

**Meeting Minutes of January 6, 2014
Board of Supervisors**

Chairman William E. Webb called the Board of Supervisors Meeting of January 6, 2014 to order at 8:37 p.m. and lead those in attendance in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Linda Formica noted Chairman William E. Webb, Vice-Chairman Douglas Smith and Supervisor Josef G. Obernier, Sr., in attendance. Also present were Chief of Police Walter Werner, Public Works Director Thomas Eells, and Codes Enforcement Officer Dale Barnett.

Acceptance of Minutes from Previous Meetings - December 19, 2013 – Chairman Webb made a motion to accept Meeting Minutes of December 19, 2013, seconded by Supervisor Obernier. Board members Webb and Obernier voted aye. Vice-Chairman Smith abstained due to not yet being a Supervisor in December.

Public Notification – N/A

Treasurer's Report - N/A

Special Public Presentation – N/A

Department Reports (N/A)

Reports of Organizations, Boards and Commissions – N/A

Correspondence/Communications (information to note and act upon)

1. Information to Act Upon
 - a. *The Township is in receipt of an Agreement for Tax Collection Services from the Chester County Clerk of Courts dated December 9, 2013 for signatures from an Authorized Official.* – Chairman Webb made a motion to have this be sent to Solicitor for review, including Supervisor Obernier's comments, seconded by Supervisor Obernier. Board members Webb, Obernier and Smith voted aye.
2. Information to Note
 - a. *The Township is in receipt of correspondence from Pennsylvania Department of General Services dated December 16, 2013 advising the Township that participation in the Federal Surplus Property Program has been approved.* – No comments.
 - b. *The Township is in receipt of a letter from the Chester County Planning Commission dated December 20, 2013 announcing the opening of the VPP grant application for 2014.* – No comments.
 - c. *The Township is in receipt of correspondence from the Pennsylvania Historical & Museum Commission announcing available grants.* – Chairman Webb wants to look into this to see what type of Grants can be obtained for the Historical Commission.

- d. *The Township is in receipt of correspondence from the Pennsylvania Department of Transportation dated December 19, 2013 with regard to the Icedale Bridges.* – No comments.
- e. *The Township is in receipt of correspondence from State Senator Andrew Dinniman regarding HB 1523 regarding more flexibility in the use of open space taxes.* – No comments.
- f. *The Township is in receipt of correspondence from Louis Belmonte of PaDOT dated December 19, 2013 regarding the intersection of Reeceville Road and Freedom Boulevard stating that the Department cannot justify the installation of Stop signs on Reeceville Road.* – Supervisor Obernier asked Public Works Director Tom Eells to look into previous correspondence and seeing if the State will pay for putting a rotary there.

Public Hearings (Ordinances as advertised) – N/A

Old Business

1. *The Township to discuss Appointing Dale Barnett as the Municipal Solid Waste and Recycling Officer. (Resolution #16-2013)* – Chairman Webb made a motion to table this until the next meeting, seconded by Supervisor Obernier. Board members Webb, Obernier and Smith voted aye. This will be posted on the website for public comments.

Old Business from the Floor – N/A

Old Business from Board

1. Supervisor Obernier questioned if everyone signed the Employees Manual page. Linda Formica informed him that they did.
2. Supervisor Obernier wants to be sure that whenever Linda Formica gets anything from a Board member, that all 3 members get the same information.

New Business

1. *The Township to consider reopening the 2014 Budget.* – Chairman Webb made a motion to reopen the 2014 Budget, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye. Discussion ensued on various issues. Possible changes may be made at the next meeting.
2. *The Board to discuss directing Secretary/Treasurer to request the Township solicitor to draft an Ordinance that delineates the Tax Collector's salary.* – Chairman Webb made a motion to direct the Solicitor to prepare a Resolution/Ordinance to revise Tax Collectors Compensation for the BoS to review at the next meeting, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
3. *The Board to discuss directing the Secretary/Treasurer to write a letter to Ron Rambo requesting that all Township files, documents, books, etc., be returned to the Township.* – Chairman Webb made a motion to Linda Formica draft a letter to Ron Rambo requesting all Township, files, documents, books, etc., be returned to the Township, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
4. *Articles for the spring/summer edition of the newsletter are due on Linda Formica's desk by February 15th 2014.* – No comments.

5. *Discussion to make Public Works Director and Secretary/Treasurer salary.* – Chairman Webb made a motion to ask the Township Solicitor to review legal options of making the Secretary/Treasurer and Public Works Director salaried, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
6. *The Township to discuss accepting the proposal from Prosoft for new accounting software.* – Chairman Webb made a motion to table this item to allow more time for the BoS to review, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
7. *The Township to discuss accepting a proposal from either Galco in the amount of \$9,815.00 plus options for battery backup and extended warranty (total \$10,510) or Phone America in the amount of \$10,702 plus options for warranty and expansion module (total \$11,477).* – Supervisor Obernier asked that Linda Formica call three references for each company for feedback. Chairman Webb asked that this information be available for the next meeting.
8. *The Board to discuss Relational Nepotism, Fiscal Nepotism, and Locational Nepotism.* – Any Ordinance created will not be retroactive. It would take affect when the Ordinance is adopted. Further discussion ensued.
9. *Discuss Resolution #01-2014: Authorizing Collection of Certain Municipal Taxes by the Chester County Treasurer.* – This item was tabled until an answer is received from the Township Solicitor. Chairman Webb asked Dr. Pristernik what the latest was that this to the County Treasurer’s office. Dr. Pristernik stated January 16, 2014. Chairman Webb made a motion to have a Special Meeting for Tuesday, January 14th at 7:30 p.m. and to contact Eric Brown requesting a response back by the 14th, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

New Business from the Floor

1. Elizabeth Zanolwiak requested that Ron Rambo’s name be removed from the Township website.
2. Elizabeth Zanolwiak asked about small business in the Township being charged taxes. Chairman Webb informed her that the Township is not allowed to do a business privilege tax.
3. Jack Conti requested the meeting minutes be posted and brought up to date more often.
4. Rick Guest questioned rates for Siana Bellwoar vs. John Good.

New Business from the Board

1. Chairman Webb discussed the pay increase provided to the Municipal Authority. Under the Municipal Authority Act, the pay increase is only eligible for the two people coming in this year, not for all members, therefore he would like to make a motion to clarify the BoS December 16, 2013 meeting action to approve a compensation increase for the MA is only for new members, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
2. Chairman Webb discussed the MA budget, specifically the Manager’s salary, which doubled; therefore he would like to make a motion to authorize Linda Formica to contact the Township Solicitor to review termination rights and options, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

3. There is an open vacancy on the Board of Auditors. Anyone who would be interested in this vacancy, please send a letter or email to Linda Formica. A decision will be made at the next BoS meeting.
4. Chairman Webb was requested to attend the unemployment Hearing for Ron Rambo.
5. Chairman Webb made a motion to appoint Linda Formica as Deputy Tax Collector, as recommended by Dr. Pristernik, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
6. Chairman Webb would like to present a plaque to Wagontown and East Brandywine Fire Companies depicting the Township's appreciation for their services. In addition Chairman Webb would like to present Nancy Obernier a plaque in appreciation to all her services.
7. Vice-Chairman Smith discussed the Act 537 Plan review schedule and would like to extend the review time for an additional 30 days. Discussion ensued. Supervisor Obernier made a motion to have Linda Formica write a letter to the MA for an explanation of their debt/expenditures, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye. Vice-Chairman Smith also made a motion to request a representative of MacCombie Engineers be present at a future meeting to discuss in more detail the Act 537 Plan, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.
8. Vice-Chairman Smith expressed his concerns of health care services and employee policies and recommended a representative come in to review and recommended services for the Township. Chairman Webb asked that the Board first meet with rep in an executive session meeting on January 16, 2014 at 7:00 p.m. prior to hiring.
9. Vice-Chairman Smith discussed the running of the Township meetings how to handle issues among the staff and made suggestions. Discussion ensued on ways to run meetings and who should attend. Vice-Chairman Smith made a motion to have the first meeting of the month be a work meeting and the 2nd meeting of the month is a meeting with Solicitor attending, and voting takes place at the 2nd meeting, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.
10. Vice-Chairman Smith voiced his concerns of a missing master key and requested that new keys be made. Chief Werner was told paperwork and various things were moved around. Supervisor Obernier asked if the monitors were checked. Chief Werner informed him that you cannot see inside the office area and two monitors across the street are not functioning. Vice-Chairman amended his motion with getting the two monitors across the street fixed and change the master key, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.
11. Vice-Chairman Smith spoke with Scott Piersol about the 322 Task Force. Scott said it was ok to have more than one member. In addition to Carl Lindborg being a member, Doug would like to appoint Kristen Boldaz a member. Kristen is a Highway Engineer and a resident of WBT. Vice-Chairman Smith made a motion to discuss with Carl, and to appoint Kristen to the Task Force, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.
12. Vice-Chairman Smith made a motion that until the trial for Ron Rambo is completed, a process is put into place, if the situation cannot be handled via email, that Mr. Rambo is not to be alone with any of the office staff and a police officer also be present, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.

13. Vice-Chairman Smith stated that he believes it is a major conflict of interest for the Township to be using OAC as the IT provider, as Supervisor Obernier owns OAC, and made a motion to put bids out for another IT provider and start towards ending the business relationship with OAC, seconded by Chairman Webb. Board members Smith and Webb voted aye. Supervisor Obernier abstained.
14. Chairman Webb stated that because Supervisor Obernier did not resign from the MA, Chairman Webb made a motion for Township Solicitor determine whether Mr. Obernier's appointment to the MA is valid, seconded by Chairman Smith. Board members Webb and Smith voted aye.
15. Chairman Webb made a motion that Meeting Minutes deal strictly with Agenda topics and Board actions and reflect citizen comments just on topic and not verbatim, seconded by Chairman Smith. Board members Webb and Smith voted aye. Supervisor Obernier voted no.
16. Chairman Webb asked Linda Formica, under Section 605C of the Second Class Township Codes, to look into whether or not the Supervisors have properly secured health insurance. Such letter for Supervisor Obernier cannot be found so Chairman Webb asked that Supervisor submit one.

Ordinances and Resolutions

1. *Resolution #01-2014: Authorizing Collection of Certain Municipal Taxes by the Chester County Treasurer* – Chairman Webb made a motion to table Resolution #01-2014, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
2. *Resolution #16-2013: Municipal Solid Waste and Recycling Officer* – Chairman Webb made a motion to table Resolution #16-2013, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

Public Comments (individuals not on the agenda)

1. Jack Conti asked Vice-Chairman Smith the reasons for not reappointing individuals. Vice-Chairman Smith appointed people that he can work with. After further discussion and multiple warnings, Mr. Conti was escorted from the meeting.

Developer Presentations – N/A

Open Issues before the Township

1. *The Township is in the process of looking into ways to repair Lafayette Road (est. cost \$45,000 + engineering & permit fees) and Pratts Dam Road.* – No comments.
2. *The Township is in the process of preparing an Ordinance as it pertains to the Airport Hazard Area zoning.* – No comments.
3. *The Township is in the process of preparing an Ordinance to amend sections of the Township's Outdoor Lighting requirements for presentation to the Township's Planning Commission and the County Planning Commission.* – No comments.
4. *The Township continues its efforts to look for funding for a permanent fix for Icedale Road Bridge.* – No comments.
5. *The Public Works Department continues their work to repair Icedale Road Bridge.* – No comments.

6. *The Township continues its efforts to resolve site distance issues at the intersection of Route 82 and Cedar Knoll/E. Reeceville Road.* – No comments.
7. *General Obligation Note (Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public* – No comments.
8. *Works Facility/Park Construction: interest rate for the month is 1.35%)*– No comments.

Review and Payment of Bills

General Fund	\$75,399.77
Fire Appropriations Fund	\$ 1,335.58
Open Space Fund	
Solid Waste Fund	\$37,520.13
State Liquid Fuels Fund	
Medical Reimbursement Fund (WBTPD)	

Chairman Webb made a motion to pay all bills, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

Upcoming Meetings/Events

- Board of Auditors Organization meeting, January 7, 2014 at 7:00 p.m.
- WBT Ad Hoc Review Committee, January 7, 2014 at 7:30 p.m.
- Municipal Authority Organizational meeting, Thursday, January 9, 2014 at 7:30 p.m.
- Municipal Authority, first meeting of the year, Thursday, January 9, 2014 at 7:45 p.m.
- Historic Commission, Monday, January 13, 2014 at 7:30 p.m.
- Board of Supervisors Special Meeting, Tuesday, January 14, 2014 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, January 14, 2014 at 7:30 p.m.
- Board of Supervisors, Thursday, January 16, 2014 at 7:30 p.m.
- Open Space Review Board, Tuesday, January 23, 2014 at 7:00 p.m.
- Planning Commission, Tuesday, January 23, 2014 at 7:30 p.m.

Adjournment

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 10:36 p.m. Vice-Chairman Smith seconded the motion. Board Members Obernier, Smith and Webb voted aye.

Linda Formica
Secretary/Treasurer