

**Board of Supervisors Meeting Minutes
May 15, 2014**

Chairman Webb called the West Brandywine Township (WBT) Board of Supervisors meeting of May 15, 2014 to order at 7:37 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 Interim Township Manager Dale Barnett, and Police Chief Walter Werner.

Acceptance of Minutes from Previous Meetings – May 1, 2014

Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
In favor: All Opposed: None

Public Notification

1. *An Executive Session was held on May 15, 2014 prior to the Board meeting to discuss legal and personnel matters. – No comments.*

Treasurer's Report

General Fund	\$ 280,752.16
Fire Appropriations Fund	\$ 70,170.91
Open Space Fund	\$ 30,371.70
Solid Waste & Recycling	\$ 429,763.50
Capital Equipment Fund	\$ 5,873.49
Escrow Fund	\$ 291,813.93
State Liquid Fuel Fund	\$ 133,427.68
Revolving Reserve Fund	\$ 88,809.64
Police Pension Fund	\$ 2,061,765.57
Non-Uniform Pension Fund	\$ 302,298.50
Gen. Purpose Emergency	\$ 42,982.48

Promotion of Officer(s):

1. Promotion of Sergeant Jeff Kimes to the position of Lieutenant

Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
In favor: All Opposed: None

Chairman Webb stated he has known Jeff for several years and that he is a great officer and a role model to the community.

Vice-Chairman Smith stated he has had the opportunity to work with Jeff as an EOC for the last 3 years. Jeff's integrity is one of the highest levels he has ever seen. The kindness of his heart towards others and concerns for the residents of West Brandywine Township are admirable.

Supervisor Obernier stated that of all the officers in the Department and every other officer he knows in other departments, he believes Jeff to be the most qualified for this position.

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 & Reports of Organizations, Boards and Commissions

Chief Walt Werner gave the April 2014 Police Department report noting there were a total of 152 arrests for the month, personnel worked 1,068 hours, 557 complaints were addressed, and a total of 5,267 miles were patrolled.

Public Works Director Tom Eells was unable to give the April 2014 monthly report.

Codes Officer Dale Barnett gave the April 2014 monthly report for the Codes Office. 14 Building Permits were issued for the month with permit base fees collected of \$1,545.00; Occupancy fees collected totaled \$0; 1 U&O permit(s) issued with a fee of \$0 collected; 5 U&O permits issued cursory, 16 Contractors Licenses issued totaling \$675.00. A total of 20 inspections were completed (in-house/on-site). Total fees collected \$2,220.00

Fire Inspector Dale Barnett gave the April 2014 monthly report. A total of 45 campfire permits and 6 farming cleanup permits were issued.

Chief John Edwards gave the April 2014 fire report for East Brandywine Fire Company. He noted a total of 17 fire calls were responded to in WBT; 127 gallons of fuel were consumed.

Deputy Chief Bob Yearsley gave the April 2014 fire report for Wagontown Fire Company. He noted a total of 4 calls were responded to in WBT, 172 gallons of fuel were consumed.

Chief John Sly gave the April 2014 Ambulance Report for Westwood Fire Company. He noted there were 37 calls for WBT of those calls 12 were for Freedom Village (32.43%), 121.9 gallons of fuel were consumed.

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

- The large rain storm on May 14th was discussed. Approximately 3-4” of rain was reported throughout Chester County. Icedale Road intersection with Birdell Road flooded up to 9 feet over the flood stage. An emergency meeting was held that evening with the fire companies as well as with Dale Barnett and the police department to make sure there was a plan in place in the event of an ambulance call. One family was evacuated from Pratts Dam Road to the Township Building. The EOC center was open until Thursday morning, May 15th.

Vice-Chairman Smith made a motion to allow Township Solicitor to give his report before moving on with the Agenda, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.

Eric Brown gave a brief update on items he is currently working on for the Township:

- Police Department Contract
- Two Agreements set for approval with respect to Swinehart Culbertson Realty
- Changes to Zoning Amendments

Historic Commission – N/A

Parks and Recreation – N/A

Planning Commission – Jack Conti gave the April 2014 PC Report –

- Andy Eberwein, E. B. Walsh & Assoc. was present and provided an update on the status of the application for the Brandywine YMCA. Applicant will comply with all outstanding issues and requested a recommendation from the BoS.
- Andy Eberwein, E. B. Walsh & Assoc. was also present to discuss a proposed addition to the Bridal Barn for Dr. Eck. Dr. Eck would like to submit this plan as a building permit application and not go through a full land development application since there will be no changes to the land.
- Township Solicitor was in contact with PC requesting to meet with them, at no cost, to introduce himself and discuss his opinions on land development issues.

Open Space Review Board – N/A

Municipal Authority – Supervisor Obernier gave the April 2014 MA Report – The Authority met with the BoS at their last meeting to discuss various issues. Authority Board is waiting for a resigning of the rental agreement from the Township. Chairman Webb stated an agreement was made between the Authority and the Township where the Municipal Authority will use the Township’s trailer in exchange the Township will use the Authority’s lawn mower.

Chairman Webb made a motion that the BoS allows the Municipal Authority to use the Township’s trailer, in return the Authority will allow the Township to use their mower, seconded by Vice-Chairman Smith. Board members Webb and Smith voted aye. Supervisor Obernier abstained as he is a member of both Boards.

Agricultural Security Area Committee – N/A

Correspondence/Communications (information to note and act upon)

1. Information to Act Upon

- a. *YMCA requesting preliminary approval.*

Motion by: Vice-Chairman Smith Seconded by: Chairman Webb
In favor: VC Smith & Ch. Webb Opposed: Supervisor Obernier

Preliminary Approval pending proper transmission of correspondence acceptable to Solicitor.

- b. *Castaldi Family Partnership Property – request to withdraw application for development and request release of remaining escrow.*

Motion by: Vice-Chairman Smith Seconded by: Chairman Webb
In favor: All Opposed: None

- c. *Castaldi Property – approve application to be added to the Agricultural Security Area District.*

Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
In favor: All Opposed: None

- d. *MOTION: to approve and authorize the execution of the “Agreement to Defer Financial Security” with Longview Culbertson, LP in the form presented.*

Motion by: Vice-Chairman Smith Seconded by: Chairman Webb
In favor: All Opposed: None

- e. *MOTION: to authorize D.L. Howell & Associates to apply for a Highway Occupancy Permit with the Pennsylvania Department of Transportation and, further, authorize the Chair of the Board of Supervisors to execute Permit Application No. 4774 in the form presented, subject to the execution and recordation of the “Deferral of Financial Security Requirement and PennDOT Right of Way Stormwater Management Facilities and Operations and Maintenance Agreement” by Longview Swinehart, LP.*

Motion by: Vice-Chairman Smith Seconded by: Chairman Webb
In favor: All Opposed: None

- f. *MOTION: to approve and authorize the execution of the “Deferral of Financial Security Requirement and PennDOT Right of Way Stormwater Management*

Facilities and Operations and Maintenance Agreement” with Longview Swinehart, LP in the form presented.

Motion by: Vice-Chairman Smith Seconded by: Chairman Webb
In favor: All Opposed: None

Maintenance of Stormwater facilities in road right-of-way falls on applicant and not the Township.

2. Information to Note

- a. *The Township is in receipt of DEP’s 902 Recycling Grant Application, filing deadline is August 15, 2014. Pre-application meeting mandatory. – N/C*
- b. *The Township is in receipt of a proposal from McCormick Taylor to provide for the development of a Comprehensive Plan for Roadway Maintenance. – N/C*
- c. *The Township is in receipt of information from Cohen Law Group and Unruh Turner Burke & Frees with regard to a proposal to perform service regarding wireless facilities management dated April 9, 2014. – N/C*

Public Hearings (Ordinances as advertised) – N/A

Old Business – N/A

Old Business from the Floor – N/A

Old Business from Board

1. Supervisor Obernier asked the Board to have Solicitor to write up revisions to the Employee Handbook/Personnel Policy to sign off on. Further discussion will take place at next Board meeting.

New Business

1. *The Board to discuss minimum collection for taxes. – Vice-Chairman Smith was contacted by Tax Collector regarding numerous outstanding tax bills that are less than \$5. After a brief discussion, Vice-Chairman Smith made motion that tax bills under \$2.50 will not be pursued being collected, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.*
2. *Tax collection issues. – Vice-Chairman Smith stated that on occasion the Tax Collector has a need to work with Township Staff and made a motion to allow Township Staff to work with the Tax Collector when needed, seconded by Chairman Webb. Board members Smith and Webb voted aye. Supervisor Obernier voted no.*

3. *Kimmel, Lorah & Associates will be performing the 2013 financial audit of the Township for submission to the State beginning May 19, 2014. – N/C*
4. *Recommendations of the Township's Planning Commission (1st mtg of month only) – N/A*
5. *Western Chester County COG update (1st mtg of month only) – N/A*

New Business from the Floor

1. Dr. Ed Pristernik had some questions but Vice-Chairman asked that it be discussed at a later time.
2. Elizabeth Zanowiak voiced her concern the tape recorder was working.
3. Mike Canale agrees with Supervisor Obernier regarding the YMCA issue with Hurley Road.

New Business from the Board

1. Chairman Webb made a motion to approve McCormick & Taylors Engagement Letter, but not based on the signature that was put on, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
2. Vice-Chairman Smith read out loud a letter he received regarding the approval of a feasible Regional Police Study. A survey was given to Chief Werner to complete and return to the Department of Community and Economic Development (DCED). Discussion ensued on what all this entails.

Ordinances and Resolutions – N/A

Public Comments (individuals not on the agenda)

1. Don Smallwood asked for an update on Icedale Bridge. Vice-Chairman Smith stated that the bridge is completed but inspections are still required and the necessary paperwork that must be filed first.

Developer Presentations – N/A

Open Issues before the Township

1. *Ordinance Outdoor lighting status. – No update.*
2. *Road Repair - Lafayette & Pratts Dam. – N/C*

3. *Icedale Road Bridge update.* – N/C
4. *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.* – N/C
5. *The Township is looking into alternatives with regard to using the SPCA.* – N/C
6. *Traffic Study SR 82 and E. Reeceville Road and Cedar Knoll Road.* – N/C

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%*) – N/C

Review and Payment of Bills – Bills totaled \$87,980.51

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

Final Comment – Discussion of Finance Committee members. Will the Board members be meeting with them or interviewing them? Vice-Chairman Smith will contact Joe Morris for update.

Upcoming Meetings/Events

1. Open Space Review Board, Thursday, May 22nd at 7:00 p.m.
2. Planning Commission, Thursday, May 22nd at 7:30 p.m.
3. Ad Hoc Review Committee, Tuesday, June 3rd at 6:30 p.m.
4. Board of Supervisor Joint Meeting with Municipal Authority, Thursday, June 5th at 7:30p.m.
5. Historic Commission, Monday, June 9th at 7:30 p.m.
6. Parks and Recreation Board, Tuesday, June 10th at 7:00 p.m.
7. Municipal Authority, Thursday, June 12th at 7:30 p.m.
8. Board of Supervisors, Thursday, June 19th at 7:30 p.m.

Adjournment

There being no further business before the Board, Vice-Chairman Smith motioned to adjourn the meeting at 8:50 p.m. Chairman Webb seconded the motion. Board members Smith, Webb and Obernier voted aye in favor of adjournment.