

**Meeting Minutes of August 15, 2013**  
**Board of Supervisors**

Vice-Chairman Webb called the West Brandywine Township (WBT) Board of Supervisors meeting of August 15, 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 Thomas J. McCaffrey arrived at 7:39 p.m. Also present were Police Chief Walt Werner, Thomas Eells Public Works Director, and Dale Barnett, Codes Enforcement Officer.

**Acceptance of Minutes from Previous Meetings –**

*July 18, 2013 and August 1, 2013* – Vice-Chairman Webb made a motion to approve the meeting minutes of July 18, 2013 and August 1, 2013, seconded by Supervisor Obernier. Board Members Webb, Obernier and McCaffrey voted aye.

**Public Notification** – None

**Treasurer's Report**

General Fund	\$ 38,305.22
Fire Appropriations Fund	\$ 76,752.45
K-9 Rudy Fund	\$ 295.46
Open Space Fund	\$ 70,775.77
Solid Waste & Recycling	\$ 247,670.41
Capital Equipment Fund	\$ 53,727.74
Developer Escrow Fund	\$ 342,147.95
State Liquid Fuel Fund	\$ 131,612.62
Revolving Reserve Fund	\$ 31,786.57
Police Pension Fund	\$ 1,851,465.40
Non-Uniform Pension Fund	\$ 443,719.00
Payroll Fund	\$ 2,863.27
Gen. Purpose Emerg. Fund	\$ 3,001.70

**Special Public Presentation** – None

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

1. Rhonda Mowday requested to be on the Agenda to discuss Security during Township meetings. – Rhonda not in attendance.
2. Frank Keegan asked BoS that instead of having a Tax Collector, if Township could collect tax fees at DNB, and still have a Tax Collector at a reduced salary, as it is being done with Trash fees and MA, in order to try and save money for the Township. Further discussion ensued. Chairman McCaffrey stated that if information can be obtained from DNB on how this can be done, he would be willing to look into this further. Vice-Chairman Webb asked Linda Formica to contact John Good, Township Solicitor, on what the latitudes are for tax collection.
3. Don Smallwood asked if there were any updates on the closure of Icedale Road bridge. – Tom Eells stated that he was in contact with Senator Rafferty. Although he could not find money to replace the bridge he could find money to repair it. Tom is unclear at this time as to what has to be done or what restrictions there are, if any, to obtain said money. Discussion ensued among the BoS, Tom Eells, Tom Wait, Jack Conti, and Elizabeth Zanowiak. Vice-Chairman Webb stated that the Township is working on solutions and asked that the residents of West Brandywine bear with them.

**Reports of Departments**

Chief Werner gave the July 2013 Police Department report noting there were a total of 203 arrests for the month, personnel worked 1,215 hours, 768 complaints were addressed, and a total of 6,960 miles were patrolled.

Public Works Director Tom Eells gave the July 2013 monthly report of the Public Works Department. A total of 679 hours was worked by personnel, 2,660 miles were traversed in Township trucks, 57 hours were spent on Township equipment, and 382 gallons of fuel were consumed. Maintenance of the building and grounds, vehicles, equipment and roadways was performed during the month.

Codes Officer Dale Barnett gave the July 2013 monthly report for the Code Office. 11 Building Permits were issued for the month with permit base fees collected of \$4,860.00; 2 U&O permit issued with a fee of \$0.00 collected, 20 U&O permits issued cursory, 11 Contractors Licenses issued totaling \$540.00. A total of 51 inspections were completed (in-house/on-site). Total fees collected \$5,400.00.

Fire Inspector Dale Barnett gave the July 2013 monthly report. A total of 35 campfire permits were issued.

Chairman McCaffrey gave the July 2013 fire report for East Brandywine Fire Company, as Chief Edwards was on vacation. He noted a total of 8 fire calls and 21 EMS calls were responded to in WBT, 4.5 service hours; 60 miles were traversed in WBT, 86.7 gallons of fuel were consumed.

Chief Todd Ziegler, Wagontown Fire Company, gave the July 2013 fire report. He noted a total of 3 calls were responded to in WBT, 11.16 service hours, 161.6 gallons of fuel were consumed.

Chief John Sly of Westwood Fire Company gave the July 2013 Ambulance Report. He noted there were 36 calls for WBT, 13 of those were at Freedom Village.

Emergency Management Coordinator Doug Smith discussed the following:

- The Emergency Management is working on the Icedale bridge issue. They were able to put in a PA Ready Notify System for many of the residents on Icedale Road and also emergency personnel and Township personnel. This system was used for the first time on Tuesday, August 13<sup>th</sup> due to the large rain storm.
- The Emergency Management Team and Chief Werner are working closely with Pope John Paul Regional Elementary School for an emergency response plan. Another meeting is scheduled for August 26, 2013 to do a walk-through operations plan with all the teachers. On October 4, 2013 there will be a table top drill with the teachers and administrative office utilizing the plan.

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

1. *Historic Commission* – No one present.
2. *Parks and Recreation* – No one present.
3. *Planning Commission* – Jack Conti stated the following:
  - At their July 2013 meeting, Dale Barnett was in attendance. Dale has completed information requested from the Western Chester County Council of Government (WCCCG) regarding compiling a list of developable, commercially zoned parcels in municipalities that are suitable for future development.
  - The Township is in receipt of a CD from the Historical Society of a Resource Atlas Wall Map.
  - The Township is in receipt of correspondence from PSATS regarding membership in the Township Planning Association. If anyone is interested in representing WBT, please let the Township Secretary know.
  - BoS adopted Resolution #02-2013 in support of Brandywine Creek Greenway Concept Plan, as per the Planning Commission's recommendation.
4. *Open Space Review Board* – Jack Conti stated there is nothing new under consideration.
5. *Municipal Authority* – Supervisor Obernier stated there is nothing to discuss.
6. *Agricultural Security Area Committee* – No one present.
7. *Ad Hoc Review Committee* – No one present.

## **Correspondence/Communications** (information to note and act upon)

### 1. Information to Act Upon

- a. *Signing of escrow release #17 for the Hideaway Farms for \$88,237.43.* – Dale Barnett stated that some of the issues have been partially taken care of at the historic site, but recommends tabling this until they comply with the remaining issues. Vice-Chairman Webb made a motion to table Hideaway Farms Escrow Release #17, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.
- b. *Appoint the following three new individuals to the Work Safety Committee as per Resolution #06-2012, Adam Clark, Terri Kelly, and Josef G. Obernier, Sr.* – Supervisor Obernier stated he is unable to be on this committee. Vice-Chairman Webb made a motion to appoint Terri Kelly, Adam Clark and Chairman McCaffrey to the Work Safety Committee, seconded by Supervisor Obernier. Chairman McCaffrey stated he would not be able to make the meetings. Doug Smith asked what this committee was for and what is involved. Vice-Chairman Webb explained that the Township gets a discount for Workers Comp insurance by having this committee (5%). This committee discusses if there have been any accidents, what can be changed to eliminate this type of accident. Doug Smith volunteered to be on this committee. Vice-Chairman Webb amended his previous motion, to appoint Adam Clark and Terry Kelly to the Work Safety Committee, and Doug Smith as long as it is approved by the resolution. Chairman McCaffrey made a motion to appoint Adam Clark and Terry Kelly to the Work Safety Committee, seconded by Vice-Chairman Webb. Board members McCaffrey, Webb and Obernier voted aye.
- c. *The Township is in receipt of a request from Hurricane Hill Farm Maze for traffic control assistance from East Brandywine Fire Company Fire Police.* – Vice-Chairman Webb made a motion to approve Hurricane Hill Farm Maze request for traffic control assistance from East Brandywine Fire Company Fire Police, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.
- d. *The Township is in receipt of the 2014 MMO requirements for the Uniform (\$184,751 or \$226,426) and Non-Uniform (\$27,500) Pension Plans from Thomas J. Anderson & Associates, Inc. for acceptance.* – Vice-Chairman Webb made a motion to allow Linda Formica to sign on behalf of the BoS to accept the MMO at \$184,751 for the Uniform and \$27,500 for Non-Uniform, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.

### 2. Information to Note

- a. *The Township is in receipt of a letter from State Representative Becky Corbin dated August 8, 2013 congratulating West Brandywine for being awarded \$7,789 for recycling 740.8 tons through DEP's 2011 Recycling Performance Grant.* – No comments.

## **Public Hearings (Ordinances as advertised) - None**

### **Old Business**

1. *The Township is in the process of preparing Ordinance NO. 2013-01 as it pertains to the Airport Hazard Area zoning.* – Vice-Chairman Webb questioned the status on this item. Why is this still being discussed and not approving it. Supervisor Obernier stated that at previous meeting he requested Linda Formica to contact Ron Rambo on this. Linda stated that she emailed Ron but has yet to hear back from him. He is now on vacation and will address it when he returns. Vice-Chairman requested that this become an open issue with a dead line. Supervisor Obernier suggested one month.
2. *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.*

Vice-Chairman Webb made a motion for both above-referenced items, that a dead line be set for the second BoS meeting in September for Ron Rambo to provide the requested information or the Ordinances, and to move these to the open issue section, seconded by Supervisor Obernier. Board members Webb, Obernier and McCaffrey voted aye.

### **Old Business from the Floor**

1. Jodie Grant asked if anyone has been contacted by the owners of 139 Freedom Valley Circle or if any further discussions have taken place. Dale Barnett stated that he and Linda had visited the property. The Township is still looking into the feasibility of what they want to do. Currently there is no one living there other than one individual taking care of the house. Supervisor Obernier requested that Jodie submit her email to him, he will put her on the list to receive updates on this property. Dale also informed Jodie that he met with Hills Over Pratts Dam H.O.A. president. He is trying to get the owner of the property and a representative of the Association to sit down and meet to get an understanding among all parties involved exactly what it is they would like to do. Ed Pristernick asked if anyone attended the Open House. Dale stated that the open house was designed for professionals in that field, not a general open house.
2. John Sly gave a follow up from the July 18, 2013 meeting. He had been asked by the BoS, that with his background and municipal finance, if he would be willing to help the Township with issues that were going on. He did meet with everyone and feels very confident that between Linda Formica, Chief Werner, Tom Eells, Dale Barnett and the rest of the Township, the staff is doing a great job of holding the Township together under less than favorable conditions. With his busy schedule he is unable to accept the position but thanks the BoS for the opportunity.

3. Elizabeth Zanowiak asked if anything was done to upgrade the sound system in the meeting room. Chairman McCaffrey stated that due to the very strict budget he did not request any additional money be put into upgrading the system. Vice-Chairman Webb stated that they are looking into lapel pin microphones. Doug Smith suggested that a microphone be stationed at the podium.
4. Elizabeth Zanowiak voiced her concerns of water draining into her property. Chairman McCaffrey stated that the Codes Department was looking into this issue. Elizabeth feels that they are looking at the wrong area. There are three drains draining into her property. Chairman McCaffrey suggested that she call and make an appointment for another inspection. Vice-Chairman suggested she files a claim with District Court. In this situation, any type of discharge from one property onto another becomes a civil matter between the two property owners.
5. Elizabeth Zanowiak stated that she is considering filing a harassment suit against the BoS because of the way she feels she has been treated by the BoS and requested that this statement be in the minutes for record purposes.

### **Old Business from the Board**

1. *The Board to discuss splitting the proceeds from the clothing drop off shed between the Parks and Recreation Board and the Historical Commission.* – Vice-Chairman Webb stated that the Township received their first check for \$47.00. Vice-Chairman Webb made a motion to split the money equally for shed commissions for clothing drive between the Parks and Rec and the Historical Commission, seconded by Supervisors Obernier. Board members Webb, Obernier and McCaffrey voted aye.

### **New Business from the Floor**

1. Holly Baker asked about the bridge on Telegraph Road, stating all the vegetation, trees, etc. was sprayed and asked why. Tom Eells does not know why it was spray, stating that the Township would look into this further.

**New Business from the Board** – None

**Ordinances and Resolutions** – None

**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* – No Comments

2. *The Township is in the process of looking into ways to repair Pratts Dam Road and Lafayette Road.* – No Comments.
3. *The Township continues its efforts to look for funding for Icedale Road Bridge.* – No Comments
4. *The Board to discuss proposing an agreement with the Municipal Authority.* – Supervisor Obernier stated that there is a new agreement being re-written, which will be a combination of the first two agreements and is waiting for Ron Rambo to finish.
5. *The Board is exploring options regarding new financial software.* – 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 1.35%)* – No comments.

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

1. General Fund	\$69,078.81
2. Fire Appropriations Fund	\$435.51
3. Open Space Fund	\$0
4. Solid Waste Fund	\$37,617.95
5. State Liquid Fuels Fund	\$3,123.46

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

### **Upcoming Meetings/Events**

1. Open Space Review Board, Thursday, August 22, 2013 at 7:00 p.m.
2. Planning Commission, Thursday, August 22, 2013 at 7:30 p.m.
3. WBT Ad Hoc Review Committee, Tuesday, September 3, 2013 at 7:00 p.m.
4. Board of Supervisors, Thursday, September 5, 2013 at 7:30 p.m.
5. Municipal Authority, Thursday, September 12, 2013 at 7:30 p.m.
6. Historic Commission, Monday, September 9, 2013 at 7:30 p.m.
7. Parks and Recreation Board, Tuesday, September 10, 2013 at 7:00 p.m.

### **Adjournment**

There being no further business before the Board, Vice-Chairman Webb motioned to adjourn the meeting at 9.09 p.m. Supervisor Obernier seconded the motion. Board Members Webb, Obernier and McCaffrey voted aye.

Linda Formica  
Secretary/Treasurer