

**Meeting Minutes of April 15, 2010**  
**Board of Supervisors**

Chairman Thomas J. McCaffrey, Jr. called the West Brandywine Township (WBT) Board of Supervisors meeting of April 15, 2010 to order at 7:32 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 and Supervisor Josef G. Obernier Sr. in attendance. Vice-Chairman Carl S. Lindborg was not in attendance because he had to work.

**Acceptance of Minutes from Previous Meetings**

March 18, 2010 and April 1, 2010. Chairman McCaffrey motioned to table the minutes until all BoS members are present. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

**Treasurer's Report**

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

Capital Reserve Fund	\$745,875.58	Operating Reserve Fund	\$8,815.73
Construction Sweep Fund	\$8,780.31	Police Pension Fund	\$1,371,596.15
Developer Escrow Fund	\$423,110.81	Solid Waste & Recycling Fund	\$319,223.67
General Fund	\$170,096.02	State Liquid Fuel Fund	\$168,776.80
Non-Uniform Pension Fund	\$299,408.48	K-9 Rudy Fund	\$1,302.02

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

There were no Public Comments.

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

*The Township is in receipt of a ninety (90) day letter of extension from Kurowski & Wilson, LLC on behalf of the CASD for the North Brandywine Middle School Project. Manager Rambo recommended the BoS accept the letter of extension noting that the extension will run until July 28, 2010. MacCombie found the extension warranted. They are currently addressing review letters. Supervisor Obernier motioned to accept CASD extension letter project plan. Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.*

*The Township is in receipt of a letter of interest from Stephen A. Measure to serve on the Historic Commission. Manager Rambo noted Mr. Measure is involved in Civil War reenactments at Hibernia Park and is a resident of WBT. The Manager will contact Mr. Measure to meet with the BoS a few minutes prior to the next BoS meeting.*

*The Township is in receipt of the Sewage Allocation Agreement for the Pulte Del Webb Project for consideration and signing.* Manager Rambo noted the Municipal Authority voted and recommended the BoS sign the sewer allocation agreement. Supervisor Obernier motioned for the Chairman to sign the sewage allocation agreement. Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.

*The Township is in receipt of a 90 day letter of extension from Cliff Murray of D.L. Howell for the Cyclemax Self Storage Preliminary Land Development Plan.* Manager Rambo noted that Mr. Murray is addressing outstanding comments of the Township Engineer. The Manager, Engineer, and Planning Commission recommended the BoS accept the extension letter. Chairman McCaffrey motioned to accept the 90 day letter of extension for Cyclemax Preliminary Land Development Plan. Supervisor Obernier seconded the motion. Board members McCaffrey and Obernier voted aye.

Elizabeth Zanowiak questioned its location and asked if it would bring in revenue for the Township.

*The Township is in receipt of a quote from Exelon for power generation for a two year period for consideration and acceptance.* The Manager recommended the BoS consider accepting Exelon's rate of .09296 cents per kilowatt to provide generated power to the Township for the next two years. Supervisor Obernier motioned to accept the low bidder Exelon. Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.

Ms. Zanowiak requested clarification and Manager Rambo briefly explained this is to provide power for the Township facilities.

*Gary L. Hoover has forwarded the Township a letter requesting that he be permitted to continue his farming practices of the 16.9 acre property obtained through the Authority.* Manager Rambo noted this property was obtained from the Authority as the result of negotiations with Bentley Homes to do away with the 256 apartments. Since that request was received, the Township has received a second request to be considered for the farming of open property from James E. Scott. Chairman McCaffrey requested the Manager contact Cheryl Fairburn, the director of the extension services of Chester County to see if there is an agreement that people have used in the past so that the Township only allows people to use Township land without depleting its nutrients. Chairman McCaffrey motioned to allow Gary Hoover to continue his use of the 16.9 acres for this year. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

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

*The Township is in receipt of an invitation from the DVRPC with regard to the upcoming meeting scheduled for Friday, April 23, 2010 at 9:00 a.m. at the East Brandywine Township building to discuss the US 322 Study.* Manager Rambo explained this is a presentation of final recommendations to elected officials to go over the Route 322 study that encompasses the area from the borough of Downingtown to the County line and any recommendations for improvements.

Elizabeth Zanowiak asked if the meeting was open to the public and Jeff Grossman asked when the study was done. Dialog continued.

*Gabrielle Kotke of 700 Highspire Road has sent a letter to the Township with regard to the signal at 322 & 82.* Manager Rambo explained the Township cannot request that without proper studies. Penn Dot has been contacted and they have arranged for McMann and Associates to perform a study.

The Brandywine YMCA has forwarded the Township a letter with regard to its site lighting. Manager Rambo explained the YMCA did not meet the Township's minimum requirements. This was discussed at a previous BoS meeting. The Manager is going to follow up with the YMCA's letter and request that the YMCA respond to the Township's letter that crossed theirs in the mail.

The Township is in receipt of a News Release from the Governor's Office with regard to the snow storm clean-up of February 2010. Manager Rambo noted that Governor Rendell has asked for federal assistance for snow storm cleanup. The Township, along with other Chester County Municipalities, submitted its cost associated with the larger storm. The Township awaits word if Chester County would be considered for any reimbursement. Chairman McCaffrey noted they have considered 27 counties and Chester County is not one of them.

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

**Police Report:** Manager Rambo noted the police reports for February and March.

February

Total Hours	842.65	Miles Patrolled	4987	Total Complaints	322
Accidents	4	Warrants	0	Fatalities	0
Domestic	6	Criminal Arrests	2	Non-Traffic Arrests	0
Traffic Arrests	63				

March

Total Hours	773.95	Miles Patrolled	3819.3	Total Complaints	359
Accidents	2	Warrants	0	Fatalities	0
Domestic	8	Criminal Arrests	0	Non-Traffic Arrests	4
Traffic Arrests	121				

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

Total man-hours	876.25	Miles traversed	2519
Total Equipment hours	44	Total fuel gallons	1312.30

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

**Building & Codes**

Building Permits issued	13	Permit base fees collected	\$5,301
Occupancy fees collected	\$200	U&O permits issued	0
U&O permits issued cursory	3	Contractor Licenses (CL) issued	21
CL Fees collected	\$840	WBT Inspections completed	13
Failed Inspections (FI)	4	Failed Inspections Fees collected	0
WBT Fees Collected	\$5,501	Valley Twp Fees Collected	0
		<b>Total fees collected</b>	<b>\$6341</b>

**Fire Report**

Permit inspections done		Campfire/Recreational Permits	25
Specialty Bonfire Permits	0	Agricultural Permits	0
Permits not given	0	Special permits given for blasting	0
Special permits not given	0	Other type inspections done	0

Code violations/Complaints 0

**East Brandywine Fire Company** Report presented by Chief Joseph Edwards. The Chief also noted they will be having a kids festival on Saturday, June 12<sup>th</sup> 11 a.m. until 5 p.m.

**Fire**

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

**Medical Assist**

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

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

**Fire**

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

**Reports of Organizations, Boards and Commissions**

No one was present from the Historical Commission.

Michelle Benkovich was present from the Parks and Recreation Board to their report. Ms. Benkovich noted the attendance of the Easter Egg Hunt, thanked those that helped, and stated the upcoming events.

Chuck Dobson was present from the Planning Commission to give their report. Mr. Dobson noted one item under new business; Pulte submitted the plan for the remainder of phases for Beachwood Campground for the DelWebb Applecross. There is a letter from Penn Dot questioning the access of a development of that size all coming off of Reeceville Road. Dialog continued.

Discussion ensued regarding the structure of the Open Space Committee and the need to have a chairperson serving on the Committee as well as the option to reestablish the ordinance lessening the number of participants.

Municipal Authority Manager Rambo gave the report of the Municipal Authority. A skin patch was put on Reeceville Road to temporarily correct rough travel. The road will not be repaved until the entire project is done. After construction is finished Penn Dot requires a ninety day waiting period before it can be repaved. It is estimated that everything including the decommissioning of the Kimberwick sewer plant will be completed by the end of this year. Chairman McCaffrey questioned where the pipes were going to be located. Manager Rambo answered the pipes are going in the best location to further allow Pulte to interconnect his collection system.

Chuck Dobson of Kristin Drive noted someone commented to him that perhaps the road will stay that way because there was no money to finish the project and wanted to reassure this person that the project is in full scope and the road will be finalized at some point. The Manager expressed that hopefully it will be finished by the end of the summer before school starts.

Jeff Grossman asked about repaving Culbertson Run Road. Manager Rambo noted they still have piping and manholes to put in, but will begin restoration of the yards that were dug up.

### **Old Business**

*The Manager is in the process of gathering Violation Notices examples from other municipalities with regard to the promotion of municipal Trash and Recycling Programs.* Manager Rambo stated at a previous meeting Vice Chairman Lindborg requested additional information. The staff is currently researching other municipalities to see how they address this. Chairman McCaffrey expressed neither him nor Vice Chairman Lindborg like the idea of trash police and would like some sort of stimulus for recycling started. Ms. Zanolwiak concurred. Discussion continued.

*The Township has provided DEP with the additional documentation pertaining to its 2007 Recycling Performance Grant for review and acceptance.* Manager Rambo explained WBT's application was selected for auditing and he has provided them the additional requested information.

*The Township Engineer and Manager are working on finalizing the Township's amended Act 537 for review and consideration by the Board of Supervisors.* Manager Rambo noted he anticipates completion in another two months.

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

Paul Gainor requested the Manager find out if elected officials were considered employees. Manager Rambo answered if an elected official is actually working on the roads, treasurer, or secretary then they would be considered an employee of the Township. Dialog continued regarding the issuance of a 1099 form, temporary employment, and being able to vote on various issues if you are an elected official.

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

There was no Old Business from the Board.

### **Ordinances and Resolutions**

There were no Ordinances or Resolutions.

### **New Business**

*Establishment of the Phase I public escrows for the Bentley Projects.* Manager Rambo stated the Township is in receipt of the letter of credit but awaits the signed paperwork. This item was tabled.

*Award of bid for the purchase of a Horizontal Grinder.* Manager Rambo noted two companies picked up the specifications and submitted bids. Both companies appear to meet the specifications. They would like to look at a piece of equipment that Bandit Industries has. They submitted a bid for \$178,086.38 with an additional \$5,000 per the extended warranty for a total of \$183,086.38. Deacon Equipment (Morbarck) submitted a bid for \$187,782 with an extended warranty for \$16,756 totaling \$204,538. The horizontal grinder will make mulch from tree stumps and logs up to 10 inches. The Township will make the chips available to the residents. The Manager recommended tabling the award until the next BoS meeting pending the opportunity to further review the information. Chairman McCaffrey motioned to table the bid award. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

Jeff Grossman asked if the other municipalities involved also have to agree on the bid. Manager Rambo answered no; the Township took the lead on the grant application as well as the bids.

Elizabeth Zanowiak asked who would be responsible for maintenance of the equipment. Manager Rambo answered all four municipalities.

*Award of bid for the rental of highway equipment to assist with road maintenance and construction projects.* Manager Rambo noted the following bids.

Name/Company	Bituminous Paver w/operator & screedman	10-12 Ton Vibratory Roller w/operator	10-12 Ton Vibratory Roller w/o operator	Milling Machine w 48" head & operator	Transporting rate from Municipality to Municipality	Transporting rate within Municipality	Bid Bond Y/N
Brubacher Excavating				\$365/hr	\$102/hr	\$102/hr	Y
G. Antonini Construction	\$200/hr	\$100	\$60	\$375/hr	\$75/hr	\$75/hr	Y
Robert Pearson	\$125/hr	\$85	\$50	\$400/hr	\$100/hr	\$100/hr	Y

Manager Rambo suggested not to separate the bid award for ease of scheduling and recommended the bid be awarded to Robert Pearson of Unionville for the bituminous paver with operator and screedman at \$125 an hour, the 10-12 ton vibratory roller without an operator at \$50 an hour, and the milling machine at \$400 an hour. The Township’s will provide water and a ground man for the milling machine. The other participating municipalities are West Bradford, Caln, Valley, South Coatesville, and Honey Brook Township. Chairman McCaffrey agreed with the Manager’s recommendation and motioned to award the bid to Robert Pearson for all of the equipment. Supervisor Obernier seconded the motion. Board members McCaffrey and Obernier voted aye.

Ms. Zanowiak asked how involved WBT will be when this comes to fruition. Manager Rambo explained that each municipality will be responsible to get their own job number from Penn Dot, get their own water, their own paving materials. Each Township will provide a man.

Lori Petri asked if the bid was sent to people in that business. Manager Rambo explained this was advertised in the Daily Newspaper. Seven companies picked up bids. Some didn’t want to bid because they wanted to provide everybody. Discussion continued.

*Recommendations of the Township Planning Commission.*

Recommendations of the Planning Commission were addressed earlier in the meeting. Chairman McCaffrey suggested putting this in the description under Reports of Organizations.

**New Business from the Floor**

Elizabeth Zanowiak asked about solicitors being allowed in the Township. Manager Rambo explained that solicitors need to be licensed by the Township. Chairman McCaffrey suggested she bring in the items that were left and the Police Department would send a letter out to them denoting they need a solicitor’s license.

Ms. Zanowiak noted there was a break-in in her development and stated the police handled it very well but wanted to make the BoS aware that she called the police to find out more information and the officer stated he had no information and hung up the phone on her. Further discussion ensued.

**New Business from the Board**

There was no New Business from the Board.

## **Public Comments**

Ms. Zanowiak commented about safety when people were working along Route 82 doing utility construction as well as a person marking the road on Route 82 near Culbertson Run Road.

Ms. Zanowiak also remarked that the building is abysmal and is unbecoming of a professional building and is in need of cleaning.

## **Open Issues Before the Township**

*The Township continues to seek volunteers to serve on the Historic Commission.* Manager Rambo noted if Mr. Measure is appointed the Historical Commission will be full.

*The Codes Officer and Manager will be providing the Board of Supervisors with their recommendations to increase some permit fees.* There were no comments.

*Creating of defined line items within the budget to replace the miscellaneous categories.* The Manager is working on this. Chairman McCaffrey commented something that is undefined should not be greater than \$1,000.

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

Interest rate for the week is 1.55%. No comments.

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

The General Fund bills total \$77,806.66 and Solid Waste bills total \$156,113.78 of which \$126,724.44 is repayment borrowing from last year. Supervisor Obernier noted he reviewed the bills and found them in order. Ms. Zanowiak asked why there are so many communications services. Discussion ensued regarding various bills. Chairman McCaffrey motioned to pay the bills. Supervisor Obernier seconded the motion. Board Members McCaffrey and Obernier voted aye.

## **Upcoming Meetings/Events**

- Open Space Review Board meeting, Thursday, April 22, 2010 at 6:45 p.m.
- Planning Commission meeting, Thursday, April 22, 2010 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, May 6, 2010 at 7:30 p.m.
- Historic Commission meeting, Monday, May 10, 2010 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, May 11, 2010 at 7:00 p.m.
- Municipal Authority meeting, Thursday, May 13, 2010 at 7:30 p.m.

## **Adjournment**

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 9:51 p.m. Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye in favor of adjournment.

Ronald A. Rambo, Jr.

Township Manager/Secretary/Treasurer