

**Meeting Minutes of June 20, 2013**  
**Board of Supervisors**

Vice-Chairman William E. Webb called the West Brandywine Township (WBT) Board of Supervisors meeting of June 20, 2013 to order at 7:30 p.m. and led those present in the Pledge of Allegiance. Roll call of the Board of Supervisors (BoS) by Secretary/Treasurer Formica noted Vice-Chairman William Webb and Supervisor Josef G. Obernier, Sr. in attendance. Chairman McCaffrey arrived at 7:36 p.m. Also present were Walter Werner, Chief of Police, Thomas Eells, Public Works Director and Dale Barnett, Codes Enforcement Officer.

**Acceptance of Minutes from Previous Meetings**

*May 2, 2013, May 16, 2013, June 6, 2013* – The meeting minutes were tabled.

**Recognition of Volunteers**

1. *William L. Goins (Municipal Authority)*
2. *Wilbur C. Adam (Municipal Authority)*

West Brandywine Township Board of Supervisors and West Brandywine Township Municipal Authority presented an engraved clock to William and Wilbur along with a sincere thank you for 18 years of service, commitment and volunteer services to the residents of the Municipal Authority.

**Public Notification - None**

**Treasurer's Report -**

General Fund	\$101,993.40
Fire Appropriations Fund	\$71,588.15
K-9 Rudy Fund	\$295.46
Open Space Fund	\$103,076.47
Solid Waste & Recycling	\$288,315.48
Capital Equipment Fund	\$53,727.74
Developer Escrow Fund	\$362,444.16
State Liquid Fuel Fund	\$134,389.59
Revolving Reserve Fund	\$215,766.57
Police Pension Fund	\$1,851,465.40
Non-Uniform Pension Fund	\$443,719.00
Payroll Fund	\$5,692.00
Gen. Purpose Emergency Fund	\$3,001.70

**Special Public Presentations - none**

**Public Comments** (*residents/ representatives of taxpayers of the Township requesting to be on agenda*). – None.

**Reports of Departments**

Chief Werner gave the May 2013 Police Department report noting there were a total of 177 arrests for the month, personnel worked 1,149 hours, 591 complaints were addressed, and a total of 6,632 miles were patrolled.

Public Works Director Tom Eells gave the May 2013 monthly report of the Public Works Department. A total of 805 hours was worked by personnel, 2,496 miles were traversed in Township trucks, 104 hours were spent on Township equipment, and 533 gallons of fuel were consumed. Maintenance of the building and grounds, vehicles, equipment and roadways was performed during the month.

Township resident Richard Cahill voiced his concern of the condition of Lafayette Road in regard to potholes. Tom Eells stated he will do an inspection of the road.

Codes Officer Dale Barnett gave the May 2013 monthly report for the Code Office. 21 Building Permits were issued for the month with permit base fees collected of \$3,592.60; one U&O permit issued with a fee of \$100.00 collected, 9 U&O permits issued cursory, 7 Contractors Verifications issued totaling \$315.00. A total of 27 inspections were completed (in-house/on-site). Total fees collected \$4,907.60.

Steve Jackatt of the PC asked if the lighting issue with the YMCA Sketch Plan been resolved from last submission. Supervisor Obernier stated it was resolved and that he contacted Stan Stubbe, Lighting Consultant, in regards to the LED lights.

Fire Inspector Dale Barnett gave the May 2013 monthly report. A total of 24 campfire permits were issued and one farm maintenance permit issued.

Chief John Edwards, East Brandywine Fire Company, gave the May 2013 fire report. He noted a total of 10 fire calls and 20 EMS calls were responded to in WBT, 16.5 service hours; 85 miles were traversed in WBT, 114 gallons of fuel were consumed.

Chief Todd Ziegler, Wagontown Fire Company, gave the May 2013 fire report. He noted a total of 7 calls were responded to in WBT, 67.12 service hours, 107.8 gallons of fuel were consumed.

Chief Greg Lewis of Martin's Corner Fire Company gave the May 2013 fire report. He noted a total of 4 fire calls into WBT.

Discussion ensued on the discontinuation with Martin's Corner contract, fuel usage with Martin's Corner versus other fire companies, number and type of calls made by Martin's Corner. Doug Smith asked if time and distance conditions were taken into consideration when the decision to no longer have Martin's Corner coverage was made. Richard Kegan voiced his concern of public safety in this decision.

Chief John Sly of Westwood Fire Company gave the May 2013 Ambulance Report. He noted there were 45 calls for WBT, 16 of those were at Freedom Village.

## **Reports of Organizations, Boards and Commissions**

1. *Historic Commission* – None
2. *Parks & Recreation* – Supervisor Obernier stated that from the consolidation meetings with the fire departments, he had an opportunity to visit a department west of the Township. They have a food trailer that is for sale. The Parks & Rec committee is interested in the trailer but have no money to put in. Supervisor Obernier suggested the committee come to the BoS meeting and request the Board give them an allowance that they could bid on the trailer, and in return, pay back the Township within a specific time frame. Supervisor Obernier suggested a maximum of \$2,500.00. Ed Pristernik questioned the liability coverage on something like this. Steve Jakatt asked if a similar trailer could be rented instead of purchasing one. Richard Kegan questioned the need. Rhonda Mowdy voiced her concern of insurance and maintenance costs. After further discussion, Vice-Chairman Webb made a motion to authorize the Park & Rec to spend up to \$2,500.00 for the food trailer, seconded by Chairman McCaffrey. Board members Webb, McCaffrey and Obernier voted aye.
3. *Planning Commission* – None

4. *Open Space Review Board* – None
5. *Municipal Authority* – Supervisor Obernier stated that that the MA would like to save money by leasing the old Township building meeting room to meet once a month and would like to lease the interior office, with the office being open Tuesday through Thursday for residents to be able to come in and pay bills. Supervisor Obernier excused himself from this vote as he is on the Board for both the MA and the BoS. Vice-Chairman Webb would like the MA to present this lease to the BoS. Dialogue continued regarding this lease from the following: Kristin Boldaz, Mike Canale, Doug Smith, Jack Conti, Dr. Pristernik, Ann Marie Franciscus, and Rhonda Mowdy. WBT residents have lost faith in the BoS and until ties with Ron Rambo are cut, trust will not return. Supervisor Obernier stated that ties have been cut and that Ron is only finishing up projects that he started. Rhonda Mowdy asked for clarification where Ron’s office would be. Chairman McCaffrey stressed that the MA needs help and suggested MA uses the Township Building instead of leasing the old Township building.
6. *Agricultural Security Area Committee* – Rhonda Mowdy presented briefly a report to the BoS. Rhonda went through all the Township and County records to make sure that all properties that are currently in the ASA are correct in regards to property owner, parcel number, mailing addresses and physical addresses. This information was put into an excel spreadsheet which will be given to Linda Formica. The next step is to either contact the ASA committee to submit the 7-year review and stop, or take the next few months and attempt to increase the number of properties, which is the recommendation of the ASA committee. Rhonda also recommended calling the Advisory Board together for further discussion. Chairman McCaffrey suggested that an ‘open period’ each year that the ASA declares for adding new members. Rhonda stated that the best time for this is December through January.
7. *Ad Hoc Review Committee* – Ad Hoc Review Committee met on June 4, 2013. Five voting members were present, including Dale Barnett. Rhonda Mowdy was elected Chairperson for this committee. Details from the meeting will be made available to Linda Formica.

**Correspondence/Communications** (*Information to act upon*)

1. Information to Act Upon
  - a. *Review and discuss the acceptance of the lowest audit bid, which was from St. Clair CPA’s in the amount of \$14,000 that was sought through PennBid and was tabled at the June 6, 2013 Board meeting.* – No comments.
  - b. *Township Secretary Linda Formica spoke with Robert Stevenson of Kimmel, Lorah & Associates, LLP, CPA who requested a meeting with the Board to discuss the special audit and suggested that the BoS hire a representative of Kimmel, Lorah and Associates on a weekly basis to review the credit card statement, medical reimbursements, petty cash reimbursements, and gas statements.* – A brief discussion ensued. Vice-Chairman Webb stated the Township received a letter from the labor attorney stating that WBT is ok to go this route. Chairman McCaffrey stated he does not want to hire a weekly CPA firm, and will not vote to pay \$14,000.00 for further audits. Jack Conti asked how extensive the audit would be. Linda Formica briefly explained what all would be involved. Supervisor Obernier asked Linda to get an estimate of cost for one week. Linda will also set up a meeting between the auditor and BoS to get more information. Chairman McCaffrey requested to the BoS that the Township receive a clearly written letter from the Township’s attorney stating WBT is not an agency, as they begin to look through the records, in order to avoid any future issues with disclosing personal records.

- c. *The Township is in receipt from a letter dated June 19, 2013 from J. Richard Weaver, Jr. of Woodbrooke Drive expressing his interest to serve on the Municipal Authority Board. - Vice-Chairman Webb made a motion to appoint J. Richard Weaver, Jr. to serve on the MA. seconded by Supervisor Obernier. Board members Webb and Obernier voted aye, Chairman McCaffrey voted nay.*
- d. *The Township is in receipt of the proposed Lease Agreement from West Brandywine Township Municipal Authority to rent Office Space located at 199 Lafayette Road. – Tabled*
- e. *Hire Liam McGlinghey for the part time employment for the Public Works Department. - Chairman Webb made a motion to hire Liam McGlinghey for part time employment with the Public Works Department, with the stipulation he passes all drug screening, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.*

Rhonda Mowdy asked if the drug screening stipulation applied to all personnel or just the Public Works department. The BoS stated that it applies mainly to the public works employees due to them driving and working with machinery.

- f. *Discuss hiring a second part time person for the Public Works Department. – Tabled. To be advertised in the paper.*

## 2. Information to Note

- a. *The Township is in receipt of correspondence from John Good noting that the Township can combine the special audit for the credit card, medical reimbursements, petty cash reimbursements, and gas statements with the yearly audit. – No comment.*
- b. *Dale Barnett has provided a list of developable commercially zoned parcels to John Polakowski of the Western Chester County Council of Government. This project is part of the Regional Economic Development Study that is being carried out with the help of the Chester County Planning Commission. – No comment.*
- c. *Representatives from MacCombie Engineering are currently performing field visual observations of the on-lot sewage disposal systems as part of the sewage needs identification process for the Act 537 Plan. They have fulfilled the DEP required field visual survey. – No comment.*
- d. *The Township is in receipt of correspondence dated May 28, 2013 from John Good regarding Ordinances 2013-04, 2013-05, and 2013-06. – No Comment.*
- e. *Trash/Recycling Collection for July 4<sup>th</sup> has been rescheduled to be picked up on Saturday, July 6<sup>th</sup>. – No Comment.*
- f. *John Good has provided the Township with a review of the Deed of Dedication for Jamie Lane. – No Comment.*
- g. *The Township is in receipt of comments from MacCombie's office stating they find the Deed of Dedication for Jamie Lane satisfactory. – No Comment.*
- h. *The Chester County Household Hazardous Waste and E-Waste Event located at the Coatesville 9<sup>th</sup>-10<sup>th</sup> Grade Center is scheduled for tomorrow, Friday, June 21, 2013 from 9:00 a.m. until 3:00 p.m. –*

One resident requested information on what was accepted. Linda Formica to provide that information at the end of the meeting.

- i. *The Township is in receipt of copies of the MS4 Year 10 Annual Report from MacCombie's office that was submitted on behalf of West Brandywine Township to Richard Breitenstein of PADEP on June 10, 2013. – No Comment.*
- j. *Right to Know Officer, Dale Barnett received the final determination on June 13, 2013 from the Pennsylvania Office of Open Records that the Township has successfully won an appeal concerning a right to know request and would like to move forward to recoup all legal expenses incurred. – Supervisor Obernier requested that the BoS be copied on all Right-to-Know requests. Rhonda Mowdy asked what this entailed. Chairman McCaffrey briefly clarified what the process was. Vice-Chairman Webb stated that this particular Right-to-Know request pertained to him specifically, by a person who does not actually exist.*
- k. *Tom Eells is working on completing a grant application to obtain funding through Advanced Red Light Enforcement (ARLE) for upgrading existing traffic signals. – No Comment.*

**Public Hearings** (Ordinances as advertised)

*Hearings on Ordinance No. 2013-04, Ordinance No. 2013-05, and Ordinance No. 2013-06, amendments to the Standing, Stopping and Parking Ordinances.*

It was noted that Chairman McCaffrey closed the Township meeting at 9:55 p.m. and opened the Public Hearing at 9:55 p.m. Linda Formica stated that the Ordinances were duly advertised. There were no public comments. Vice-Chairman Webb made a motion to close the Public Hearing at 9:57 p.m., seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye. The Township meeting reopened at 9:57 p.m.

**Old Business**

*The Township is in the process of preparing Ordinance NO. 2013-01 as it pertains to the Airport Hazard Area zoning. – Chairman McCaffrey stated that Ronald Rambo is handling this issue.*

*The Township is in the process of preparing an Ordinance to amend sections of the Township's Outdoor Lighting requirements for presentation to the Township's Planning Commission and the County Planning Commission. – Chairman McCaffrey stated that Ronald Rambo is handling this issue.*

**Old Business from the Floor** – None

**Old Business from the Board** – Supervisor Obernier stated the Township needed an Alternate on the Western Chester County Council of Government (WCCOG). Supervisor Obernier suggested Doug Smith, Emergency Management Coordinator. Supervisor Obernier made a motion to appoint Doug Smith as the WCCOG Alternate, seconded by Vice-Chairman Webb. Board members Obernier and Webb voted aye. Chairman McCaffrey abstained.

**New Business**

*The Township is in receipt of information from Turnkey Enterprises, LLC with regard to placing a clothing drop near the recycling containers in front of the old Township building to raise money for Parks and Recreation events. – Vice-Chairman Webb stated that the receptacle is provided at no cost to the Township. Turnkey would come out once a week and empty the receptacle and in turn pay the non-profit organization anywhere from \$150*

to \$450 a month, based on the amount of the donations collected. Vice-Chairman Webb made a motion that Linda Formica contact Turnkey Enterprises and have a place worked out for a location of a storage shed, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.

**New Business from the Floor** – None

**New Business from the Board** – None

**Ordinances and Resolutions**

1. *Resolution #09-2013: Appointment of Township Secretary as Chief Administrative Officer of the Police and Non-Uniformed Pension Plan.* – Vice-Chairman Webb made a motion to adopt Resolution #09-2013, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.
2. *Resolution #10-2013: Dedication and Acceptance of the Jamie Lane Subdivision Roadways.* - Vice-Chairman Webb made a motion to adopt Resolution #10-2013, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.
3. *Ordinance No. 2013-04: Amending Ordinance No. 03-2013, found within Chapter 184 of the Township Code to include newly accepted public road and to regulate speeds.* Supervisor Obernier made a motion to adopt Resolution #2013-04, Amending Ordinance #03-2013, seconded by Vice-Chairman Webb. Board members Obernier, Webb and McCaffrey voted aye.
4. *Ordinance No. 2013-05: Amending Ordinance No. 03-2012, found within Chapter 184 of the Township Code to include recently accepted public streets and to provide for the regulations of stopping, standing and parking on said streets.* – Vice-Chairman Webb made a motion to adopt Ordinance No. 2013-05, Amending Ordinance No. 03-2012, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.
5. *Ordinance No. 2013-06: Amending Ordinance No. 03-15, found within Chapter 184 of the Township Code Establishing regulations of stop intersections to include newly accepted public roads.* – Vice-Chairman Webb made a motion to adopt Ordinance No. 2013-06, Amending Ordinance No. 03-15, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.

**Public Comments** (individuals not on the agenda) – None

**Developer Presentations** – None

**Open Issues before the Township**

1. *The Township continues their work on updating the Township's Act 537 Plan, the projected completion date by the Township Engineer is sometime in June.* – No Comment.
2. *The Township is awaiting the revised documentation to submit to PennDot officials to allow the use of Liquid Fuel Funds for the purchase of the Icedale Road bridge materials for its reconstruction.* – No Comment.

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

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

Linda Formica noted the General Fund bills total \$31,723.45; Solid Waste bills total \$24,641.94, and State Liquid Fuels bills total \$1,977.99. Vice-Chairman Webb reviewed the bills, found them in order and motioned payment of the bills with the exception of OAC, seconded by Chairman McCaffrey. Board members Webb, McCaffrey and Obernier voted aye. Vice-Chairman Webb made a motion to pay OAC, seconded by Chairman McCaffrey. Board members Webb and McCaffrey voted aye. Supervisor Obernier abstained because he is a principal at OAC.

### **Upcoming Meetings/Events**

- Open Space Review Board, Thursday, June 27, 2013 at 7:00 p.m.
- Planning Commission, Thursday, June 27, 2013 at 7:30 p.m.
- Concert (Chico's Vibe) rescheduled for Saturday, June 29, 2013 at 7:00 p.m.
- WBT Ad Hoc Review Committee, Tuesday, July 2, 2013 at 6:30 p.m.
- Board of Supervisors, Wednesday, July 3, 2013 - **Cancelled**
- Historic Commission, Monday, July 8, 2013 at 7:30 p.m.
- Parks and Recreation Board, Tuesday, July 9, 2013 at 7:00 p.m.
- Municipal Authority, Thursday, July 11, 2013 at 7:30 p.m.
- Board of Supervisors, Thursday, July 18, 2013 at 7:30 p.m.

### **Adjournment**

There being no further business before the Board, Vice-Chairman Webb motioned to adjourn the meeting at 10:08 p.m. Supervisor Obernier seconded the motion. Board Members Webb, Obernier and McCaffrey voted aye.

Linda Formica  
Secretary/Treasurer