



Pocopson Township
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Board of Supervisors Meeting Minutes
Monday, May 9, 2011, 7:30 P.M.

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Laressa J. McNemar, P.E.; Mark Knightly, Director, Public Works.

1. Call to Order and Pledge of Allegiance: Conary called the meeting to order at 7:30 P.M. and led the Pledge of Allegiance.

2. Announcements: Board thanked the planners and the participants for their support in what was a very successful Pennsylvania Historic Marker Ceremony held on April 30th honoring Eusebius Barnard.

3. Public Comment: none.

4. Public Discourse – PA Liquor Control Board (PLCB) Inter-municipal License E-1080 transfer to ZFG, Inc., d/b/a Lenape Pizza: Conary provided a brief background on the PLCB license application process including what will occur during the public hearing scheduled for Monday, May 23rd at 7:00 P.M. McNemar reported that the Applicant's stated intent is to sell malt beverages to those who are purchasing pizza until 10:00 PM, but that the license allows serving malt beverages inside and to go until 2:00 A.M. and all entertainment must cease at that hour. She also stated that additional information is posted on the bulletin board at the Township building and on the website. **William and Marie Strahan of 748 Denton Hollow Road** stated that, while new to the area, they were not in favor of the Board supporting a license that will provide opportunity for malt beverage purchasers to drink the product in the wooded park area around the Pizza shop. Similar concern was raised by **Lucinda Schreck of 743 Denton Hollow Road** who added that she believes the sale of malt beverages will create an increase in the traffic flow to the strip of shops and will increase the amount of trash and debris left along roadways. Residents do not wish to deny the Applicant opportunity for profit but with little revenue gleaned by the Township from the sale of malt beverages, a financial benefit does not appear to be an incentive for Township support. Brutscher thanked the residents who attended this evening and reminded them to attend on the 23rd so that their comments can be made part of the record during the public hearing.

5. Zoning Concerns/Code Section Regarding Burning, Open: Tony Musacchio of 1621 Lenape Road asked the Board to address an open burning and downwind smoke situation from the property located at 1802 Lenni Drive. Secretary provided the Board with field reports and emails submitted by Township Zoning Officials confirming that the burn incidents were in compliance with the Burning Ordinance. The Board directed Zoning Officials to cite the provisions of the Nuisance Ordinance in situations where downwind smoke is a cause for the concern of the health and safety of residents.

6. Ordinance Hearing: Motion: Conary moved, McNemar seconded to close the regular meeting at 8:00 P.M. and open the Ordinance Hearing for Ordinance 1 of 2011 and Ordinance 2 of 2011 amending provisions of the Township Code by revising references and correcting typographical errors; motion unanimously approved. Conary reviewed the legal exhibits noting completion of required legal advertising. He briefly reviewed the proposed revisions and the corrections to amend and clarify the Code, and he called for public comment. No public comment.

Motion: Brutscher moved, McNemar seconded, to close the Ordinance Hearing and re-open the regular meeting at 8:15 P.M.; motion unanimously approved.

Motion: Conary moved, McNemar seconded, to approve Ordinance 1 of 2011 amending provisions of Chapters 190 and 250 by revising references and correcting typographical errors; motion unanimously approved.

Motion: Conary moved, McNemar seconded, to approve Ordinance 2 of 2011 amending provisions of the Township Code by revising references and correcting typographical errors; motion unanimously approved.

7. Public Works Report: Board accepted as written a Public Works Report dated May 9, 2011. Knightly reported the bid package for paving and chip sealing was submitted for advertising by the Co-Op. Successful bids will be announced during the June Co-Op meeting. Asphalt patch work continues on Locust Grove Road. Knightly and the Township Engineer will meet to discuss availability of fill material for the proposed recycling area on the Barnard House property. Roof repairs for the Barnard House will be completed on the 16th. Operating supply costs for snow removal and ice control were higher than budgeted but the current inventory is an adequate supply to start the 2011-2012 winter season. McNemar scheduled the next ride around the Township with Public Works for May 12th.

8. Barnard House: Board reviewed the bid package for the structural work for the Barnard House floor joists and concrete work. Board agreed that a mandatory pre-bid meeting will be held on Tuesday, May 24th at 10:00 A.M. at the site. Board reviewed the Request for Service submitted by Melton Architects dated May 4, 2011 for Barnard House Structure Repairs Bid Package that includes services completed in the amount of \$797.50 and Services Anticipated Estimated Fee of \$1,500.00.

Motion: Brutscher moved, Conary seconded, to approve the bid package as corrected and to proceed with legal advertising of the bid notice; motion unanimously approved.

Motion: Brutscher moved, McNemar seconded, to accept the Request for Service submitted by Melton Architects dated May 4, 2011 for Barnard House Structure Repairs Bid Package; motion unanimously approved.

9. Old Business:

a) Resolution 2011-13 - East Penn Railroad has agreed to convey 0.078 acres of right of way along Route 52.

Motion: Conary moved, McNemar seconded, to approve Resolution 2011-13 authorizing and directing Township Officials and Township Personnel to take such steps as are necessary to record the Deed for the right-of-way conveyed from East Penn Railroad; motion unanimously approved.

b) Open Space – Board reviewed proposals submitted by Brandywine Conservancy as requested by the Open Space Advisory Committee.

Motion: Brutscher moved, Conary seconded, to approve Brandywine Conservancy Conservation Easement Project Proposal dated April 27, 2011 for Tax Parcels 63-1-47 and 63-

3-26, and Conservation Easement Project Proposal dated May 5, 2011 for Tax Parcel 63-3-5; motion unanimously approved.

10. New Business: Secretary reported that based on proposals submitted to the Treasurer no action is required to professionally clean the attic area above the office. A recommendation was made to install insulation.

11. Correspondence: Board referred Girl Scout Troop 41184 request to plant trees in Pocopson Park to the Parks, Recreation and Trails Committee for response.

12. Treasurer's Warrants: Conary moved, Brutscher seconded, to approve the Bill Payment Lists for April 26 – May 9, 2011 recommended for payment by the Treasurer. **General Fund:** 24 bills paid/checks written totaling \$17,665.21; 4 debit charges totaling \$230.23. **Highway Aid:** 4 bills paid totaling \$1,228.89. **Parks, Recreation and Trails:** 1 bill paid for \$1,589.00. **Route 52 Intersections:** 2 bills paid for \$20,266.91. **Schoolhouse:** 1 bill paid totaling \$16,084.26; motion unanimously approved. Board reviewed budget projections and expenditures to date.

13. Approval of April 25, 2011 Meeting Minutes: Conary moved, Brutscher seconded to approve the April 25, 2011 Minutes as reviewed and submitted; motion unanimously approved.

14. Adjournment: At 9:00 P.M. Conary moved, Brutscher seconded to adjourn the meeting; motion unanimously approved.

Susan Simone, Administrative Secretary

Stephen R. Conary, Chair