

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

Chairman Obernier called the West Brandywine Township (WBT) Board of Supervisors meeting of April 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 E. Webb were in attendance. Also present were Ronald A. Rambo, Jr., Township Manager, Dale Barnett, Codes Officer and Chief Werner.

Acceptance of Minutes from Previous Meetings

Supervisor Webb motioned to approve the April 5, 2012 meeting minutes, 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 March.

General Fund	\$84,091.59	State Liquid Fuel Fund	\$194,183.16
Fire Appropriations Fund	\$50,738.09	Revolving Reserve Fund	\$181,103.40
K-9 Rudy Fund	\$295.46	Police Pension Fund	\$1,685,431.51
Open Space Fund	\$249,923.36	Non-Uniform Pension Fund	\$398,485.13
Solid Waste & Recycling	\$283,500.04	Payroll Fund	\$13,947.40
Developer Escrow Fund	\$455,169.54	Gen. Purpose Emergency Fund	\$10,020.70
Capital Equipment Fund	\$24,906.79		

Special Public Presentation/Notice

Chairman Obernier noted the Board of Supervisors held an Executive Session on Thursday, April 12, 2012 at 6:45 p.m. to discuss personnel related issues.

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

Correspondence/Communications Information to act upon

The Township is in receipt of correspondence from DrugFree Pennsylvania and SWIF with regard to the establishment of a Drug-Free Work Place Solutions Program. Manager Rambo recommended to the Board, that the Manager to look into these programs that were suggested by the Township's workman's comp carrier because there are various discount's that can be taken. Vice-Chairman McCaffrey questioned if these programs would carry over when the Township switches to a better insurance carrier with better rates. Discussion ensued. Vice-Chairman McCaffrey motioned to obtain information, seconded by Supervisor Webb. Board members McCaffrey, Webb, and Obernier voted aye.

The Township is in receipt of the PSATS News Bulletin with regard to various House Bills that are being opposed. Manager Rambo stated there is one house bill that is being opposed regarding the State Municipal Planning Code; to require a township to have three engineers and three attorneys for developers to pick from for plan review and inspection. Manager Rambo suggested that letters be written to Senator Rafferty and Representative Curt Schroder to oppose these proposed bills. The Manager also noted that there is also a court case that was filed dealing with Act 13 regarding the Marcella Shale and the bill takes away municipal zoning and allows gas wells in any zoning district. Supervisor Webb motioned to have Manager Rambo issue letters to Representative

Schroder and Senator Rafferty to oppose the proposed legislation requiring attorneys to get three attorneys and three engineers. Vice-Chairman McCaffrey seconded the motion to have letters issued on HB1718. Board members Webb, McCaffrey, and Obernier voted aye.

Sue Bowar suggested the Board request that residents also write letters. Chairman Obernier recommended that a snippet be sent out to residents noting this information is on the website. Vice-Chairman McCaffrey explained if the Township doesn't have three engineers or attorneys, then maybe the developer would get to pick somebody that doesn't really support the Township's zoning. The community should have a say with how they want their zoning enforced. More and more it is being whittled away and suggested the website include an email address with the information from PSATS.

Correspondence/Communications *Information to note*

The Township is in receipt of correspondence from the CCTCC with regard to the Philadelphia Tax Credit Calculation. Chairman Obernier and Manager Rambo briefly explained the wage tax in Philadelphia is higher and what is being proposed is that some proportion should go to the person's local municipality.

The Township is in receipt of correspondence from the Officer of the County Commissioners declaring a Countywide ban on open burning. There were no comments.

The Township is in receipt of correspondence from the Upattinas School located in Upper Uwchlan Township is seeking property to relocate. Manager Rambo stated this is a blanket letter stating they are looking for a building that would meet code without too much modification and be near bus and train transportation.

The Brandywine Conservancy has forwarded the Township correspondence with regard to Governor Corbett's proposed 2012-2013 budget. They are letting the Township know that a lot of grant funds for Keystone Recreation Park Conservation fund and farming monies are being cut in the new budget.

The Chester County Solid Waste Authority is sponsoring a free electronics drop off on Friday, April 27, 2012 from 9:00 a.m. until 2:00 p.m. at the East Brandywine Township building. There were no comments.

The Township is in receipt of information from the WCCCC with regard to a second meeting that is scheduled for 7:00 p.m. at the Caln Township building on Wednesday, May 2 as it pertains to those municipalities interested in participating in a COG. Chairman Obernier and Manager Rambo will attend.

The Township is in receipt of correspondence from the attorney for Indian Run Village Mobile Home Park as it pertains to the addressing of the PADEP violation notices. Manager Rambo explained he spoke with the attorney for Indian Run, the attorney stated that Indian Run addressed everything as required. The Manager requested that WBT be copied on future correspondence. The attorney also asked about the Township's upcoming Act 537 amendment.

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

Police Report: Presented by Chief Werner.

Criminal Arrests	7	Alarms	13	Vehicle Crashes	15
Criminal Charges	31	Animal Calls	6	Vehicle Stops	11
Non Traffic	7	Assist Fire/EMS	40	All Other	118
Criminal Non Traffic	3	Assist other PD	24		
Traffic	79	Burglaries/Thefts	10	Total Complaints	403
Criminal Traffic	0	Fatals/DOA/Suicide	0		
Parking	24	Domestic/Disturbance	14	Total hrs worked	1169.8
Warrants	3	DUI	0	Overtime hrs	24
Warnings	39	Harassment/DC	1		
Total Arrests	120	Premise Check	136		

Susp. Cond/Vehs 15 **Total Miles Driven 5052**

Public Works Department Report: Submitted by Tom Eells, Public Works Director and presented by Manager Rambo. The Manager also noted work completed during the month.

Total man-hours	762	Miles traversed	2179
Total Equipment hours	88.7	Total fuel gallons	737.5

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

Building & Codes

Building Permits issued	16	CL Fees collected	\$675.00
Permit base fees collected	2,926.6	Inspections completed	25
Occupancy fees collected	100.00	Failed Inspections (FI)	4
U&O permits issued	0	Failed Inspections Fees collected	0
U&O permits issued cursory	7	Total fees collected	\$5,270.57
Contractor Licenses (CL) issued	15		

Fire Report:

Campfire/Recreational Permits	31	Permits Denied	1
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East Brandywine Fire Company: There was no report for East Brandywine Fire Company and nobody from East Brandywine Fire Company was present.

Wagontown Fire Company: Presented by Chief Ziegler. Supervisor Webb asked Chief Ziegler if he thought Wagontown Fire Company would be able to handle fire services for all of WBT and Chief Ziegler answered he thought so.

Fire

Number of calls dispatched into WBT	9	Initial dispatch into WBT	0
Second dispatch into WBT	9	Number of calls scratched	0

Medical Assist

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

Martins Corner Fire Company: There was no report and nobody from Martins Corner was present.

Westwood Ambulance: Presented by Fire Chief Mike McWilliams.

Ambulance - Types of calls dispatched into WBT

Medical	22	Injured Person	2
Vehicle Accident	3	Freedom Village Calls	19 (40.43%)
Poisoning	1	Burn	1
Fall	15	Assault	1
Fire	1	Total # of Calls	47
Overdose	1	Average Response Time	10 minutes
		(dispatch to on scene)	

Sue Bowar questioned Wagontown Fire Company about their fundraiser and also asked if campfires are considered open burning.

Charles Thomas inquired about the County's burn ban.

Reports of Organizations, Boards and Commissions

Steve Measure gave the report of the Historical Commission. The first item was the HC has a list of properties where they are looking for before and after pictures, the second item was the HC would like to come up with a standard historic marker.

There was nobody present from the Parks and Recreation Board. Manager Rambo noted the Easter Egg Hunt was a success.

Manager Rambo stated he was requested to give the report of the Planning Commission. The GenTerra project and the Hammell Odonnell Business center were the only two items on the PC agenda and they were both tabled.

There was no report for the Open Space Review Board.

Municipal Authority Manager Rambo gave the report of the Authority. Discussion ensued regarding \$900,000 in grant money that was awarded and if the Township should form a regional municipal authority with WBT, WBTMA, Caln Township, Caln Township Municipal Authority, Valley Township, and Sadsbury Township to share equipment. Chairman Obernier asked if the Kimberwick Sewer Spray Irrigation Plant was still running and Manager Rambo answered yes.

At this time Chief Werner and Dale Barnett were excused from the meeting.

Old Business

The Township Engineer and Manager have met with representatives of PADEP and the Army Corp of Engineers as it pertains to the replacement of the Icedale Road bridges with precast concrete culvert systems by CONTEC and to discuss what would be involved in replacing said bridges. Manager Rambo stated there is a meeting slated for next Monday with a technical person to analyze the condition of the existing bearing walls that is currently holding up the bridges. The Manager will talk to a representative of a company that does wooden timber bridges at the upcoming PSATS convention to discuss other options.

The Township has received the amended Contractual Agreements for Fire Protection Services from the local fire companies and it is under review by the Solicitor and Manager. Manager Rambo stated he received comments from each BoS member and that further discussion is needed.

The Township is reviewing its Recycling Ordinance to ensure that it is up to date with regard to materials being recycled and reporting requirements. Manager Rambo stated this ordinance should be ready for review in the next few weeks. Vice-Chairman McCaffrey questioned if the Township could pick up recycling for small commercial entities within the Township. Manager Rambo answered the Township doesn't provide these services for them. The businesses are required by law to give the Township their recycling weights.

The Township is awaiting information from John Tallman of Tower Economics Company, Inc. with regard to the possible placement of a tower at the old Kimberwick Sewer Treatment Facility. There were no comments.

Old Business from the Floor

Sue Bowar asked questions about Upattinas School, what kind of school it is and if they were interested in locating in WBT. Chairman Obernier, Manager Rambo, Eric Smith of the Daily Local News commented.

Sue Bowar asked if the Caln Meeting Council of Governments was open to the public. Chairman Obernier answered yes.

Charles Thomas asked questions regarding township policies for the workman's comprehensive insurance and also asked about the walking trail.

Mike Canale asked about the area on Route 322 that is being graded. Manager Rambo explained the Township has a conservation easement on the Henderson property and that graded area has been designated as a parking facility for a future trailhead.

Old Business from the Board

There was no Old Business from the Board.

New Business

Discuss the establishment of a Resolution to discard of old documents according to the State's Detention of Records requirements. Manager Rambo noted he has prepared a resolution for consideration for signing. Vice-Chairman McCaffrey stated he would appreciate if the Historic Commission could go over the boxes to see if there is any historical value.

Discuss the utilization of Free Geek Penn as an out source for old electronics, etc. Manager Rambo explained this group will place bins within the Township facility so that people can drop off old computers, old flat screen televisions, VCR's, etc. Vice-Chairman McCaffrey motioned to use Free Geek Penn, a non-profit organization, for the disposal of used electronic equipment for West Brandywine Township and its residents. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

The Township is in receipt of the final version of the proposed new Comcast Agreement, along with the Ordinance and advertisement to allow the Township to enter into said Agreement. Manager Rambo noted thirteen municipalities have been meeting, an agreement has been prepared, and the term is for fifteen years with the ability to renew for a five year term. Comcast is okay with the proposed agreement. The final version is available for advertisement. The agreement is 5% with gross revenue spelled out. Supervisor Webb motioned for the Township Manager to advertise the Comcast Agreement Ordinance, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

New Business from the Floor

There was no New Business from the Floor.

New Business from the Board

Supervisor Webb stated that he and Manager Rambo had a meeting to discuss Cedar Grove doing work for the Township. Manager Rambo answered Supervisor Webb's questions and Supervisor Webb has no issues with Cedar Grove continuing to do work for the Township, it is probably less expensive than anyone else would charge for this service. Vice-Chairman McCaffrey stated that if you look through the Township's expenses, you will see numerous companies where you spend more money than you do with Cedar Grove. Vice-Chairman McCaffrey stated he never solicited the work; it originally came from a well contractor.

Chairman Obernier stated that while the subject is brought up, he owns OAC Network Solutions. OAC is in CoStars that is run by the State and the ITQ program also run by the State. IT services were put out to bid a few years ago and OAC was the low bidder; there were several others that responded. Without going into much detail, Chairman Obernier can document and prove that the profit after expenses for the previous five years was \$1,170. With that being said, Chairman Obernier is okay to discuss this with anybody, anytime.

Ordinances and Resolutions

Resolution #07-2012: disposal of records according to the PA Retention requirements. Manager Rambo stated this is the establishment of a resolution to follow provisions for the records retention disposition schedule approved by the local government records committee as adopted on December 16, 2008 found in their latest municipal records manual. At the Manager's recommendation, Vice-Chairman McCaffrey motioned to adopt Resolution #07-2012 to establish a procedure for either retention or disposition of records. Supervisor Webb seconded the motion. Board members McCaffrey, Webb, and Obernier voted aye.

Public Comments

There were no Public Comments.

Developer Presentations

There were no Developer Presentations.

Open Issues Before the Township

The Township Engineer and Manager continue their work on updating the Township's Act Plan. There were no comments.

The Township is looking for two volunteers to serve 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 (AGA) update. Mae Marie was in attendance to discuss her application into the Agricultural Security Area. Ms. Marie stated the law stated the Township has 180 days to act on the submission and she would like something in writing stating that her application was accepted. Manager Rambo and Vice-Chairman McCaffrey explained the process for submission into the AGA. After further discussion, Chairman Obernier recommended that Ms. Marie meet with the Township Manager.

Updates to the Township's lighting section of its Subdivision and Land Development Ordinance. There were no comments.

Driveway onto Baker Road near Reason Lane. There were no comments.

Investment of Pension Funds according to Section 3204 of the Second Class Township Code. 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 1.35%). There were no comments.

Review and Payment of the Bills

Manager Rambo noted the General Fund bills total \$63,367.19 of which one includes a bill to OAC Network Solutions. Manager Rambo requested a motion to pay all bills except for the OAC bill. Vice-Chairman McCaffrey motioned to pay all of the bills with the exception of the OAC bill. Supervisor Webb seconded the bills. Board members McCaffrey, Webb, and Obernier voted aye. Vice-Chairman McCaffrey motioned to pay OAC, seconded by Supervisor Webb. Board members McCaffrey and Webb voted aye. Chairman Obernier abstained because he owns OAC. The Liquid Fuels Fund bills total \$23,946.69 of that there is a bill for \$20,785.26 for the required salt purchase. The Solid Waste Fund bills total \$3,108.20. Supervisor Webb motioned to pay the bills, seconded by Vice-Chairman McCaffrey. Board members Webb, McCaffrey, and Obernier voted aye.

Upcoming Meetings/Events

- Eagle Scout Ceremony for William Pfeiffer, Sunday, April 22, 2012 at 3:00 p.m. at the Forks of the Brandywine Presbyterian Church. (Supervisor Webb will attend)
- Open Space Review Board, Thursday, April 26, 2012 at 7:00 p.m.
- Planning Commission, Thursday, April 26, 2012 at 7:30 p.m.
- Board of Supervisors, Thursday, May 3, 2012 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, May 8, 2012 at 7:00 p.m.
- Municipal Authority, Thursday, May 10, 2012 at 7:30 p.m.
- Historic Commission, Monday, May 14, 2012 at 7:30 p.m.

- Board of Supervisors, Thursday, May 17, 2012 at 7:30 p.m.

Adjournment

There being no further business before the Board, Supervisor Webb motioned to adjourn the meeting at 8:55 p.m. Vice-Chairman McCaffrey seconded the motion. Board Members Webb, McCaffrey, and Obernier voted aye in favor of adjournment.

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