



Board of Supervisors Public Meeting Minutes
Monday, August 24, 2020, 7:00 P.M.

The implementation of the GoToMeeting Remote Platform for public meetings complies with the Disaster Emergency Orders and Proclamations issued by Governor Wolf to mitigate the spread of the COVID-19 Virus.

Attendance: Physically present in the meeting room: Supervisors – Ricki Stumpo, Elaine DiMonte, and Ray McKay. Online participant: Mark Knightly, Public Works Director.

Public in attendance via remote access: 21

1. **Call to Order:** Stumpo called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. DiMonte reminded online participants that the Township will mute participants to eliminate background noise and feedback or participants can mute themselves. The Township will unmute all to allow for public comment.
2. **Sunshine Announcements:** no Sunshine Announcements.
3. **Announcements:** Stumpo announced the Budget Work Session is scheduled for September 16th at 6:30 p.m. and the online access code is posted on the website. Stumpo read an email from a resident thanking the Public Works Department for their work in clearing trees, mowing, and installing trash cans at the basketball court.
4. **Public Comment on Non-agenda Items:** Stumpo read a statement submitted to the Board requesting suspension of the 30-day pre-election day limit for posting election signs. The request is based on mail-in voting ballots in Chester County slated to be mailed in September encouraging voters to vote promptly. The statement makes reference to neighboring municipalities that have no advance timeframe for election/campaign sign posting. DiMonte commented that she has no issue in modifying the ordinance but not open-ended on the front-end on the time allotted for posting. She also recognized that because of the timeline to amend an ordinance, such amendment would not be a practical response to the request. McKay is in agreement and added that campaign and political signage must be removed in a timely manner following the election. Stumpo referenced correspondence received from the Township Solicitor with guidance on this issue. Solicitor and Zoning Official suggest that the term "election" include the time period between the first and last day when ballots are accepted. Zoning Official would recognize the fall election beginning mid-September and allow signs to be posted. McKay commented that the provision for removing signs within 7 days after the election should not be modified. Board agreed that the decision made this evening will not apply to subsequent elections and that going forward, the matter of political signage should be referred to the Planning Commission as part of their ordinance review tasks. **MOTION:** Stumpo moved, DiMonte seconded, to accept the recommendation of the Solicitor and the Zoning Official to modify by interpretation, the zoning ordinance section governing political and campaign signage with election interpreted to include the time period between first and last day ballots are available with no modification to the provision

requiring such signs be removed within 7 days following election day and no modification to the provisions of the ordinance governing the location of such signs; motion carried. Mark Slouf commented that he received the requested responsive documents for the Right-to-Know Request he submitted regarding the motocross track on 5 Trimbles Ford Lane. He noted that one document dated July 20th references a decision by Gibbons to remove the jumps and fill after consultations with an engineer and an attorney. Slouf asked the Board if they would please comment as to whether or not the Township was in receipt of a grading and erosion plan or application for the restoration work as was suggested by the Zoning Official in the July 20th document. Stumpo responded that the matter is under review by Township consultants. DiMonte commented that to date, the Township has received no further concerns about the motocross track. The Board trusts that Township consultants will provide updates accordingly.

5. **Work Session:** Stumpo reported the August 19th work session was cancelled.
6. **Public Hearing for Adoption of Proposed Amendments to Ordinances:** at 7:15 p.m. Stumpo moved, McKay seconded, to close the regular public meeting and open an ordinance hearing; no discussion or public comment; motion carried.
 - a. **Ordinance 5 of 2020:** McKay reviewed the proposed Ordinance, explaining that it amends Chapter 125.Noise of the Township Code. Proposed amendments are the result of work that began in 2019 by the Township Planning Commission with a recommendation by the Commission in their July 1st report to the Board. McKay reviewed the exhibits noting that the proposed Ordinance has been available since August 12, 2020. Stumpo called for discussion and public comment. No discussion and no public comment.
 - b. **Ordinance 6 of 2020:** Stumpo reviewed the proposed Ordinance which creates a new Chapter 67 of the Code to allow for and regulate small cell wireless facilities within the public rights-of-way in the Township. The proposed Ordinance is the result of work that began in 2019 by the Township Planning Commission following changes to FCC regulations. Stumpo reviewed the exhibits noting that the proposed Ordinance has been available since August 12, 2020. Stumpo called for discussion and public comment. No discussion and no public comment.

Stumpo called for any additional discussion or public comment. There being none, at 7:21 p.m., McKay moved, DiMonte seconded, to close the ordinance hearing and reopen the public meeting. Stumpo called for motions to adopt proposed Ordinance Amendments: DiMonte moved, McKay seconded, to adopt Ordinance No. 5 of 2020 as legally advertised, described, and discussed; motion carried. McKay moved, DiMonte seconded, to adopt Ordinance No. 6 of 2020 as legally advertised, described and discussed; motion carried.

7. **West Chester Public Library Presentation:** Victoria Dow, Director, and Scott Kirkland, Township Library Representative, provided an annual report and thanked the Board for funding the Library through an annual allocation. Kirkland and Dow offered an overview of services provided to the community. In addition, they outlined the steps that were taken to ensure continuity of service during the COVID-19 shutdown, including but not limited to craft packets for curbside pickup and Zoom/YouTube programs. Kirkland pointed out that through the annual appeal and debt forgiveness program with West Chester Borough, the Library was able to meet the goal to retire a \$100,000 debt. Since then, the Library has revised strategic planning for the future by utilizing customer surveys and maintaining reasonable operating expenses. The diligence of Library volunteers plays an important part in maintaining specific projects and programs. Dow and Kirkland asked the Board to consider continuing financial support to help provide services that

Pocopson residents seek and expect. They offered that a \$7,200.00 allocation to the Library for 2021 will continue to help the Board of Trustees and staff maximize resources. Kirkland reported that his term as the Township Representative to the Library will expire at the end of this year. He mentioned that a Township resident has expressed interest in serving. The name will be put forward for the Board's consideration. Stumpo suggested that the resident send an email to the Board regarding the appointment. DiMonte expressed that she read through the presentation and was most impressed that the statistics and usage were provided in a substantive manner in relation to the financial allocations. She recognized the ability of the Library to pivot quickly during the COVID-19 shutdown to maintain continuity. DiMonte pointed out that Pocopson is unique in that financial allocations are set aside to support 2 libraries that serve residents. She thanked Kirkland for his service and expressed that he will be missed. McKay added that as a new Supervisor, he thanks Kirkland for his years of dedication and will make every effort to provide the level of financial support to the extent that has been done so in the past. Stumpo thanked Kirkland for his service. The Board had no questions regarding the Library report and there was no public comment.

8. **John Kern on behalf of the Office of Representative Chrissy Houlahan:** Kern thanked the Board for the opportunity to connect with the community. He is a constituent advocate and he reviewed the services provided by Representative Houlahan's Office. Kern reviewed the committee assignments for Houlahan as well as her legislative work. He noted in raw numbers the issues resolved by the Office by outreach to federal agencies, Veterans Administration, IRS, and Social Security to name a few. Houlahan has voted in support of investing in infrastructure, the Coronavirus Cares Act, and funding for the U.S. Postal Service. He reported Representative Houlahan is in communication with County Commissioners and Voter Services to provide support for physical polling places and balloting. He also encouraged the public to participate in the U.S. Census because federal money is allocated based on Census results. Stumpo thanked Kern for attending and called for questions and public comment. PUBLIC COMMENT: Terry Gumpfer asked if constituents should contact the local office or the Washington Office. Kern provided the contact numbers for the West Chester and Washington Offices and noted that all calls, live or voicemail, are routed to the advocate or the staff member who is best able to address the call or concern.
9. **Public Works Report:** Knightly reported they are paving Haines Mill Road this week. The department has been busy with clean up from the recent storms. He asks that residents with storm inlets near their property please clear those inlets because doing so will be of great assistance to the department. Personnel try to clean all the storm inlets prior to a forecasted storm but that is not always possible. McKay, on behalf of the Supervisors, offered support and appreciation for the work of the Public Works Department.
10. **Facilities:** DiMonte reported no update at this time as the next meeting with GKO will be in September. McKay reported painting at the Barnard House will be this week or next week as the same painting crew is working on the Locust Grove Schoolhouse.
11. **Consultant Reports:**
 - a. Zoning Activity Update - Board acknowledged receipt of the Zoning/Code Enforcement Activity Report for the period January 1, 2020 to July 31, 2020.
 - b. Fire Marshal Report - Board acknowledged receipt of the Fire Marshal Report regarding a resident burning construction material as well as a recreational fire that had grown too large and was not in compliance with the Burning Chapter of the Code. DiMonte noted that there were reports of a third fire on Denton Hollow Road. PUBLIC COMMENT: Alice Balsama commented that the fire on Denton Hollow Road was opposite the Township Building.

12. **Kennett Area EMS Commission Report:** Stumpo attended the virtual meeting. Emergency responders in attendance received alerts regarding water rescues due to flooding conditions in the County. Because of this, the meeting adjourned with no action taken.
13. **New Business:**
 - a. Resolution #13 of 2020 Adopting Design Guidelines for Small Wireless Facilities - McKay reviewed the Resolution which sets forth design guidelines for small wireless facilities. MOTION: McKay moved, DiMonte seconded, to adopt Resolution 13 of 2020; motion carried.
 - b. Citizen's Request regarding Black Lives Matter - Anton Andrew thanked the Board for the opportunity to present a proposed resolution that was submitted to the Board by Township Resident Carol Haaf. Haaf was called upon but not heard due to device connection. Andrew introduced himself as a candidate for state representative for the 160th District which includes Pocopson Township. He explained that this is a human rights matter and not a political matter. He noted that efforts are underway to make the same presentation to surrounding municipalities to garner support. Board acknowledged receipt of the resolution. PUBLIC COMMENT: Nancy Whinnery commented that she's lived in the Township since 1993 and that the resolution speaks to alleviating what is essentially unintentional complicit bias actions in a homogenous township population. She added that it is important to examine our actions and how they impact racism. Whinnery's statement in support of adoption of the resolution identifies it as a groundwork for examining the structure of inequality. Stumpo commented that a decision on the resolution will be listed for the September meeting. Charlene McGrady commented that she has lived in the Township since 1987 and that she is one of a handful of African-American Residents. She thanked Andrew and Whinnery for speaking in support of this resolution, particularly given that the complexion of the suburbs is changing. She noted that the historic nature of Pocopson Township includes abolitionists and Quaker founders who would be in support of such resolution. She strongly urged the Board to adopt the resolution for the message that it sends to the residents in keeping with the history of the Underground Railroad and the Quaker heritage. MOTION: DiMonte moved, McKay seconded, to authorize sending the resolution to the Township Solicitor for comment and review; motion unanimously approved.
 - c. Friends of Barnard Station (FoBS) Update - Stumpo is the Board liaison. On August 6th she attended a virtual meeting hosted by FoBS. Board is in receipt of an agreement proposal for use of the Barnard House by FoBS as a historical center. FoBS Representative Richard Chalfant requested a work session with the Board to discuss the proposal. McKay reported that on July 31st he met FoBS representatives and the Township Building Inspector at the Barnard House to review the condition of the interior of the building with regard to UCC Code Requirements for a public meeting space. Board agreed to schedule a virtual meeting with FoBS following Township Solicitor review of the proposal. MOTION: Stumpo moved, McKay seconded, to authorize submitting the Agreement Proposal 2020 to the Township Solicitor for review and comment; motion unanimously approved.
 - d. DELCORA Asset Transfer to Aqua Pennsylvania: no action.
14. **Old Business:** no old business listed.
15. **Correspondence:** Stumpo read a letter of appreciation to Phil Hew for his donation of 2 pine benches for the cloakroom of the Locust Grove Schoolhouse. Board signed a letter to the Office of the Budget/Commonwealth of Pennsylvania as requested by the Kennett Library in support of the New Kennett Library Facility II Project.
16. **Treasurer's Warrants:** Motion: Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for July 28, 2020 to August 24, 2020 recommended for payment by the

Treasurer: General Fund: 31 bills totaling \$27,820.17; 7 debit card charges totaling \$109.01; Highway Aid: 2 bills totaling \$541.17; Facilities: 1 bill for \$7,000.00; motion unanimously approved.

17. **Approval of Meeting Minutes:** MOTION: Stumpo moved, DiMonte seconded, to approve the July 27, 2020 meeting minutes as submitted; motion carried.

18. **Adjournment:** at 8:00 p.m. Stumpo moved, McKay seconded, to adjourn the meeting; motion unanimously approved.



Susan Simone, Secretary



Ricki Stumpo, Chairman