

Board of Supervisors Meeting Minutes
Monday, February 25, 2019 6:30 P.M.

Attendance: Supervisors – Ricki Stumpo and Elaine DiMonte; Mark Knightly, Public Works Director; Township Representatives to Kennett Library Board – Brad Peiper and Chris Larsen. Supervisor Alice J. Balsama was not in attendance.

Public in attendance: 17

1. **Call to Order:** Stumpo called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** Board met with the Zoning Official and the Township Solicitor on February 21st.
3. **Announcements:** Stumpo announced that a notice was posted on the Township web site regarding Balsama choosing not to seek re-election. Stumpo noted that individuals seeking to fill the position must be registered voters and reside in the Township for one year before seeking office.
4. **Public Comment on Non-Agenda Items:** Terry Gumpfer expressed his disagreement with the January 28th Board Agenda Item to seek information regarding the Township contracting for residential trash and recycling services. It appears to him that there is no advantage to such service and that the local government continue to allow residents to contract for services on their own. He commented that it appears that the Board is inclined to gather data on any request made by a resident for any service. Georgia Brutscher inquired of the Board as to the status of the Special Events Application for the April 1st event at Castle Barn and if the Board was aware that Barn Margera is charging from \$100.00 to \$500.00 for a VIP ticket. She believes charging admission makes the event a commercial enterprise in a residential zoning district. She commented that the Pennsylvania State Police ("PSP") cannot enforce the local township ordinances and suggested that the Board contract with a local police department to police the event. A local police department will be able to monitor the attendance as defined in the Special Events Ordinance, particularly in view of the number of attendees in excess of 100. Brutscher also noted that it appears a fence was installed without a permit and the structure on the property housing skateboard ramps was permitted as an agriculture building. Stumpo responded that it is not known if the fence was permitted but that the Township is aware of recent repairs to the fence that did not require permitting. She commented that the Building Inspector has advised the Township that the skateboard equipment inside the structure is classified as playground equipment which does not require permitting. DiMonte commented that the Board may consider contracting with a local police department as has been done in the past for road projects. Terry Gumpfer cautioned that a police contract would make PSP coverage supplemental. Corporal Hoban from the Avondale Station was in attendance and clarified that if the Township contracts with a local police department or agency, the PSP is the primary agency responsible for handling criminal aspects of the event and directing vehicle towing operations as cars parked on roadways represent road hazards. Corporal Hoban confirmed that the PSP do not enforce provisions of local ordinances. Mare Schaftelein

inquired as to how the Board will keep the residents informed. Schaftlein suggested the Board use the March 19th Work Session to discuss their efforts with the public. DiMonte and Stumpo indicated that the Board continues to meet with the Township Solicitor, Zoning Official, Liquor Control Board, and PSP and that the Township has reached out to the school district and county agencies. Linda DeHaven noted that the event in December grew in size in a short period of time. Tanna Blevins commented that during the February 6th public meeting, the Planning Commission ("PC") recommended repeal of the Special Events Ordinance in its entirety. She asked if the Board was prepared this evening to accept the recommendation of the PC and repeal the ordinance. Linda DeHaven noted that it seems unfair for residents to have to apply for a permit and to submit a permit fee to hold a family gathering for more than 100 attendees. Stumpo pointed out that there is flexibility within the Special Events Ordinance for the Zoning Official to make adjustments to the application process on a case-by-case basis. Blevins and the Board exchanged comments with regard to the timeline to pass the current ordinance and to repeal or amend it. The Board relies on consultants for guidance as to provisions within the current Township Code that can be cited for conformance with zoning, noise, or nuisance issues. The Board will take the PC recommendation under consideration. DiMonte reiterated that the Township is working with consultants, PSP, and emergency services to be prepared for the April 1st event. Jesse Noa, on behalf of the Red Bridge Farms community, reported to the Board that the emergency access road is impassable. He asked if repairs are the responsibility of the Township given that the Public Works Department previously worked on the access. Knightly responded that the access is the responsibility of the homeowners association and that the work previously completed was basic and a courtesy so that the association could proceed with maintenance.

5. **Kennett Library Report:** Peiper and Larsen presented an overview of 2018 activities including but not limited to the number of patrons borrowing books and materials which accounts for about 82% of Pocopson residents. The Kennett Library provided instruction in adult literacy and ESL, and over 1,000 free programs which were produced for many different age groups. Peiper and Larsen were joined by Stephanie Hoopman from the Kennett Library as they reviewed financial support from service area municipalities. It was noted that 2018 revenue included a surplus of \$45,000 net. There was a brief project update highlighting latest news on the new building. Collateral material distributed to the Board of Supervisors touched upon the capital funding campaign and ground breaking at the East State Street and Willow Lane site. Residents are encouraged to check the Kennett Library web site and to stop in the Library for updates. Stumpo and DiMonte thanked the representatives for their presentation and for all their efforts in representing the Township.
6. **Work Session:** the February 19th work session was cancelled.
7. **Public Works Report:** Board recognized that Knightly exited the meeting at about 6:45 p.m. to respond to a Township Road emergency.
8. **Facilities:** Stumpo reviewed Resolution No. 2019-5 for designated signers for Township accounts. MOTION: Stumpo moved, DiMonte seconded, to adopt Resolution 2019-5 establishing accounts with depositories designated for Township funds to require at least three designated signers; motion carried.
9. **Kennett Area EMS Commission Report:** Stumpo reported that the February 12th EMS meeting was cancelled due to inclement weather.
10. **Zoning Official Report:** report tabled for the March meeting.
11. **Planning Commission ("PC") Report/February 6th Meeting:** Board reviewed the report submitted by the Planning Commission. PUBLIC COMMENT: Tanna Blevins asked if the Board accepts the recommendation of the PC to repeal the Special Events Ordinance. DiMonte noted that the letter from the PC Solicitor outlining the recommendation is part

of the PC report but no decision has been made regarding the repeal. She explained that as a general order of business, the Board does not send a report back to the PC within a week of receiving the report. The review process is not time sensitive; the Board will take the recommendation under advisement. Linda DeHaven noted that the PC recommendation is clear to repeal the Special Events Ordinance given the unintended consequences that make it difficult for property owners to hold typical family gatherings with more than 100 in attendance. Stumpo reiterated the flexibility in the Ordinance as stated earlier during Public Comment Non-Agenda Items. Terry Gumpfer commented that the Special Events Ordinance should be repealed as the terms are difficult to enforce.

12. New Business:

- a. Comcast Renewal Letter - MOTION: Stumpo moved, DiMonte seconded, to authorize submitting the Comcast Franchise Agreement Renewal Letter to the Township Solicitor for review and recommendations; motion carried.
- b. Landscapes3 - MOTION: DiMonte moved, Stumpo seconded, to endorse Landscapes3, Chester County Comprehensive Plan; motion carried.
- c. 2019 Newsletter - Board agreed to authorize the staff to begin the work necessary to publish a newsletter in 2019.
- d. Proclamation to Recognize April as PA One Call Safety Month - MOTION: Stumpo moved, DiMonte seconded, to accept the PA One Call System Proclamation to make April PA One Call Safety Month; motion carried.

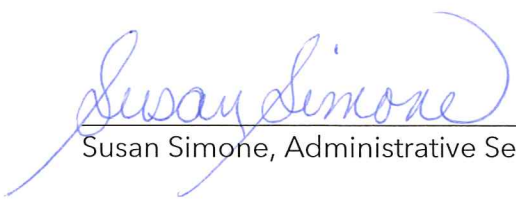
13. Old Business:

- a. Constable Contract Renewal - MOTION: Stumpo moved, DiMonte seconded, to approve the signing of the Constable Contract as reviewed and recommended by the Township Solicitor; motion carried.

14. Treasurers Warrants: Stumpo noted road salt usage to date with the month of March remaining in the snow season. MOTION: Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for January 29 - February 25, 2019 recommended for payment by the Treasurer; General Fund: 39 bills paid totaling \$100,658.83; 6 debit card charges totaling \$449.82; Highway Aid: 8 bills totaling \$24,094.30; motion carried.

15. Approval of Meeting Minutes: Stumpo moved, DiMonte seconded, to approve the January 28, 2019 meeting minutes as corrected; motion carried.

16. Adjournment: At 7:46 p.m., DiMonte moved, Stumpo seconded, to adjourn the meeting; motion carried.


Susan Simone, Administrative Secretary


Ricki Stumpo, Chairman