

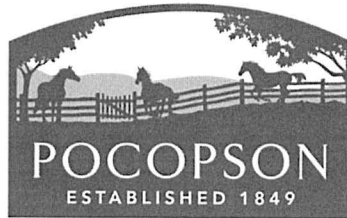
P.O. Box 1, Pocopson PA 19366  
Office: 610.793.2151 Fax: 610.793.1944  
www.pocopson.org

## Board of Supervisors Meeting Monday, November 22, 2021, 7:00 p.m.

In-person attendance: Supervisors - Ricki Stumpo, Elaine DiMonte, and Raymond McKay; Al Davis, Resident Representative Kennett EMS Fire Commission; Mark Knightly, Public Works Director. Participating via remote access: Craig Kologie, Castle Valley Consulting, Zoning Official.

Public in attendance: 6

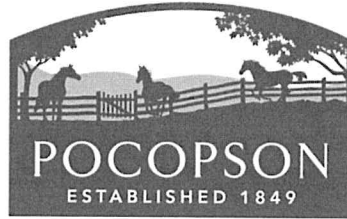
1. **Call to Order:** Stumpo called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** On November 4<sup>th</sup> DiMonte and McKay participated in an Open Space Easement Walk of the former Elser property with representatives from the Brandywine Conservancy. DiMonte, McKay, and Secretary visited furniture vendor sites on October 28<sup>th</sup>. On November 15<sup>th</sup>, DiMonte, McKay, and Secretary met with Peter Barsz, Treasurer, for a year-end review. On November 18<sup>th</sup>, DiMonte, McKay, and Township Personnel met to review the interior plans for the new township building.
3. **Announcements:** Stumpo announced that the December meeting will be December 13<sup>th</sup> instead of the last Monday of the month.
4. **Public Comment on Non-Agenda Items:** none.
5. **November 17<sup>th</sup> Work Session:** the November 17<sup>th</sup> Work Session was cancelled.
6. **2022 Budget:**
  - a. Minutes for October 25, 2021 Budget Work Session - DiMonte moved, McKay seconded, to approve the minutes as submitted; motion carried.
  - b. Minutes for November 1, 2021 Special Meeting/Revised Preliminary Budget - DiMonte moved, McKay seconded to approve the minutes as submitted; motion carried.
  - c. Motion to approve the 2022 Budget - DiMonte moved, McKay seconded, to approve Resolution 2021-19 adopting the 2022 Budget; motion carried. No public comment.
  - d. Motion to set 2022 Tax Rates - Stumpo moved, DiMonte seconded, to approve Resolution 2021-20 setting the tax rates for 2022; motion carried. No public comment.
7. **Zoning Hearing Board Application for Antonelli, 456 West Creek Road, Tax Parcel 63-2-9 ("Application"):** in-person presenters for the Application - Jason Antonelli, Applicant; Christopher Schubert, Attorney for the Applicant; Jim Haigney, P.E., on behalf of the Applicant. Township Engineer Ken Hoffman was in attendance. Haigney presented this as a straight-forward project to construct improvements by Antonelli, the sole occupant of the property. Proposed improvements to the existing octagonal house include the addition of a garage with a deck overtop, a breezeway addition, a standalone-barn, and the eventual installation of an in-ground swimming pool. Haigney pointed out the parcel is 3.5 acres but there are a number of environmental constraints and easement areas to take into account and for which relief is sought by a variance and special exceptions. Supervisors were shown the revised site plan printed on November 22<sup>nd</sup> that Haigney offered was revised in accordance with the October 27, 2021 Comment and Review Letter from the Township Engineer. Hoffman responded that the revisions were not submitted to



P.O. Box 1, Pocopson PA 19366  
Office: 610.793.2151 Fax: 610.793.1944  
www.pocopson.org

his office in time to allow for a review. Supervisors discussed at great length the species of trees that will be disturbed and asked that going forward, the Applicant confirm those trees that are heritage trees. Haigney provided calculations for the stormwater recharge with the revisions to the rain garden and noted compliance with the infiltration rate. He added that the location of the basin has been adjusted. McKay inquired as to the emergency access points. Haigney indicated that access points will not disturb the small creek which runs adjacent to the property but is not located on the property. Stumpo noted that the "campground" label on the plan is a Native American Burial Ground. Haigney did not have confirmation of a burial ground, but he does have a contact for the Lenape Nation and will look into it. This area is not owned by the Applicant nor is there a reason for any disturbance. Stumpo asked if the barn will be used for animal husbandry. Antonelli indicated that the structure is labeled "barn" for architectural purposes to keep with the rural character of the neighborhood. It will not be used to house animals but will be used for storage and a workshop area. Kologie responded that all zoning questions appear to have been addressed. No public comment. MOTION: McKay moved, DiMonte seconded, to accept the recommendation of the Planning Commission dated November 4, 2021 and to further recommend to the Zoning Hearing Board to grant the relief requested by the Applicant condition upon successful communication with the Township Engineer Gilmore & Associates in compliance with all Comment and Review Letters; motion carried.

8. **Preliminary/Final Subdivision Plan Robson Industries, Inc., 914 and 918 Pocopson Road, Tax Parcels 63-4-143 and 63-4-143.1:** no action. Supervisors acknowledged that this will be listed on the December 13, 2021 meeting agenda.
9. **Hurricane Ida Storm Update:**
  - a. Report - Kologie reported completion of the substantial damage assessments for most of the properties. Exterior assessments were completed for all properties and interior assessment limited to those properties where the owner was on-site. Letters were sent to all property owners and Castle Valley representatives followed up by reaching out personally. By example, they are working with one property owner to sort out the tax assessment in an effort to determine fair market value. There are 8 properties damaged more than 50% of the fair market value. These owners will have to bring the properties into code compliance if they intend to reconstruct or repair. It also means that the properties will have to comply with base flood elevations. There are 4 properties considered a complete loss having been removed from the pilings. One property owner intends to elevate his structure and has been in touch with FEMA to identify compliance issues. Elevation certificates will have to be submitted with building permit applications. Kologie noted that most of the property owners are not full-time residents and are in the process of deciding how to proceed. There's no specific time requirement to respond as they consider contractor estimates to bring the properties up to current standards and how to meet compliance requirements. He noted that funding is limited to primary homes and not second homes. DiMonte inquired as to the status of the home on the island. Kologie indicated that the owner has not responded to contact by Castle Valley representatives. McKay asked about a



P.O. Box 1, Pocopson PA 19366  
Office: 610.793.2151 Fax: 610.793.1944  
www.pocopson.org

cabin off of Route 842/Bridge Road that appears to have washed away. Secretary responded that the office provided Castle Valley contact information and the initial FEMA letter to a potential purchaser of the property who indicated the cabin was under agreement of sale but that the closing did not occur due to a situation with the estate. PUBLIC COMMENT: Anthony Kelly who owns 6 Cabin Club Lane indicated that his cabin is structurally sound but was curious how the values were being calculated. Kologie responded that there are 3 means to establish values: county tax assessment, appraisal, or by square footage. Because the County had not updated the assessments for quite some time, using the FEMA guidelines, Castle Valley utilized the square footage formula and calculated a value of \$150.00 per square foot. Property owners are free to provide their own documentation as well. Kelly indicated that he pulled a temporary electric permit and is obtaining contractor quotes at this time. Kologie noted that an elevation certificate will be required when the building permit application is submitted. Kelly also asked if the insurance costs have changed by zones. Kologie responded that the flood way is the highest regulated flood zone and the highest risk category. Attendees remarked that overbuilding upstream may have been a significant contributing factor to the flooding experienced in Pocopson. At 7:45 p.m., Board thanked Kologie for attending the meeting and providing a report, then granted his request to be excused.

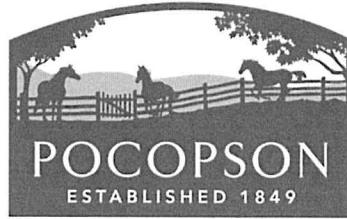
- b. PEMA Public Assistance Grant Resolution and Agreement – Secretary reported the Township has made application for reimbursement for repairs to Locust Grove Road, staff time, debris management, and any other identifiable reimbursable requests. MOTION: Stumpo moved, McKay seconded, to approve Resolution 2021-21 Designation of Agent Resolution and Public Assistance Grant Program Agreement to apply for reimbursement costs associated in responding to repairs and emergency situations as a result of the remnants of Hurricane Ida; motion carried.

10. **Planning Commission Report - November 3<sup>rd</sup> Meeting:** Board acknowledged receipt of the report from the November 3<sup>rd</sup> meeting. DiMonte and McKay attended the meeting via GoToMeeting and expressed their appreciation for the substantive comments of the Planning Commission in reviewing the zoning hearing board applications.

11. **Public Works:** Knightly reported that equipment preparations are underway for snow/ice removal. He reported that there is sufficient salt stored at this time. He is not aware of a shortage but is aware that there could be delays in the delivery process. No public comment.

12. **Facilities:**

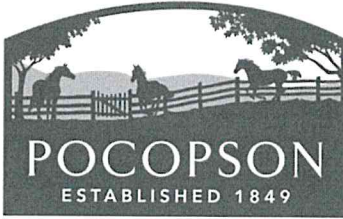
- a. New Township Administration Building -
  - i. Update: DiMonte reported roofing will begin this week. Work has progressed on curbing and the rain garden. The Board is looking at furniture options. Proposals were obtained from three vendors for the security system, one of which is the current vendor, Penn Security. In evaluating the proposals, all of which were under the threshold requiring public bids, the Board determined that it would be prudent to utilize the current vendor rather than a separate vendor for the new facility. No public comment. MOTION: DiMonte moved, Stumpo seconded,



P.O. Box 1, Pocopson PA 19366  
Office: 610.793.2151 Fax: 610.793.1944  
www.pocopson.org

- to accept the proposal from Penn Security for the new township building; motion carried.
- ii. Review and Approve Applications for Payment - MOTION: DiMonte moved, Stumpo seconded, to approve the \$115,713.00 payment for BSS Contractors as recommended by GKO Architects and the Treasurer; motion carried. Stumpo moved, DiMonte seconded, to approve the \$23,948.95 payment to Lenni Electric as recommended by GKO Architects and the Treasurer; motion carried. No public comment.
- b. VERIZON Easement Document for Work at 664 S. Wawaset Road - Board discussed the standard easement form reviewed by the Solicitor, which gives VERIZON necessary rights to access the property to perform the work. Knightly and Township Engineer Ken Hoffman agreed that the engineered drawing accurately depicts the location of the trench which also includes the electric line which is in a separate conduit. DiMonte noted that the Township cannot change the easement agreement but voiced concern that the document may allow VERIZON to install additional facilities. Board authorized signing the agreement as recommended by the Solicitor and the Engineer.
13. **Kennett Area EMS Commission:** Davis reported the Commission met during a special meeting on October 26<sup>th</sup> and a regular meeting on November 9<sup>th</sup>. A comprehensive report was presented on the assessment of equipment and vehicles. Two municipal members have not officially agreed to the 30% contribution increase for 2022. DiMonte asked if there will be a 30% increase for 2023. Davis responded that it is difficult to tell given that in reality, the fire companies are not being funded adequately. McKay commented that there are cost saving measures in the equipment/vehicle assessment report. He also noted the progress that has been made with the realignment of emergency services provided by Longwood and Kennett Borough. The work of the Commission remains a work in progress as the movement forward will include paid staff with employee benefits. Stumpo noted that everyone appreciates the fire companies when they have to show up at your door and recognized that efforts have to be made not to cut services. Davis indicated that he would appreciate remaining on the Commission for 2022. PUBLIC COMMENT: Jim Fisher inquired as to the status of the Longwood water tanker trucks and if such vehicles would be required given installation of fire hydrants by Aqua. McKay responded that there is a need for qualified drivers for the tankers. It was offered that the tankers are used to fill swimming pools but that going forward, Longwood might drop out of the pool-filling business. For this reason, Longwood may dispense with one tanker.
14. **New Business:**
- a. Appointments - Auditors/Tax Collector - DiMonte noted that the County certified the municipal election results. Secretary reported that Joyce Wertz is available during 2022 and will attend the required Auditors Meeting January 4<sup>th</sup>. An affidavit to deputize the County will be signed by Hal Hoffman following completion of the election paperwork so that the County can continue collecting taxes. PUBLIC





P.O. Box 1, Pocopson PA 19366  
Office: 610.793.2151 Fax: 610.793.1944  
www.pocopson.org

COMMENT: attendees inquired as to the role of the elected auditors. Secretary provided a brief explanation.

- b. Resolution 2021-22/Hazard Mitigation Grant - A letter of intent was submitted for a pre-application package for the PEMA Hazard Mitigation Grant Program which provides funding for future flooding disasters. MOTION: DiMonte moved, Stumpo seconded, to approve authorizing submission of a grant application for this program; motion unanimously approved. No public comment.

**15. Old Business:**

- a. Hearing date to amend zoning chapter and zoning map - Board discussed the Comment and Review Letter submitted by the Chester County Planning Commission and the Solicitor's comments. Board agreed that the Transferable Development Rights are no longer necessary. County suggests using a specific time frame in regard to shooting ranges noting the significant difference in hours of daylight for Eastern Standard Time versus Daylight Saving Time. Board briefly discussed potential time ranges. PUBLIC COMMENT: Hal Hoffman asked if the revisions would regulate the use of a garden tractor or a leaf blower after dark. Board noted that the current ordinances address use of equipment. Board agreed to reach back out to the Solicitor for guidance on the time frame to regulate shooting ranges.

**16. Correspondence:** no correspondence

- 17. Treasurer's Warrants:** MOTION: Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for the period October 26, 2021 to November 22, 2021 recommended for payment by the Treasurer: General Fund: 44 bills totaling \$49,007.06; 19 debit card/ACH transactions totaling \$121,921.55 (includes the second (\$120,664.10) of two annual note payments in the Open Space Acquisition Fund; Highway Aid Fund: 5 bills totaling \$3,888.66; Township Facilities Fund: 7 bills totaling \$174,707.06; Parks, Recreation & Trails Fund: 1 bill for \$180.00; motion unanimously approved.

- 18. Approval of October 25, 2021 Meeting Minutes:** MOTION: Stumpo moved, McKay seconded, to approve the Meeting Minutes as submitted; motion carried.

- 19. Adjournment:** at 8:30 p.m. Stumpo moved, DiMonte seconded, to adjourn the meeting; motion carried.

  
\_\_\_\_\_  
Susan Simone, Secretary

  
\_\_\_\_\_  
Ricki Stumpo, Chairwoman