



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

Board of Supervisors Meeting Monday, October 23, 2023, 7:00 p.m.

Attendance: Supervisors Ricki Stumpo and Raymond McKay; Amanda Sundquist, Township Solicitor. Supervisor Elaine DiMonte was not in attendance.

Public in-person attendance: 12

1. **Call to Order:** Stumpo called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** Board met for a Budget Work Session on October 18th. On September 14th met with an accounting firm representative regarding completion of the 2023 external audit.
3. **Announcements:** no announcements.
4. **Public Comment Non-Agenda Items:** Stumpo noted the Township is aware of concerns related to the resumption of activity on the motorcycle track on the Trimble's Ford property. The Township is working with representatives from the Chester County Conservation District and the PA DEP. The investigation takes time. Individuals affected by the disturbance should contact the State Police to put concerns on record. Individuals should not obtain evidence by trespassing because evidence obtained illegally may not be useable as part of the enforcement process. In addition, trespassing will exacerbate the concern. Sundquist acknowledged that this is a frustrating situation. She added that it is important to report noise and disruptions in real time to the Township Office so that Codes Officials can be alerted. Township office personnel are available Monday through Friday from 9:00 a.m. to 3:00 p.m. If the noise occurs on the weekend or after the office is closed, calls should be made to the State Police. Sundquist commented that the property owner has been made aware of the current investigation and it is not likely that there will be a resumption of activity in the interim. The Township is fully aware of the problems this activity has represented in the past and the concerns are not being ignored. Bob Trimble offered to accept and share emails documenting each concern as he lives opposite the property. Lieutenant Steele, Troop J, Avondale Station, commented that the State Police are here to serve but responding to a noise concern is difficult as it is subjective in nature and officers are not trained to use devices that measure sound in decibels. He commented that Officers may issue citations for sound concerns such as gunfire or fireworks, particularly if occurring during an unreasonable time of day. He said that Sundquist is correct that documentation is important particularly in the matter of showing a continuous course of conduct that is affecting and impacting lives. Bob Trimble expressed that residents feel poorly about reaching out to State Police when there are so many other more pressing police concerns. Lieutenant Steele offered that the Avondale Station covers 17 townships full- and part-time so no one should hesitate to reach out to the Station. Sundquist commented that one challenge is the ability to see the offending property and it would be helpful for landowners to reach out to the Township to grant permission to enter properties to collect documentation. Jack Hines, a Wawaset Road resident commented that help is needed to address this concern. He recounted an incident that included several hours of the continuous sound of motorcycle engines coming from the property. In addition, a southerly breeze carried a significant, overwhelming amount of dust onto his property ruining an outdoor activity. McKay inquired as to the owner of the farm on Camp Linden Road offering that the property may provide a vantage point from which to document the concerns. Canby Page, a

community for their patience and diligence in providing information during the search. McKay recognized that all 3 fire companies provided tremendous support. At 7:40 p.m., the Board granted Lieutenant Steele's request to be excused.

7. **Ordinance Hearing to Revise Chapter 250 - Requirements for Preexisting Parcels Less Than Two Net Acres/Miscellaneous Provisions:** at 7:40 p.m., Stumpo moved, and McKay seconded, a motion to close the public meeting and open a public hearing on the proposed Zoning Ordinance Amendment. Sundquist reviewed the exhibits and the particulars of the amendment recalling its impetus to address the ambiguity of the current ordinance language for preexisting lots less than 2 acres. This ambiguity was brought to light in a recent SALDO filing calling out Section 250-19.C. During the SALDO review, Township Consultants offered differing interpretations of this Section due to its ambiguity. McKay offered details as to the SALDO filing which focused on a property in Courts of Longwood. PUBLIC COMMENT: Steve Meyers asked for clarification of the amendment as to what will be allowed if enacted and if the amendment is providing for additional subdivisions. There being no further public comment, at 7:44 p.m., Stumpo moved, McKay seconded to close the ordinance hearing and to reopen the public meeting; motion carried. MOTION: Stumpo moved, McKay seconded, to enact Ordinance No. 1 of 2023 amending the Township Code of Ordinances to revise Chapter 250 to update requirements for preexisting parcels less than two net acres and other miscellaneous provisions; motion carried. At this time, Stumpo and McKay agreed to reorder the agenda to allow Sundquist to provide comment on Agenda Item #12.b.
8. **Chester County Treasurer Agreement for Collection of Real Estate Property Taxes (previously 12.b):** Sundquist reviewed the genesis of the County's New Tax Collection Services Agreement. The changes are based in part on an increase in collection costs. Sundquist is communicating with the County Solicitor on several sections of the proposed revised Agreement which includes payment to the County per parcel in the amount of \$4.00 for original notices and \$2.00 for past due notices. She noted that the County requires a response from the Township on or before November 1st. PUBLIC COMMENT: Hal Hoffman asked if tax certifications will be issued by the County. Sundquist offered that she is working with the County Solicitor on that point. Hoffman is the Elected Tax Collector for Pocopson Township. He offered that he has no interest in assuming the duties of collecting real estate property taxes. MOTION: McKay moved, Stumpo seconded, to approve and accept the Chester County Treasurer New Tax Collection Services Agreement for Tax Year 2024 as reviewed and recommended by the Township Solicitor; motion carried. At 7:51 p.m. the Board granted the request from Sundquist to be excused.
9. **Public Works Report:**
 - a. Resolution for Road Rock Salt (Southern Chester County Co-Op) - McKay reviewed the text of the Resolution. MOTION: McKay moved, Stumpo seconded, to enact Resolution 2023-10 for the purchase of bulk road rock salt from the low bidder Morton Salt, Inc., as identified in the October 3, 2023 bid opening; motion carried. PUBLIC COMMENT: Janet Fassbender asked if the Township would consider an alternative to rock salt to minimize the polluting effect of runoff on streams and creeks as well as that which leaches into the ground. McKay offered that most alternatives are expensive and may not be as effective.
 - b. West Creek Road Gravix Wall Project - McKay reported that the project generally, including the shop drawings, remains under review with the Township Engineer. The contract has been signed and submitted to Jurich, Inc. Lead times and schedules have not yet been identified. PUBLIC COMMENT: Steve Meyers inquired as to who is running

the project, specifically who will be managing the people actually doing the construction. McKay responded that overall project management is assigned to the Township Engineer.

10. Facilities: no report.

11. Kennett Area Fire/EMS Commission ("Commission"): McKay reported that it's been a very busy month of meetings, contentious at times. The Commission is addressing 4 different issues: annual budget; negotiating with Kennett Borough with regard to their remaining in the Commission; a position description for a paid Commission Administrator; and, funding for mandated, intensive, physical and psychological examinations for all emergency personnel. McKay noted that a significant budget item is the replacement of apparatus over the next 20 years. Replacements will be expensive. The fire companies are currently running deficits on equipment replacement. Even with the increase in the County contribution on behalf of County facilities, it may not be possible to keep the fire companies fiscally viable without considering a tax increase. Stumpo noted that attorney Cuyler Walker is competently managing the Commission at no fee, so it is unfortunate that time must be spent in developing a position description and allocating compensation in the Commission's budget. PUBLIC COMMENT: Hal Hoffman asked about future plans to staff the fire companies with full-time paid personnel. McKay indicated current funding concerns are in part due to increases in costs to meet training requirements. Janet Fassbender noted that intense physical and psychological exams may further deplete the number of volunteers as those with medical issues may not be able to pass the fire-service related exams.

12. New Business:

- a. Appointing Certified Public Accountants for 2023 Annual Audit - Stumpo reviewed the recommendation of the elected auditors to engage BBD, LLP to conduct the 2023 external audit. McKay noted that the Township had not changed auditing firms for quite a while. The Board is in agreement to appoint BBD, LLP as external auditors.

13. Old Business:

- a. Zipline Presentation by Parks, Recreation and Trails ("PRT") Committee - Janet Fassbender, a member of the PRT Committee, guided the Supervisors through a presentation on the proposal to install a zipline. She reported that the device is very popular. McKay offered that he visited Everhart Park in West Chester Borough to see their zipline and it appeared to him that it is safe. He added that for the Supervisors to make a decision, the PRT must identify a proposed location and recommendation for type of device. He added that the Public Works Crew Members have the skills to install the equipment but that the issue of warranty should be investigated if not installed by the providing company. Board members agreed that the PRT should continue to investigate which device to propose and the location. Secretary noted that funds are identified in the proposed preliminary 2024 budget. Unless the device is purchased through Co-Stars, depending on the final cost, the Township may need to solicit bids if such costs are beyond the threshold established by the Commonwealth.

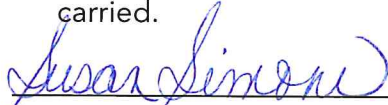
14. Correspondence: Stumpo recognized a letter was sent to the Pocopson Elementary School Custodian in recognition for assistance provided for the September public meeting.

15. Treasurer Warrants: Stumpo moved, McKay seconded, to approve the Bill Payment Lists for the period September 26, 2023 to October 23, 2023, recommended for payment by the Treasurer from the following Funds: General: 53 checks totaling \$108,474.90; Liquid Fuels: 3 checks totaling \$5,024.35; Township Facilities: 1 check totaling \$9,005.00; Parks and Recreation: 3 checks totaling \$878.73; ARPA: 1 check totaling \$1,440.00; Open Space: 2

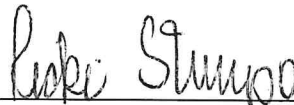
ACH transactions totaling \$125,723.92; Fire & EMS: 1 check totaling \$110,669.83; motion carried.

16. **Approval of Meeting Minutes:** Stumpo moved, McKay seconded, to approve the September 25, 2023 Meeting Minutes as reviewed and edited; motion carried.

17. **Adjournment:** at 8:29 p.m. Stumpo moved, McKay seconded to adjourn the meeting; motion carried.



Susan Simone, Secretary



Ricki Stumpo, Vice Chairwoman