



Board of Supervisors Public Meeting Minutes
Monday, March 22, 2021, 7:00 P.M.

The implementation of the GoToMeeting Remote Platform ("GTM") 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: Supervisors - present in the meeting room Elaine DiMonte and Ray McKay; Supervisor Ricki Stumpo was absent. Attendance via teleconferencing: Peter R. Barsz, CPA, Treasurer and Amanda Gattuso, Treasurer Staff; Mark Knightly, Public Works Director; Don McKay, Chairman, Historical Committee.

Public in attendance via remote access: 6

1. **Call to Order:** DiMonte called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Board noted that Stumpo is out on medical leave. 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 in executive session on February 26th, March 12th, 18th, 20th, and 22nd.
3. **Announcements:** DiMonte noted that Supervisor Stumpo has been out on medical leave for 5 months and 2 supervisors are handling board responsibilities. There is a great deal going on in the Township right now with 2 supervisors handling matters as quickly as possible. DiMonte and McKay attended the PSATS virtual meeting regarding the funds to be made available through the American Rescue Plan Act approved by Congress. Pocopson Township will receive \$477,433.00 with one-half to be distributed this year and the other half next year. Municipalities are waiting for guidelines on how to appropriate the funds, including any restrictions. The Board will provide updates on these funds as the information is made available.
4. **Public Comment on Non-agenda Items:** Lieutenant Daniel Steele, new Station Commander for the Avondale Station, asked to be heard. Steele is a 19-year veteran of the State Police who grew up in the area. He will continue reaching out to communities served by the Avondale Station and attending public meetings to provide statistics and address concerns. He reviewed the crime report for the Township noting that overall, it is a comparatively quiet community juxtaposed with the 18 communities covered by the Avondale Station. DiMonte commented that the current major concern in the Township is the hazardous use of unlicensed motorcycles and ATVs on township and state roads. As we move into the summer months it's likely that the activity will escalate. McKay added that the unlicensed vehicles go off-road onto private property. Steele responded that residents should relay the information to the State Police. If it is known where the unlicensed vehicle originates, Troopers will not hesitate to reach out and educate the

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owner of the vehicle as to law and use of such vehicles. Board members acknowledged learning of a specific incident that was reported to the State Police where a resident was harassed by an ATV rider while walking a dog. Board will consider sending out a Constant Contact notice reminding residents to contact the State Police/Avondale. Board members thanked Lieutenant Steele for attending this evening and voiced their appreciation for the work and service of the State Police.

5. **Public Works Report:** Knightly reported that they are putting away snowplows for the season. Curbside chipping will begin soon, and residents are asked to participate by following the procedures and chipping limits set forth in the Board resolution on the website. Board agreed to send out reminders to residents regarding the chipping participation procedures. No public comment.
 - a. Pre-procurement Request for mower/trailer - Knightly reviewed the details for the request to purchase a Grasshopper mower Model 725DT with 3661PF and the request to purchase a Suretrac Deckover Trailer 8.5' X 25' both of which were budgeted for 2021. MOTION: McKay moved, DiMonte seconded, to formally acknowledge the purchase of a Grasshopper mower at a cost of \$15,014.20 and a Suretrac Deckover trailer at a cost of \$8,495.00; motion carried.
 - b. Southern Chester County Co-Op Materials Bid - Knightly reported no bidders for road materials, paving, or fuel. The Co-Op will proceed with re-bidding.
6. **Planning Commission ("PC") Report - March 3rd Public Meeting:** Board acknowledged receipt of the report noting that the PC continues to work on the zoning task assigned by the Board regarding potential amendment to the zoning districts. No public comment.
7. **Facilities:**
 - a. Update - New Township Building Bid Process - DiMonte reported the sealed bids received on February 26th were reviewed and determined to be inconsistent with the bid package. On March 12th, the Board rejected all bids and immediately issued a revised solicitation with a bid due date of April 2nd. McKay reported that given the site work that is expected to be underway this year for the new township building and given that there are no critical tasks to be completed, the work on the rear exterior of the Barnard House will be deferred until next year. No public comment.
8. **Kennett Area EMS Commission Report:** McKay attended the meeting as Supervisor Stumpo is not able to do so. He reported that the Commission discussed Kennett Township's decision to remove Kennett Ambulance as a form of service and to recognize Longwood as the sole provider. Longwood will be setting up a substation which will be an additional expense. There is concern that the level of coverage will be sustainable even with the addition of a second shift by Longwood. DiMonte thanked McKay for taking time to attend the EMS Commission meeting in the absence of Supervisor Stumpo. MOTION: DiMonte moved, McKay seconded, to appoint McKay as the Supervisor Representative to the EMS Commission on a temporary basis until such time as Supervisor Stumpo can return as EMS Commission representative; motion carried. No public comment.
9. **New Business:**
 - a. Historical Committee - Don McKay provided an update on the County-sponsored village/town tours, July 1st at the Barnard House. He reported that the tours will be virtual, 5:00 p.m. to 7:00 p.m., with pre-registration a requirement. With no in-person tours, the HC committee will do their best to provide signage that will allow for a self-guided tour of the park area. No public comment.
 - i. Historical marker installation/Brandywine Red Clay Alliance (BRCA) - Don McKay reported that an agreement has been reached with BRCA, County of Chester, and the Pennsylvania Society of Sons of the Revolution and its Color Guard on the sign

specifications. MOTION: McKay moved, DiMonte seconded, to contract with Lake Shore Industries to fabricate and ship a 45" x 45" cast aluminum sign as approved by all agencies at a cost not to exceed \$4,000.00; motion carried.

- ii. Second Historical Committee ("HC") website - Don McKay reported that a domain name has been identified and they are posting content on Pocopson history. The site is not live. The HC is requesting that the Township reimburse a volunteer the costs incurred to date, and for the Township to assume the monthly fee to host the site. DiMonte voiced concern that the pocopsonhistory.org site will represent what is essentially 3 separate web hosting platforms for the Township. Don McKay indicated that the initial thought was to expand the Locust Grove School House website to include a Pocopson history page. However, numerous attempts were made to contact Rock River Star who failed to respond to the requests. Board recognized that the letter of agreement by the volunteer to build the history website should be reviewed by the township solicitor for signature by the Board. DiMonte suggested and the Board agreed to reach out to Sage Business Systems, the township IT vendor, for assistance in expanding the township website to include a Pocopson history page.
- b. Volunteer Fire Tax Credit Ordinance Amendment - McKay reported that the Board continues to be interested in helping to retain and recruit volunteers for the fire companies. In 2018, the Board passed legislation which provided a 20% credit on township real property taxes for individuals meeting the criteria as volunteers/emergency responders. Effective December 2020, the 20% cap was eliminated by the State and townships are now able to provide 100% credit. McKay noted that many emergency service providers are moving from volunteer to paid status, which in turn, is reflected in operation expenses. He added that discussion going forward should include the threshold or mechanism for determining service as identified by the fire companies. Board agreed that the matter of amending the current administrative ordinance to allow for 100% credit should be submitted to the Township solicitor and treasurer for review and comment. No public comment.
- c. Administrative Assistant Position - Board recognized that Jennifer Seifert, Administrative Assistant, will be leaving the Township this summer. DiMonte reported that the position is part-time, the position opportunity and description will be posted on the Township website, as well as shared via the Constant Contact platform. Applicants with municipal experience are encouraged to apply. No public comment.

10. Old Business:

- a. Update Trimble's Ford Property - McKay reported that there's been an on-going motor-cross concern on the property. He visited the site as an observer during a March 16th meeting at the site attended by the nephew of the landowner, Township consultants and County Conservation representatives. There appears to be evidence of the removal of a portion of motor-cross jumps and elements with additional jumps and elements to be removed. Consultants noted that the removal of the larger jumps should be done in stages with earth disturbance measures in place during such removal to stabilize the site. The earth disturbance and remediation work should be completed by September. There is an agreement that no motor-cross activity will occur on the site. A neighboring landowner has indicated that permission is granted to use the property as an inspection point should there be an occurrence to monitor. Public Comment: Mark Slouf commented that while he appreciates the efforts of the Board, it would appear that there's been a violation of the cease-and-desist order issued by the township for motor-cross activity. Slouf inquired as to the steps the

Board will take regarding the violation and to the activity occurring on the property. Board understood that any activity on the property at this time is occurring because of the directive to remove the jumps and remediate the site. McKay added that the governing agency has directed that the site must be returned to its original state but done so in stages with minimal disturbance. Slouf indicated that it is his understanding that the conservation easement on the property has been violated. McKay indicated that the Board will rely on the consultants and agencies to provide progress updates on the site work, and that it will be the decision of the Board to sign-off on the remediation work when the time comes to do so.

- b. Request from Riverside at Chadds Ford HOA/Stormwater - McKay reported that he has visited the site to monitor stormwater and erosion issues east of what is known as basin #1 in the Riverside community, the major area south and east of the tennis courts. McKay was accompanied several times by the Public Works Director as well as the Township Engineer, during weather conditions that varied from dry to light rain to monsoon-like conditions. McKay has researched the site utilizing aerial depictions of it from 1937 through 2005 which shows a natural swale when the property was a farm. McKay reported that the Riverside HOA seeks assistance from the Township to resolve the stormwater and erosion issue, citing an occurrence years ago when the Township assisted Red Bridge Farm HOA with a stormwater matter. McKay noted that unlike the Riverside HOA matter, the assistance provided Red Bridge Farm HOA included a stormwater concern that partially impacted the township roadbed and right-of-way. Board agreed that the path forward is to send the Riverside HOA a letter requesting that they submit an engineered plan of action for review and analysis to identify the detailed steps to be taken to address the stormwater and erosion concern. No public comment.
- c. Keystone Grant Declaration of Covenants/Barnard House - the final report for the Keystone Grant cannot be submitted without an approved declaration. Board agreed that the text of the proposed declaration be submitted to the township solicitor for review and comment. No public comment.

11. **Correspondence:** no correspondence.

12. **Treasurer's Warrants:** MOTION: DiMonte moved, McKay seconded, to approve the Bill Payment Lists for the period February 23, 2021 to March 22, 2021 recommended for payment by the Treasurer; General Fund - 52 bills totaling \$51,737.11; 9 debit card/ACH transactions totaling \$4,774.87; Highway Aid - 6 bills totaling \$34,821.34; Township Facilities - 3 bills for \$14,419.08; motion approved.

13. **Approval of Meeting Minutes:** MOTION: DiMonte moved, McKay seconded, to approve the following Meeting Minutes - February 22, 2021 Public Meeting; February 26, 2021 Special Meeting to Open Bids; March 12, 2021 Special Meeting to Announce Rebid; motion carried.

14. **Adjournment:** at 7:52 p.m. McKay moved, DiMonte seconded, to adjourn the meeting; motion carried.



Susan Simone, Secretary



Elaine DiMonte, Vice Chairman