



Board of Supervisors Meeting Minutes  
Monday, July 27, 2015, 7:30 P.M.

Attendance: Supervisors – Barney Leonard, Ricki Stumpo; Mark Knightly, Public Works Director. Supervisor Georgia Brutscher was absent.


Public in attendance: 16

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 Barnard House Steering Committee meetings on July 1<sup>st</sup> and 15<sup>th</sup> and a Barnard House Construction Work Group meeting on July 20<sup>th</sup>. Leonard noted Brutscher was on vacation.
3. **Public Comment:**
  - a. David Ziegler – asked the Board to respond to his inquiry regarding membership criteria for the Township Deer Management Committee. Leonard responded that he will organize a meeting with the Committee Chairman to address the issues.
  - b. Sean Rafferty – spoke to follow-up on his letter to the Supervisors questioning if a conflict exists with the appointment of the Township building code official to serve as both code official and project manager for the Wawaset Park Project. He also noted inconsistencies in the provisions of the Keystone Grant for windows and doors for the Barnard House. He urged the Supervisors to contact the state's grant administrator to clarify the reporting requirements and limitations and the approval process required by state agencies for the project expenditures. Supervisor Stumpo said that it is her understanding that work completed on the Barnard House to date can be identified in the match amount for the Keystone Grant. Supervisor Leonard responded that accepting the Keystone Grant is an advantage for the Township. Barnard House Steering Committee (BHSC) Member Jean Conary spoke in support of the Keystone Grant noting that the BHSC recommends historically supported restoration of the windows and doors.
4. **Reschedule August Board Meeting:** MOTION: Leonard moved to change the date of the regular meeting of the Board from Monday, August 17<sup>th</sup>, to Tuesday, August 18<sup>th</sup>; no second to the motion. DISCUSSION: Leonard noted Brutscher is not available on August 17<sup>th</sup>. Stumpo stated that the Board should accommodate the residents and further, changing the meeting to Tuesday instead of the regular Monday evening is not necessary as a quorum is available on the 17<sup>th</sup>. Stumpo also added that moving the meeting by one day would send a misleading message that the Board is hiding something from the residents. The August 17<sup>th</sup> meeting remains scheduled for August 17<sup>th</sup> as publicly advertised.
5. **Marshalton Triathlon Contract/Bragg Hill Road/Trail:** Triathlon is scheduled for October 4, 2015. Township is in receipt of the Certificate of Liability Insurance. Public Works Department will assist with access to the trail which is part of the race course. MOTION: Leonard moved, Stumpo seconded to approve the Road Closing/Usage Request Form for the Marshalton Triathlon for Sunday, October 4, 2015; motion carried.

6. **Winterwood Dedication Status:** Winterwood residents Peg Dorgan and Michael Wood appeared before the Board to discuss the proposed modifications to a stormwater management outlet structure. Developer Scott Megill was not able to attend the meeting. The proposed modification would change the outlet structure from a dry pond to a wetland/marsh-type situation, which is the current appearance seemingly as a result of field changes which occurred during the build-out of the community. Wood and Dorgan are concerned that the Winterwood HOA does not have sufficient information to determine the implications to the HOA and the community-at-large if the outlet structure is modified. The May 27, 2015 Comment and Review Letter submitted by James W. Hatfield, P.E., cited no technical objection to the proposed revisions to the structure and that the developer should present the proposed revisions to the Board and request approval for this deviation from the approved subdivision plan. The Board directed that the Secretary organize an informational meeting with the developer and the Winterwood residents to discuss the proposed modifications.
7. **Scaleby Farm Lot #10 Escrow Release:** MOTION: Stumpo moved, Leonard seconded, to approve the release of Scaleby Farm Lot #10 Landscape Escrow Funds in the amount of \$1,500.00 as recommended by the Township Landscape Architect review letter dated June 26, 2015; motion carried.
8. **Zoning /Code Officer Report:** Zoning Officer Richard Jensen was not in attendance.
9. **Public Works Report:** Board accepted the report dated July 27, 2015. Knightly reported that the entire surface of Locust Grove Road between Corinne and Lenape-Unionville will be overlaid.
10. **Old Business:**
  - a. **Barnard House Update:**
    - i. **Public meeting:** Leonard reported that the location is not confirmed but the date for the public information meeting will be September 21<sup>st</sup>. There will be a moderator from the Township Solicitor's office but the panel members have not been identified. Elaine DiMonte stated no objection to including Kennett Underground Railroad Center representatives on the panel but this meeting is for taxpayers and not focused on the history of the property. Discussion ensued with regard to dissemination of questions for the panel in advance of the meeting, submission of the list of questions from the public-at-large when the meeting date is posted on the web site, and how to handle follow-up questions that are not addressed during the meeting. There was agreement to send a postcard mailer which will advise residents who cannot attend how to submit questions. MOTION: Leonard moved, Stumpo seconded, to reserve space in the Pocopson Home for the Barnard House Information meeting on September 21<sup>st</sup>, 7:00 p.m., and to authorize expenditure of funds to send a township-wide postcard mailer regarding the details; motion carried.
    - ii. **Phase 1 Status:** Stumpo attended the BHSC meeting on the 15<sup>th</sup> and reported that the Committee discussed the status of Phase 1, including items that may require repair. Stumpo voiced concern that there may be inadequacies with regard to the project. Leonard acknowledged that the Township received an inquiry as to whether it was a conflict of interest for Richard Jensen to be serving as both the building code official on the project as well as the project manager. The Board expressed that if there is not an actual conflict of interest, there is concern about the appearance of a conflict of interest. MOTION: Leonard moved, Stumpo seconded, to authorize the Township Solicitor to seek an advisory opinion from the State Ethics Commission as to whether it views Jensen serving as building inspector and project manager as problematic, and to temporarily withhold Jensen's affiliation with the Barnard House Phase 1 and Phase 2 projects until such time that a decision is received; motion carried.

During public discussion following the motion, the Board was firm in their acknowledgement of the valuable contributions Jensen has made to the project. Board discussed a mechanism to create a punch list to identify Phase 1 items that are not yet complete. MOTION: Stumpo moved, Leonard seconded, to authorize the Secretary to contact the contracted vendors to identify punch list items for Phase 1; motion carried.

- b. Organizational Structure & Workflow Process Proposal: Secretary submitted a proposal from Handlon Business Resources dated July 21, 2015, for an organizational review including workplace analytics to address recommendation #1 of the Lafayette College Organizational Report. The proposal cost is \$1,500.00. The scope of work details include employee position descriptions, charting of work flow, traffic patterns for the administrative office, relocation of administrative office to the Barnard House, and creation of an organizational chart. MOTION: Leonard moved to accept the Handlon Business Resources Proposal dated July 21, 2015; no second to the motion. DISCUSSION: Stumpo stated that the proposal should be tabled and referred to the 2016 incoming elected officials.
11. **New Business:**
- a. Draft Rental Unit Registration and Fees: Chapter 158 went into effect 5 days after the July 13<sup>th</sup> enactment. The new Chapter 158 requires residents to apply for the rental permit certificate. MOTION: Leonard moved, Stumpo seconded, to approve the following fees in conjunction with the Rental Unit Chapter 158 – initial certificate of registration \$75.00; change certificate \$75.00; motion carried.
  - b. RFP to replace Network Server: no action taken.
  - c. Brandywine Greenway Corridor Resolution 2015-16: MOTION: Leonard moved, Stumpo seconded, to endorse the Brandywine Creek Greenway and its 2014 Strategic Action Plan; motion carried.
12. **Correspondence:** Leonard acknowledged receipt of correspondence from Sean Rafferty dated July 24, 2015, regarding the Barnard House. Leonard thanked Rafferty for bringing to the attention of the Board the potential conflict in the dual role of project manager and building inspector. However, Leonard voiced concern with regard to inaccuracies in the letter concerning consultant reports, availability of current project plans, and expenditures to date.
13. **Treasurer's Warrants:** Leonard moved, Stumpo seconded, to approve the Bill Payment Lists for July 14 - 27, 2015 recommended for payment by the Treasurer; General Fund: 22 bills paid totaling \$19,626.29; 5 debit card charges totaling \$293.44; Facilities: 1 bill paid for \$1,226.54; Highway Aid: 5 bills paid totaling \$3,662.92; Historical Committee: 2 bills paid totaling \$3,945.00; motion carried.
14. **Approval of Meeting Minutes:** Stumpo moved, Leonard seconded, to approve the July 13, 2015 Meeting Minutes; motion carried.
15. **Adjournment:** At 9:07 p.m., Stumpo moved, Leonard seconded, to adjourn the meeting; motion carried.

  
Susan Simone, Administrative Secretary

  
Barney Leonard, Chairman