

**Board of Supervisors Meeting Minutes
February 20, 2014**

Chairman William Webb called the West Brandywine Township (WBT) Board of Supervisors meeting of February 20, 2014 to order at 7:42 p.m. and led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Secretary/Treasurer Linda Formica noted Chairman William Webb, Vice-Chairman Doug 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

January 6, 2014 Organization, January 6, 2014, February 6, 2014 – Supervisor Obernier made a motion to table the acceptance of meeting minutes to allow additional time to review, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.

Public Notification

1. *An Executive Session was held on February 20, 2014 prior to the Board meeting.* – No comments.

Treasurer’s Report –

General Fund	\$ 31,647.92
Fire Appropriations Fund	\$ 2,479.98
Open Space Fund	\$ 23,784.95
Solid Waste & Recycling	\$ 50,237.05
Capital Equipment Fund	\$ 58,593.50
Developer Escrow Fund	\$ 337,220.22
State Liquid Fuel Fund	\$ 22,828.91
Revolving Reserve Fund	\$ 34,338.89
Police Pension Fund	\$ 2,073,965.54
Non-Uniform Pension Fund	\$ 303,791.21
Payroll Fund	\$ 2,672.94
Gen. Purpose Emerg. Fund	\$ 3,003.43

Special Public Presentation – N/A

Public Comments (*residents or representatives of taxpayers of the Township requesting to be on the agenda*) – N/A

Department Reports

Chief Walt Werner gave the January 2014 Police Department report noting there were a total of 134 arrests for the month, personnel worked 1,086.0 hours, 545 complaints were addressed, and a total of 4,913 miles were patrolled.

Public Works Director Tom Eells gave the January 2014 monthly report of the Public Works Department. A total of 984 hours was worked by personnel, 5,030 miles were traversed in Township trucks, 167 hours were spent on Township equipment. Snow plowing, maintenance of the building and grounds, vehicles, equipment and roadways was performed during the month.

- Chairman Webb commended Public Works Department for their all their efforts during the snow storms. Supervisor Obernier stated some workers put in more than 24 hours straight.
- Greg Stillwell asked if the snow events put the department significantly over budget. Tom Eells said that they were absolutely over budget, \$60,000 or more.
- Elizabeth Zanowiak asked for a recap of what Chairman Webb stated about the department.

Codes Officer Dale Barnett gave the January 2014 monthly report for the Code Office. 4 Building Permits were issued for the month with permit base fees collected of \$754.00 1 U&O permit issued with a fee of \$0 collected, 13 U&O permits issued cursory, 24 Contractors Licenses issued totaling \$1,080.00. A total of 21 inspections were completed (in-house/on-site). Total fees collected \$1,834.00.

Fire Inspector Dale Barnett gave the January 2014 monthly report. A total of 12 campfire permits and 0 farming cleanup permits were issued.

Chief John Edwards introduced Kevin Schaffer and gave the January 2014 fire report for East Brandywine Fire Company. He noted a total of 12 fire calls and 26 EMS calls were responded to in WBT; 272 miles were traversed in WBT.

Deputy Chief Bob Yearsley of Wagontown Fire Company gave the January 2014 fire report. He noted a total of 8 calls were responded to in WBT, 107.7 gallons of fuel were consumed.

President John Sly of Westwood Fire Company gave the January 2014 Ambulance Report. He noted there were 49 calls for WBT, 13 of those were at Freedom Village (26.53%).

Emergency Management Coordinator Doug Smith gave the January 2014 EMC Report –

- a. Emergency Operations began at 6:59 a.m. on February 5, 2014 and went until 9:40 p.m. on February 9, 2014. A shelter was opened at Pope John Paul, with over 68 people taking advantage of the shelter. It opened up again on the 12th at 7:00 p.m. FEMA sent four trained emergency managers to assist in the joint operation with West Brandywine Township, Honey Brook Township and West Caln Township.
- b. They continue to work with Pope John Paul Regional Elementary School. A meeting was held 2/20/14 between PJP, Chester County Dept. of Emergency Services and Freedom Village.

Reports of Organizations, Boards and Commissions

1. Historic Commission – No comments.
2. Parks and Recreation – No comments.
3. Planning Commission – Jack Conti
 - a. Re-organizational meeting: Jack Conti, Chairman, Kim Hoopes, Vice-Chairman, John Cassels, Secretary
 - b. Report from Township Engineer for the Brandywine YMCA Extension. The plan was tabled due to not having a representative present for the YMCA.
4. Open Space Review Board – John Cassels
 - a. Re-organizational meeting: Charles Dobson, Chairman, Kim Hoopes, Vice-Chairman, Joseph Arvay, Secretary
 - b. John presented to Board an up to date Open Space Map. Chairman Webb asked that this information be placed in the next news letter/website.
5. Municipal Authority – No comments. No MA meeting was held due to snow event.
6. Agricultural Security Area Committee – No comments.
7. Ad Hoc Review Committee – No comments.

Correspondence/Communications (information to note and act upon)

1. Information to Act Upon
 - a. *Alyson Zarro from Aqua to attend with regard to their project and donation of a one acre parcel to West Brandywine Township.* –Vice-Chairman Smith made a motion to accept agreement, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.
 - b. *The Township is in receipt of correspondence dated January 28, 2014 from Al Costa with regard to the cost of installing the trail (\$2,500) and requesting that the remaining escrow be released. Original maintenance escrow amount is \$49,025. Snow plowing cost is \$900.* – Supervisor Obernier made a motion to release funds, withholding enough money to do the work, and the trail be finished by Memorial Day, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.
 - c. *The Township is in receipt of the memorandum of Understanding between West Brandywine Township and the West Brandywine Township Police Association for signing by the Chairman.* –

Supervisor Obernier made a motion to accept the Memorandum of Understanding between WBT and WBTPD, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.

- d. *The Township to discuss accepting the proposal from Prosoft for new accounting software in the amount of \$25,928 with the payment schedule option. – Tabled until March 6th meeting.*
- e. *The Board to approve the Janis Nolan Band for the Parks and Recreation Board's Father's Day Concert in the amount of \$3,000 (deposit amount \$1,200) –Vice-Chairman Smith made a motion to approve Park & Rec's Fathers Day Concert in the amount of \$3,000.00, with a \$1,200 deposit, seconded by Vice-Chairman Webb. Board members Smith, Webb and Obernier voted aye.*
- f. *The Board to accept a 90 day letter of extension dated February 14, 2014 from the YMCA for their proposed expansion plan. – Supervisor Obernier made a motion to accept the 90-day Letter of Extension, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.*
- g. *The Township is in receipt of a revised Wavier of Conflict of Interest Form dated February 18, 2014 from Buckley Brion McGuire & Morris LLP with regard to the Pulte Real Estate Matter for execution. – Chairman Webb would like the Board to take no action on this matter.*

2. Information to Note

- a. *The Township is in receipt of a letter dated February 19, 2014 from MacCombie with regard to Costa's Hidden Meadows Maintenance Bond for Sunshine Court suggesting the amount to be retained by the Township for the trail be increased to \$3,000. – No comments.*
- b. *The Township is in receipt of a letter from MacCombie dated February 19, 2014 with regard to Hidden Meadows Michael Court As-Built Plan Revised– No comments.*
- c. *The Board of Supervisors Declared a Disaster Emergency on February 12, 2014. – No comments.*
- d. *The Township is in receipt of an up to date Open Space Map from John Cassels for placing on the Township website and placing in the newsletter. – No comments.*
- e. *The Township is requesting proposals from Health Insurance providers. – No comments.*
- f. *The Township has submitted Act 101 recycling report to the Chester County Solid Waste Authority. – No comments.*
- g. *The Township has submitted its annual Liquid Fuels Report. – No comments.*
- h. *The Township Secretary received comments February 6, 2014 from Joe Boldaz for the proposed Act 537 sewage plan. – No comments.*
- i. *The Township Secretary received comments from the County with regard to the proposed Act 537 sewage plan. – No comments.*
- j. *Representative Becky Corbin could not attend a Board meeting in March and suggested meeting with a Board member and Public Works Director. – No comments.*
- k. *The Township has been notified it will not be receiving ARLE funding for the intersections of Route 322 & Route 82 and Route 322 & Culbertson Run Road because of the number of applications and limited available funding. – No comments.*
- l. *The Township is in receipt of a copy of a letter to Dominic Rocco of DEP from MacCombie with regard to the Act 167 Statement of Certification. – No comments.*
- m. *The Township is in receipt of correspondence from Ralph DeFazio of the Chester County Health Department dated February 14, 2014 with regard to the Draft Act 537 Official Plan Update. – No comments.*
- n. *The County has also provided the Township with a Public Infrastructure Preliminary Damage Assessment Form as well as an Individual Assistance Form. – No comments.*

Public Hearings (Ordinances as advertised) – N/A

Old Business

1. *The Township is in receipt of a letter of interest dated January 14, 2014 from Denise Stoltzfus to serve on the Parks and Recreation Board. – Supervisor Obernier made a motion to appoint Denise Stoltzfus to serve as a non-voting Parks & Rec member, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.*

2. *The Township to discuss rules of decorum within Township meetings.* – Vice-Chairman Smith read out loud rules and decorum on how things will be handled at meetings.
Along with Board members, the following residents were part of the discussion: Elizabeth Zanowiak, Jack Conti, Dr. Ed Pristernik, Greg Stillwell. At the end of discussion, Vice-Chairman Smith made a motion to ask Solicitor to create a Resolution on Rules of Decorum for Township Meetings, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.
3. *The Board to discuss nepotism.* – Tabled until March meeting.
4. *Consulting Proposal from Steve Ignatin – Health Benefit Specialist.* – Vice-Chairman Smith read out loud proposal for healthcare stating what services he would provide to the Township. After further discussion, it was agreed to be tabled.
5. *Discuss Chester County SPCA versus the use of Lamancha or Womanog Kennel. (The BoS approved \$500 contract at the December 5, 2013 Mtg.) The SPCA charges WBT \$100 per animal that is brought in.* – Along with Board members, the following residents and staff members were part of the discussion: Carrie Pike, Chief Werner, Elizabeth Zanowiak, Paul Sell and Kristin Boldaz. Vice-Chairman Smith made a motion to direct Township Solicitor to look into options regarding the SPCA, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.
6. *County Planning Commission request for an inventory of municipal owned recreational parks and open space status.* – John Cassels provided this information to the Board.
7. *Ordinances for Airport Hazard Zoning and Outdoor lighting status.* – Dale Barnett working on this Ordinance.
8. *The Township continues to gather information with regard to IT providers.* – Still in the process of gathering information. Tabled until March meeting.
9. *Discuss the disbanding of the Municipal Authority.* –
Vice-Chairman Smith stated that Standard and Poor's has downgraded the Township from A- to a BBB- with a negative outlook based on 2012 reporting. Discussion ensued among the following residents and township staff: Dr. Ed Pristernik, Carrie Pike, Jack Conti, Joe Boldaz, John Cassels, Greg Stillwell, and Elizabeth Zanowiak.

After a lengthy discussion, Chairman Webb made a motion for Linda Formica to contact Gary Pulcini to determine a cost to do an analysis needed for the Township to determine any benefits of disbanding the Municipal Authority, seconded by Vice-Chairman Smith. Board members Webb and Smith voted aye. Supervisor Obernier voted no.

10. *Traffic Study SR 82 and E. Reeceville Road and Cedar Knoll Road.* – Tabled until next meeting.

Old Business from the Floor – N/A

Old Business from Board – N/A

New Business

1. *Kristin & Joe Boldaz requested to be on the agenda to discuss deed restrictions that were placed on 175 Hibernia Road.* – Kristin & Joe are requesting the Board to consider allowing a house be built in the center of the cleared area as depicted on exhibit shown. Chairman Webb asked that this go before the Planning Commission first. Dale Barnett and Solicitor to meet and discuss in more detail.
2. *The Township to discuss Standard & Poor's rating.* – Discussed under Old Business.
3. *The Township to discuss parliamentary procedure.* – Discussed under Old Business.

New Business from the Floor

1. John Cassels contact Sheila Fleming to be placed on the next Agenda for March meeting to discuss Brandywine Greenway in more detail.

New Business from the Board

1. Supervisor Obernier made a motion to ask Township Solicitor to write up verbiage to be placed in Personnel Manual with regards to no expectations of privacy in desks, offices, lockers, etc. and to also find out what they would need to do about the Police Department, with Solicitor being cognizant of Federal and State Regulations, seconded by Chairman Webb. Board members Obernier, Webb and Smith voted aye.

Ordinances and Resolutions – N/A

Public Comments (individuals not on the agenda)

1. Dan Shaffer requested to be placed on Agenda but had left for the evening.
2. Greg Stillwell questioned the rumor of Pratts Dam Road being closed in March. Public Works Director informed him there is nothing to date about closing the road, all rumors.
3. Elizabeth Zanowiak stated she was on a conference call with Senator Rafferty regards and was told there was \$350,000 from DOT offered to the Township, but the Township refused the money. Public Works Director Tom Eells informed Elizabeth that the Township went to Senator Rafferty’s office and was told there was no money available.

Developer Presentations – N/A

Open Issues before the Township

1. *The Township is accepting letters of Interest for Appointment as Auditor to the Board of Auditors.* – This entails meeting once a year, anyone interested can submit letter to Township.
2. *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.
3. *The Township continues its efforts to look for funding for a permanent fix for Icedale Road Bridge.* – No comments.
4. *The Public Works Department continues their work to repair Icedale Road Bridge.* – No comments.
5. *The Public Works Director continues his efforts to resolve site distance issues at the intersection of Route 82 and Cedar Knoll/E. Reeceville Road and is looking into a flashing light system.* – No comments.

General Obligation Note (*Emmaus Bond Pool Adjustable Rate Bond for the Twp. and Public Works Facility/Park Construction: interest rate for the month is 1.35%*) – No comments.

Review and Payment of Bills

1. General Fund	\$36,426.16
2. Fire Appropriations Fund	\$ 913.01
3. Solid Waste Fund	\$50,822.13
4. State Liquid Fuels Fund	\$22,810.71

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

Upcoming Meetings/Events

1. Open Space Review Board, Thursday, February 27rd at 7:00 p.m.
2. Planning Commission, Thursday, February 27rd at 7:30 p.m.
3. Ad Hoc Review Committee, Tuesday, March 4th at 6:30 p.m.
4. Board of Supervisors, Thursday, March 6th at 7:30 p.m.
5. Historic Commission, Monday, March 10th at 7:30 p.m.
6. Parks and Recreation Board, Tuesday, March 11th at 7:00 p.m.
7. Municipal Authority, Thursday, March 13th at 7:30 p.m.
8. Board of Supervisors, Thursday, March 20th at 7:30 p.m.

Adjournment

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 10:54 p.m. Vice-Chairman Smith seconded the motion. Board members Obernier, Smith, and Webb voted aye in favor of adjournment.