

**WEST BRADFORD TOWNSHIP
BOARD OF SUPERVISORS
ORGANIZATION-BUSINESS
JANUARY 4, 2021**

BOARD OF SUPERVISORS

Laurie Abele, Chairwoman
Jack M. Hines, Vice-Chairman
Kevin Houghton, Member

TOWNSHIP PERSONNEL

Justin Yaich, Township Manager
Ron Youtz, Public Works Director
James Lucas, Codes Director
Jack Law, Fire Chief
Kristin Camp, Solicitor
Ted Gacomis, Engineer
Jon Trump, Architect

CALL TO ORDER

Chairwoman Laurie Abele called the meeting to order at 6:08 p.m.

Mrs. Abele announced that the Board met in executive session on Monday, January 4, 2021 from 5:00 p.m. to 5:30 p.m.

PUBLIC COMMENT

Mrs. Abele opened the floor to public comment.

Mr. John Merva – 2048 Arrowhead Trail – Stated his concerns over the Embreeville Steering Committee and why the Township’s Embreeville section of the website hasn’t been updated since February. Mrs. Abele explained that since the settlement agreement was executed, the owner has been working on demolition and remediation and it will remain so through this year. When and if there are updates, they will be posted.

REORGANIZATION

Chairman – Board of Supervisors

Mr. Houghton motioned to appoint Mr. Hines as Chairman of the Board of Supervisors, second by Mr. Abele. Motion carried 3-0.

Vice Chairman – Board of Supervisors

Mr. Hines motioned to appoint Mr. Houghton as Vice Chairman of the Board of Supervisors, second by Mrs. Abele. Motion carried 3-0.

Township Manager

Mrs. Abele motioned to appoint Justin Yaich as the Township Manager to serve at the pleasure of the Board for the year 2021, second by Mr. Houghton. Motion carried 3-0.

2021 Appointments

Mr. Hines read the following appointments:

1. Secretary-Treasurer – Justin Yaich, to serve at the pleasure of the Board and to set the bond amount at \$2 million;
 - a. Mrs. Abele motioned to appoint Mr. Yaich, second by Mr. Houghton. Motion carried 3-0.

2. Finance Director and Assistant Township Treasurer – Rosemary Moore, to serve at the pleasure of the Board and to set the bond amount at \$1 million;
 - a. Mr. Houghton motioned to appoint Mrs. Moore, second by Mrs. Abele. Motion carried 3-0.
3. Zoning Officer – Justin Yaich, to serve at the pleasure of the Board;
 - a. Mrs. Abele motion to appoint Mr. Yaich, second by Mr. Houghton. Motion carried 3-0.
4. Assistant Zoning Officer – James Lucas, to serve at the pleasure of the Board;
 - a. Mr. Houghton motioned to appoint Mr. Lucas, second by Mrs. Abele. Motion carried 3-0.
5. Building Code Official – James Lucas, to serve at the pleasure of the Board;
 - a. Mrs. Abele motioned to appoint Mr. Lucas, second by Mr. Houghton. Motion carried 3-0.
6. Code Enforcement Officer and Junkyard Inspector – James Lucas, to serve at the pleasure of the Board;
 - a. Mr. Houghton motioned to appoint Mr. Lucas, second by Mrs. Abele. Motion carried 3-0.
7. Fire Marshal – James Lucas, to serve at the pleasure of the Board;
 - a. Mrs. Abele motioned to appoint Mr. Lucas, second by Mr. Houghton. Motion carried 3-0.
8. Emergency Management Director – James Lucas, for the year 2021;
 - a. Mr. Houghton motioned to appoint Mr. Lucas, second by Mrs. Abele. Motion carried 3-0.
9. Voting Delegate to the 2020 Annual Convention of the State Association of Township Supervisors – Jack M. Hines, Jr., for the year 2021;
 - a. Mrs. Abele motioned to appoint Mr. Hines, second by Mr. Houghton. Motion carried 3-0.
10. Voting Delegate to the Act 32 Tax Collection Committee – Justin Yaich., for a term to expire on December 31, 2021;
 - a. Mr. Houghton motioned to appoint Mr. Yaich, second by Mrs. Abele. Motion carried 3-0.
11. Alternate Voting Delegate to the Act 32 Tax Collection Committee – Jack M. Hines, Jr., for a term to expire on December 31, 2021;
 - a. Mrs. Abele motioned to appoint Mr. Hines, second by Mr. Houghton. Motion carried 3-0.
12. Representative to the Brandywine Creek Greenway and the Chester Valley Trail Extension Study – Michael Simmons, for the year 2021;
 - a. Mr. Houghton motioned to appoint Mr. Simmons, second by Mrs. Abele. Motion carried 3-0.
13. Representative to the Downingtown Area Recreation Consortium – Michael Simmons, for the year 2021;
 - a. Mrs. Abele motioned to appoint Mr. Simmons, second by Mr. Houghton. Motion carried 3-0.
14. Representative to the Downingtown Library Board – Jack M. Hines, Jr., for a term to expire on December 31, 2023;
 - a. Mr. Houghton motioned to appoint Mr. Hines, second by Mrs. Abele. Motion carried 3-0.

15. Township Solicitor –Buckley, Brion, McGuire, Morris & Sommer, at a rate of \$200.00 per hour;
 - a. Mrs. Abele motioned to appoint BBMMS at a rate of \$200 per hour, second by Mr. Houghton. Motion carried 3-0.
16. Alternate Township Solicitor – Gawthrop Greenwood, PC, at a rate of \$175.00 per hour;
 - a. Mr. Houghton motioned to appoint GG, PC, at a rate of \$175.00 per hour, second by Mrs. Abele. Motion carried 3-0.
17. Township Engineer – Edward B. Walsh and Associates, Inc., per the fee schedule on file at the Township Building;
 - a. Mrs. Abele motioned to appoint EBW and Associates, Inc., second by Mr. Houghton. Motion carried 3-0.
18. Township Sanitary Sewage Engineer – AECOM, per the fee schedule on file at the Township Building;
 - a. Mr. Houghton motioned to appoint AECOM, second by Mrs. Abele. Motion carried 3-0.
19. Township Traffic Engineer – Albert Federico, Consulting, LLC, per the fee schedule on file at the Township Building;
 - a. Mr. Abele motioned to appoint Albert Federico, Consulting, LLC, second by Mr. Houghton. Motion carried 3-0.
20. Township Land Planner – Thomas Comitta Associates, per the fee schedule on file at the Township Building;
 - a. Mr. Houghton motioned to appoint TCA, second by Mrs. Abele. Motion carried 3-0.
21. Third Party Inspection Agency – Keystone Municipal Services, at a rate of \$67.00 per hour;
 - a. Mrs. Abele motioned to appoint KMS, second by Mr. Houghton. Motion carried 3-0.
22. CPA Firm to Conduct FY 2020 Audit – BBD, LLP, pursuant to Resolution 18-21;
 - a. Mr. Houghton motioned to appoint BBD, LLP, second by Mrs. Abele. Motion carried 3-0.
23. Members to the Emergency Services Board
24. Member to the Historical Commission
25. Members to the Land Preservation and Sustainability Committee
26. Members to the Planning Commission
27. Member to the Recreation Commission
28. Member to the Zoning Hearing Board
 - a. Mr. Hines announced that the Board would table the member appointments until their February meeting to evaluate all vacancies and terms. All current members will continue to serve until they are reappointed or a successor is chosen.
29. Chairman to the Vacancy Board – John A. Haiko, for a term to expire on December 31, 2021;
 - a. Mrs. Abele motioned to appoint Mr. Haiko, second by Mr. Houghton. Motion carried 3-0.
30. Township Depository – TD Bank, Pennsylvania Local Government Trust Fund;
 - a. Mr. Houghton motioned to approve TD Bank and PLGIT for depositories, second by Mrs. Abele. Motion carried 3-0.
31. Newspaper of Record – Daily Local News.

- a. Mrs. Abele motioned to approve the DLN as paper of record, second by Mr. Houghton. Motion carried 3-0.

2021 Board of Supervisors Meeting Schedule

Mr. Houghton motioned to schedule the meetings of the Board of Supervisors in 2021 on the second Tuesday of each month at 7:00 p.m. and 7:00 p.m. on the fourth Tuesday of each month, as may be necessary; Work sessions to be held before and/or after above meetings, as needed, second by Mrs. Abele. Motion carried 3-0.

2021 Mileage Reimbursement

Mrs. Abele motioned to set IRS standard mileage rate as the rate for mileage reimbursement (currently \$0.56 per mile), second by Mr. Houghton. Motion carried 3-0.

BUSINESS

MINUTES – DECEMBER 8, 2020

Mrs. Abele motioned to approve the December 8, 2020 Meeting Minutes as presented, second by Mr. Houghton. Motion carried 3-0.

TREASURER'S REPORT

Mr. Yaich reported on fund activity for the year to date and presented a list of bills to be paid. Mr. Houghton motioned to pay the bills as presented, second by Mrs. Abele. Motion carried 2-0. Mr. Hines abstained due to a conflict on several invoices.

DEPARTMENT OF BUILDING SAFETY REPORT

Mr. Lucas presented a report on code enforcement, zoning and like activities for the previous month; a copy of this report is on file at the Township Building.

PUBLIC WORKS DEPARTMENT REPORT

Mr. Youtz presented a report on the Public Works Department that covered street, refuse, sewer and parks; a copy of this report is on file at the Township Building. Mr. Hines thanked the Public Works Department for their great work through December and dealing with the storms.

FIRE COMPANY REPORT

Fire Chief Law presented the report for the month; a copy of the report is on file in the Township Building.

STATE POLICE REPORT

Mr. Yaich stated that the State Police report is not available due to our meeting being a week earlier than normal.

Resolution 20-33 – Winter Storm Emergency Declaration

Mrs. Abele motioned to approve Resolution 20-33, second by Mr. Houghton. Motion carried 3-0.

Resolution 21-01 – Emergency Services Response Area for 2021

Mr. Houghton motioned to adopt Resolution 21-01, second by Mrs. Abele. Motion carried 3-0.

Resolution 21-02 – To Set Various Fees to be Charged for Township Services that are Offered on a Fee Basis

Mrs. Abele motioned to adopt Resolution 21-02, second by Mr. Houghton. Motion carried 3-0.

Resolution 21-03 – To Participate in the Cooperative Purchasing Contract with the City of Harrisburg

Mr. Houghton motioned to adopt Resolution 21-03, second by Mrs. Abele. Motion carried 3-0.

Resolution 21-04 – To Authorize Employee Personnel Policy Manual Section III.A. Sick Leave Policy

Mrs. Abele motioned to adopt Resolution 21-04, second by Mr. Houghton. Motion carried 3-0.

Resolution 21-05 – Intergovernmental Risk Management

Mr. Houghton motioned to adopt Resolution 21-05, second by Mrs. Abele. Motion carried 3-0.

Supplemental Bill Run

Mrs. Abele motioned to approve the supplemental bill run in January, to be ratified at the February 9th Board of Supervisors Meeting; second by Mr. Houghton. Motion carried 3-0.

Creative Kids of Downingtown

Mr. Houghton motioned to waive land development, as requested, second by Mrs. Abele. Motion carried 3-0.

Township Campus Building Addition – Motion to Waive Land Development Process

Mrs. Abele motioned to waive the land development process, second by Mr. Houghton. Motion carried 3-0.

Township Campus Building Addition – General Contract

Mr. Hines stated that the Township Architect, Kimmel Bogrette, prepared bid documents for the Township's municipal building project and the Township advertised for bids for the four contracts related to the project. According to Pennsylvania law, the Township must choose the lowest responsible bidder. The bid documents provide that the Township has the right to reject any and all bids and the Township may take steps it deems necessary to determine the ability of bidders to perform the work on the project.

There are four contracts to be awarded under the bid documents. The apparent low bidder for the general contractor contract is Perrotto Builders, Ltd. and the next lowest bid was submitted by Balton Construction, Inc. The lowest bidder for the electrical contractor is Hobbs & Company Inc. The lowest bidder for the mechanical contractor is Trefz Mechanical, Inc. and the lowest responsible bidder for the plumbing contractor is L.G.B. Mechanical, Inc.

As was permitted by the bid documents, Township staff, the architect and solicitor investigated all of the bidders' experience in similar public projects and credentials in order to determine if they were a responsible bidder.

Based on the due diligence conducted by Township staff, counsel and architect, the Board finds that Perrotto is not the lowest responsible bidder.

Mr. Hines motioned that the Board of Supervisors reject Perrotto as the lowest responsible bidder and award the contract for the general contractor to Balton Construction, Inc. with a bid of \$2,241,191.00, second by Mr. Houghton. Motion carried 3-0.

Mr. Hines motioned that the Board award the contract for the electrical contractor to Hobbs & Company Inc. with a low bid of \$409,750.00, second by Mrs. Abele. Motion carried 3-0.

Mr. Hines motioned that the Board award the contract for the mechanical contractor to Trefz Mechanical, Inc. with a low bid of \$620,931.00, second by Mr. Houghton. Motion carried 3-0.

Mr. Hines motioned that the Board award the contract for the plumbing contractor to L.G.B. Mechanical, Inc. with a low bid of \$310,000.00, second by Mrs. Abele. Motion carried 3-0.

Emergency Services Board Resignation

Mr. Houghton motioned to accept the resignation of Mr. Tom Barton from the Emergency Services Board, second by Mrs. Abele. Motion carried 3-0.

Elected Auditor Resignation

Mrs. Abele motioned to accept the resignation of Mrs. Tracy Christman from the Board of Auditors, second by Mr. Houghton. Motion carried 3-0.

Embreeville Master Plan Steering Committee

Mr. Houghton motioned to amend the WBYA representative to the Embreeville Steering Committee to president, John Beck, second by Mrs. Abele. Motion carried 3-0.

Employee Retirement - Kim Williams

Mrs. Abele motioned to authorize the Chairman to sign the personnel retirement agreement, second by Mr. Houghton. Motion carried 3-0.

New Employee – Full Time – Refuse Worker

Mr. Houghton motioned to approve the hiring of Frank Mischler for non-exempt refuse worker position, second by Mrs. Abele. Mr. Mischler will be an at will employee, subject to a six-month probationary period. Motion carried 3-0.

Hoglen, LLC Property – 545 Groundhog College Road

Mrs. Abele motioned to approve the agreement of sale for 545 Groundhog College Road, second by Mr. Houghton. Motion carried 3-0. Mr. Hines thanked the Township Manager and staff for negotiating the deal and preserving the 168+ acre farm.

SUBDIVISIONS

There were no subdivisions.

NOTICES

Mr. Hines gave the following notices:

- The Board of Supervisors January 26th meeting will be cancelled.
- The Board will next meet on February 9th at 7:00 p.m.at the Township Building.

- The Elected Auditors Organization Meeting is on January 5th at 6:30 p.m. at the Township Building.
- The Planning Commission Organization/Business Meeting is on January 5th at 7:00 p.m. via Zoom.

There being no additional business, at 6:45 p.m., Mrs. Abele motioned to adjourn the meeting, second by Mr. Houghton. Motion carried 3-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin V. Yaich', written in a cursive style.

Justin V. Yaich
Township Secretary