



Board of Supervisors Meeting Minutes
Monday, April 25, 2016, 7:30 P.M.

Attendees: Supervisors – Ricki Stumpo, Elaine DiMonte, Alice J. Balsama; Gary Summers, Planning Commission Chairman; Mark Knightly, Public Works Director and Roadmaster; Consultants – Amanda Sundquist, Township Solicitor; Brittany Hackman, P.E., Township Engineer.

Public in attendance: 28

1. **Call to Order:** Stumpo called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** Knightly and DiMonte met with representatives from Unionville-Chadds Ford School District (UCFSD) on April 18th to discuss PennDOT purchase of property adjacent to Pocopson Elementary School as part of the Route 926 Bridge Project. Stumpo and DiMonte met with the County Solicitor on April 18th regarding the Covenants and Deed for the Barnard House. Board met in Executive Session on April 21st and April 25th on a legal matter. DiMonte attended a UCFSD Key Communicators meeting on April 25th. Stumpo and DiMonte will be pollworkers at the Pocopson polling place during the Primary Election on April 26th.
3. **Announcements:** Stumpo reported completion of the interviews for the Kennett Library appointment which will be reported under Agenda Item 11a. Stumpo attended a Pennbid webinar on April 12th with Township Personnel. Knightly and Stumpo met with Chester County Prison Warden on April 21st to discuss use of Park Facilities.
4. **Public Comment on Non-Agenda Items:** Scott Kirkland, Township Representative on the West Chester Library Board, requested partial release of funds allocated for the West Chester Library as previously discussed with the Board.
5. **Riverside Daycare Land Development Plan:** Attorney John Jaros, on behalf of the Applicant, appeared to request action on the Preliminary Plan dated October 26, 2015, and last revised February 22, 2016 ("Plan"), subject of review and comment letters by the Township Consultants, County Planning Commission, and as recommended by the Township Planning Commission. The following individuals also appeared: Victor Kelly, Jr., P.E., Jodi Thompson, Ducklings Early Learning Center. Robert Hoffman, Esquire, Attorney for the Riverside at Chadds Ford Homeowners Association (HOA), thanked the Board for their time in considering this matter. He noted that in the letter dated April 25, 2016, distributed to the Board earlier in the day, the HOA points out a number of issues in the Plan that are violations of the 2003 Pocopson Township Zoning Ordinance. He asked the Board to deny the Plan and to direct the Applicant to seek relief from the Zoning Hearing Board. Balsama noted that all parties should recognize that the Board tabled action on the Plan previously in order to take time to review the Plan with Township Consultants. Public Comment: Dick Hendrickson voiced concern for increased traffic and devaluation of Sloan Road properties if the daycare facility is constructed. Anne Egger shared the same concern regarding an increase in traffic creating a safety hazard. Sean Rafferty reiterated that the approvals for the project were part of the subdivision approval and stipulation entered into by previous elected-

officials. Board requested that Sundquist read Resolution No. 12 of 2016 approving, subject to conditions, the Plan, which provides for the development of a daycare on Parcel A. It is noted that the Resolution also grants three (3) waivers. **MOTION:** DiMonte moved, Balsama seconded, to approve Resolution No. 12 of 2016 approving the Preliminary Plan for the Riverside Daycare as described therein; unanimously approved. Public Comment following the Motion and vote: Kathleen Chamberlain commented that the Applicant should seek PennDOT approval to enter the facility off of Route 52. Anne Egger reiterated that the Township should take into consideration that the daycare facility will increase traffic by 50%. Chris Conaway noted that the residents had awareness of the daycare because it is included on the approved subdivision plan. Jaros, with regard to the hydrant condition, asked that the Board be mindful of the proximity of the current hydrants. Kathleen Chamberlain asked and the Board confirmed that the daycare facility will be connected to the Riverside Wastewater Treatment Plant owned by DELCORA. Chamberlain also asked if an HOA fee would be imposed to which the Board replied no. Board dismissed Solicitor at 8:01 p.m.

6. **Route 926 PennDOT Bridge Project ("Bridge")/Denton Hollow Road:** Denton Hollow Road resident Peggy Conaway, in a written request to the Board, asked for a discussion regarding the adverse effect the Route 926 Bridge construction will have on Denton Hollow Road ("Road"). She and Chris Conaway acknowledged that the Denton Hollow Road Bridge is a County Bridge and that the Township will have to work with the County to close the Road at that bridge or to change the traffic pattern to a one-way pattern. It was noted that Birmingham Township, as a safety measure, intends to close a Township Road during the Bridge construction. Board responded that clarification was obtained from Birmingham Township on this matter and it appears to be a very limited section of the road with no residences that will be closed. DiMonte stated that a multi-municipal task force is being organized to address the needs and concerns of commuters, truck deliveries, and residents affected by the Bridge closure. She indicated that regular reports will be presented during public meetings to keep everyone informed as to safety and traffic control measures as well as detour routes and signage. Peggy Conaway noted that while the timeline for the Bridge Project is in flux, the Board has less than 10 months to respond to her Denton Hollow Road request. The Board assured her that they will take the best measures within the law to address the concerns. Public Comment: Sean Rafferty provided the Board with an application/warrant that would be needed to change the traffic pattern to one-way. He also noted that the Board must consider how access to the road, in terms of closing or one-way, may or may not hamper emergency responders.
7. **Public Works Report:** Knightly reported that the West Creek Road Project is complete and thanked McCormick Taylor for the good job they did in overseeing the Project. Resolution 2016-06 authorized the sale of the Township's 1995 Brush Bandit Chipper. The item was listed on Municibid (an online government auction site). The auction (Listing # 7583157) began on 4/7/16 and ended 4/22/16. It solicited 96 bids (includes multiple bids by a single bidder) with a final bid price of \$16,000. Knightly is satisfied with the final bid price. Paving is scheduled for Davidson Road, Wayne Drive, and Washington Drive. He reported that preliminary expense calculations for paving cross-streets in Brandywine Hills appear to be costly. Stumpo requested installation of a new mailbox for the Office as well as repairs to the exterior lighting and a new street sign with the current Township logo. **MOTION:** Balsama moved, DiMonte seconded, to approve the sale of the 1995 Brush Bandit Chipper according to the terms of the Municibid Auction completed on April 22, 2016; unanimously approved. **MOTION:** DiMonte moved, Balsama seconded, to approve Resolution No. 2016-13 authorizing the purchase in 2016 of the paving in place and surface treatment materials from the

low bidders identified by the Municipal Cooperative of Southern Chester County; unanimously approved.

8. **Planning Commission (PC) Report/April 20th Meeting:** Stumpo reviewed the PC report noting the recommendations for the Zoning Hearing Board Applications that will be heard by the Zoning Hearing Board on May 26th. Summers indicated that the PC will review collateral material for a pre-draft of a proposed drone ordinance.
9. **Barnard House:**
 - a. Cleaning proposal - Stumpo reviewed proposals obtained for twice per week cleaning noting that the most expensive proposal was \$325 per month. She indicated that the rental lease with Kennett Underground Railroad Center (KURC) indicates that KURC is initially responsible for cleaning. Therefore, the Board will take no action on the cleaning proposals.
 - b. County meeting - DiMonte stated that she and Stumpo met with the County Solicitor on April 18th to discuss the recorded Covenants and Restrictions and Deed Restrictions for the property, to get a better understanding of the goal for the property. The County Solicitor will look into the request and get back to the Township at a later date.
 - c. Security system proposal - Balsama noted that KURC cannot take possession of the rental space until such time that a security system is installed. She has a number of questions regarding the proposal and contract terms submitted by The Protection Bureau, including but not limited to the 5-year term, limitation of liability, protocols for alarm response, and the proprietary nature of the surveillance system. **MOTION:** Stumpo moved, DiMonte seconded, to submit the proposal and the contract from The Protection Bureau to the Township Solicitor for review and recommendations; unanimously approved.
 - d. Other - Board discussed status of replacement of windows through the Keystone Grant. Board recognized that there is a time limit on the availability of the grant money but agreed that they wanted to hear from the County as changes to the recorded documents may impact the installation of further improvements to the property. Public Comment: Sean Rafferty asked if the four windows with cracks in the historical glass will be replaced or repaired. Knightly indicated that the most recent quote for window replacement did not include those four windows.
10. **Old Business:**
 - a. Kennett Library Board Appointment - Stumpo read her report summarizing the interviews. She noted that Brad Peiper and Chris Larsen have professional backgrounds in marketing and fundraising. **MOTION:** DiMonte moved, Balsama seconded, to submit the names of the following residents for consideration by the Kennett Library Board of Trustees: Brad Peiper and Chris Larsen; unanimously approved.
 - b. Parks, Recreation and Trails Committee (PRT) Appointments - Stumpo reported that Tom Bierl contacted the Township and indicated an interest in serving as the Committee Chairman. Chris Conaway has not contacted the Township with regard to his interest in continuing to serve on the PRT. DiMonte noted that 3 residents are interested in being appointed and that the PRT should reactivate as soon as possible so that they can participate in the regional projects, i.e., Greenway, Brandywine Trail, Battlefield Trail, etc. Balsama noted that once the new PRT members meet they can decide as to the best date and time for meetings. The Board agreed that the PRT should provide a quarterly update to the Board on their activities. **MOTION:** DiMonte moved, Balsama seconded, to reactivate the PRT Committee by appointing the following individuals: Tom Bierl, Justin Colella, Matthew Seidenberg, Flo Costello, Leah Luo, Jesse Noa; unanimously approved.

The Secretary is directed to send notification to the appointees and to include collateral material on PRT subject matter.

11. **New Business:**
 - a. Brandywine Conservancy Bike-the-Brandywine Fundraiser Request – Board reviewed the request for township road occupancy for the September 17th event. Knightly confirmed that the bike route does not include township roads. Secretary is directed to correspond accordingly.
12. **Correspondence:** no correspondence.
13. **Treasurer's Warrants:** Balsama moved, DiMonte seconded, to approve the Bill Payment Lists for April 11-25, 2016 recommended for payment by the Treasurer; General Fund: 17 bills paid totaling \$86,506.45; 6 debit card charges totaling \$346.70; Highway Aid: 4 bills paid for \$5,928.16; Parks, Recreation & Trails Fund: 1 bill paid for \$19,435.00; unanimously approved.
14. **Approval of Meeting Minutes:** Stumpo moved, DiMonte seconded, to approve the Minutes of the April 11, 2016 meeting; unanimously approved.
15. **Adjournment:** Prior to calling for a vote on a motion, the Board heard Public Comment on a non-agenda item from Gary Summers who asked if the Board would contact The Preserve at Chadds Ford HOA to notify their residents to obey no trespassing signs posted on adjacent private property. Board agreed that the matter is best addressed by the State Police who provide police coverage for the Township rather than the HOA. At 8:48 DiMonte moved, Stumpo seconded, to adjourn; unanimously approved.

Susan Simone, Administrative Secretary

Ricki Stumpo, Chairman