

**Board of Supervisors Meeting  
Monday, September 21, 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 participants: Mark Knightly, Public Works Director; Al Davis, Alternate Commissioner, Kennett Area Fire and Emergency Services Regional Commission (“Commission”); Jesse Noa, Chairman, Parks, Recreation and Trails Committee.

Public in attendance via remote access: 13

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:** Board met with GKO Architects on September 11<sup>th</sup>.
3. **Announcements:** no announcements.
4. **Public Comment on Non-Agenda Items:** no written submissions were received. No public comment from online participants.
5. **Work Session:** Board held a budget session on September 16<sup>th</sup>.
6. **Public Hearing to Modify Agricultural Security Area (ASA):** at 7:03 p.m. Stumpo moved, McKay seconded, to close the regular public meeting and open a public hearing; no discussion; motion carried. Stumpo noted authorization to proceed was approved during the June 22<sup>nd</sup> public meeting. She reviewed the ASA noting it is currently more than 1,500 acres. The ASA affords landowners protection from local ordinances and nuisance lawsuits that affect normal farming activities. She recognized that the ASA Advisory Committee received an application from Jennifer Van Anda (a/k/a Smith) to modify the ASA by including her property at 330 Locust Grove Road, Tax Parcel 63-3-26.2, 14 acres. The request to modify the ASA by addition is part of the required ASA 7-year review. Board reviewed the exhibits which include legal advertising affidavit, as well as recommendations from Chester County and Township Planning Commission to add the parcel. Stumpo called for discussion and public comment. There being no public comment or discussion, at 7:06 p.m. Stumpo moved, McKay seconded to close the hearing and reopen the public meeting; motion carried. MOTION: Stumpo moved, McKay seconded, to adopt the proposed modification to the ASA as discussed during the public hearing and recommended by the Planning Commissions; motion carried.
7. **Planning Commission Report from September 2<sup>nd</sup> Public Meeting:** Board acknowledged receipt of the PC report. PC continues the task of addressing zoning districts, uses,

definitions, conflicting sections, and Code anomalies. PC is looking at Land Use Chapter 10 from the 2014 Comprehensive Plan as a resource in guiding the discussion.

Commissioners provided a final draft iteration of proposed amendments to Nuisance Ordinance, Chapter 129 of the Township Code. No public comment. MOTION: McKay moved, DiMonte seconded, to authorize submission of the proposed draft to the Township Solicitor for comment and review for the purpose of adopting the legislation; motion carried.

8. **Public Works Report:** Knightly reported the department is completing installation of pipe in the Brandywine Hills community. Work is scheduled for Clarks Lane. Curbing work is scheduled for Brandyridge. No public comment.
9. **Facilities:** McKay reported the wood storm doors have been installed at the Barnard House. Masonry work around the windows will be scheduled as well as construction work on the cellar bulkhead. DiMonte reported that the Board met with GKO Architects to review external and internal finishes for the new Township building. Work continues on the construction documents with an eye toward final review. DiMonte noted that the Township will include project updates in the next newsletter. No public comment.
10. **Kennett Area EMS Commission:** Davis reported that the Commission approved a motion to send out the quarterly payments as of October 1<sup>st</sup>. Unfortunately, 3 fire departments had to respond to a major house fire so budgeting discussions were continued to another meeting. Davis anticipates providing the Board with a dual report in October that will include budgeting as well as Commission activities. Stumpo indicated that she reached out to the Township Treasurer to let her know that the budgeting information will be forthcoming following a discussion with all fire departments in attendance. No public comment.
11. **New Business:**
  - a. **DELCORA Asset Transfer to Aqua Pennsylvania** - Stumpo provided a brief overview of the particulars of the sale of the 2 wastewater treatment plants in the Township to Aqua, a PUC utility. Board has been asked to sign an Amendment to the Management Agreements with DELCORA so that obligations can be assigned to Aqua. Most of the obligations have been completed with the exception of connections for the Locust Grove School House. McKay noted that it is his understanding that any agreements made with DELCORA will continue with Aqua. Stumpo and DiMonte noted that it is their understanding that the Township does not have a direct role with regard to rates. McKay agreed, adding that rates are set by the PUC, and that overall, this transfer is a small portion of the transaction given that the 2 wastewater treatment plants are the only plants in the DELCORA service area in Pocopson. No public comment.
  - b. **Minimum Municipal Obligation (Pension)** - Board reviewed the September 21<sup>st</sup> memo submitted by the Treasurer noting that it satisfies the legal requirement of Act 205 which governs the funding requirements for all municipal pension plans. No public comment.
  - c. **Historical Committee Grant Application** - a grant application requested by the Historical Committee was submitted in accordance with the September 15<sup>th</sup> deadline.

d. Parks, Recreation and Trails Committee Update - Noa provided the Board with an update on the Pocopson Park Dog Park Project, the new business being submission of an updated proposal for fencing submitted by J&A Fence. He noted the Board previously reviewed the proposal dated March 23, 2019, but since the COVID-19 crisis, material costs have increased. Stumpo noted that the Board has heard positive comments regarding the dog park and are looking forward to completing the project. MOTION: McKay moved, DiMonte seconded, to approve J&A Fence Estimate dated 8/31/2020 in the conditional expense amount of \$17,825.00 for dog park fencing; motion carried. No public comment. Board asked that Public Works work with the Parks, Recreation and Trails Committee to move forward on the installation.

**12. Old Business:**

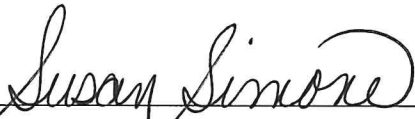
a. Citizen's Request Regarding Black Lives Matter - Stumpo noted that last month the Board received a request to adopt a resolution. Board authorized submitting the resolution to the Township Solicitor for review. Stumpo read a statement provided by the Township Solicitor.

**13. Correspondence:** no correspondence.

**14. Treasurer's Warrants:** Stumpo moved, McKay seconded, to approve the Bill Payment Lists for August 25 - September 21, 2020 recommended for payment by the Treasurer; General Fund: 35 bills totaling \$26,358.55; 14 debit card charges totaling \$1,940.42; Highway Aid: 10 bills totaling \$70,174.07; Historical Committee: 1 bill for \$2,400.00; Parks, Recreation & Trails: 2 bills totaling \$1,262.07; Township Facilities: 1 bill for \$1,162.50; motion unanimously approved.

**15. Approval of Meeting Minutes:** MOTION: Stumpo moved, McKay seconded, to accept the August 24, 2020 Meeting Minutes as submitted; motion carried.

**16. Adjournment:** at 7:25 p.m., McKay moved, DiMonte seconded to adjourn the meeting; motion carried.



Susan Simone, Secretary



Ricki Stumpo, Chairman