

**Meeting Minutes of March 18, 2010  
Board of Supervisors**

Chairman Thomas J. McCaffrey, Jr. called the West Brandywine Township (WBT) Board of Supervisors meeting of March 18, 2010 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 Township Manager Ronald A. Rambo, Jr. noted Supervisor's Chairman Thomas J. McCaffrey, Vice-Chairman Carl S. Lindborg, and Supervisor Josef G. Obernier Sr. in attendance.

**Acceptance of Minutes from Previous Meetings**

February 18, 2010 and March 4, 2010. Supervisor Obernier motioned to accept the February 18, 2010 minutes. Vice-Chairman Lindborg seconded the motion. Board members Obernier, Lindborg, and McCaffrey voted aye. The March 4, 2010 minutes were tabled, as they were not finished yet.

**Treasurer's Report**

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

|                          |              |                              |                |
|--------------------------|--------------|------------------------------|----------------|
| Capital Reserve Fund     | \$547,730.75 | Operating Reserve Fund       | \$191.68       |
| Construction Sweep Fund  | \$8,360.78   | Police Pension Fund          | \$1,371,596.15 |
| Developer Escrow Fund    | \$389,209.23 | Solid Waste & Recycling Fund | \$211,878.41   |
| General Fund             | \$37,333.84  | State Liquid Fuel Fund       | \$36,236.35    |
| Non-Uniform Pension Fund | \$299,408.48 | K-9 Rudy Fund                | \$1,301.67     |
| Payroll                  | \$17,330.96  |                              |                |

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

Carol A. Forrell is present to ask questions of the property located at 1592 Horseshoe Pike. Ms. Forrell and her daughter are looking at purchasing this property. Her daughter, Alison plans to reside in the home and both Ms. Forrell and her daughter plan on running their accounting business from the detached building located on the property.

Ms. Forrell questioned whether the property should be considered commercial as she had recently obtained a copy of an L & I document noting that the building meets commercial use status. It was explained that when the building was built years ago, the site was commercial, however, the zoning changed and the use of the building has not occurred for years.

The Manager noted, as discussed with her and her daughter previously, they need to go through the Conditional Use Process as a Major Home Occupation as she plans to have individuals not residing at the dwelling working in the detached building. The major home occupation would allow Ms Forrell and

her daughter to utilize the property as they desire. It was suggested that they submit a Conditional Use Application to begin the process to allow her to utilize the property as she desires.

Richard Ruoff is in attendance to talk with the Board of Supervisors with regard to the proposed Martin's Corner Bicycle Road Race. Mr. Ruoff explained the race to the Board of Supervisors and addressed questions of the Board. It was noted that the Township would support the event to allow it to traverse throughout the Township. The Manager requested that PennDot be contacted as the roadways to be used for the event were overseen by PennDot. Mr. Ruoff advised the Board that he would contact PennDot.

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

*The Township is in receipt of an invitation to attend the opening ceremonies for the EBYA Baseball season on Saturday, April 17, 2010 at 10:00 a.m. There were no comments.*

*The Township is in receipt of information from the Chester Tax Collection Committee with regard to the collection of the LST. The BoS was in agreement to participate in the Local Services Tax.*

*The Township is in receipt of information with regard to the upcoming Brandywine Valley Duathlon and the utilization of highway maintenance personnel to assist with intersection control devices within the Township. Chairman McCaffrey motioned to participate and Vice-Chairman Lindborg seconded the motion. Board members McCaffrey, Lindborg, and Obernier voted aye.*

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

*The Township is in receipt of correspondence from PSATS with regard to proposed bylaw changes being considered by the Association's Rules Committee and on recommendation by the Finance Committee. There were no comments.*

*Edwin C. Baldwin, III and Mary Baldwin-Trego have forwarded a letter to the Township acknowledging their desire to pursue an agreement for the sale of their development rights on the farm located at 704 East Reeceville Road. There were no comments.*

*The Township is in receipt of a grant award in the amount of \$1,065.01 from the County for its participation in the Regional Household Hazardous Waste Collection events. There were no comments.*

*The Township is in receipt of correspondence from the Department of Emergency Services with regards to its involvement and that of the local governments in an All Hazards Mitigation Plan. There were no comments.*

*The Township is in receipt of a review letter from Stan Stubbe with regard to the lighting at the YMCA. Manager Rambo explained the YMCA at .044 lumens does not meet the minimum lighting requirement of .2 lumens. They could be liable if something happened; if the Township does not have them meet lighting code then the Township could be liable. The BoS suggested the YMCA prepare a plan to meet the Township's minimum lighting requirements.*

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

**Police Report:** Manager Rambo stated he would request the Police Department submit a new report for the next meeting, the report that was submitted has no totals.

**Public Works Department Report: January**

|                       |     |                    |        |
|-----------------------|-----|--------------------|--------|
| Total man-hours       | 724 | Miles traversed    | 3,399  |
| Total Equipment hours | 51  | Total fuel gallons | 970.20 |

..... February

|                       |     |                    |         |
|-----------------------|-----|--------------------|---------|
| Total man-hours       | 960 | Miles traversed    | 5,877   |
| Total Equipment hours | 234 | Total fuel gallons | 2250.56 |

Manager Rambo noted work done for the two months and also stated the Public Works assisted the City of Coatesville for three days. In return, the City is going to sweep the Township's roads for three days.

**Buildings/Codes/Fire Inspector Department Report** Submitted by Dale Barnett and presented by Manager Rambo.

**Building & Codes**

|                            |         |                                   |                   |
|----------------------------|---------|-----------------------------------|-------------------|
| Building Permits issued    | 4       | Permit base fees collected        | \$650             |
| Occupancy fees collected   |         | U&O permits issued                | 2                 |
| U&O permits issued cursory | 7       | Contractor Licenses (CL) issued   | 13                |
| CL Fees collected          | \$520   | WBT Inspections completed         | 11                |
| Failed Inspections (FI)    |         | Failed Inspections Fees collected | 0                 |
| WBT Fees Collected         | \$1,170 | Valley Twp Fees Collected         | \$1,960.38        |
|                            |         | <b>Total fees collected</b>       | <b>\$3,130.38</b> |

**Fire Report**

|                            |  |                                    |   |
|----------------------------|--|------------------------------------|---|
| Permit inspections done    |  | Campfire/Recreational Permits      | 3 |
| Specialty Bonfire Permits  |  | Agricultural Permits               |   |
| Permits not given          |  | Special permits given for blasting |   |
| Special permits not given  |  | Other type inspections done        |   |
| Code violations/Complaints |  |                                    |   |

**East Brandywine Fire Company** Report presented by Chief Joseph Edwards.

**Fire**

|                                     |    |                           |    |
|-------------------------------------|----|---------------------------|----|
| Number of calls dispatched into WBT | 12 | Initial dispatch into WBT | 12 |
| Second dispatch into WBT            | 0  | Number of calls scratched | 0  |

**Medical Assist**

|                                     |    |                           |    |
|-------------------------------------|----|---------------------------|----|
| Number of calls dispatched into WBT | 13 | Initial dispatch into WBT | 12 |
| Second dispatch into WBT            | -  | Number of calls scratched | 1  |

**Wagontown Fire Company** Submitted by Chief Todd Ziegler.

**Fire**

|                                     |   |                           |   |
|-------------------------------------|---|---------------------------|---|
| Number of calls dispatched into WBT | 4 | Initial dispatch into WBT | 3 |
| Second dispatch into WBT            | 1 | 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 |

**Martin's Corner Fire Company** Submitted by Dan Metzler and report presented by Manager Rambo.

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

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

Hugh Redditt gave the report of the Historical Commission and noted the Commission is in the process of creating a file denoting Class I, Class II, and Class III historic resources as well as placing them on a map. Chairman McCaffrey was in favor to having the historic resources mapped. Barry Parsons voiced displeasure in the fact that the Historical Commission minutes were not posted on the Township's website because the Township's computers are so antiquated and noted the Township's computer consultant. Supervisor Obernier took offense to Mr. Parsons comments noting the computer tech cannot spend money but can only make recommendations and asked how many times the Historical Commission has had a quorum.

Manager Rambo recommended to the BoS that Hugh Redditt be given permission to send a letter to Mitch Cottler of Bentley Homes regarding issues that were discussed at the Historical Commission in which Mitch Cottler was in attendance. The Historical Commission sent a letter dated March 11, 2010 dealing with paragraph C, requesting permission to send Bentley a letter. Manager Rambo then read the letter out loud. Writing this letter will start the process of recreating the springhouse that was formerly there. Chairman McCaffrey asked about keeping the pond. Manager Rambo explained that DEP sees ponds as dams; they want all dams to be removed and created back to natural waterways. Bentley designed the plan with the pond and DEP made Bentley take it out and reestablish another location for a basin. Discussion regarding the pond continued. Elizabeth Zanowiak, Jeff Grossman, Richard Guest, and Hugh Redditt also commented about keeping the pond. The BoS was in agreement for the Manager to look into the requirements to keep the pond.

Michelle Benkovich gave the report of the Parks and Recreation Board noting they are selling Regal Movie tickets.

Manager Rambo noted no one is in attendance from the Planning Commission or the Open Space Review Board. Neither the Planning Commission nor the Open Space Review Board had a February meeting because of the inclement weather. The Manager noted the Open Space Review Board is aware that the Baldwin's would like to pursue development rights/conservation easement.

Municipal Authority Manager Rambo gave the report of the Municipal Authority noting work completed. Paul Sell asked questions about the pump station, the repair of Swinehart Road, and the dumping of chicken by-products on Overlook Farm. Elizabeth Zanowiak also asked about repairing roadways from the sewer project as well as Union and Pratts Dam Road. The Manager will talk with the Public Works Director.

### **Old Business**

*The Manager has provided the Historic Commission with information with regard to the Gordon Tract on Route 322 as it pertains to the Bentley Communities Project.* Manager Rambo noted the Historic Commission has received the book as well as pictures of the entire farmstead.

*Review and discuss the proposed Violation Notices pertaining to the Township's Trash and Recycling Program.* Vice-Chairman Lindborg is not in favor of fining people for not being compliant with a service that they are paying for and would like information from neighboring townships as to what they are doing regarding violations. Manager Rambo noted he would be attending a seminar in May regarding enforcement requirements within Pennsylvania. Chairman McCaffrey suggested the trash hauler just leave improperly sorted waste and recycling until it is properly sorted. Elizabeth Zanowiak

asked where it is written that the Township has to enforce recycling. Paul Gainor also commented about and article regarding tracking citizen's garbage. Discussion continued.

*The new computers and operating systems software are to be delivered on or before April 8, 2010.*  
There were no comments.

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

Lori Petri Formica asked questions concerning the visit to her home regarding the District Attorney's office and Labor Relations Attorney. Supervisor Obernier answered the BoS and Manager have not asked the District Attorney to do anything. Ms. Petri Formica stated the DA told her that the Chief of Police asked for an investigation and found it interesting that the BoS doesn't know anything about it. Manager Rambo stated they had an executive session with the BoS on March 15<sup>th</sup> to discuss various issues regarding the revision of the personnel manual and other personnel issues that can't be discussed during a public meeting. Dialog continued.

Elizabeth Zanowiak voiced concerns about the church and school lights are left on late and are not off according to the lighting ordinance. Dialogue continued. Manager Rambo will contact them about the time their lights turn off at night.

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

Supervisor Obernier requested an update regarding the co-op for the Township and its residents regarding companies that would be willing to accept and sell electricity to the Township and its residents. Manager Rambo stated he hasn't found anyone that deals with residential. Discussion continued. The Manager will write a letter to Exelon to see if they would be interested in participating on a community wide basis for the purchase of electric power along with other municipalities.

### **Ordinances and Resolutions**

*Resolution #02-2010; adoption of Non-Uniform Personnel Policy Manual.* Manager Rambo explained various issued that are addressed in this update. The Manager noted he would present for adoption only the sections that the BoS requested be changed and everything else would stay as is. The Manager also requested having an executive session to discuss the personnel manual. This item was tabled.

### **New Business**

*Establishment of the Phase I public escrows for the Bentley Projects.* This item was tabled; Bentley is still working on obtaining the necessary documents.

*Discuss the replacement of the 1990 GMC through the Co-Stars Program and the use of liquid fuel funds to pay for its purchase.* Manager Rambo noted the BoS is in receipt of information from the Public Works Director for review and discussion at the next BoS meeting. If they were to pursue the purchase of the truck they would make payment January of next year. Vice-Chairman Lindborg explained there would be significant changes in emission requirements along with an increase of cost in the 2011 model year. With the large storms, the smaller trucks struggle, this size truck in addition to the other type of work that it would do would be a real asset and recommended that they do something soon because chassis with a 2010 emissions are going fast. Tom Maher of the Public Works Department expressed the need to replace the 1990, which outlived its useful life. Supervisor Obernier asked if liquid fuels could be used to pay for this. Manager Rambo answered yes; they would make a once a year payment, the total price would be approximately \$130,000 for the plow, dump body, spreader, and chassis. Vice-Chairman Lindborg motioned to purchase the truck through the Co-Stars Program. Chairman McCaffrey seconded the motion. Board Members Lindborg, McCaffrey, and Obernier voted aye.

Paul Gainor asked about using liquid fuels money to pay people and asked if there would be money for road repairs this year. Manager Rambo explained that last year the liquid fuels fund was used to pay three people, this year only two people and noted the amount of money left. The Township is looking to establish a multi municipal paving crew, six townships are interested.

*The Township will be advertising in the Daily Local News for the acceptance of sealed bids for the purchase of a Horizontal Grinder. The Township was awarded grant money for this purchase from DEP.*

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

There was no New Business from the Floor.

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

Supervisor Obernier noted that Chief Werner received a grant from the State for computers. Manager Rambo explained the Chief received the grant in 2007 and is in the process of getting the grant changed from car systems, since the County is going to be replacing those, to desktop systems. The Chief has received quotes from Dell. The Chief is requesting that the BoS allow him to purchase the computer systems from Dell once he gets approval from the State. Chairman McCaffrey motioned to approve the purchase of new computer equipment, should the Chief have the grant changed from mobile units to desktop units through the Commonwealth and the money can be applied to that purchase. Vice-Chairman Lindborg seconded the motion. Board Members McCaffrey and Lindborg voted aye. Supervisor Obernier abstained because his company provides computer services for the Township.

Vice-Chairman Lindborg stated they are looking at the ways the Township operates and are looking into areas where they can find more effectiveness. This is a proactive action on part of the BoS. Vice-Chairman Lindborg read the following statement out loud.

*I move to authorize the Township Manager to commence an internal analysis of the operations of various Township departments to including, but not limited to, reviewing the department budget and the Township's Act 600 plan; and, further, to authorize the Township Manager to interview and obtain proposals from such professional consultants that he deems necessary to assist in this endeavor for consideration by the Board.*

Supervisor Obernier also made the following public statement in support of the motion.

*Given the recent unprecedented economic decline and the slow rebound of today's economic conditions, the Township remains concerned over the prospect for declining revenue for the 2011 fiscal year and beyond. This concern is further heightened by anticipated increases in operational costs, projected state-mandated increases to the Township's required contribution to the Act 600 police pension fund, proposed increases in fees associated with both Federal and DEP mandated participation programs, and the deregulation of various utilities. The Township believes that this is a time for conservative fiscal planning and responsibility. In order to prepare a responsible and balanced budget in the manner and in the time frame required by law, the BoS has decided to initiate a top-to-bottom evaluation of the Township's various departments in order to identify the potential for increasing efficiencies and reducing costs. It is anticipated that the relatively nominal costs of performing these evaluations will be far outweighed by the benefits. This has proven to be the case in the past. This action reflects a continuation of the Board's ongoing action to implement efficiencies in all Township departments to ensure that Township taxpayers receive value in services. The Township expects this internal review to be completed within the next four to six months.*

Chairman McCaffrey expressed agreement to get an opinion from an outsider. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye.

## **Public Comments**

Elizabeth Zanowiak asked questions about various bills.

## **Open Issues Before the Township**

*The Township continues to seek volunteers to serve on the Historic Commission.* There were no comments.

*The Codes Officer and Manager are finalizing their review of the Township's permit fees and will be making recommendations to the Board.* There were no comments.

*Creating of defined line items within the budget to replace the miscellaneous categories.* There were no comments.

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

Interest rate for the week is 2.30%. No comments.

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

The General Fund bills total \$62,065.53, Solid Waste bills total \$12,602.32, and Liquid Fuels Fund bills total \$34,085. Vice-Chairman Lindborg motioned to pay the bills with the exception of OAC Network Solutions. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier, and McCaffrey voted aye. Chairman McCaffrey motioned to pay the OAC invoice, seconded by Lindborg. Board Members McCaffrey and Lindborg voted aye. Supervisor Obernier abstained for the same reason of abstention as earlier.

## **Upcoming Meetings/Events**

- Open Space Review Board, Thursday, March 25, 2010 at 6:45 p.m.
- Planning Commission, Thursday, March 25, 2010 at 7:30 p.m.
- Annual Easter Egg Hunt, Saturday, March 27, 2010 at 10:00 a.m.
- Board of Supervisors, Thursday, April 1, 2010 at 7:30 p.m.
- Municipal Authority meeting, Thursday, April 8, 2010 at 7:30 p.m.
- Historic Commission, Monday, April 12, 2010 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, April 13, 2010 at 7:00 p.m.

## **Adjournment**

There being no further business before the Board, Vice-Chairman Lindborg motioned to adjourn the meeting at 10:08 p.m. Supervisor Obernier seconded the motion. Board Members Lindborg, Obernier and McCaffrey voted aye in favor of adjournment.

Ronald A. Rambo, Jr.

Township Manager/Secretary/Treasurer