

Board of Supervisors Meeting Minutes  
Monday, May 20, 2019, 6:30 P.M.

Attendees: Supervisors Ricki Stumpo and Elaine DiMonte; Supervisor Alice Balsama was not present; Mark Knightly, Director, Public Works Department; Al Davis, Resident-Representative of the Kennett Fire and EMS Regional Commission ("Commission").

Public in attendance: 6

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 in an executive session on May 3<sup>rd</sup> to discuss a legal matter.
3. **Announcements:** Stumpo reminded attendees to vote tomorrow, Primary Election Day. She reported that a resident on Lenni Drive sent the Township a note thanking the Public Works Department for providing the chipping service.
4. **Work Session:** the May 14<sup>th</sup> Work Session was cancelled.
5. **Public Comment on Non-Agenda Items:** Judy Lovell commented that people are not able to attend the public meeting because people work and the 6:30 p.m. start time should be changed to 7:00 p.m. or 7:30 p.m. Stumpo responded that to her knowledge Board members have not been contacted by residents regarding the start time for the meeting. She noted that residents could send an email to the Township with their concerns. DiMonte responded that she and Balsama work outside of the area and are able to accommodate a 6:30 p.m. meeting time. Susan Cappello commented that the Township consider contacting the County to preserve the vacant Chalfant House on the County property. Capello believes the County plans to demolish the structure. Stumpo and DiMonte suggested that Capello contact the County Commissioners with regard to neighborhood interest in preserving the property.
6. **Special Events Ordinance:** Stumpo noted that the application fee will be reduced to \$75.00. This action will be taken officially under Agenda Item 12 Omnibus Fee Resolution Amendment. She indicated that the Board met with the Solicitor and identified a number of the provisions of the Ordinance for amendment, including changing estimated total attendance to 300. **PUBLIC COMMENT:** Judy Lovell asked if the Special Events Ordinance will be repealed in its entirety as it affects a majority of the residents. She also questioned what service is provided the residents for the \$75.00. She voiced concern that the Board is passing ordinances that require permits for everything which is contrary to the way the Township was governed in the past. DiMonte responded that ordinances are adopted with public health and safety in mind and not an overreach intended to create hardships in the community. Stumpo noted that most townships have a special events ordinance to allow for response to precipitous events that can affect neighbors and the community-at-large. Susan Cappello asked for clarification that 300 attendees would be the threshold triggering an application. Terry Gumpfer commented on the likelihood that the number of attendees for a wedding would be known to the Township unless it was reported by a neighbor. DiMonte responded that attendance might be inferred by social media posts. **MOTION:** DiMonte moved, Stumpo seconded, to authorize the Township Solicitor


to proceed in scheduling a public hearing to adopt recommended amendments to the Special Events Ordinance; motion carried.

7. **Public Hearing to Amend the Township Code Chapters 190 "Streets", 250 "Small Wireless Facilities" and "Floor Ratio Areas"**: at 6:45 p.m., Stumpo moved, DiMonte seconded, to close the public meeting and open an ordinance hearing; motion carried. Ordinance No. 3 of 2019 proposes to amend Chapter 190-29 and 190-30.B, Subdivision and Land Development, addressing minimum sight distance specifications for horizontal curves on residential streets and specifications for private driveways. It also proposes to amend Chapter 250-17.D(3)(b), Zoning, to provide access and traffic improvement standards for lots in the RA zoning district. Ordinance No. 4 of 2019 proposes to amend Chapter 250-6 and 250-96, Zoning, to provide for additional provisions for approval of time frames, permit fees, and related regulations. Ordinance No. 5 of 2019 proposes to amend Chapter 250, Zoning, to amend and remove floor area ratio as a dimensional requirement in the C-1 and LI zoning districts, and to clarify provisions regulating expansion of existing legally nonconforming buildings. Board reviewed individual exhibits including but not limited to legal advertising and noted the availability of all the proposed ordinances since May 3, 2019. PUBLIC COMMENT: Judy Lovell and Terry Gumpper asked if Ordinance No. 3 will create compliance issues with existing driveways. Board indicated that the amendments will apply to new subdivisions. Judy Lovell asked if Ordinance No. 5 applies to residences. Board indicated that the change was suggested by the Zoning Hearing Board Solicitor as a clarification for the commercial and limited industrial districts. At 6:55 p.m. Chairman Stumpo called for additional public comment, and there being no further public comment, DiMonte moved, Stumpo seconded, to close the ordinance hearing and reopen the public meeting; motion carried. MOTION: Stumpo moved, DiMonte seconded, to adopt Ordinance No. 3 of 2019, Ordinance No. 4 of 2019, and Ordinance No. 5 of 2019 as advertised and discussed; motion carried.
8. **Public Works Report**: Knightly reported that paving will begin next week for Beversrede and Marlboro Roads. DiMonte asked and Knightly confirmed a meeting this week with Mr. Tallman from Red Bridge Farm to discuss the erosion concern raised during the April 29<sup>th</sup> public meeting. Board reviewed request to work with Gilmore & Associates, Inc., Alternate Township Engineer, in submitting a grant application through DCED Multimodal Transportation Fund Program, seeking funding for repairs to West Creek Road. Grant applications must be finalized by the end of June. Knightly noted that if awarded, the grant will help defray what will be an expensive repair. Board authorized Knightly to contact Gilmore & Associates, Inc., for the purpose of preparing the documents necessary to apply for the grant. PUBLIC COMMENT: Judy Lovell commented that given the proximity of the railroad tracks to West Creek Road, that the railroad should be asked to share in the expense to fix the road and retaining wall that's within the Township right-of-way. Knightly agreed to contact railroad representatives with regard to a share of the expenses for the repairs.
  - a. **Security Proposals** - Knightly updated the Board as to the status of replacing the security systems for Township facilities. Since 2017, Knightly has contacted a number of vendors. Penn Security Company, Inc., submitted 4 separate proposals for the following: Administration Building, Garage, Barnard House, and exterior security cameras for Denton Hollow Road. The proposals were reviewed with Sage Business, Inc., Township IT Consultant. DiMonte asked if the decision on the proposals could be deferred to the June meeting as Supervisor Balsama was not in attendance. She also noted the Board has not made a final decision on the recommendations of the Feasibility Study. Knightly clarified his request to move forward as soon as possible given the age of the current system and disintegrating components. The new security systems will be transferable to a new or renovated facility. System replacements are included in the budget and the timing is optimal given the billing cycle with the

current vendor. PUBLIC COMMENT: Judy Lovell asked why the Township Office was locked during business hours and why no notice to "please knock"? Stumpo responded that the State Police complete routine safety and security checks, and they recommended keeping the doors locked. Such measures are in place in many townships throughout the County. MOTION: DiMonte moved, Stumpo seconded, to approve and accept the proposals submitted by Penn Security Co., Inc., as reviewed and discussed during the public meeting; motion carried.

- b. Resolution for Co-Op Surface Treatments - MOTION: DiMonte moved, Stumpo seconded, to adopt Resolution 2019-08 accepting low bids for surface treatment and paving in place as reviewed and recommended by the Municipal Cooperative of Southern Chester County; motion carried.
9. **Facilities:** DiMonte indicated that the Board met with GKO Architects on May 10<sup>th</sup>. Board agreed to discuss the facilities option during the June 18<sup>th</sup> work session.
10. **Kennett Area EMS Commission Report:** Davis reported that the Commission met on May 15<sup>th</sup> at the Pennsbury Township Building where they discussed retention and recruitment concerns. The discussion included types of incentives that might be effective, such as a retirement package and cash bonuses. Board agreed that passage of Act 172 that provides for a real estate tax credit is at least a start. PUBLIC COMMENT: Ray McKay asked if consumer discounts by local vendors would be legally acceptable as an incentive. He asked for clarification as to the percentage of the amount of the township real estate tax credit. Based on the current volunteer roster, Stumpo and Davis believe the amount to be around \$200.00 on average. Judy Lovell commented that in Delaware, volunteers receive a monetary stipend based on the number of emergency calls to which they respond. Susan Cappello suggested that perhaps a continuing education grant might be offered to volunteers who are not property owners. Board agreed to reach out to Kevin Gosselin, Emergency Management Coordinator, for ideas that might promote volunteer retention. The Board thanked Davis for his work in serving on the Commission.
11. **New Business:**
  - a. Resolution to Amend Omnibus Fee Schedule - Stumpo read Resolution No. 2019-09 amending the fee schedule to address fees associated with permits for fireworks and special events. MOTION: Stumpo moved, DiMonte seconded, to enact Resolution 2019-09 amending the 2019 Omnibus Fee Schedule; motion carried.
12. **Old Business:**
  - a. Agreement Appointing Longwood Fire Company as Township Fire Marshal - the Township Solicitor continues to work with Fire Company Consultants regarding the text for the Agreement.
13. **Correspondence:** no correspondence
14. **Treasurer's Warrants:** Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for April 30 - May 20, 2019 recommended for payment by the Treasurer; General Fund: 32 bills paid totaling \$106,609.27; 4 debit card charges totaling \$542.07; Highway Aid: 5 bills totaling \$3,164.62; Parks, Recreation & Trails: 1 bill for \$110.16; motion carried. Stumpo noted the quarterly share payment to the EMS Commission as part of the approved Warrants.
15. **Approval of Meeting Minutes:** Stumpo moved, DiMonte seconded, to approve the April 29, 2019 Meeting Minutes as amended; motion carried.
16. **Adjournment:** at 7:20 p.m. DiMonte moved, Stumpo seconded, to adjourn the meeting; motion carried.

  
Susan Simone, Administrative Secretary

  
Ricki Stumpo, Chairman