



Board of Supervisors Meeting Minutes  
Monday, August 26, 2019, 6:30 P.M.

Attendees: Supervisors - Ricki Stumpo, Elaine DiMonte, Alice J. Balsama; Mark Knightly, Roadmaster/Public Works Director; Al Davis, Resident-Representative of the Kennett Fire and EMS Regional Commission ("Commission"); Jesse Noa, Chairman, Parks, Recreation and Trails Committee ("PRT"); Lieutenant Michelle N. Swantner, Station Commander, PA State Police, Troop J, Avondale.

Public in attendance: 12

1. **Call to Order:** Stumpo called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** on August 9<sup>th</sup> the Board met with the Township Solicitor on a legal matter.
3. **Announcements:** Stumpo read a thank you note received from a resident recognizing the Public Works Department for the work on Haines Mill Road and the terrific road maintenance in general. On August 21<sup>st</sup> Stumpo met with Chester County Prison Officials Edward McFadden, Warden, and Eugene Farina, Deputy Warden of Security, regarding community notifications. The meeting was precipitated by the capture of an inmate who fled the Prison. She indicated that the County encourages residents to register for [www.ReadyChesCo.org](http://www.ReadyChesCo.org) as it is the official notification system for the County. Users can choose the type of information important to them which would include alerts related to the Prison. PUBLIC COMMENT: Terry Gumpfer and Judy Lovell commented on details of the incident and what was known to them prior to the apprehension of the inmate. Balsama commented that the information communicated was insufficient at the time which is a concern for the Board. The Board recognized that the Prison Officials have asked for a follow-up meeting. Stumpo added that going forward, the Township building will be utilized by Prison Officials for press events.
4. **Public Comment Non-Agenda Items:** no public comment on non-agenda items.
5. **Zoning Hearing Board Applications:**
  - a. Gaudioso & Dowd; 1090 Parkersville Road; Tax Parcel 63-4-128 - James Fritsch, P.E., Ann Walters, Principal, Ann F. Walters Company, Landscape Architects, and the Applicants Samantha J. Gaudioso, David M. Dowd, and Joseph Gaudioso, appeared to discuss the Application. Applicants previously appeared during the April 29, 2019 public meeting, at which time the Supervisors requested additional documents, including a landscape plan. Fritsch presented the particulars of the August 22, 2019 response to the Township Engineer Review and Comment Letter which included the Building Permit Plan dated January 17, 2019 and last revised August 22, 2019. Walters presented the following Plan Sheets dated August 15, 2019 ("Plan"): (1) Gaudioso Residence Natural Features Conservation Plan; (2) Gaudioso Residence Plan; and (3) Gaudioso Details and Specifications. The substantive presentation included, but was not limited to, the Plan calculations for replacement of plant material to meet the requirements of Township Code Section 250-87, significant areas that will remain untouched, and the suggested species replacements. Walters

reviewed the mathematical formula for suggested plant material for the total disturbance calculation. The Board agreed with Walters' analysis that the lot is beautifully wooded and that what is proposed on the Plan, including the many native species, will maintain the character and nature of a wooded lot. Balsama expressed appreciation for the detailed review of the Plan, and while trees will be removed, it appears that the quantity and quality of the replacement plant material will very nearly meet the calculations. DiMonte asked and Fritsch noted that a letter from the Longwood Fire Chief indicated no objection to the proposed driveway. Fritsch added that the replacement plant material will not in any way hinder emergency responders. MOTION: Balsama moved, DiMonte seconded, to support the Gaudioso/Dowd Application as discussed and to amend the Declaration of Restrictive Covenants, Easements and Restrictions, recorded in the Chester County Recorder of Deeds at Record Book 8376 Page 1829 (the "Declaration") should all necessary zoning relief and other approvals be obtained to permit the proposed development, provided the following conditions are met: the development is consistent with the Building Permit Plans, dated January 17, 2019, last revised August 22, 2019, as may be further revised at the direction of the Township Engineer; landscaping is provided consistent with the Gaudioso Residence Natural Features Plan, dated 8/15/2019, consisting of 3 sheets, L-1 to L-3; the Applicants address any and all comments from Longwood Fire Company; an amendment to the Declaration, in a form acceptable to the Township's Solicitor, shall be recorded. The Applicants shall pay all costs of recording and for any Pocopson Township legal fees for review and/or drafting of the amendment. Applicants shall obtain the approval of Pennsbury Township to amend the Declaration; motion carried.

b. Chetty Builders of DE, LLC; 604 West Creek Road, Tax Parcel 63-4-91.3 – Applicant was not in attendance. No action taken.

6. PA State Police, Troop J, Avondale ("PSP"): Board introduced Lieutenant Swantner who provided an activity update. Regulatory check-point stops are routinely conducted in the area and one was completed in Pocopson. Officers check licenses, insurance, vehicle registration, and safety belts. Swantner indicated they investigated reports that drivers were cutting through Pocopson Elementary School parking lot and exiting via the entrance way in order to avoid the detoured traffic jams caused by the Route 52 Bridge closure. It was determined that the concern is an internal matter for the school district as the drivers are school personnel. She commented that the PSP was not aware of the Route 52 Bridge closure. She encountered significant hazardous conditions at the intersection of Creek Road and Route 926 due to increased volume of traffic. Swantner and the Board agreed to reach out to PennDOT to determine why the State Police were not notified. DiMonte said she understood from the press release that there will be signalization timing for area intersections and that Creek Road/926 will be closed as part of the next phase of the Route 52 Bridge Project. PUBLIC COMMENT: Judy Lovell commented on the hazardous conditions motorists face at the East Penn Railroad crossing due to increase in traffic volume. She noted that the crossing always ties-up traffic so the tie-up is exacerbated by the traffic detour. Al Davis commented that the traffic tie-ups are certainly a concern for the school district. Balsama expressed that there may be merit in revisiting the railroad crossing concern with Representative Barrar. Swantner agreed and asked that PSP again be included in the discussion. Stumpo agreed and added that there is also a concern for possible delay of emergency vehicles. The Board and Swantner recognized limitations of East Penn Railroad given the track configuration and federal and PennDOT regulations that govern its operation. Attendees commented that the detour to State Road South Wawaset Road is a concern. This Road narrows in places with a guide rail that may or may not be secured. Swantner commented that PSP suggested that Prison Officials use the Township building as a

staging for the media to communicate prison concerns. Terry Gumper asked if the 2018 Uniform Crime Report was available. Swantner indicated that it is accessible any time on the PA Uniform Crime web site.

7. **Public Works Report:** Knightly reported that work continues on the Haines Mill Road project. Roadside trimming will begin in the next couple of months.

8. **Facilities:**

a. **Civil Engineering Proposal** - DiMonte reported that the Township received 2 proposals for civil engineering for the new Township Building. Balsama commented that the proposals were received from the appointed Township engineers. Because one proposal was received after the requested deadline, the Board did not have sufficient opportunity to review it. DiMonte suggested and the Board agreed that in the interest of keeping the forward momentum for the Township Building Project, the Board will exchange review comments by Thursday in order to make a decision on the proposals.

9. **Kennett Fire & EMS Regional Commission Report:** Davis reported that the August 13<sup>th</sup> meeting was cancelled as the Commission did not have any new agenda items.

10. **New Business:**

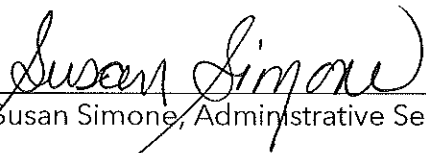
a. **Building Code Board of Appeals Solicitor & Fees** - DiMonte reviewed appointment of members of the UCC Appeals Board: Peggy Conaway, Mark Thompson, and Anthony Diver. She explained that the Board hears appeals regarding issuance of building permits, suspended permits, or other matters prescribed by law that are non-zoning matters. It is not an enforcement board. While the members are appointed during the annual Reorganization Meeting, the Township did not provide for the application process, fees, or the appointment of a solicitor. Supervisors received input on the particulars from the Township Solicitor. MOTION: DiMonte moved, Stumpo seconded, to appoint Brutscher, Foley, Milliner, Land & Kelly, LLP, to serve as Solicitor at a rate of \$185.00 per hour and to approve adopting Resolution 2019-14 amending the Omnibus Fee Schedule to include UCC Building Codes Appeals Board Fees; motion carried.

b. **Chester County Youth Center ("CCYC") Community Project** - Noa reported that the PRT received a request during their August 8<sup>th</sup> public meeting from Deb Maccariella and Brigit Biagiotti of the CCYC for a service project to strip and paint the benches in Pocopson Park. The PRT Committee recommends that the Board approve the request because it is a useful service to the Township, the participants are supervised, the project will not create disruptions in the community, and there will be a small expense to the Township for supplies. DiMonte recalled that CCYC volunteered during the Founders Day event and that their participation was most welcomed. Knightly noted that the benches do need painting and agreed with the Board that there is a sense of integrity and ownership for volunteers. In addition, Noa suggested that there may be a volunteer opportunity for them as well on the Overlook Trail Bridge Project. Knightly added that the volunteers might also consider a trail marker project. MOTION: Stumpo moved, Balsama seconded, to approve the Chester County Youth Center project to strip and paint benches in Pocopson Park by coordinating the work schedule with Public Works Department and to coordinate any costs with the Township Treasurer; motion carried.

c. **Clean Energy Resource Committee** - during the July 29<sup>th</sup> public meeting, Supervisors shared that they met with Bill Haaf and asked him to serve as a nominal chairman of a Clean Energy Resource Committee. Haaf commented that he would like to post a notice inviting volunteers to join him in serving on this committee. The committee would be tasked with the obligations under Township Resolution 2019-11 supporting 100% renewable energy future by 2050. Haaf has shared his ideas for energy savings and efficiencies for Township facilities with the Board and Knightly. He suggests the

Board include an energy consultant in the discussions with GKO Architects on the proposed new building in order to assure that the best available energy options are considered. Haaf shared that his home is part of a PECO Clean Energy Tour to be held on Saturday, October 19th. This is an opportunity for residents to see residential solar energy and to ask questions. This is a free county-wide tour. On behalf of PECO tour auditors, Haaf asked if the 740 Denton Hollow Road Office could be made available for a blower door demonstration. This is an extremely useful tool to assess the level of energy that is lost due to air leaks. Board agreed that the Office should be made available as part of the energy tour. Board also agreed to post a notice on the Township website regarding the appointment of a Clean Energy Committee.

11. **Old Business:** Balsama commented that the Deer Management Committee will be meeting on August 28<sup>th</sup> to sign waivers and update documents for the 2019-2020 hunting season. She reviewed the liability issues and waivers that have been discussed by the Board in the past, noting that the current documentation and agreements cover the board-appointed committee to hunt Township land. A hunter who is interested in hunting private property can do so independently by contacting the landowner. As Board liaison to the Committee, last year she explored with members the notion of a hunting club so that the hunting could include private property. However, the liability insurance per member appeared to be cost prohibitive. The Supervisors agreed that the Deer Management Committee should continue with no changes to the format.
12. **Correspondence:** no correspondence.
13. **Treasurer's Warrants:** Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for July 30 - August 26, 2019 recommended for payment by the Treasurer; General Fund: 32 bills paid totaling \$31,423.96; 6 debit card charges totaling \$476.48; Highway Aid: 6 bills totaling \$12,389.40; Parks, Recreation & Trails: 3 bills totaling \$141.22; motion unanimously approved.
14. **Approval of Meeting Minutes:** DiMonte moved, Stumpo seconded, to approve the July 29, 2019 Meeting Minutes as submitted; motion carried.
15. **Adjournment:** At 7:39 p.m., DiMonte moved, Balsama seconded, to adjourn the meeting; motion carried.



Susan Simone, Administrative Secretary



Ricki Stumpo, Chairman