

Board of Supervisors Meeting Minutes March 20, 2014

Chairman William Webb called the West Brandywine Township (WBT) Board of Supervisors meeting of March 20, 2014 to order at 7:35 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.

Oath of Office

Appointment of Joshua DiNunzio as a part-time Police Officer. – Chairman Webb read out loud the Oath of Office to Joshua DiNunzio appointing him a part-time Police Officer for West Brandywine Township. Chief Werner noted that Officer DiNunzio is the second generation to work for West Brandywine Township. Joshua's father, Jerry DiNunzio, also worked part-time for West Brandywine Township Police ten years ago.

Acceptance of Minutes from Previous Meetings

January 6, 2014 Organization, January 6, 2014, February 6, 2014, February 20, 2014, March 6, 2014 – Vice-Chairman Smith made a motion to accept Meeting Minutes of January 6, 2014 Org., January 6, 2014 Regular, February 6, 2014, February 20, 2014, and March 6, 2014, seconded by Chairman Webb. Board members Smith and Webb voted aye. Supervisor Obernier voted no stating “*actually, I'd like to say that I did read through them, there are too many changes for my comfort, I'm not going to be positive in my vote*”.

Special Recognition

- East Brandywine Fire Company
- Wagontown Fire Company
- Westwood Ambulance

Chairman Webb, on behalf of West Brandywine Township, presented plaques to the above listed Fire and Ambulance companies, thanking them for their years of service and dedication to the Township. Supervisor Obernier and Vice-Chairman Smith also expressed their appreciation.

Public Notification

1. *The Board held a teleconference with Linda Formica on March 12, 2014 to discuss matters of personnel.* – No comments.
2. *An Executive Session was held on March 20, 2014 prior to the Board meeting to discuss legal and personnel matters.* – No comments.

Treasurer's Report

General Fund	\$ 15,478.38
Fire Appropriations Fund	\$ - 913.01
Open Space Fund	\$ 85,260.71
Solid Waste & Recycling	\$ 25,253.62
Developer Escrow Fund	\$ 334,910.16
State Liquid Fuel Fund	\$ 18.20
Revolving Reserve Fund	\$ 91,432.25
Police Pension Fund	\$2,022,795.74
Non-Uniform Pension Fund	\$ 295,490.37
Payroll Fund	\$ 4,493.31

Special Public Presentation

Dave Porter from MacCombie's office is in attendance address Act 537 questions. – As a follow-up meeting, Dave addressed issues from Chester County Health Department, Chester County Planning Commission and local municipalities. Specific comments pertained to expanding Phase 4 and Phase 5 areas and failures. Further discussion ensued.

At this time, Chairman Webb made a motion to take the Agenda out of order to move on to Old Business, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

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 February 2014 Police Department report noting there were a total of 51 arrests for the month, personnel worked 979.5 hours, 581 complaints were addressed, and a total of 5,603 miles were patrolled.

Public Works Director Tom Eells gave the February 2014 monthly report of the Public Works Department. A total of 944 hours was worked by personnel, 5,642 miles were traversed in Township trucks, 136 hours were spent on Township equipment. Snow plowing, maintenance of the building and grounds, vehicles, equipment and roadways was performed during the month.

Brief questions and/or discussion directed to Tom Eells by Tim Wright, Elizabeth Zanolwiak and Mike Cabry. Mike Cabry suggested a snippet be sent out in advance on salt clean up.

Codes Officer Dale Barnett gave the February 2014 monthly report for the Code Office. 9 Building Permits were issued for the month with permit base fees collected of \$5,324.00. Occupancy fees collected totally \$375, 0 U&O permits issued with a fee of \$0 collected, 2 U&O permits issued cursory, 9 Contractors Licenses issued totaling \$405. A total of 8 inspections were completed (in-house/on-site). Total fees collected \$6,104.00

Fire Inspector Dale Barnett gave the February 2014 monthly report. A total of 12 campfire permits and 2 farming cleanup permits were issued.

Chief John Edwards gave the February 2014 fire report for East Brandywine Fire Company. He noted a total of 39 fire calls were responded to in WBT; 300 miles were traversed in WBT, 90 gallons of fuel were consumed.

Chief Edwards thanked the BoS for their plaque of recognition/appreciation, noting that it is not often they receive a thank you.

Chief Todd Ziegler of Wagontown Fire Company gave the February 2014 fire report. He noted a total of 27 calls were responded to in WBT, 159.8 gallons of fuel were consumed.

Chief Ziegler thanked the BoS for their plaque of recognition/appreciation. He also thanked the Police Department and the Road Department for their assistance.

President John Sly of Westwood Fire Company gave the February 2014 Ambulance Report. He noted there were 45 calls for WBT, 13 of those were at Freedom Village (28.88%)

John Sly thanked the BoS for their plaque of recognition/appreciation.

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

- EOC was open for a total of 8 days, PEMA provided 4 EM members to help staff a joint emergency operations center with West Caln and Honey Brook.
- 2 Hot Wash reviews were held to discuss how everything was handled. Information will be put on the website.
- Pope John Paul was opened as a shelter during the storms, housing over 68 people from around the area.
- Citizens Emergency Response Team. Advertisement for volunteers will be placed. Individuals will be trained by the County. This team will be utilized to man the shelters or warming center. This will take place over the next 6 months or so.
- Freedom Village will be used as a reunification sight for PJP should there be an incident such as a shooting or where they have to get all the students out quickly. Brief questions/discussion directed to Vice-Chairman Smith by Gary Brown. Elizabeth Zanolwiak thanked the Township for all their work and time involved with the storms.
 - Chairman Webb stated that he attended the CCATO conference and a representative from Chester County Emergency Services commended the Township's Emergency Management Team for doing an outstanding job. Further stated that WBT should be a model for the rest of the County.

Reports of Organizations, Boards and Commissions

1. Historic Commission – Report sent to the BoS.
2. Parks and Recreation – A contract was signed for the band that will be performing for the Father's Day event.
3. Planning Commission – John Cassels provided the report for February 2014.
 - a. PC met with Joseph Boldaz in regards to placement of his house. Although PC cannot make recommendation to make a motion to BoS to break restricted covenants, they have no problem with where Mr. Boldaz would like to place the house on his property.

- b. PC talked to YMCA regarding issues Township Engineer stated they needed to take care of: lighting, landscaping and traffic study. Plan tabled until issues resolved.
 - c. Jack Conti would like BoS to come up with a policy for deed restrictions, recommending that deed restrictions be addressed at Subdivision approval.
 - d. John Cassels also requested that the two new members of PC need copies of Zoning and SALDO Ordinances. Chairman Webb also suggested an MPC. Linda Formica to provide to the members.
4. Open Space Review Board – John Cassels gave the report for February 2014. OSR went over the inventory of the open space as presented on the map and looked at the spreadsheet that included future obligations. Work still in progress.
 5. Municipal Authority – Supervisor Obernier stated that the Authority received a letter from the BoS suggesting a rent and participation in paying half the utilities. The MA voted to do this. As soon as it is drafted up, the BoS and MA board will vote again.
 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. *The Township to discuss accepting a proposal for IT Services (Professional Services are not listed on CoStars). Company: Kato Technologies*
 Vice-Chairman Smith made a motion to accept the proposal for IT Services from Kato Technologies, seconded by Chairman Webb. Board members Smith and Webb voted aye. Supervisor Obernier abstained.
2. Information to Note
 - a. *The Township is in receipt of correspondence from Tom and Linda Haley expressing appreciation and thanking the Public Works Department for keeping the Township's roads safe this winter. – No further comments.*
 - b. *The Township is in receipt of correspondence from State Representative Becky Corbin with regard to unclaimed property. – No further comments.*
 - c. *The Township is in receipt of the PA Department of Labor & Industry's 5 year audit review dated March 11, 2014 that was done in accordance with §403.104(b) of the Uniform Construction Code. – No further comments.*
 - d. *The Township is in receipt of two banners from the USO for Board members and residents to sign. The banner will then be shipped overseas for appreciation of their service. – No comments.*

Public Hearings (Ordinances as advertised) – N/A

Old Business

1. *The Township is in receipt of Ordinance No. 2014-01 Jamie Lane that regulates parking, stopping ad speed for review to advertise – Supervisor Obernier made a motion to advertise Ordinance No. 2014-01, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.*

Old Business from the Floor – N/A

Old Business from Board

1. Supervisor Obernier addressed Lori Petri in regards to Nepotism and that he has put paperwork together but it has been delayed or removed from Agenda. Chairman Webb stated he was the one that motioned to have it taken off the Agenda and Vice-Chairman Smith stated there would be more time to discuss issues at the first meeting of the month as the second meeting of the month is for reports and most of the voting. Lori stated she can wait until the work session meeting.
2. Supervisor Obernier discussed storm debris and cleanup guidelines giving each resident 15 minutes time. Public Works Director Tom Eells questioned if it can be done, no man power or time, further stating that if each resident is given 15 minutes to chip their debris, it will take 100 days to go through the entire Township. Vice-Chairman Smith suggested reaching out to the local churches and their congregations to establish work days to help with clean up. Various options were discussed among the following residents and Township staff: BoS, Dr. Ed Pristernik, Elizabeth Zanowiak, Joe Morris, Jack Conti, and Allen Smith. Will try to have answers by the next township meeting (April 3rd).

New Business

1. *Municipal Authority and Meter Reading by Township Personnel.* – Tabled.
2. *Discuss Resolution #04-2014: Deletion of Digital Recordings of BoS Meetings.* – Discussion ensued on when recordings can legally be deleted. To be further discussed under Ordinances and Resolutions.
3. *The Township is in receipt of a proposal from James W. MacCombie to provide engineering services necessary to prepare a valuation of the existing sanitary sewer system for a fee of \$1,250.00.* – Vice-Chairman Smith made a motion to have James W. MacCombie provide a valuation of the existing sanitary sewer system for a fee of \$1,250, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.
4. *Discuss continuing education* – Supervisor Obernier made a motion to have Township send an employee for continuing education and to pay for the training and provide comp time instead of paying overtime, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.
5. *The Township's Engineer is proposing to write a grant for West Brandywine Township, if awarded the monies would be used to fix Pratts Dam Road.* – Supervisor Obernier made a motion to authorize McCormick Taylor prepare a grant for the Pratts Dam Road Repair, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.

New Business from the Floor

1. Dr. Ed Pristernik, Tax Collector, asked what the Balance Collectable for the Township is and when it expires. Vice-Chairman Smith asked that this be taken off line to be further evaluated.

New Business from the Board

1. Vice-Chairman Smith stated that West Brandywine Township has been invited to meet with Honey Brook Township to discuss a Regionalization of Police Departments. This is only an exploratory group to look at the feasibility of developing a regionalized police department with West Brandywine Township and Honey Brook Township, possibly other surrounding Township. The first meeting will be held on March 27th at the Honey Brook

- Township Building. Vice-Chairman Smith, Chief Werner and Sergeant Kimes will be in attendance. Further discussion ensued among the Board, Jack Conti and Allen Smith.
2. Supervisor Obernier discussed the trailer on Baker Road where the roof collapsed. The road was not plowed making it difficult for emergency personnel to get in there. Although this is private property, the Township should have some level of authority requiring the owners to plow the roads. Code Enforcement Officer Dale Barnett stated there is an Ordinance, but he was not notified of the conditions. For future incidents, the owners will be put on notice. Elizabeth Zanowiak questioned if bottled water is required to be provided when water is not working. Chief Werner told Elizabeth that if they are in West Brandywine Township, to have them contact the Township.
 3. Supervisor Obernier stated that the 2013 Audit has not started yet and would like the Board to become more involved and find out what needs to be done to get it moving. Vice-Chairman Smith will contact Carrie Pike, Financial Administrator to discuss further.
 4. Chairman Webb moved to appoint Richard Foly, Brutscher, Foley, Milliner & Land, LLP, as Special Counsel at the hourly rate of \$200.00, subject to execution of Engagement Letter, in a form acceptable to the Board of Supervisors, seconded by Supervisor Obernier. Board members Webb, Obernier and Smith voted aye.

Ordinances and Resolutions

1. *Resolution #04-2014 – Deletion of Digital Recordings* – Vice-Chairman Smith made a motion to accept Resolution #04-2014 Deletion of Digital Recordings, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye. Township Solicitor clarified that in the event of litigation, the policy adopted would need to be suspended.

Public Comments (individuals not on the agenda)

1. Dr. Ed Pristernik questioned the website security and remote service access. Supervisor Obernier explained the term “trusted certificate authority”. This was not done to save Township money.

Developer Presentations – N/A

Open Issues before the Township

1. *Ordinance Outdoor lighting status.* – No comments.
2. *The Township is looking into ways to repair Lafayette Road 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.
6. *The Township is looking into alternatives with regard to using the SPCA.* – No comments.

7. *Traffic Study SR 82 and E. Reeceville Road and Cedar Knoll Road.* – 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	\$ 63,459.07
2. Solid Waste Fund	\$ 24,150.06
3. State Liquid Fuels Fund	\$ 10,857.14
4. Revolving Medical Fund	\$ 475.00

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

Upcoming Meetings/Events

1. Open Space Review Board, Thursday, March 27th at 7:00 p.m.
2. Planning Commission, Thursday, March 27th at 7:30 p.m.
3. Ad Hoc Review Committee, Tuesday, April 1st at 6:30 p.m.
4. Board of Supervisors, Thursday, April 3rd at 7:30 p.m.
5. Municipal Authority, Thursday, April 10th at 7:30 p.m.
6. Historic Commission, Monday, April 14th at 7:30 p.m.
7. Parks and Recreation Board, Tuesday, April 15th at 7:00 p.m.

Final Comments

1. Elizabeth Zanolwiak regarding Pratts Dam Road updates.
2. Michael Cabry suggested volunteers go first in agenda to allow them to leave.
3. Public Works Director Tom Eells to get quotes for tree removal project.
4. Allen Smith questioned MA website agenda and BoS minutes being available on website. Chairman Webb explained that the minutes must be approved prior to being placed on the web. Supervisor Obernier stated MA information will be posted separately on their web site.
5. Elizabeth Zanolwiak asked if you can attend the MA meeting. Chairman Webb stated yes.

Adjournment

There being no further business before the Board, Chairman Webb motioned to adjourn the meeting at 9:20 p.m. Vice-Chairman Smith seconded the motion. Board members Webb, Smith, and Obernier voted aye in favor of adjournment.