



Pocopson Township

P.O. Box 1, Pocopson, PA 19366

Office: 610-793-2151

Fax: 610-793-1944

www.pocopson.org

Board of Supervisors Meeting Minutes Monday, December 19, 2011, 7:30 P.M.

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Laurressa J. McNemar, P.E.; Mark Knightly, Director, Public Works; Richard Jensen, Zoning and Code Enforcement Officer; Alta Hoffman, Township Representative to Bayard Taylor Library.

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

2. Announcements: none.

3. Public Comment: none.

4. Public Hearing for Preservation of Open Space:

Motion: At 7:33 P.M. Conary moved, McNemar seconded, to close the public meeting and open a public hearing on preservation of open space; motion unanimously approved.

a) Presentation – Board conducted the hearing in accordance with the provisions of Act 153 of 1966 requiring the Township to hold a duly advertised public hearing prior to acquiring any interests in real property for open space preservation. The proceedings are in accordance with the 2006 referendum approved by Pocopson voters.

b) Tax Parcels 63-1-46.2, 63-1-47 and 63-3-26 – The parcels are owned by E. Barnard and Jane E. Baily and total approximately 121.6± acres of land. George Elser, Esquire, appeared as representative for the landowners. Township proposes to acquire all except 2 of the development rights to preserve its overall scenic and natural resource values. Appraised value of these development rights is \$800,000. Elser expressed appreciation of landowners for the opportunity to preserve the land. There were no other comments.

Motion: Conary moved, McNemar seconded, to close this public hearing and open a second public hearing on the preservation of open space in the Township; motion unanimously approved.

c) Tax Parcel 63-3-5 – The parcel is owned by Delmont K. and Sheila Bittle and is 35.5 acres± of land. George Elser, Esquire, appeared as representative for the landowners. Township proposes to acquire all except 2 of the development rights on the property to preserve its overall scenic and natural resource values. Appraised value of these development rights is \$426,000. Elser expressed appreciation of landowners for the opportunity to preserve the land. There were no other comments.

Motion: Conary moved, McNemar seconded, to close this public hearing and open a third public hearing on the preservation of open space in the Township; motion unanimously approved.

d) Tax Parcels 63-1-44E, a portion of 63-3-8E and a portion of 63-3-25.01E – The parcels are owned by Brandywine Valley Association (BVA) and total approximately 278.4+- acres of land. James Jordan, Executive Director of the BVA, appeared as representative for the landowner. Township proposes to acquire development rights on the included property to preserve its overall scenic and other natural resource values. Appraised value of these development rights is \$980,000. However, landowner agreed to donate a portion of the value of those rights for a final cost to the Township of \$880,000.

e) Discussion – Residents in attendance requested information regarding the term development rights. Jordan, on behalf of the BVA, noted that acquisition of the parcels speaks to the leadership of the Supervisors in their efforts to preserve the ecological and historical characteristics of the land. Brutscher noted that acquisition of these parcels creates a rural corridor of great biodiversity. Board reported that the BVA will monitor the Baily and Bittle conservation easements. Conary thanked the members of the Open Space Advisory Committee – Nancy Ercolani, Thomas Bierl, Linda Moore and Holly Manzone – and former members Randy Mims, Tiia Rettig, Sandy Retzlaff and Dale Stratton – all under the leadership of Paul Haldeman – for their thoughtful and diligent work with landowners over the last five years to reach this point. Through their work and with the support of Teddy Price from the Brandywine Conservancy, the Township has preserved 638 acres of land from significant development.

Motion: Conary moved, McNemar seconded, at 7: 50 P.M. to close the public hearing and re-open the regular meeting of the Board of Supervisors.

f) Resolutions – Resolutions to approve the Easement Purchase Agreements for Open Space Preservation were read aloud by the Board of Supervisors.

Motion: Conary moved, McNemar seconded, to adopt Resolution No. 2011-31 for Open Space Preservation of Tax Parcels 63-1-46.2, 63-1-47 and 63-3-26 as described during the public hearing; motion unanimously approved.

Motion: Conary moved, McNemar seconded, to adopt Resolution No. 2011-32 for Open Space Preservation of Tax Parcel 63-3-5 as described during the public hearing; motion unanimously approved.

Motion: Conary moved, McNemar seconded, to adopt Resolution No. 2011-33 for Open Space Preservation of Tax Parcels 63-1-44E, 63-3-8E and a portion of 63-3-25.01E; motion unanimously approved.

Board reviewed proposal from Brandywine Conservancy for a Conservation Easement on the Pocopson Township Park to protect the land as a passive and active recreation site and to preserve key natural features.

Motion: Conary moved, Brutscher seconded, to approve the Brandywine Conservancy Proposal dated December 16, 2011, for preparation of a Conservation Easement on Township Property being Tax Parcels 63-3-30E, 63-3-30.7E and 63-3-30.8E for a total easement preparation and documentation cost not to exceed \$9,000 and an endowment fee of \$8,000; motion unanimously approved.

5. Proposed Tree Tender Program: Township Resident Anne Sweeney appeared before the Board to discuss the Tree Tender Group (Group) formed by four residents from Riverside. Training for Group members is provided by the Pennsylvania Horticultural Society. The Group proposes to expand knowledge of hands-on tree care and planting. The Board suggested that the Secretary provide Sweeney with a list of homeowner association contacts so that she can garner interest in a Township-wide meeting to encourage residents to plant and to care for trees.

6. Bayard Taylor Memorial Library: Donna Murray, Director, appeared before the Board with an annual report on library activity and to express appreciation for the support provided by the Township. Murray supplied data regarding fundraising efforts, funding the operating budget, status of the building fund for a new library, circulation and various literacy programs. Discussion ensued regarding the preliminary 2012 fair share computation. Board noted that the Library computation figure is skewed as it includes the count of group quarter population from the 2010 Census. Murray confirmed that that segment of the Township population does not receive or have access to library services. Hoffman expressed appreciation for the work of the Library Board and noted that the Township should include information about the library in the next Township newsletter.

7. Public Works Report: Board reviewed and accepted the Public Works Report dated December 19, 2011 as submitted. Knightly continues to monitor PennDOT work for Red Lion Road which will include repair tasks scheduled for Spring 2012.

8. Resolutions:

a) 2012 Budget – Board completed advertising of public notice relating to the proposed adoption of the Pocopson Township 2012 Budget which has been available for public inspection for twenty (20) days. Bruce Yelton asked and the Board answered questions regarding specific budget line items.

Motion: Conary moved, McNemar seconded, to adopt Resolution 2011-34 which establishes the fiscal year 2012 budget to continue property tax at current 1.2 mill rate for General Fund; 1.0 mill for Open Space; Real Estate Transfer Tax at 0.5%; and for earnings of \$12,000 or more as follows – Local Services Tax at \$1/week and Earned Income and Net Profit Tax at 0.2%; motion unanimously approved.

b) Township 457(b) Plan – Board reviewed Treasurer's directive regarding adoption of Plan Restatement for the Township 457(b) Plan.

Motion: Conary moved, McNemar seconded, to adopt Resolution 2011-35 amending Pocopson Township 457(b) Plan last amended December 5, 2005, in accordance with federal tax legislation; motion unanimously approved.

9. Old Business: Board reviewed request for completion of the sewage module for the LeFevre Project. Conary noted that a recent road inventory received from PennDOT did not include Windy Hill Lane or Osborne Circle because the associated documentation for dedication was incomplete. Board directed that the Township Zoning and Code Enforcement Officer contact the Lenape Village Shops Landowner regarding the Zoning Hearing Board December 6, 2011 Hearing Board Decision.

Motion: Brutscher moved, Conary seconded, to adopt Resolution 2011-36 authorizing the Township Administrative Secretary to complete the Sewage Facilities Planning Module for the LeFevre Project; motion unanimously approved.

Motion: Conary moved, McNemar seconded, to adopt Resolution 2011-37 accepting dedication of Windy Hill Lane as described in a Deed of Dedication from Carmen DiMario by Dr. Carmen DiMario, his Guardian Ad Litem; motion unanimously approved.

Motion: Conary moved, Brutscher seconded, to adopt Resolution 2011-38 accepting dedication of Osborne Circle as described in a Deed of Dedication from Osborne Place Associates, Inc.; motion unanimously approved.

11. New Business: Township Residents asked if the Board would consider another referendum on open space and encouraged the Board to publish information about the success of the recent acquisitions. Brutscher and Conary thanked McNemar for the time she has devoted to serving as a Supervisor. McNemar thanked the Board for their comments and noted that a number of volunteer opportunities are available for 2012 including serving on the Founders Day Committee.

12. Correspondence: Secretary is directed to forward the FEMA Community Discovery Data Questionnaire to the Township Engineer for completion. Board reviewed the Vision Partnership Contract with the Chester County Planning Commission to update the Township Comprehensive Plan beginning in 2012.

Motion: Conary moved, Brutscher seconded, to approve the Vision Partnership Contract with the Chester County Planning Commission that includes an in-kind grant to fund 75% of the consultant cost; motion unanimously approved.

13. Treasurer's Warrants: Board reviewed the Exelon Energy Master Electricity Sales Agreement. Treasurer evaluated the rates for a number of providers.

Motion: Conary moved, McNemar seconded, to approve the Exelon Energy Master Electricity Sales Agreement; motion unanimously approved.

Warrant Motion: Conary moved, Brutscher seconded, to approve the Bill Payment Lists for December 6 – 9, 2011 recommended for payment by the Treasurer; **General Fund:** 23 bills paid totaling \$13,257.30, 5 debit card charges totaling \$281.07; **Facilities:** 1 bill paid for \$527.50; **Highway Aid:** 4 bills paid totaling \$11,207.05; **Historical Committee:** 2 bills paid totaling \$3,367.50; **Open Space Tax:** 2 bills paid totaling \$2,903.08; **Route 52/Road Improvements:** 1 bill paid for \$27,534.75; motion unanimously approved.

14. Approval of December 5, 2011 Meeting Minutes: Brutscher moved, Conary seconded, to approve the Meeting Minutes dated December 5, 2011 as reviewed; motion unanimously approved.

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

Susan Simone, Administrative Secretary

Stephen R. Conary, Chair