



Board of Supervisors Meeting Minutes
June 8, 2015, 7:30 P.M.

Attendance: Supervisors – Barney Leonard, Georgia F. Brutscher, Ricki Stumpo; Anthony Verwey, Township Solicitor; Richard Jensen, Zoning/Code Official; Mark Knightly, Public Works Director.

Public in attendance: 60

1. **Call to Order:** Leonard called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.
2. **Announcements:** Stumpo attended the Emergency Services Task Force meetings on May 12th and 18th. She also reported that the Taylors Run at Red Bridge Homeowner Association mowed the community open space and the neighboring community association Red Bridge Farm has offered to assist them in organizing. On May 27th Stumpo attended a Town Hall Meeting hosted by Representative Barrar. Brutscher reported that on May 28th she and Knightly met with Warden McFadden to discuss opportunities for the County to assist with maintenance of the roundabout landscaping. She also asked the County to consider installing trees along the trail adjacent to the County property. They also discussed concerns regarding use of the Township Park parking lots and the restrooms by visitors to the County facilities.
3. **Public Comment:** Verwey reviewed the Township policy regarding public comment. He advised that with such a substantial agenda, public comment will be limited to 2 minutes per person. Pete Photopoulos requested a correction to the April 27th Board meeting minutes item #12 under reopen public comment regarding a standing water concern. He also noted that the correct address is Lot 8 being 6 Lian Drive. Board will review the meeting minutes regarding this error.
4. **Transportation Management Association of Chester County (TMACC):** John Meisel and Timothy Phelps, Executive Director, addressed the Board regarding the benefits of the transportation service their organization provides to Southern Chester County communities. Meisel described the routes and the bus service that is offered six days per week, Monday through Saturday. There have been significant upgrades to this transportation resource that sees about 14,000 riders per year. Operational costs are covered by state funding. Leonard asked if data is available regarding the number of Pocopson residents who use the service. Phelps indicated that is not known at this time, but the County Home for the Aged and Lenape Forge are stops on the SCCOOT bus route. Phelps asked the Board to consider including financial support for TMACC in the Township budget.
5. **Conditional Use Hearing Date - 1977 Marlboro Road/Tax Parcel 63-3-78:** Board agreed to set Monday, June 22, 2015, at 6:30 p.m. as the date and time for the hearing.
6. **Trimbles Ford Building Permit Overall Plan (Subject Tax Parcels 63-1-10.2; -10.3; -10.4; 63-1-10.5 & 63-1-12):** Jesse Condon, P.E., Dr. Susan Ward (Applicant), and Tom Pancoast appeared before the Board to discuss the Building Permit Overall Plan prepared by Register Associates, Inc., dated April 27, 2015 ("Plan"), Review and Comment Letter dated May 12, 2015 prepared by Township Engineer Kevin M. Matson,

P.E., and the Township Planning Commission ("PC") Recommendation. The Applicant appeared before the PC on May 20th during which time the PC moved to support the request for waivers and modifications as presented. Condon noted that a dwelling will not be built on Lot #4 at this time but driveway access will be accommodated for the future. Stumpo asked if emergency service providers (EMS) can access the site. Pancoast noted that EMS access was documented during subdivision approval in December 2007. He also noted that the trail easement exists, as well as the shared driveway agreement and HOA, with all details to be finalized through the building application process. Leonard noted minor grading on Lots 2 and 3 with regard to the greenway corridor. Brutscher clarified that the Applicant seeks a waiver requiring that the shared driveway be constructed to residential street thickness and a waiver to vary from the Ordinance with regard to steep slopes to allow the Applicant to lessen the visual impact of stormwater management and disturbances. MOTION: Brutscher moved, Stumpo seconded, to grant the request for a waiver of SALDO Sections 190-30.B(1)(b) and 190-30.B(2) requiring driveway grades not to exceed 8% where the driveway is north facing as depicted on the Plan and to permit the driveway not to be constructed to residential street thickness; motion carried. MOTION: Leonard moved, Stumpo seconded, to grant a modification of greenway corridor Sections 250-87.L and 250-87.M to allow grading and construction disturbance of 25%; motion carried.

7. **Barnard House Phase 2 Presentation and Scope of Work:** Laressa McNemar, a member of the Barnard House Steering Committee (BHSC), and Dennis Melton, AIA, architect for the project and a member of the BHSC, were presenters during the meeting. The presentation included but was not limited to project background, status, costs, evaluations and studies, and Phase 2 completion. Supervisor Stumpo read a statement regarding her position on preserving the Barnard House and sharing it with the community, but at the same time, noting that it is not appropriate as an office building for Township administrative needs. Brutscher asked and Melton provided comments regarding the suggestions from a professional space planner and the Township Organizational Study by David Woglom. Melton remarked that although the suggestions were good, they appeared to be too broad. He and Jensen have addressed code compliant issues as well as Americans with Disabilities Act (ADA) concerns in repurposing the Barnard House as a Township Office. Brutscher noted that there is concern regarding the adequacy of the size of the meeting room in the Barnard House. She indicated that space in the County Aged Home will be available for meetings that will predictably be well-attended. Following the presentation, Verwey called for Public Comment on this agenda item. Thirty individuals signed-in for public comment. Verwey announced that residents and taxpayers will be heard first followed by stakeholders. When called, some yielded the floor as their opinion was similar to that which was previously expressed. Written statements were submitted by Sean Rafferty who acknowledges the Barnard House as part of history but challenges the lack of effort of the Board to complete proper planning and implementation to make the project viable; T. Robert Woodward recognizes the property as valuable and historic and supports repurposing; Janet and Paul Haldeman write that the renovation is timely as interest rates are low and adaptive reuse of the building serves a very practical purpose; and Sherri Evans-Stanton, Director, Brandywine Conservancy, supports the project because it is an example of preservation and adaptive reuse. A sampling of the comments by residents (taxpayers) and stakeholders who spoke in favor of the Board approving the Phase 2 Scope of Work and who offered support for the overall project, include but are not limited to: sharing the property with the Kennett Underground Railroad is a double benefit; the Barnard House is a special place and represents a historic resource; the BHSC has an amazing vision for the property; old buildings should be made new and repurposed; current Township administration building is inadequate.

A sampling of comments by residents (taxpayers) who asked the Board to table the Phase 2 Scope of Work include, but are not limited to: inadequacy of the Barnard House space as sufficient to handle all the needs of the staff and meeting space; Phase 1 is not finished and continues to incur cost overruns; the project is funded with taxpayer money with little contribution from outside interest group; feasibility studies have not been conducted; why not take advantage of an opportunity to lower taxes. The Board thanked everyone for their comments. Stumpo noted that what is at issue is completing a facility that meets the needs of the Township today and going forward. She noted the Barnard House planning to date has not included discussions or studies regarding emergency egress, security, or contingencies. She finds the Scope of Work to be inadequate as presented. Brutscher disagrees noting her work to repurpose the Barnard House began in 2003 and during her 14 years as a Supervisor the vision has not changed. Leonard called for a motion not to initiate Phase 2, but to approve the Scope of Work which is required to flush out questions regarding Phase 2 construction. The professionals would then move forward and define Phase 2. MOTION: Brutscher moved, Leonard seconded, to accept Melton Architect's Phase 2 Barnard House Scope of Work dated May 12, 2015 in an amount not to exceed \$13,000.00 plus engineering and design fees for DEDC Engineering Design Consulting dated April 9, 2015 for the amount of \$6,800.00; Stumpo cast a dissenting vote; motion carried.

8. **Zoning Officer Report** - no action required.

9. **Public Works Report**

- a. Paving in Place Resolution 2015-15 - MOTION: Leonard moved, Stumpo seconded to approve enacting Resolution 2015-12 accepting the low bids for paving in place materials and services; motion carried. Board approved signing the General Permit Acknowledgement for the Locust Grove Road Culvert Replacement project.

Verwey exited the meeting at 9:30 p.m.

10. **Old Business:**

- a. **Emergency Services Joint Task Force Proposal** - Stumpo reported that the Task Force includes 5 townships and the Borough of Kennett Square. The Task Force may not be ready to take action during 2015.
- b. **Vision Partnership Grant Contract** - Leonard reviewed the Vision Partnership Grant Contract which is part of the Historic Resource Inventory and Survey Grant to be funded by the County in the amount of \$30,000.00. Pocopson Township will contribute \$12,000.00 to meet the total contract expense of \$42,000.00 for the survey. Stumpo noted that in her reading of the contract the consultant, Jane Dorchester, will perform tasks with Township appointees from the Historical Committee. She also noted that the absence of a historic commission is not a reason to put one in place. Randy Mims indicated that when appointed, he will chair the appointed task force. He is not for or against formation of a historic commission, but the upshot of the commission ought to be to incentivize preservation rather than regulating by enacting ordinances. MOTION: Brutscher moved, Leonard seconded, to approve signing the Vision Partnership Grant Contract; motion carried; Stumpo cast a dissenting vote.
- c. **Stormwater Management Maintenance Workshop for Homeowner Associations** - MOTION: Stumpo moved, Brutscher seconded, to authorize the Secretary to proceed to contact the Township Engineer regarding a workshop to be held in September or October; motion carried.
- d. **Organizational Analysis** - no action; matter tabled for the June 22nd meeting.
- e. **Locust Grove Schoolhouse Procurement Pre-Approval/Interior Plastering** - MOTION: Brutscher moved, Stumpo seconded, to approve the proposal from Guy H. Long Plastering in the amount of \$9,900.00 to repair/restore interior

plaster walls at the Locust Grove Schoolhouse as the lowest responsible bidder; motion carried.

11. New Business:

- a. **Right-to-Know Web Site Postings** - Leonard noted that he attended workshops on the Right-to-Know (RTK) Law during the PSATS Education Conference. He learned that in an effort to educate the public and to record the time-consuming activity for this unfunded mandate, many townships and boroughs post RTK activity on their web sites. As a result of the posting, in some cases, a township or borough has seen a reduction in the number of frivolous RTK requests. Stumpo was not wholly in favor of the posting due to the extra work for the staff and that the Township received no requests from the community to post the information on the website, but agreed to a six-month trial posting of the data in the format submitted by the Open Records Officer. Secretary/Open Records Officer is directed to proceed with finalizing the data for web posting for a six-month trial period.

12. **Correspondence:** residents of Brinton's Wood Lane thanked the Public Works Department for recent improvements to road surfaces. Board approved signing of the Stormwater and Floodplain Management Consistency Determination Letter for the PA Route 926 Bridge Project as recommended by the Township Engineer.

13. **Treasurer's Warrants:** Brutscher moved, Stumpo seconded, to approve the Bill Payment Lists for May 12 - June 8, 2015 recommended for payment by the Treasurer; General Fund: 37 bills paid totaling \$77,548.33; 3 debit card charges totaling \$581.38; Escrow: 3 bills paid totaling \$5,288.65; Highway Aid: 5 bills paid totaling \$2,873.15; Historical Committee: 3 bills paid totaling \$7,345.00; Parks, Rec & Trails: 1 bill paid for \$159.37; motion carried.

14. **Approval of Meeting Minutes:** Brutscher moved, Stumpo seconded, to approve the Meeting Minutes dated May 11, 2015; motion carried.

15. **Adjournment:** At 10:00 p.m., Stumpo moved, Brutscher seconded, to adjourn the meeting; motion carried.

Susan Simone, Administrative Secretary

Barney Leonard, Chairman