



Board of Supervisors Meeting Minutes  
Monday, February 22, 2016, 7:30 P.M.

**Attendees:** Supervisors – Ricki Stumpo, Elaine DiMonte, Alice J. Balsama; Mark Knightly, Public Works Director; Kris Firey-Poling, Chair, Historical Committee.

Public in attendance: 10

1. **Call to Order:** Stumpo called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.
2. **Announcements:** DiMonte and Knightly met with PennDOT representatives on February 17<sup>th</sup> regarding the status of the Route 926 Bridge Project. On February 6<sup>th</sup> and February 13<sup>th</sup> Balsama and DiMonte attended the PSATS Boot Camp for newly elected officials. Stumpo met with Rich O'Brien from Keystone Municipal Services on February 22<sup>nd</sup> to discuss the status of the Barnard House Project. She noted that during the meeting it was discovered that there are missing components for a building permit issued in 2011. Electrical components that are part of the building permit issued in 2014 are unresolved to date. The following motion was made with regard to the 2011 permit: MOTION: Balsama moved, DiMonte seconded, to authorize the Secretary to contact Larsen & Landis to obtain an as-built or revision to the structural plan dated 5/25/11, labeled Foundation Plan; motion carried. During public comment on this issue Sean Rafferty expressed concern that the repairs have not been completed for the Phase 1/Park Project. Balsama noted that the Board is working through Keystone Municipal Services to identify impediments to the issuance of a certificate of occupancy.
3. **Public Comment:** no public comment.
4. **Brandywine Trail:** Sheila Fleming, ASLA, Senior Planner for Conservation Design, Brandywine Conservancy, was not able to attend the meeting. Board tabled the matter to the March 14<sup>th</sup> meeting.
5. **Public Works Report:** Knightly reported that the Public Works Department responded to 2 weather events since the last Board meeting. He reported that Davidson Road is undergoing skin patching/road surface sealing. Roadside and tree trimming is underway on Cannon Hill Drive.
  - a. West Creek Road Bid Package Authorization – Board discussed the West Creek Road Slope Repair Segmental Concrete Retaining Wall document prepared by McCormick Taylor dated February 19, 2016. Bids will be due on March 9<sup>th</sup> at 1:00 p.m. Funds for the project are part of the General Fund. MOTION: Stumpo moved, Balsama seconded, to authorize putting out to bid the West Creek Road Slope Repair Segmental Concrete Retaining Wall bid package prepared by McCormick Taylor dated 2/19/2016 and further, the Board authorizes paying for the project out of the General Fund and reducing the planned transfer from the General Fund into the Highway Aid Account by the final project close; motion carried.
6. **Planning Commission (PC) Meeting Report:** Stumpo reviewed the report dated February 19, 2016, submitted by the PC recapping the regular meeting held on February 17<sup>th</sup>. The report included recommendation motions for approval of the Riverside Daycare Subdivision Plan. The report noted that the PC is reviewing the

Keeping of Animals Section of the Township Code. Balsama and DiMonte attended the meeting on the 17<sup>th</sup> as citizens.

**7. Barnard House:**

- a. Phase 1 Project Manager Update - Stumpo reiterated that going forward, the Township will work with Keystone Municipal Services in order to obtain the certificate of occupancy needed for Kennett Underground Railroad Center to move into the Barnard House. MOTION: DiMonte moved, Balsama seconded, to accept the resignation of Richard Jensen dated February 12, 2016 as the Project Manager for Barnard House Phase 1; motion carried.
- b. Native Woods Preservation/Carpentry Proposal - On February 12, 2016, at a site meeting at the Barnard House, DiMonte met with Karen Marshall, Chester County Heritage Preservation Coordinator and Andy Gustine of Native Woods Preservation Carpentry ("Gustine"). The purpose of the meeting was to provide a walkthrough so that Gustine could prepare a proposal for the cost to assess and document existing condition of doors and windows that may or may not be replaced with Keystone Grant funds. Board reviewed the proposal from Gustine dated September 21, 2015 in the amount of \$1,875.00 to complete the assessment. During public comment on this agenda item, Sean Rafferty and Randy Mims requested clarification as to the legality of rental space for Kennett Underground Railroad Center (KURC) in the Barnard House. DiMonte noted that Ms. Marshall explained during the meeting that the Barnard House and the land surrounding it represent park land and the KURC is an element of the park. Rafferty and Mims requested that the recorded restricted covenants be subject to further review. MOTION: DiMonte moved, Stumpo seconded, that the Board of Supervisors be authorized to meet with the Chester County Commissioners to review the Declaration of Covenants and Restrictions for the Barnard House Property for the purpose of reducing or eliminating the restrictions within the deed; motion carried. Board discussed the Gustine Proposal with DiMonte noting that the assessment, identifying which windows to fix, replace, etc., will help the Township determine the funding needed from the Keystone Grant which is a matching grant. Public comment on this discussion was heard from Sarah Mims who suggested that the Township contact the vendor who replaced the windows in the Locust Grove Schoolhouse. Board agreed to set aside the Gustine Proposal and direct the Public Works Director and Secretary to contact three vendors to provide no-cost proposals for a similar assessment.

**8. Historical Committee:**

- a. Schoolhouse Volunteer Day - Firey-Poling noted the mission of the Historical Committee is to connect the present to the tangible and the Locust Grove Schoolhouse is a part of the community and represents a site that can be visited. Board approval is requested for a Volunteer Day on Saturday May 7, 2016 between 8:00 a.m. and 5:00 p.m. to prime coat interior walls and ceiling. Volunteers will include residents and Historical Committee members. The cost for supplies will not exceed \$500.00. MOTION: Stumpo moved, DiMonte seconded, to approve the May 7, 2016 Volunteer Day as described with an expense not to exceed \$500.00 and contingent upon all volunteers executing hold harmless agreements; motion approved.
- b. XL Catlin Day of Giving - Firey Poling and Randy and Sara Mims recounted the overwhelming success of the previous XL Catlin Day of Giving at the Schoolhouse. Approval is sought for a second Day of Giving on Thursday, May 19, 2016 from 8:00 a.m. to 5:00 p.m. to paint the interior of the Schoolhouse that will have been primed for painting on May 7<sup>th</sup>. Firey-Poling requested and the Board and Public Works Department agreed that Public Works will remove and store the Schoolhouse furnishings in the Barnard House on or before May 1<sup>st</sup> so that painting can proceed

without inadvertent damage to the furnishings. The furnishings will be returned by September. Board agreed to the May 19, 2016 XL Catlin "Day of Giving."

- c. Funding for Schoolhouse Improvements – Firey-Poling reported that the Historic Committee voted 6-3 to complete Phase 1 of the Schoolhouse restoration with the use of grant money or private donations with no funding from the Township. She reviewed the funding history of the Schoolhouse since the day it was acquired noting that previous Historical Committee members pledged to use grants or donations for restoration. Discussion and public comment ensued as to the 2016 Township budget allocation for the installation of a new floor which represents completion of Phase 1. Randy Mims commented that the Schoolhouse was purchased to help preserve the historic nature of the Township. It is a stable asset of the Township with the exterior having been tended to so why rush to finish the floor. He also indicated that the Historical Committee has had a long hiatus with regard to submission of grant applications. He asserts that with the assistance of volunteer carpenters and the renewal of submission of grant applications, the floor could be replaced without Township funding. Firey-Poling and the Board expressed concern that prior to beginning work on the floor, the volunteer carpenters are vetted including submission of references given that it is not known what may lie beneath the current floor. DiMonte and Balsama expressed that the Committee's approach to reject Township funding is admirable but that they also recognize that the closer one gets to finishing the Schoolhouse for practical use one is often surprised by the variety of uses for that facility. Sara Mims noted previous discussion as to a loan from the Township that might be repaid with a grant. Admitting that there are specific rules for that funding path, she agreed to touch base with the Treasurer as to the particulars. The Board agreed that the Historical Committee should move forward without the use of Township funds while maintaining that the opportunity remain in place to keep funding open for future discussion.

9. **Old Business:**

- a. Energy Supplier Proposals – Stumpo reviewed the report dated February 12, 2016 submitted by the Treasurer. MOTION: Stumpo moved, DiMonte seconded, to approve the 2-year contract from Agera Energy dated February 22, 2016 at the rates disclosed; motion carried.
- b. Historic Survey Contract with County of Chester/VPP – Stumpo reviewed the email dated February 22, 2016 from Randy Mims regarding terminating the Vision Partnership Program Contract with Chester County dated July 21, 2015 ("VPP Contract"). Stumpo noted that with Pocopson Township having been established in 1849, her research shows, in accordance with the 2006 survey completed by the Township Historical Committee, there are a limited number of structures in the Township that are subject of the historic survey. She noted that the VPP Contract provides for termination with a 30-day notice. Public comment: Sean Rafferty stated that the survey is a ridiculous use of taxpayer money. In addition to the written comments, Randy Mims expressed concern that the Township Historical Committee and Planning Commission do not support the historic survey nor do they make use of the 2006 survey prepared by the Township Historical Committee. He recognized the expertise of Jane Dorchester, the VPP Contract Consultant, and found no fault with her work to date. DiMonte expressed concern for the limited number of properties to be surveyed and for the number of property owners who chose not to participate in the survey. MOTION: DiMonte moved, Balsama seconded, to terminate the Chester County Vision Partnership Program Cash Grant for the Historic Resource Survey and Inventory and to direct the Secretary to request the Township Solicitor to submit the 30-day notice of termination and the Consultant to submit to the Township work product completed to date; motion carried.

10. **New Business:** the following agenda items were discussed from the floor:
  - a. **Earned Income Tax (EIT)** - David Poling noted that the taxes have increased two-fold in the past year, both property taxes and the EIT. He asked the Board for an accounting as to how the increased tax dollars are being spent. Balsama commented that the new board members have been in office just 6 weeks and that going forward they will be reviewing tax revenue. DiMonte agreed that tax revenue will be subject of review during the 2017 budget process. Stumpo noted that given the acquisition of significant acreage for open space, Township revenue from development sources decreased significantly. She added that the open space is an asset to the Township and that the Township continually evaluates options for paying the open space loan and adjusts accordingly. During Public Comment, Sean Rafferty noted that Township expenses increased during 2015 for the Barnard House and for legal fees given that the Township Solicitor attended the Board meetings. Scott Kirkland offered that among the residents, there may be a preference for the EIT tax rather than increasing the Township real estate property tax.
  - b. **Keeping of Chickens** - Stumpo noted that the Zoning Official prepared a FAQ sheet which is posted on the Township website that provides guidance as to the keeping of chickens in Pocopson Township.
11. **Correspondence:** no correspondence.
12. **Treasurer's Warrants:** DiMonte moved, Balsama seconded, to approve the Bill Payment Lists for February 9-22, 2016 recommended for payment by the Treasurer; General Fund: 24 bills paid totaling \$29,755.03; 1 debit card charge for \$87.47; Escrow: 2 bills paid totaling \$5,339.09; Highway Aid: 3 bills paid totaling \$11,920.77; Parks, Rec, & Trails: 1 bill paid for \$326.00; motion carried.
13. **Approval of Meeting Minutes:** DiMonte moved, Balsama seconded, to approve the Meeting Minutes dated February 8, 2016; motion carried.
14. **Adjournment:** At 8:29 p.m., Balsama moved, DiMonte seconded, to adjourn the meeting; motion carried.

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Susan Simone, Administrative Secretary

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Ricki Stumpo, Chairman