p.m.
- Planning Commission meeting, Thursday, February 24, 2010 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, March 3, 2011 at 7:30 p.m.
- Parks and Recreation Board meeting, Thursday, March 8, 2011 at 7:00 p.m.
- Municipal Authority meeting, Thursday, March 10, 2011 at 7:30 p.m.
- Historic Commission meeting, Monday, March 14, 2011 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, March 17, 2011 at 7:30 p.m.

#### **Adjournment**

There being no further business before the Board, Supervisor McCaffrey motioned to adjourn the meeting at 8:42 p.m. Vice-Chairman Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye in favor of adjournment.

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