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**Board of Supervisors Meeting**  
**Monday, July 24, 2023, 7:00 p.m.**

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

Public in-person attendance: 8

1. **Call to Order:** DiMonte called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** DiMonte reported the following: Executive Session held on July 5<sup>th</sup> to review the 4 bid solicitations for West Creek Road Project; Board and personnel met with the Deputy Warden for the County on July 11<sup>th</sup>; Board and personnel met with Township Treasurer and support staff on July 11<sup>th</sup>.
3. **Announcements:** no announcements.
4. **Public Comment on Non-Agenda Items:** DiMonte introduced Corporal Ken Noto from State Police Troop J - Avondale Station, who provided statistics for the number of calls for crashes, criminal activity, nontraffic deaths, DUI related crashes, and property crimes, as well as a brief comparison of the data for 2021 and 2022. DiMonte asked if Noto could provide specifics on the location of the crashes. He could not but the information is available through the Station Command. Noto offered that there are random patrols in Pocopson on a 24-hour basis, admittedly, the data shows that Pocopson is not a high crime area. DiMonte asked about recent calls brought to the attention of the Board regarding speeding vehicles on Parkersville Road and the broader concern of unlicensed ATVs on the roadways and in the Township Park. Terry Gumpfer asked about the crime reporting system in place and whether the data is reported to the FBI. Corporal Noto responded that the reporting is broken down by zones and technology allows for use of a uniform crime code system. Gumpfer inquired as to the status of the property on Crestview including the efforts to control the dogs. McKay responded that the Board continues to monitor the property along with the Township consultants. Judgments have been entered in favor of the Township which is now in the process of collecting those judgements. Gumpfer commented that the Crestview property is negatively affecting the community causing neighbors to list their homes for sale and move away. DiMonte offered that any number of circumstances motivate the decision to sell a home, including the death of a family member as pointed out by Gumpfer. DiMonte stated the Board is bound to follow the guidance provided by the Solicitor's Office. Gumpfer recognized the role of the Solicitor but suggested that more steps could be taken including citing the property owner on a 24-hour cycle. McKay and Stumpo commented that the Board is as frustrated as the residents and there are costs to the Township associated with addressing the concern. DiMonte added that the Township consultants are doing all they can as prescribed by law.
5. **July 19<sup>th</sup> Work Session:** DiMonte noted cancellation of the work session.
6. **Yuntao Zhu & Huajun Zhou Final Minor Subdivision Application; 1040 Ballintree Lane; Tax Parcel 63-5-159:** DiMonte reported that Comment and Review Letters have been received from Township Consultants. The Township has not received a current plan iteration from the Applicant. The matter will be listed on the August 28, 2023 agenda.
7. **West Chester Public Library Presentation:** Victoria Dow, Director and Karen Myers, Pocopson Township Representative to the Board of Trustees, presented an annual report on Library activities. Myers was recently appointed to the Board of Trustees and offered that it is

a rewarding experience to be a part of Library operations. Dow provided the Board with a copy of the "Annual Report - 2022" which includes a financial report and information on fundraising. Dow reported that Library activities are nearly back to normal (pre-pandemic level) with fully booked programs for children and other services. The Library Board has launched a major campaign for 2023 to redesign the interior of the Library to include more seating, rearranging shelves, and allocating specific areas for age groups. The campaign will include grant applications as part of the funding. DiMonte commented that it sounds like West Chester Library will adopt some of the concepts put in place at the Kennett Library and Community Center. Dow agreed, noting that the concepts have to be incorporated within the footprint of a 19<sup>th</sup> century building. DiMonte noted that the Pocopson contribution to the Library is ordinarily made in September or October and asked if there is a preference. Dow indicated a contribution in September will be fine. Public Comment: Steve Myers asked about the proposed budget for the planned renovation. Dow indicated the proposed cost to be approximately \$500,000.00 for renovations, furnishings, shelving, etc. McKay asked if the Bayard Taylor quotations on the stained-glass windows could be posted on the Library website as they are most interesting. Dow recalled McKay asking about the text of the quotes previously and commented that she will ask that the text be posted on the Library website.

8. **Kennett Area Fire/EMS Commission ("Commission"):** McKay reported the July 11<sup>th</sup> meeting included the subject of previous meetings being the possibility of Kennett Square Borough withdrawing from the Commission. He briefly reviewed the timeline of the Borough public meeting held in June, distribution of a Borough resolution, and a recent newspaper article. McKay noted there are required steps for a withdrawal from the Commission; therefore, the withdrawal is potentially a legal matter. On July 11<sup>th</sup>, the Commission disbursed quarterly payments. The activity report showed that Longwood Fire Company was called out to the Coatesville area as volunteers from Coatesville/Westwood Fire Company were not available for a daytime emergency. Commission will undertake in August establishing a fund for equipment. The task will be compounded if the Commission membership is reduced by withdrawal of the Borough. McKay reported that the Commission will be looking into hiring an administrator. The Commission voted to create a position description. Stumpo noted that Cuyler Walker serves ably as an administrator for the Commission and without compensation. A 4-person negotiating team from the Commission - Cuyler Walker, Eden Ratliff, Chief A.J. McCarthy, McKay - was appointed to evaluate the Borough's withdrawal and to draft a response to recent misrepresentations in a recent newspaper article. Public Comment: Karen Myers asked if there's a correlation between the number of calls in the Borough with their financial obligation to the Commission. McKay responded yes in addition to assessed valuation and population. Actually, Kennett Township pays the most. DiMonte and Terry Gumpfer asked who will provide emergency services for the Borough if they leave the Commission? McKay offered that to the knowledge of the Commission, the Borough does not have a plan. There is a notion they could negotiate with Longwood, Po-Mar-Lin, or Avondale companies. McKay noted that the fire companies face financial challenges, but the structure offered through participation in the Commission is a viable way to address those challenges. In addition, through a unified command system, the companies function efficiently. Stumpo added that prior to establishing the Commission, financial allocations were insufficient and lacked parity. Generally, attendees expressed concern for Borough residents who may or may not be aware of the findings of the report from the professional Fire/EMS Study consultant retained by the Borough earlier this year.

9. **Public Works Report:** Knightly reported that the Department will be working on the Lenni Drive Project for the next 2 weeks. Homeowner Candace Davis was in attendance and commented that her property is directly affected by the drainage work. She has no objection to the Township accessing her property if need be to bring the project to conclusion.
- a. West Creek Road Project Bid Opening Update - DiMonte reviewed the updated timeline for rebidding the revised solicitation in accordance with Resolution 2023-09 enacted during the July 10, 2023 Special Meeting. Public Comment: Karen Myers commented that she understood that in part, the bids were rejected due to missing information. Will a checklist be provided in the rebid? DiMonte responded that the revised solicitation includes documentation that bidders can use as guidance for clarity and accuracy in their resubmissions. Steve Myers commented that he understood during the July 10<sup>th</sup> Special Meeting that the rebid solicitation would go out the next day, Wednesday at the latest. DiMonte expressed regret with regard to the misunderstanding of the timeline, but given the legalities of the bidding process, it is not possible to edit bid documents and to give notice of the rebid solicitation within 24 hours of having rejected the bids, particularly with regard to meeting legal advertising requirements. McKay and DiMonte are sorry that residents came away from the July 10<sup>th</sup> meeting with the wrong impression as to the rebid process. Linda Moore and Steve Myers voiced concern that the steps taken by the Board have not been adequate to bring this project to conclusion. The Township is required to follow the 2<sup>nd</sup> Class Township Code in bidding for purchase of materials, services, and contracts. A legal advertisement for solicitations represents an intention on the part of the Board in the bidding process to award a bid contingent upon the accurate submission of all requested documents subject to review by Township Consultants. Susan Nichols commented that she is not being critical of the Board but based on timelines communicated to the residents since April 2020, there is a perspective that the commitment is not there for this project. Knightly and the Board responded that the Township is committed to completing the project. Linda Moore suggested that the residents are not getting an adequate level of communication for timelines and processes. DiMonte reiterated that the Township is not purposefully delaying moving the project forward. The Township is required to follow the 2<sup>nd</sup> Class Township Code and contract law, not to mention the potential risk of jeopardizing the terms of the LSA Grant awarded for project funding. McKay responded that it is the intention of the Board to award the contract during the August 28<sup>th</sup> public meeting contingent upon review and recommendation of the solicitations by Township Consultants. He expressed his frustration at having been referred to as a liar with regard to acquiring a grant to fund the project. The grant application was in accordance with the sequential timeframe set forth by the Commonwealth. He stated the project will move forward the right way as quickly and as judiciously as possible. Susan Nichols and Steve Myers ask that the Township double check the email list for West Creek Road residents as some residents have not received the email notifications sent by Township Personnel. Stumpo and McKay commented that having been awarded the LSA Grant, the Township may or may not need to apply for a loan to fund the project. Need for a loan will not be determined until the rebidding is complete and the bid contract awarded. Steve Myers asked about the term 2<sup>nd</sup> Class Township Code noting that on the face of it, the term is demeaning. Stumpo explained that the term is a legislative term and a designation based on population density, and that by referendum, municipalities in PA may petition to become a 1<sup>st</sup> Class Township if specific population density is recognized.

10. **Facilities:** McKay reported that work on the Barnard House "back-end-El" is underway and should be completed in August.
- Review and Approval of Applications for Payment for New Township Building - DiMonte reported the damaged front entrance door was replaced today. Processing final payment may be listed for the August agenda.
11. **Township Planning Commission ("PC") July 5, 2023 Meeting:** DiMonte noted Board is in receipt of the Planning Commission recommendation for the Zhu Final Minor Subdivision. Board members have no questions regarding the PC submission.
12. **New Business:**
- Pre-procurement Request Township Newsletter Proposal for Template Design and Publication - DiMonte reviewed the pre-procurement request for a redesign of the Township newsletter which includes editing, printing and mailing, by Star Printing. Board recognizes this is the first redesign in about 10 years. Star Printing publishes newsletters for a number of Townships. They will bring continuity to the publication process because the subject content is similar for all municipalities, i.e., recycling, stormwater, etc. DiMonte noted the proposed cost to print and mail the newsletter is expensive but certainly a viable way to communicate with residents. If approved, the proposal should be re-evaluated for 2024. Public Comment: Andrea Gosselin offered that she appreciates receiving the printed newsletter for the information it provides. There is often information that does not appear on the website. DiMonte and McKay noted that the Township uses the Constant Contact Platform to communicate with residents by direct email. Residents can sign-up for Constant Contact by completing a pop-up registration on the website. MOTION: DiMonte moved, McKay seconded, to approve Star Printing, Inc. Quotation No. 67289-1 dated 3/1/2023 in the amount of \$3,064.85 for publication of an 8-page Pocopson Township fall newsletter; motion carried.
13. **Old Business:** no action for old business.
14. **Correspondence:** Board signed a number of thank you letters since the last public meeting.
15. **Treasurer Warrants:** MOTION: DiMonte moved, Stump seconded, to approve the Bill Payment Lists for the period June 26, 2023 to July 24, 2023 recommended for payment by the Treasurer: General Fund: 42 checks totaling \$47,390.65; Liquid Fuels Fund: 2 checks totaling \$7,141.77; Township Facilities Fund: 2 checks totaling \$30,444.29; Parks and Recreation Fund: 1 check totaling \$231.00; ARPA Fund: 1 check totaling \$3,877.00; Open Space Fund: 2 ACH transactions totaling \$115,929.20; Fire and EMS Fund: 1 check totaling \$110,669.83; motion carried.
16. **Approval of Meeting Minutes:** Stumpo moved, DiMonte seconded, to approve the June 26, 2023 meeting minutes as reviewed; motion carried. DiMonte moved, McKay seconded, to approve the July 10, 2023 Special Meeting Minutes; motion carried.
17. **Adjournment:** at 8:15 p.m. Stumpo moved, McKay seconded, to adjourn the meeting; motion carried.

  
 Susan Simone, Secretary

  
 Elaine DiMonte, Chairwoman