

**Meeting Minutes of January 19, 2012**  
**Board of Supervisors**

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of January 19, 2012 to order at 7:30 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., Thomas J. McCaffrey, Jr., and William Webb were in attendance. Also present were Ronald A. Rambo, Jr., Township Manager, Thomas Eells, Public Works Director, Dale Barnett, Codes Officer and Walt Werner, Chief of Police.

**Acceptance of Minutes from Previous Meetings**

The December 20, 2011, January 3, 2012 Re-Organizational meeting and January 3, 2012 were presented for approval. Chairman Obernier motioned to approve the minutes from December 20, 2011, seconded by Vice-Chairman McCaffrey. Board members Obernier and McCaffrey voted aye. Supervisor Webb abstained because he was not a BoS member at that time. Supervisor Webb motioned to accept the meeting minutes of January 3, 2012. Vice-Chairman McCaffrey seconded the motion. Board members Webb, McCaffrey, and Obernier voted aye.

**Treasurer's Report**

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

General Fund	\$21,298.25	State Liquid Fuel Fund	\$26,064.39
Fire Appropriations Fund	\$4,263.85	Revolving Reserve Fund	\$20,483.68
K-9 Rudy Fund	\$295.38	Police Pension Fund	\$1,636,065.30
Open Space Fund	\$518,607.12	Non-Uniform Pension Fund	\$335,416.96
Solid Waste & Recycling	\$9,571.18	Payroll Fund	\$4,657.63
Capital Reserve Fund	\$15,026.60	Operating Reserve Fund	\$10,016.13
Developer Escrow Fund	\$483,359.33		

**Public Comments** *(residents or representatives of taxpayers of the Township requesting to be on agenda).*

*Gordon Eck is in attendance to talk with the Board as it pertains to his most recent Opinion & Order for his facilities operation as it pertains to the relocated barn. Dr. Eck outlined his plans for the relocated barn for the benefit of those present. Manager Rambo explained that Dr. Eck is looking to amend the current Opinion & Order so that the barn could be utilized for events and functions for inclement weather. Dale Barnett stated that currently guests can only be there in the summer months, this facility would enable Dr. Eck to operate throughout the year. Vice-Chairman McCaffrey questioned if there could be multiple events. Dale Barnett stated there are a maximum number of occupants aloud on the site. Vice-Chairman McCaffrey stated that there are amendments after amendments, working its way up from the original presentation but was in favor of what Dr. Eck was doing there, preserving some of the ground, but voiced concern this would become more and more commercialized. Dr. Eck explained they are not going to do anything different then they had been and that they would never have more than one event at a time. One of the selling points is that people rent a historic property for the day. Dr. Eck requested that "inclement weather" be removed from the Order since this could be open to interpretation. Manager Rambo stated the initial order stated there could be 425 people; this includes guests, wait staff, and Gordon Eck's personnel. A 1700 square foot building won't permit 450 people, the size of the building itself will limit the size of the function that it is going to be used for. Chairman Obernier acknowledged this was a way to maintain the older building that was there and stated he has no issues with an amended Order. Preference was expressed by the BoS members. Manager Rambo will email the original Opinion and Order along with the amended Order prior to the next BoS meeting for the Boards review.*

**Correspondence/Communications Information to act upon**

*The Township is in receipt of a letter of extension from Victor Kelly of Commonwealth Engineers for the Hammell-O'Donnell Business Park Project. The Manager noted this group works with the Western Chester County Municipal Authority for sewer capacity for their project that is located mostly in West Nantmeal Township. Manager Rambo recommended the BoS accept the 90 day letter of extension. Vice-Chairman McCaffrey noted this is mostly water retention within WBT and motioned to approve the extension request. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.*

*The Benecon Group's Compliance Department has reviewed the Township's Health Care Documents as it pertains to the plan changes to ensure that they are non-discriminatory and is requesting that the Township sign-off on its Health Plan as required by the Internal Revenue Code. Supervisor Webb motioned for the Manager to sign the Benecon Documents, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.*

*The Board to consider the establishment of a Panel of Doctors for Worker's Comp Claims. Manager Rambo explained that SWIF is requesting the Township establish a Worker's Comp panel. A list of doctors has been prepared to see if they would like to serve as the Township's doctors. Vice-Chairman McCaffrey voiced that he was uncomfortable having a chiropractor on the worker's comp panel since chiropractors have limited medical training and stated that he was concerned how they could make a recommendation on a medical issue. Manager Rambo stated the insurance company's recommendation for the Township is to pick a minimum of five to seven, a mix of specialists such as orthopedics, chiropractics, family practice, and general practitioners. Vice-Chairman McCaffrey motioned for the Manager to send letters out to the various doctors, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.*

*The Township's Pension Review Committee has met with William Krempa, Pension Advisor and is recommending the reallocation of funds within the various pension plans as recommended. Manager Rambo stated the Pension Review Committee requested that Mr. Krempa establish a new format of investment. This will initially help the Township meet its MMO requirements. The Manager noted for benefit of the Board, that Manager Rambo mentioned at the pension meeting to Mr. Krempa, that should the investments not start performing properly, there may be a suggestion that the Township look elsewhere. Chairman Obernier stated his understanding is that the Township is paying more out of the pension fund than its getting back into the pension fund each year and suggested that the money being invested be spread out over more funds. Vice-Chairman McCaffrey stated that you have to have a minimum lump sum to participate in certain investment potentials that have a safer higher yield. Chairman Obernier stated that for two or three years, this has done dismal and suggested they have a financial professional come in and speak to the BoS. Vice-Chairman McCaffrey would like to find out gains and losses of other area Townships and Police Departments and would also like to know what the investment company costs the Township. Supervisor Webb concurred. Dialog continued. Vice-Chairman McCaffrey motioned to reallocate the funds per the Pension Review Committee's recommendation. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye. Manager Rambo will look at the gains and losses of area municipalities.*

**Correspondence/Communications Information to note**

*The Township is in receipt of correspondence from the Chester County Planning Commission with regard to the 2012 Vision Partnership Grant Program. Manager Rambo noted this is an update of the monies that may be available.*

*PSATS will be holding a webinar on the affect of Governor Corbett's proposed 2012- 2013 state budget proposal and the affects it will have on local government. There were no comments.*

*The Township is in receipt of correspondence from Louis Belmonte, P.E. of PennDot as it pertains to the intersection of Springton and Highspire Roads and its response to a request from Wallace Township to establish a multi-way stop. Manager Rambo will send a letter to Wallace Township since the Township was not notified of this request. Chairman Obernier read Belmonte's letter dated January 6<sup>th</sup> out loud. Tom Eells, Director of Public Works will contact Belmonte to come out and look at the connector road to see if it is in WBT.*

DCNR has forwarded the Township correspondence with regard to its 2012 Grants under the Community Conservation Partnerships Program. Manager Rambo explained this is information on upcoming available grants; the Township would need to match it along with having County funds. Chairman Obernier suggested looking into a multi-municipal grant for projects.

The Chester County Solid Waste Authority has forwarded the Township information of the upcoming Certified Master Composting Classes it will be offering. Manager Rambo stated the master composting classes are offered free.

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

**Police Report:** Presented by Chief Werner.

Criminal	7	Burglaries/Thefts	8	<b>Total Complaints</b>	<b>606</b>
Non Traffic	11	DOA's	2	Total hrs worked	1239
Parking	3	Domestic/Disturbance	13	Overtime hrs	35
Traffic	78	Harassment	10	Fuel Used	551.8
Warnings	70	Premise Check	224	Total Miles Driven	6179
<b>Total Arrests</b>	<b>99</b>	Susp. Cond/Vehs	20	Admin Hrs	157.5
Alarms	12	Vehicle Crashes	8	Court Hrs	36
Animal Calls	5	Vehicle Stops	129	Training Hrs	74
Assist other PD	12	All Other	163	Investigation Hrs	79.3

**Public Works Department Report:** Presented by Tom Eells, Public Works Director. Mr. Eells also noted work completed during the month. Chairman Obernier suggested that Mr. Eells have a courtesy notice be placed on the Township signs when brine is being placed on the roadways.

Total man-hours	810	Miles traversed	2,392
Total Equipment hours	29	Total fuel gallons	650.30

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

**Building & Codes**

Building Permits issued	21	CL Fees collected	\$360
Permit base fees collected	\$6,900.40	Inspections completed	23
Occupancy fees collected	\$300	Failed Inspections (FI)	2
U&O permits issued	2	Failed Inspections Fees collected	0
U&O permits issued cursory	8	<b>Total fees collected</b>	<b>\$7,200.40</b>
Contractor Licenses (CL) issued	9		

**Fire Report:**

<b>Campfire/Recreational Permits</b>	12	<b>Notice Given – burning w/o permit</b>	1
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**East Brandywine Fire Company:** Submitted by Deputy 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	-

**Medical Assist**

Number of calls dispatched into WBT	20	Initial dispatch into WBT	20
Second dispatch into WBT	-	Number of calls scratched	2

**Wagontown Fire Company:** Submitted by Chief Ziegler and presented by Bob Yearsley.

**Fire**

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

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

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

**Fire**

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

**Westwood Ambulance:** Presented by Fire Chief Mike McWilliams. Discussion ensued regarding average response times as well as dialog about residences with unmarked address numbers. Manager Rambo suggested that the Code Officer be contacted since there is an ordinance requiring addresses to be posted.

**Ambulance - Types of calls dispatched into WBT**

Medical	36	Fall	12
Vehicle Accident	5	Freedom Village Calls	26
Cardiac Arrest	1	Total # of Calls	54
Fire Stand By	1	Average Response Time	10 minutes
		(dispatch to on scene)	

**Reports of Organizations, Boards and Commissions**

Jeff Grossman gave the report of the Historical Commission and noted their 2012 officers. At this time Chairman Obernier moved to address items under new business because Supervisor Webb had to soon leave the meeting.

Parks and Recreation Board representatives were no in attendance. Manager Rambo noted their upcoming events.

Steve Jakatt gave the report of the Planning Commission, there were no comments.

Manager Rambo noted the Open Space Review Board is awaiting final input on the language for the Gordon Eck Conservation Easement.

Municipal Manager summarized the Authority’s progress to date for decommissioning the Kimberwick spray irrigation system.

**Old Business**

*The Public Works Director continues the gathering of information on the cost to repair or reconstruct the Icedale Road bridges. There were no comments.*

*The Manager and Zoning Officer continue their review of the Zoning Ordinance as it pertains to areas that permit the operation of roadside stands. There were no comments.*

*The Board of Supervisors is in receipt of the proposed amendments to the Township’s lighting section of the Subdivision and Land Development Ordinance. There were no comments.*

*The Township has forwarded a Contractual Agreement for Fire Protection Services to the fire companies providing fire service to the Township. Manager Rambo stated as of this date he has not heard back from any of the fire companies regarding the contract.*

**Old Business from the Floor and from the Board**

There was no Old Business from the Floor or from the Board.

## **New Business**

*The Board of Supervisors to consider opening the 2012 general budget for discussion as it relates to the Police Department.* Supervisor Webb motioned to open the 2012 budget as it relates to the Police Department, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

Supervisor Webb explained the purpose of opening the budget is to add an additional full-time police officer, with no additional cost to the Township. Part-time funds would be shifted to full-time funds within the police budget.

Vice-Chairman McCaffrey questioned how you could do this at no additional cost to the Township. Chairman Obernier stated he had the same question himself, took the time to make up a spreadsheet. If you take the part time officer now, who doesn't get any benefits, and bring him on as full-time, and give him a specific schedule it would only be cheaper in the first year. There is \$99,000 of part-time money that can be reallocated to this.

Vice-Chairman McCaffrey questioned if there would be a reduction of hours of police officers on the street. Chairman Obernier stated that the officer in question is working a ton of overtime at time and a half. He is the person that fills in holidays and is actually making more than a full-time officer that is fully invested. In the last police contract, there were some changes made to full-time officers pay rates that they get for the first several years. Chairman Obernier is hesitant because of the money, but expressed this would be a good thing to do.

Vice-Chairman McCaffrey feels that the road department is treated like a step child, when things are cut it comes from there. At some point the Township will end up with a huge amount of repair work. The officer will cost almost 60% more than the Township hires him for within a few years. Vice-Chairman McCaffrey expressed two fears. First, the overall cost to the department, they don't have a ready supply of part-timers as it is. Some sort of effort should be made to make WBTPD more attractive to part-time police officers. Second, surrounding townships are being replaced by State police, the two man shifts that the Township has is going to make us the only place that has a ready reserve of someone quick to act in our area. There is no reimbursement for that. Chief Werner commented the WBTPD will not go into another township unless the State police are on location first. The Township does not cover any of their calls; it is their choice not to have a police department.

Vice-Chairman McCaffrey's expressed his first loyalty is to maintain no tax increase in this community, but is not in a position to vote against this, it makes sense for the first few years.

Manager Rambo then noted the proper procedure for second class township code to amend the Township's budget. The Township will have the opportunity to have public input. Vice-Chairman McCaffrey motioned to have the reopening of the budget advertised, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye. It was noted that Supervisor Webb left the meeting at 8:58 p.m. because he was ill.

*The Board of Supervisors to discuss the enforcement of various ordinances and/or codes currently on the books.* This item will be addressed at the next BoS when Supervisor Webb is in attendance.

*The Board of Supervisors to discuss the acceptance of resumes for the position of Emergency Management Coordinator.* Manager Rambo stated that this was discussed at the Emergency Management meeting that this position should be filled by an individual that is not tied to one of the services that provides services to WBT. The BoS is okay to accept resumes for an Emergency Management Coordinator.

*The Manager has provided the Board with a memo as it pertains to amending the Township's Uniform and Non-Uniform Personnel Policy Manuals to address Political Activities during elections.* Chairman Obernier noted the BoS had an executive session before the start of this meeting to discuss personnel issues. Manager Rambo further noted that the opening of the budget as it pertains to a police officer as well as the policy that that is being presented to the Supervisors as a result of the Manager consulting with special council was discussed.

*The Board of Supervisors to discuss the establishment of a Certified Safety Committee and Drug Policy that will assist in getting the Township's Workers' Comp Insurance rates lower.* How to save money was discussed during a meeting with SWIF and there is a means to save 5% yearly by having a true certified safety committee. The committee is to consist of an elected official, manager, and one individual from each department. This has to be

established and running for 12 months. The drug policy with testing for drugs this would save 2%. Chairman Obernier motioned to move forward with establishing a certified safety committee and drug policy, seconded by Vice-Chairman McCaffrey. Board members Obernier and McCaffrey voted aye.

*Exelon Energy has provided the Township with information as it pertains to its current electric charges through 2012 and the anticipated costs for the period 2013-2015. Manager Rambo will request a contract.*

*The Board to discuss the use of West Brandywine Township, PA as part of its mailing address. Signing of the revised plans for the Brandywine View Project. Board members Obernier and McCaffrey were okay to move forward with the Township using West Brandywine, PA as its address.*

### **New Business from the Floor and from the Board**

There was no New Business from the Floor or from the Board.

### **Ordinances and Resolutions**

*Resolution #01-2012: updating of insurance plans compliance with the IRC. Chairman Obernier motioned to approve Resolution #01-2012. Vice-Chairman McCaffrey seconded the motion. Board members Obernier and McCaffrey voted aye.*

### **Public Comments**

There were no Public Comments.

### **Developer Presentations**

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

*The Township Engineer and Manager continue their work on updating the Township's Act 537 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.*

*The Township Manager is working to complete the Airport Hazard Zoning District Overlay. There were no comments.*

*The Township is looking for a volunteer to fill a vacancy on the Historic Commission. There were no comments.*

*The Manager continues his work on the Township's Agricultural Security Area update. 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 1.65%). There were no comments.*

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

Manager Rambo noted the General Fund bills total \$77,615.24, Fire Protection Fund bills total \$5,214.72, Open Space Fund bills total \$646.00, Solid Waste Fund bills total \$44,287.08, and the Liquid Fuels Fund bills total \$2,737.91. The Manager recommended the BoS approve all bills except for the OAC Network Solutions bill. Chairman Obernier stated he reviewed the bills, found them in order, and motioned to approve the bills with the exception of the OAC bill, seconded by Vice-Chairman McCaffrey. Board members Obernier and McCaffrey voted aye.

### **Upcoming Meetings/Events**

- Open Space Review Board meeting, Thursday, January 26, 2012 at 7:00 p.m.
- Planning Commission meeting, Thursday, January 26, 2012 at 7:30 p.m.
- Board of Supervisors meeting, Thursday, February 2, 2012 at 7:30 p.m.
- Municipal Authority meeting, Thursday, February 9, 2012 at 7:30 p.m.

- Historic Commission meeting, Monday, February 13, 2012 at 7:30 p.m.
- Parks and Recreation Board meeting, Tuesday, February 14, 2012 at 7:00 p.m.
- Board of Supervisors meeting, Thursday, February 16, 2012 at 7:30 p.m.

**Adjournment**

There being no further business before the Board, Chairman Obernier motioned to adjourn the meeting at 9:28 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Obernier and McCaffrey voted aye in favor of adjournment.

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