

Board of Supervisors Meeting Minutes
July 17, 2014

Chairman William Webb called the West Brandywine Township (WBT) Board of Supervisors meeting of July 17, 2014 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 Financial Administrator Carrie Pike noted Chairman William Webb, Vice-Chairman Doug Smith and Supervisor Josef G. Obernier, Sr. in attendance. Also present were Interim Township Manager Dale Barnett, Public Works Director Thomas Eells and Police Chief Walter Werner.

Oath of Office – Judge Michael J. Cabry, III, Honey Brook District Court swore in the following officers:

1. *Appointment of Mark E. MacKrell as a part-time Police Officer.*
2. *Swearing in of Officer Russell Moore to the position of Corporal.*
3. *Re-Swearing in of Lieutenant Jeffrey Kimes.*

Chairman Webb made a motion to take Agenda out of order and bring Special Public Presentation before acceptance of Meeting Minutes, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

Special Public Presentation

District Attorney Thomas Hogan to be in attendance to thank township staff for coming forth with information regarding Mr. Rambo. – D.A. Thomas Hogan presented to West Brandywine Township staff a District Attorney's Accommodation for their courage and commitment that led to the prosecution of Ronald Rambo for fraud and theft. Carrie Pike, on behalf of the staff, accepted the District Attorney's Accommodation. Chairman Webb stated it is time for the community to come together and move forward. Vice-Chairman Smith thanked Chairman Webb for also doing the right thing.

Acceptance of Minutes from Previous Meetings - June 19, 2014

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

Special Recognition

Plaque presentations for Gold Sponsorship to Siana, Bellwoar & McAndrew, LLP, Attorneys at Law and Krapf Bus Company. – Eric Brown from Siana, Bellwoar & McAndrew was on hand to accept the presented plaque.

Public Notification – N/A

Treasurer's Report - Not Given

Public Comments (residents or representatives of taxpayers of the Township requesting to be on the agenda)

Department Reports & Reports of Organizations, Boards and Commissions

Chief Walt Werner gave the June 2014 police report noting there were a total of 262 arrests for the month, 1,270.5 personnel hours worked, 550 complaints were addressed, and a total of 5,619 miles were patrolled.

Public Works Director Tom Eells gave the June 2014 monthly report. 809 man hours work, total hours on equipment 121, total miles traveled 1,767, total fuel consumed 550.8 gallons.

Codes Officer Dale Barnett gave the June 2014 monthly report for the Codes Office. 21 Building Permits were issued for the month with permit base fees collected of \$7,029.60; Occupancy fees collected totaled \$225.00; 4 U&O Permits issued; 15 U&O Permits issued cursory; 20 Contractors Licenses issued totaling \$900. A total of 29 inspections were completed (in-house/on-site). Total fees collected \$8,145.60

Fire Inspector Dale Barnett gave the June 2014 monthly report. A total of 37 campfire permits and 3 farming cleanup permits were issued.

Chief John Edwards gave the June 2014 fire report for East Brandywine Fire Company. He noted a total of 28 fire calls were responded to in WBT; 97 gallons of fuel were consumed.

Chief Todd Ziegler gave the June 2014 fire report for Wagontown Fire Company. He noted a total of 5 calls were responded to in WBT, 130.4 gallons of fuel were consumed.

Chief John Sly gave the June 2014 Ambulance Report for Westwood Fire Company. He noted there were 38 calls for WBT, of those calls 10 were for Freedom Village.

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

1. A full scale exercise is scheduled at PJP on October 11th. Freedom Village will be used for their reunification site.
2. Dale Barnett and Doug Smith met with Hurricane Hill Farm to discuss their plans of having a hayride week nights and weekends. A pre-plan was discussed in order to do this safely and emergency management issues that may occur. Another future meeting is scheduled for early August with Fire and EMS, Hurricane Hill Farm and Emergency Management to further discuss the hayride.

Reports of Organizations, Boards and Commissions

1. Historic Commission – N/A
2. Parks and Recreation – N/A

3. Planning Commission – N/A
4. Open Space Review Board – N/A
5. Municipal Authority
 - a. A meeting was held on July 16th with MA. Supervisor Obernier announced to the Board and audience that Municipal Authority Ron Rambo is no longer working there. The Authority interviewed and hired, on a temporary part-time basis, someone to work in the office. Will review in a month. Resumes can also be sent in.
 - b. Vice-Chairman Smith discussed some changes being considered with the MA.
 - i. Concern on the elaborate sewer system in the Township, especially along the eastern border. A possible survey will be done to find out how many people have actually connected to the sewer lines. In order for the MA to function properly, people will be required to tie into the system that are within 150’ of existing sewer lines.
 - ii. Operations and Maintenance of on-lot sewer system will be revised. An Ordinance is in placed but not enforced. The Ordinance will be reviewed and a process created.
 - iii. Further explore the northeast portion of Township for sewage needs (Lahawa Drive area), including the Little Washington Tributary.
 - iv. Part of the Maintenance Plan, people will be required to pump out their on-lot systems at least every 3-5 years.

Further discussion ensued among the Board, Frank Keegan, Dale Barnett, Elizabeth Zanowiak, Catherine Courreges, Paul Sell, Allen Smith, and Kim DiJoseph.
6. Agricultural Security Area Committee – N/A
7. Ad Hoc Review Committee – N/A

Correspondence/Communications (information to note and act upon)

1. Information to Act Upon
 - a. *The Township is in receipt of a Real Property Tax Exemption Certificate for James Bradley of 12 Reason Lane for consideration.*
 Motion by: Supervisor Obernier Seconded by: Vice-Chairman Smith
 In favor: All Opposed: None
 - b. *Jeff Chalfant sent in a letter of resignation from the Parks and Recreation Board for acceptance.*
 Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
 In favor: All Opposed: None
 - c. *Appoint Westwood EMS as Ambulance Company.*
 Motion by: Supervisor Obernier Seconded by: Vice-Chairman Smith
 In favor: All Opposed: None

Brief discussion ensued among the Board, John Sly and Kim DiJoseph regarding retaining services with Westwood.

- d. *Appoint Denise Stoltzfus as voting member of the Parks and Recreation Board.*
 Motion by: Supervisor Obernier Seconded by: Vice-Chairman Smith
 In favor: All Opposed: None
- e. *The Board of Supervisors is in receipt of a letter of extension of time from Michael Hartman on behalf of Highspire Ventures, LLC for the Brandywine Meadows preliminary plan approval final plan for ninety days. Motion to accept letter and extend time until Wednesday, October 8, 2014.*
 Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
 In favor: All Opposed: None
- f. *Motion to approve the Castaldi escrow release in the amount of \$5,562.57.*
 Motion by: Supervisor Obernier Seconded by: Vice-Chairman Smith
 In favor: All Opposed: None
- g. *The Township is in receipt of a proposal from Natausha Horton from the Cohen Law Group with regard to Wireless Facilities Ordinance (\$6,000) and Verizon Franchise Audit (\$4,500), both for a 15% discount. – TABLED*
 Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
 In favor: All Opposed: None
- h. *The Township is in receipt of a proposal (\$3,600) from Michael Little from the Chester County GIS Consortium for annual membership.*
 Motion by: Supervisor Obernier Seconded by: Vice-Chairman Smith
 In favor: All Opposed: None

Elizabeth Zanowiak asked for clarification of this. Supervisor Obernier explained that the Township pays the County every year for GIS services.

2. Information to Note

- a. *The Township is in receipt of correspondence from Stephen Trego and Ed Baldwin from Hurricane Hill requesting emergency services for their Corn Maze and Haunted Hayride. – Michael Richey asked if Hurricane Hill will be paying entertainment taxes. Chairman Webb stated they will.*
- b. *The Township is in receipt of correspondence from Amy E Markwood from Dale Carnegie Training expressing that Tom Eells has joined the select group of award winners in the Dale Carnegie Course by receiving the Highest Achievement award on June 26, 2014. – N/C*
- c. *The Township is in receipt of a letter of appreciation from the Kuhn Family for the expression of sympathy from the Township. – Supervisor Obernier described Warren Kuhn as someone who had a wealth of information, a very nice fellow and that he will be missed.*

- d. *The Township is in receipt of a letter from Gregory Hodge of Freedom Valley Circle commending Tom Eells with regard to his quick response and communication concerning Pratts Dam Road issues. – N/C*
- e. *The Township is in receipt of draft Jelke's Icedale Bridge plaque information for review. The ribbon cutting ceremony is tentatively set for Friday, August 15th at 12 noon. – N/C*

Public Hearings (Ordinances as advertised)

Old Business

The following have expressed interest for the Citizen Finance Advisory Committee (CFA Committee)

- *Kathy Hoertz – resume received*
- *Michael Cabry*
- *Joseph Dunn*
- *Heather Sahagian – resume received*
- *Robert A. Westervelt – resume received*

Michael Cabry rescinded his interest. After sending the information to the Ethics Commission for Judges, he was informed it would probably violate one of the canons of Judges Law.

Chairman Webb made a motion to accept Kathy Hoertz, Heather Sahagian and Robert Westervelt to the Citizens Finance Advisory Committee, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

Old Business from the Floor

1. Dr. Ed Pristernik stated he is still waiting for the information on the interim tax he requested at the last Township meeting. Supervisor Obernier stated that in an email from the Township Solicitor, indicated that the former Tax Collector has fulfilled her duties. Vice-Chairman Smith will talk to Township Solicitor.
2. Elizabeth Zanowiak asked about HIPAA regulations and where it applies. Vice-Chairman Smith explained that it only applies to third-party services.
3. Elizabeth Zanowiak asked about the Auditors Report posted in the paper and also asked if you can get a copy of the report. Chairman Webb stated yes, it is a public document.

Old Business from Board

1. Vice-Chairman Smith discussed Regionalization with Honey Brook Township. An official request was received from Joe Fenstermacher, Honey Brook Township Supervisor. They would like to contract police services out for all of Honey Brook Township. The Board requested that Chief Werner move forward and put together a proposal with Joe Fenstermacher. Chief Werner stated that contacting out is the way to go, to see if it works out first before making anything permanent.
2. Vice-Chairman Smith met with Corporal Moore for the Police contract negotiations.

Chairman Webb made a motion to move forward with a Memorandum of Understanding with the Police Department for a one-year contract extension, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye. Dr. Pristernik questioned why the healthcare extension.

New Business

1. *Recommendations of the Township's Planning Commission (1st mtg of month only) – N/C*
2. *Western Chester County COG update (1st mtg of month only) – N/C*
3. *Discuss appointing a new company that will supply IT support. – Discussed under Ordinances and Resolutions.*
4. *The Township is in receipt of a quote of \$990 from GALCO to install an outdoor telephone box and telephone to the building near the gas pumps.*
Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
In favor: All Opposed: None
5. *Discuss pursuing a DEP 902 Grant for 96 gallon toters.*
Motion by: Vice-Chairman Smith Seconded by: Supervisor Obernier
In favor: All Opposed: None

Working on a Grant with East Brandywine towards decreasing costs for solid wastes with a municipally operated collection program where automated trucks pick up toters. Discussion ensued.

6. *Discuss the purchase of two new trucks. – Public Works Director Tom Eells asking for two trucks. Vice-Chairman Smith stated this will have to be budgeted for 2015. Vice-Chairman Smith made a motion to authorize the leasing of two 2015 Ford Dump Trucks, lease payment of \$28,921.08, with the understanding that the payment is on the 2015 budget, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.*

New Business from the Floor

1. Frank Keegan questioned Item #3 under New Business. It was reiterated that it would be discussed under Ordinances and Resolutions.
2. Bohdan Serenga commented on an on-going issue he has with his permit.

New Business from the Board

1. Supervisor Obernier made a motion to apply for the Act 537 Grant, seconded by Vice-Chairman Smith. Board members Obernier, Smith and Webb voted aye.
2. Vice-Chairman Smith made a motion to authorize MacCombie Engineers survey property owners adjacent to Area 4A on the proposed 537 Map and owners located within 150 feet of existing sewer lines to see if they are hooked up to public sewer, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.
3. Vice-Chairman Smith made a motion to authorize MacCombie Engineers to revise the current operations and maintenance of existing on-lot sewer systems ordinance, Chapter

148, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.

4. Vice-Chairman Smith made a motion to consider methods of assisting individuals desiring to connect to public sewer systems that may not have the financial means, seconded by Chairman Webb. Board members Smith, Webb and Obernier voted aye.
5. Vice-Chairman Smith made a motion to MacCombie Engineers further explore the northeast portion and lower portion of the Township for sewage needs, including the potential use of Little Washington Tributary if needed, seconded by Supervisor Obernier. Board members Smith, Obernier and Webb voted aye.
6. Chairman Webb made a motion to renew the contract for Westwood Ambulance Company an additional two years, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.
7. Chairman Webb made a motion to remove the “Interim” tag and name Dale Barnett as Township Manager of West Brandywine Township, seconded by Vice-Chairman Smith. Board members Webb, Smith and Obernier voted aye.

Ordinances and Resolutions

1. Resolution #08-2014: Accepting Custom Computing’s Fee Schedule for IT services.
Motion by: Chairman Webb Seconded by: Supervisor Obernier
In favor: All Opposed: None
2. Resolution #09-2014: Authorize Township Manager to Execute Documentation for Sewage Facilities Grant.
Motion by: Supervisor Obernier Seconded by: Vice-Chairman Smith
In favor: All Opposed: None

Public Comments (individuals not on the agenda)

1. Catherine Courreges questioned the status of disbanding Municipal Authority. Chairman Webb stated that at an earlier Township meeting he had suggested disbanding the MA, and making it a department of the Township. Further research has to be done before any decisions are made.

Developer Presentations – N/A

Open Issues before the Township

1. *Ordinance Outdoor lighting status.* – Supervisor Obernier working with Stan Stubbe on this. Still a work in progress.
2. *Road Repair - Lafayette & Pratts Dam.* – Public Works Director Tom Eells working on a temporary repair. Two grants have been submitted for this project. Elizabeth Zanolwiak voiced her concerns of Pratts Dam.
3. *The Manager, Public Works Director, Township Engineer, and Police Representative conducted 2nd onsite meeting with PennDOT’s representatives and engineers to resolve site distance issues at the intersection of Route 82 and Cedar Knoll/E. Reeceville 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%*) July 1st Wire Payment

\$4,390.81(interest). The principal payment of \$195,000 along with the monthly interest payment is due August 1, 2014. – N/C

Review and Payment of Bills

- | | |
|----------------------------|--------------|
| 1. General Fund | \$137,024.31 |
| 2. Solid Waste Fund | \$ 44,487.78 |
| 3. State Liquid Fuels Fund | \$ 4,054.29 |

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

Upcoming Meetings/Events

1. Open Space Review Board, Thursday, July 24th at 7:00 p.m.
2. Planning Commission, Thursday, July 24th at 7:30 p.m.
3. Ad Hoc Review Committee, Tuesday, August 5th at 6:30 p.m.
4. Board of Supervisors, Thursday, August 7th at 7:30 p.m.
5. Historic Commission - **No August Meeting.**
6. Parks and Recreation Board, Tuesday, August 12th at 7:00 p.m.
7. Municipal Authority, Thursday, August 14th at 7:30 p.m.

There being no further business before the Board, Supervisor Obernier motioned to adjourn the meeting at 9:40 p.m. Vice-Chairman Smith seconded the motion. Board members Obernier, Smith and Webb voted aye in favor of adjournment.

Respectfully Submitted,



Linda Formica
Secretary/Treasurer