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**Board of Supervisors Meeting  
Monday, August 22, 2022, 7:00 p.m.**

In-person attendance: Supervisors - Elaine DiMonte, Ricki Stumpo, and Raymond McKay;  
Mark Knightly, Public Works Director.

Public in-person attendance: 4

1. **Call to Order:** DiMonte called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** Supervisors met briefly prior to the meeting.
3. **Announcements:** no announcements.
4. **Public Comment Non-agenda Items:** Terry Gumpper shared regrets that the Commander from the Avondale Station was not in attendance. DiMonte responded that she spoke to the Station Commander, and he will be available for the October meeting. She said that the Board will reach out to see if he can attend in September. She added that the Commander is aware of recent concerns in Mr. Gumpper's community. Gumpper expressed concern for what appears to be multiple zoning violations on the Clearview Drive property including, but not limited to storage of wood material, tree limbs, a boat and a trailer, and vehicles parked in a manner that obstructs the right of way. Gumpper also expressed that he is troubled by the way State Police handled the concern with the owner's dogs. He suggested that the township zoning official cite the homeowner every day for continued violations. Stumpo responded that she is sympathetic to the concerns brought before the Board as she experienced difficulties many years ago with a neighbor that required calls to the State Police. McKay noted that the matter is before the District Court and the Township is bound to follow the rules of procedure. Gumpper noted that there have been threats made by the homeowner. Board asked Gumpper to please call the State Police regarding threats. While the State Police do not enforce the zoning ordinances, they will respond to anyone who calls regarding dangerous or threatening activity. Linda Raccine commented that she used to walk her dog on Lenni Drive accompanied by members of her family, but the language emanating from the property is so disturbing and threatening that she can no longer do so. Susan Capella asked if the Board would have the Zoning Officer visit the property on a daily basis in order to photograph ongoing as well as new violations. DiMonte responded that the concern is being handled by the zoning officials and the Township Solicitor's office. She added that a hearing is scheduled in the district court for August 29<sup>th</sup>.
5. **Budget Work Session:** DiMonte noted the Board met on August 17<sup>th</sup> for the first of 3 scheduled budget work sessions in order to approve a preliminary proposed budget during the November Board Meeting. MOTION: DiMonte moved, McKay seconded, to approve the August 17, 2022 Budget Work Session Minutes.
6. **West Chester Public Library - Victoria Dow, Director, and Kiran Rotkar, Township Representative, Library Board Treasurer:** Dow and Rotkar thanked the Board for the opportunity to review the annual reports on Library activities. They thanked the Board for the annual financial contribution supporting the Library. Rotkar reported that during COVID the Library was fully engaged in providing alternative programming in accordance CDC guidelines. The programs were well attended. They now find that with people

feeling more secure with regard to being in a physical space, and with masking or not masking, there's been a significant uptick in visitors to the Library, program attendance, and circulation of materials. McKay offered that he was quite impressed with the data provided in the annual report. DiMonte inquired as to a comparison with the pre-COVID data. Dow offered that circulation has nearly returned to 2019 levels. She noted that the cost for a digital book is significantly higher than a print book even with the institutional discount. She offered that the typical cost of a print book is around \$20.00 while the same title in digital format is about \$60.00 with audio books costing even more. The print copy is owned by the Library and can be checked out multiple times for years and can be disposed of at the discretion of the Library. The digital and audio books are subject to licensing agreements. McKay offered that the Library website includes information about the history of the building but does not provide specific information about the stained-glass windows that include Bayard Taylor quotations. Dow will ask the Library webmaster to look into including the quotations. DiMonte asked and Dow confirmed that the Holiday Tour will be back this year. PUBLIC COMMENT: Terry Gumpfer asked how many Pocopson residents use the West Chester Library. Dow and Rotkar responded that it is difficult to pinpoint because anyone holding a library card can check out materials at any library in Chester County. However, generally, there's been a 2% to 3% increase in overall circulation. Dow provided information regarding the "free site passes" that are available for a number of attractions in Chester County including Longwood Gardens. There is a 3-day lending period limit for the pass with a reservation required. DiMonte asked and Dow and Rotkar responded that the Library would be happy to receive the annual contribution at this time. Board thanked Rotkar for his service as the volunteer representative and congratulated him on his leadership role as Treasurer for the Library Board of Trustees.

7. **Unionville-Chadds Ford School District ("UCFSD") Connection to Riverside Wastewater Treatment Plant - Megan Kawamoto, P.E.:** Kawamoto and James Whitesel, UCFSD Director of Facilities, appeared before the Board to request approval of the Sewage Facilities Planning Module for the pump station as part of the planned connection to the wastewater facility operated by DELCORA. Kawamoto reported that the module has been submitted to a number of reviewing agencies. No public comment received following the 30-day legal advertising period. She briefly outlined the connection to the Riverside WWTP that is owned and operated by DELCORA which includes construction of a pump station connected to an existing manhole that is part of the gravity system for the Sheeder Tract (Riverside) Collection System. She noted that there is adequate capacity to receive the additional flow from Pocopson Elementary. McKay asked about the location of the pump station in relation to the school. Kawamoto indicated it will be underground near the northwest corner of the parking lot. McKay responded that it was anticipated the facility for the school was inadequate at the time of construction and the connection discussed today was anticipated. Kawamoto noted that UCFSD expects to go out to bid for the project on November 1<sup>st</sup> with the project awarded in December. Whitesel commented that construction will occur in summer of 2023 so as not to interfere with the school calendar year. PUBLIC COMMENT: Terry Gumpfer asked, and consultants replied that, yes, DELCORA will take over operation from the school. MOTION: DiMonte moved, Stumpo seconded, to approve the Resolution for Sewage Facilities Plan Revision as submitted and recommended by the Engineer; motion carried.

8. **MS4-TMDL Plan Presentation for Comments - Terry Gallagher, McCormick Taylor:**

Gallagher reported that legal advertisement of the revised MS4 TMDL Plan was

completed on July 30<sup>th</sup>. The revision shows the location of the Pocopson Creek Streambed Restoration Project. There are no other revisions to the TMDL Plan. Gallagher is attending this evening to address any public comments. Secretary reported that the Township Office has not received any public comments. McKay inquired as to the alternate location to access the site. Gallagher indicated that the team will follow-up with the landowner. DiMonte noted that the project cost is approximately \$300,000.00 and that the Township is most fortunate to be able to use the American Rescue Plan allocation to fund the project. DiMonte expressed that the project is providing remediation for sediment that may very well be the result of activity elsewhere. Gallagher agreed and added that to some degree all municipalities are required to meet short-term and long-terms goals to address sediment waste load management. He reported that the final design should be completed soon at which point the project will go out to bid. No Public Comment.

9. **Public Works Report:** Knightly reported that the department finished a second round of roadside mowing to make sure sight distances are clear for school buses as school begins on Monday. Board acknowledged previous completion and signing of PennDOT Form MS-944. Township received confirmation from PennDOT that approval to use Liquid Fuels funds has been granted. PUBLIC COMMENT: Susan Capella asked if Public Works could improve sight distance at the intersection of Lenni Drive and Route 52 by cutting back vegetation. Knightly will follow-up on her concern.

10. **Treasurer's Report/American Rescue Plan Act ("ARPA") Resolution/Expenditure:**

DiMonte noted that as discussed in the previous agenda item, most of the ARPA funds have been earmarked for the Pocopson Creek Restoration Project. Funds have been allocated for IT/Data and Security for the new Township Administration Building.

MOTION: DiMonte moved, Stumpo seconded, to approve Resolution No. 15 of 2022 ratifying supplemental appropriation for the 2022 Budget from the unencumbered ARPA disbursements; motion carried. DiMonte asked the Secretary to confirm the date of the second distribution fund release for the September Board meeting.

11. **Facilities:**

a. New Township Administration Building

- i. Update - DiMonte reported that the punch list is 75% complete with the certificate of operation for the elevator issued by the state as the most significant outstanding item. The elevator functions but the Township must follow the directions of the state for obtaining the certificate. Other items are the result of supply chain issues and should be resolved by October. Permanent glass for the offices will be completed in September. Vendor is adjusting the operation of the HVAC system.
- ii. Review & Approval Applications for Payment - DiMonte noted just one application. MOTION: DiMonte moved, McKay seconded, to approve payment in the amount of \$5,1818.87 to LGB Mechanical, Inc.; motion carried.

12. **Kennett Area EMS Commission:** McKay reported that Township Representative Al Davis is not able to attend this evening. McKay reported a supervisor from Kennett Township resigned from the Commission and has been replaced by an alternate. Longwood Fire reported that EMS calls are up throughout the region. Ambulances must travel greater distances due to hospital closures. Medic 93, an independent service, will be shutting down. Medic 94 is in the area out of Avondale. Commission fire companies are working well together having reorganized and essentially now working administratively as one. The reorganization provides for efficient fundraising and operation of the retention

program. Funds have been appropriated to reward volunteers who meet criteria such as training hours. The financial reward is a small but important measure to retain the volunteers. Commission recognizes that if the fire companies went to full-time, paid personnel the cost to operate would be about \$18.5 million dollars. Fire company will be looking to hire a mechanic as a cost saving measure. Kennett Borough will not be exiting the Commission as the amount of the annual increase is limited to 4%. The Commission agreed to schedule an additional monthly meeting for the sole purpose of discussing financial matters. McKay introduced Resolution 2022-16 that addresses the unified command structure in place for Longwood Fire to be the responding company for fire protection and rescue. The previous emergency services boundary resolution identified PoMarLin Fire Company as the responder for 40% of the Township. PoMarLin supports a unified command structure and has agreed to coordinate response efforts under Longwood. MOTION: McKay moved, Stumpo seconded, to approve Resolution 2022-16 identifying Longwood Fire Company as fire protection and rescue service throughout Pocopson Township; motion carried. PUBLIC COMMENT: Terry Gumpfer asked how payments are made for Medic services. McKay indicated that they process billing in the same manner as other services.

**13. New Business:**

- a. SWM Best Management Practice Agreement ("BMP"), 105 Indian Hannah Road, 63-3-1.2 - Board acknowledged DiMonte signing the Agreement outside of the meeting at the recommendation of the Township Engineer. Recordation of the SWM BMP is a condition for the Applicant to have received the building permit.
- b. Temporary Archivist/Part-time Clerk - DiMonte reported position description includes archiving and consolidating files as well as other tasks that have had to be set aside due to the move to the new building. The specific tasks have been discussed with the Secretary. MOTION: DiMonte moved, McKay seconded, to approve authorizing hiring a temporary part-time employee to work on township archives and assist with building permit files with compensation not to exceed \$3,600.00 for a term of employment of approximately 4 months; motion carried. McKay expressed that critical records be housed in the new township building for safekeeping.
- c. Amend Personnel Handbook ("Handbook") re: Cell Phones - DiMonte noted that the Part-time Administrative Assistant is using her personal cell phone to launch remote meetings via the GoToMeeting platform and must communicate time-sensitive responses after hours. Handbook policy should be modified to allow township-issued cell phones to full time exempt and/or supervisory employees and/or part-time employees where responsibility requires use of a township issued cell phone, upon approval of the Board of Supervisors. MOTION: DiMonte moved, McKay seconded, to amend the cell phone provision of the Handbook to include issuance of cell phones on a case-by-case basis as determined by the Board of Supervisors; motion carried.
- d. Cell Phone Purchases - DiMonte indicated that she had originally requested a township-issued cell phone but decided to hold off at this time. Stumpo indicated that her request for a cell phone for township business is a matter of privacy. Board reviewed the Procurement Pre-Approval Request submitted by the Secretary noting the phones for Stumpo and the Administrative Assistant would be free under the current group plan with an increase of \$64.00 in the monthly fee. MOTION: DiMonte moved, Stumpo seconded, to approve the purchase of cell phones as discussed and

presented during the public meeting; motion carried. No public comment on cell phone amendment to the Personnel Handbook or cell phone purchase.

**14. Old Business:**

- a. Update on Ordinance Hearing to Amend the Stormwater Management Chapter of the Code - DiMonte reported that the hearing is scheduled for the September 26<sup>th</sup> public meeting.
- b. Resolution Brandywine Scenic Byway Commission - Township Solicitor is working with the Scenic Byway Commission and PennDOT on the particulars of the resolution. McKay explained that a portion of Route 52 will be designated as the Harriet Tubman Byway which will encourage visitors to the Barnard House.
- c. Friends of Barnard Station - Board reviewed a preliminary proposal submitted by Daniel T. Campbell, AIA, for historical, architectural, and conservation services for conditions assessment and preservation plan for the Barnard House. DiMonte expressed that \$15,000.00 for paint analysis and report during Phase 1 seems like a significant sum of money. McKay explained that the process involves analysis of several layers of paint, under strict conditions, in order to identify lead-based and various generations of paint components. Board agreed to authorize submission of the proposal to the Township Solicitor for review when it is in final form.

**15. Correspondence:** no correspondence

**16. Treasurer's Warrant:** DiMonte moved, McKay seconded to approve the Bill Payment Lists for the period July 26, 2022 to August 22, 2022, recommended for payment by the Treasurer: General Fund - 49 checks totaling \$144,633.57; Liquid Fuels Fund - 4 checks totaling \$21,874.23; Township Facilities Fund - 6 checks totaling \$13,994.05; Parks and Recreation Fund - 3 checks totaling \$349.09; ARPA Fund - 3 checks totaling \$10,427.50; ACH/Debit - 6 ACH transactions totaling \$365.19; motion carried.

**17. Approval of Meeting Minutes:** MOTION: McKay moved, DiMonte seconded, to approve the July 25, 2022 Meeting Minutes as amended; motion carried.

**18. Adjournment:** at 8:13 p.m. Stumpo moved, DiMonte seconded, to adjourn the meeting; motion carried.

  
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Susan Simone, Secretary

  
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Elaine DiMonte, Chairwoman