

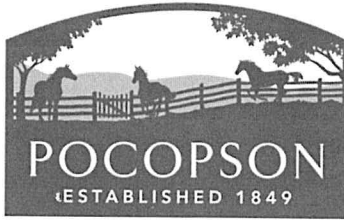
P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

Board of Supervisors Meeting Monday, January 24, 2022, 7:00 p.m.

In-person attendance: Supervisors - Ricki Stumpo, Elaine DiMonte, and Raymond McKay; Al Davis, Resident Representative Kennett EMS Fire Commission; Mark Knightly, Public Works Director; Ken Hoffman, Township Engineering. Participating via remote access: Amanda Sundquist, Township Solicitor.

Public in attendance: 3

1. **Call to Order:** DiMonte called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** no Sunshine Announcements.
3. **Announcements:** Stumpo announced that the Ag Security Area Committee met on January 20th as required by law.
4. **Public Comment on Non-Agenda Items:** Hal Hoffman, representative of Friends of Barnard Station, commented that the Chester County Historical Society has a wagon replica to donate as well as a replica stowaway box. He asked permission to store the items in the Barnard House loft area. Board agreed and asked Hoffman to coordinate with the Public Works Department when the items are available for storage.
5. **January 19th Work Session:** DiMonte noted the January 19th Work Session was cancelled as it was not needed.
6. **Po-Mar-Lin Fire Company 5-Year Strategic Plan Presentation - Jeff Groves:** Board received the "Po-Mar-Lin Fire Company Strategic Plan 2021-2026" ("Plan") in advance of the meeting. The Plan was presented by Jeff Groves. Steve Nuse, Po-Mar-Lin President was also in attendance. The Plan was prepared by a paid consultant. Susan Elks was recognized for her volunteer work in Plan preparation. The Plan represents solid data and addresses many substantive topics such as recruitment and retention, financial outlook, internal professional development, and apparatus and equipment. Groves presented that the fire company has a significant history having served the community since 1840. It is considered a rural fire company based on population. The risk profile of the community they serve has changed, specifically the increase in population, gas pipelines in the district, and the inclusion of New Bolton Center. Po-Mar-Lin is the lead team for equine and large animal rescue. As such, they have the specialized training required for such rescues as well as the equipment. Groves reported that the fire company is 100% volunteer with no paid staff. Even so, the fire company is able to meet the benchmark for the turnaround in response time. The Plan as prepared used a S.W.O.T. analysis methodology (Strengths, Weaknesses, Opportunities and Threats). DiMonte commented that it is a fantastic report and would hope that it will be posted on the fire company website with permission to include it on the Township website as well. Groves indicated that he will be in touch as to when it can be posted following the formal in-person presentations. Groves focused on the need to renovate and upgrade the current 17-year-old fire station to make it more livable and to add a kitchen and dorm rooms for a live-in program. He offered that given the age of the station, mechanical failures are starting to



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

creep up. McKay noted that he was most impressed with the Plan and the complexity of the coverage area. He expressed that the open terrain and lack of water sources presents challenges. McKay has known Groves and Nuse most of their lives noting they are a credit to the company and firefighters. Stumpo asked about automatic fire alarms at New Bolton Center. Groves provided a brief overview of the hazard box alarm system that provides alerts. He noted that evacuation plans are in place for personnel and animals. DiMonte offered that she was naïve as to the workings of Po-Mar-Lin until she read the Plan. She expressed that the Township will assist the fire company with communication efforts for the public to access the Plan. PUBLIC COMMENT: Judy Lovell asked if there were no paid firefighters due to a stipulation from the county or the state. Al Davis commented and Groves agreed that budget constraints prevent hiring paid firefighters.

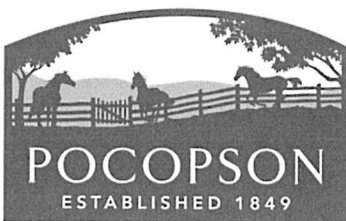
7. **Kennett Area EMS Commission:** Davis reported the Commission met on January 11, 2022 via a virtual platform. Discussion included municipalities enacting legislation to address false alarm calls that could include issuing citations. Enforcement is a challenge. Volunteer recruitment and retention plans were discussed including how to incorporate a monetary incentive. The paid firefighters for Longwood and Kennett provide day-duty coverage. Quarterly Distributions to Fire Companies payable in January 2022 included \$295,000.00 to Longwood (Fire); \$140,000.00 to Longwood (EMS); \$140,000.00 to Kennett; \$50,000.00 to Po-Mar-Lin. Davis reported that plans continue for bilingual training.
8. **Request for Stormwater Management Waiver - 45 Bragg Hill Road, Parcel 63-1-10 & 63-1-12.1, Kirk and Jeanette Lindvig:** Jeannette and Kirk Lindvig provided a brief overview of their property purchased in 2011. It is a complicated farm setting with historic structures in varying conditions with some structures having been demolished by previous owners. Lindvigs walked the Board through a list of structures, including but not limited to a corn crib and chicken coop. The parcels are part of the Trimble's Ford Farm Subdivision (B.H.O. Investors/White Farm Subdivision) and they are seeking a waiver from Sections 178-5.D(1), 178.5.D(2), and 178-15-B of the Township Code with regard to the requirement to provide stormwater management for previously approved improvements. The Board is in receipt of a letter dated January 6, 2022 prepared by DL Howell Engineers which sets forth details of the request. Kirk Lindvig presented that the waiver request is to not require stormwater management for impervious surfaced added after 2007. He explained that the genesis for the waiver request is the submission of a building permit application for an addition to the existing dwelling, thereby allowing previous projects to stand as they were approved and begin calculations with the current proposed addition project. Hoffman acknowledged the accuracy of the summary by Kirk Lindvig. He noted the complexity of the project is in part identifying the removal and replacement of gravel, paving, driveways, and structures over time and how the calculations are quantified. Engineering tabulations were provided in 2013 with the submission of a building permit application to construct a barn. This was the only plan of record until 2020 with the submission of a building permit for a 1,000 square foot shed. Documented tabulations have not been provided for the various improvements and demolitions. DiMonte asked if a percentage of the total area of improvements could be calculated against the 28 acres of improved area. Hoffman responded that the question is how to quantify the stormwater



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

calculations using the simplified versus the full stormwater management percentage of added square footage. Stumpo suggested that engineers for the Lindvigs need to reevaluate the submission to account for survey information. The Lindvigs offered that surveys have been completed by engineering consultants and they are willing to revisit obtaining survey certifications. Hoffman offered that those survey results are not shown on the plan submitted for the proposed addition and need to be. Stumpo inquired as to the consequences of not receiving a waiver. Hoffman responded that the decision does not affect the property, but the method by which stormwater management is calculated. Sundquist noted discrepancies in the materials submitted to the Board. She added that it would be helpful for the Township to receive explanation and documentation as to improvements that have been removed from the property. Jeannette Lindvig offered that they purchased historic aerial photographs from the 1960s that provides an overall view of the parcel including driveways and roadways. Sundquist suggested that the engineer for the Lindvigs submit an as-built plan along with survey documentation so that the Board can make a decision as to the waiver. She noted that the B.H.O. Investors Subdivision Plans depict elements on the lot at the time of the subdivision process. DiMonte and McKay suggested, and the Lindvigs agreed, that based on the discussion, additional documentation is required. Lindvigs remarked that the documentation may not be available for the February 14th Board meeting. MOTION: McKay moved, Stumpo seconded, to table a decision on the request for a stormwater management waiver until the March 28, 2022 meeting, to allow the Applicants time to submit additional documentation; motion carried.

9. **Omnibus Zoning Amendment Hearing Proposing Adding New Terms and Establish a New Zoning District, I-Institutional District:** at 8:15 p.m., DiMonte called for a motion to close the regular public meeting and open an Ordinance Hearing for a proposed ordinance; McKay moved, Stumpo seconded, to close the public meeting and open an ordinance hearing; no public comment or discussion; motion carried. Township Solicitor Sundquist led the discussion stating that the purpose of the hearing is to amend Chapter 250 "Zoning" by adding terms and definitions and establishing a new zoning district being the I - Institutional District. She reviewed all the proposed amendments as set forth in the legal advertisement. Sundquist noted that the Township Planning Commission worked on the proposed amendment to the ordinance and the zoning map for over a years. She reviewed the hearing exhibits which also included Comment and Review Letters from the Chester County Planning Commission. Sundquist called for discussion and public comment. McKay and DiMonte noted that they are fine with the text of the proposed ordinance as presented. Collen Frens, Assistant Solicitor for the County of Chester, asked to be heard publicly and submitted County Exhibit-1, dated January 24, 2022, outlining the County Concerns with the proposed ordinance. Frens appreciates the work that went into drafting the proposed amendment and the map. She offered that the County is appreciative of the Township allowing continuation of the non-conforming uses on the County property. Frens walked through County Exhibit-1 and asked that if the Board approves enacting the proposed Ordinance No. 2022-1, that they immediately consider the proposed amendments offered this evening. Sundquist thanked Frens for



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

bringing the County concerns to the Board such as the non-conformity regarding wastewater treatment facility and accessory uses within the new proposed Institutional District, as well as height requirements that would impact expansion of Pocopson Home. Frens clarified that the County does not intend to propose building higher structures as it is the County's goal to comply with Township requirements. Gary Summers, Township Planning Commission Chairman commented that the Planning Commission did not propose the amendments to negatively affect County operations. He appreciated that particulars were overlooked by the Township during the review, such as the wastewater treatment facility. Chair called for additional public comment or discussion. At 8:28 p.m. Stumpo moved, DiMonte seconded, to close the ordinance hearing and reopen the public meeting. MOTION: DiMonte moved, McKay seconded, to adopt Ordinance No. 2022-01 as discussed and presented, and to immediately request that the Ordinance be referred to the Pocopson Township Planning Commission for the purpose of addressing the amendments presented by the County of Chester; motion carried. At 8:35 p.m., the Board granted a request by Sundquist to exit the meeting.

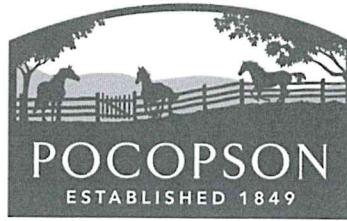
10. **Public Works:** DiMonte noted that the Township has learned that an escrow account for road improvements for previous subdivisions cannot be re-allocated for work on West Creek Road.

- a. Pre-procurement Request for Oil Machine - Knightly presented a request to purchase a Marathon TPS 250 Unit Oil Machine for chip/seal work. The vendor is Asphalt Care Equipment & Supplies who are Co-Stars vendors. The anticipated purchase amount is \$13,900.00 as discussed during the August 18, 2021 Budget Works Session. MOTION: McKay moved, Stumpo seconded, to approve the purchase of an Oil Machine as described in invoice #24495 in the amount of \$13,900.00; motion carried. MOTION: DiMonte moved, McKay seconded, to approve the purchase of a propane bottle for the oil machine equipment in the amount of \$200.00; motion carried. Knightly added and the Board approved the sale of the current oil machine that will be replaced by the new oil machine.

11. **Facilities:**


- a. New Township Administration Building:
 - i. Update - DiMonte reported that the building will not be completed by the end of February. With weather and supply chain concerns, the completion date may be in March or April. A request was made by the Energy Committee for funds to perform a Blower Door Test in the amount of \$450.00. MOTION: DiMonte moved, McKay seconded, to allocate \$450.00 for a blower door test to be performed by a vendor identified by Bill Haaf as Chairman of the Energy Committee; motion carried.
 - ii. Review and Approve Applications for Payment - MOTION: DiMonte moved, McKay seconded, to authorize payments as follows: \$45,585.00 to BSS Contractors; \$25,470.00 to LGB Mechanical; \$27,279 to Gaudelli Bros. Plumbing; and \$43,808.61 to Lenni Electric; motion carried.

12. **New Business:**



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

- a. Resolution Adopting Health Reimbursement Arrangement - DiMonte reviewed Resolution 2022-04 regarding the Health Reimbursement Arrangement and Summary Plan for employees for the period October 1, 2021 to September 30, 2022. MOTION: DiMonte moved, Stumpo seconded, to approve Resolution 2022-4 approving and adopting the Health Reimbursement Arrangement effective October 1, 2021 as described in the Plan Description provided by The Harrison Group, plan administrations; motion carried.
13. **Old Business:** McKay raised concerns again regarding the failure on the part of the landowner of the "Dance Hall" adjacent to the Brandywine Creek to demolish structures not demolished by the remnants of Hurricane Ida and to remove the debris. Board did not have the timeline before them as to issuance of the demolition or fence permits but agreed that the structures represent a hazard in their current state, particularly when additional flooding occurs. The Board asked and Knightly acknowledged that the Public Works Department could remove the debris. Secretary was directed to reach out to the Zoning Official for a status report and to suggest that an agreement might be a possibility with the Township for debris removal. Board agreed that the debris must be removed by April.
14. **Correspondence:** no correspondence.
15. **Treasurer's Warrants:** MOTION: DiMonte moved, McKay seconded, to approve the Bill Payment Lists for the period December 14, 2021 to January 24, 2022 recommended for payment by the Treasurer: General Fund: 60 checks totaling \$158,170.98; 29 debit card/ACH transactions totaling \$6,039.64; Highway Aid Fund: 3 checks totaling \$936.73; Township Facilities Fund: 6 checks totaling \$19,193.93; motion unanimously approved.
16. **Approval of January 3, 2022 Reorganization Meeting Minutes:** MOTION: Stumpo moved, McKay seconded, to approve the Minutes as reviewed; motion carried.
17. **Adjournment:** at 8:45 p.m. Stumpo moved, McKay seconded, to adjourn the meeting; motion carried.



Susan Simone, Secretary



Elaine DiMonte, Chairwoman