



# Pocopson Township

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## Board of Supervisors Meeting Minutes Monday, 7:30 P.M., December 2, 2013

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Ricki Stumpo; Mark Knightly, Public Works Director; Richard Jensen, Zoning/Code Enforcement Official.

**1. Call to Order:** Conary called the regular meeting to order at 7:30 P.M. and led the Pledge of Allegiance.

**2. Announcements:** Drobish Conditional Use Application will be heard during a public hearing on Monday, December 9<sup>th</sup> beginning at 7:00 P.M. A preconstruction meeting for the Route 52 Roundabout Project will be held on December 3<sup>rd</sup>. Stumpo attended the Kennett Area Regional Planning Commission meeting on November 19<sup>th</sup> and the Township Comprehensive Plan Update meeting on November 21<sup>st</sup>. Stumpo and Knightly met with representatives from the Tullamore Homeowner Association on November 21<sup>st</sup> to discuss proposed changes to the community entrance.

**3. Public Comment:** Sean Kennedy of 501 Locust Grove Road learned that the administrators for the County home and the prison, as well as the State Police Community Liaison, were contacted by the Township regarding traffic issues at the intersection of Corinne and Locust Grove Roads. Knightly ordered larger signs for installation (stop and stop ahead signage). Scott Kirkland of 6 Sloan Road asked if the Board has considered the Magisterial District Court 15-3-04 settlement agreement. Board has not called an executive session to discuss. He also asked on behalf of the Riverside Homeowner Association Board if Laressa McNemar will be reappointed to the Vacancy Board for 2014.

### **4. Public Hearings Ordinance Adoption & Code Amendments:**

**Motion:** Stumpo moved, Brutscher seconded, to close the regular meeting at 7:40 P.M. and open the Ordinance Hearing; motion unanimously approved.

Conary reviewed the legal exhibits for Ordinance No. 1 of 2013 amending Chapter 178/Stormwater Management and Ordinance No. 2 of 2013 amending Chapter 85/Grading, Erosion and Sediment Control. He stated that both have been available for public review since November 14, 2013, and he called for public comment at this time:

**No. 1 of 2013 Comments:** Scott Kirkland asked if notice was sent to homeowner associations (HOA). Individual notice was not sent to the HOAs. An affidavit was received confirming legal advertising. Kirkland asked if the Ordinance affects the stormwater sections for recorded HOA declarations. Board indicated that it does not as the Ordinance represents new legislation and is not retroactive; although, going forward, proposed changes must comply with the Code revisions.

**No. 2 of 2013 Comments:** Conary commented that the amendment revises Chapter 85/Grading definitions so that they are consistent with the new Chapter 178. No public comment.

**Motion:** Brutscher moved, Stumpo seconded, to close the Ordinance Hearing and to re-open the regular meeting at 7:50 P.M.; motion unanimously approved.

**Motion:** Brutscher moved, Conary seconded, to adopt Ordinance No. 1 of 2013; amending Chapter 178 in its entirety with a new ordinance as mandated by Act 167; motion unanimously approved.

**Motion:** Stumpo moved, Brutscher seconded, to adopt Ordinance No. 2 of 2013; amending Chapter 85 to be consistent with Chapter 178; motion unanimously approved.

**5. Public Works Report:** Knightly reported roadside vegetation control completed on Locust Grove Road. Leaves have been removed from most Township roads. The Red Bridge Farm community has been notified of roadside clean-up and vegetation trimming work to be scheduled for this week.

**6. Zoning/Code Enforcement Officer Report:** Jensen sent an enforcement notice to the resident on Bragg Hill Road. Pettit Property demolition completed. There is an issue with the applicant who received a grading permit for property on Bragg Hill Road that Jensen will resolve this week. Barnard House HVAC system will be installed this week. Jensen reported that while the enforcement notice for the Wickersham Corn Maze is frozen, the Township should move toward a resolution prior to the Halloween season. The Board agreed that the Secretary should contact the Solicitor for the Zoning Hearing Board and request that the Zoning Hearing Board promptly proceed with scheduling a hearing.

**7. Planning Commission (PC) Report:** Secretary indicated that the PC is working on a draft recommendation memo to the Board in the matter of Drobish.

#### **8. Old Business:**

**a. West Bradford Township Ordinance Amendment** – comments will be accepted by West Bradford until December 5<sup>th</sup> with a public hearing scheduled for December 10<sup>th</sup>. Brutscher asked the Secretary to find out how the amendment affects development of the Embreeville site.

#### **9. New Business:**

**a. Elected Auditor Vacancy** – Board acknowledged receipt of a letter dated November 23, 2013, from PC Commissioner Sean Rafferty, who won the election for auditor. Rafferty indicates that he intends to turn down the elected-auditor position as it is incompatible with the appointment to the PC and it is his desire to be reappointed to the PC. Conary reviewed the steps necessary for appointment of the 2-year auditor position and the duties of the auditor.

**Motion:** Conary moved, Brutscher seconded, to contact Linda Moore to determine her availability for appointment as an auditor; motion unanimously approved.

## **b. Resolutions**

**i. 2013-16 Adopt Fiscal Budget 2014** – Conary noted that the 2014 Budget was advertised and has been available for public inspection for twenty (20) days. Board answered questions about the Budget during a general discussion.

**Motion:** Brutscher moved, Stumpo seconded, to approve Resolution 2013-16 officially adopting the Pocopson Township 2014 Budget; motion unanimously approved.

**ii. 2013-17 Fire Protection Tax et al** – Conary noted the amount of the annual tax to support emergency services has not changed; the allocations will appear different on the Township tax bill.

**Motion:** Brutscher moved, Stumpo seconded, to approve Resolution 2013-17 increasing the ambulance, rescue and other emergency services tax, and reducing the general fund tax on real property in Pocopson Township; motion unanimously approved.

**iii. 2013-18 GTRP Grant Authorization** – the Board announced that the Township received a Greenways, Trails and Recreation Program (GTRP) Grant in the amount of \$250,000 from the Commonwealth Financing Authority to be used for development of Trail Related Support Facilities at the Barnard House. The 2014 Budget includes allocation of the required 20% match.

**Motion:** Brutscher moved, Stumpo seconded, to approve Resolution 2013-18 authorizing signing of the GTRP grant award and empowering the Township Treasurer to act for and on behalf of the Township; motion unanimously approved.

## **10. Correspondence**

**a. General Code Supplement Agreement** – Board agreed to incorporate appendices for the stormwater management amendment as part of the Code.

**Motion:** Stumpo moved, Brutscher seconded, to approve the General Code Estimate dated November 20, 2013, in the amount of between \$4,145 and \$4,980 to codify the legislative amendments to the Code; motion unanimously approved.

**b. Bayard Taylor Memorial Library Request** – to be listed for a January 2014 meeting.

**11. Treasurer's Warrants:** **Motion:** Conary moved, Stumpo seconded, to approve the Bill Payment Lists for November 19 – December 2, 2013 recommended for payment by the Treasurer; **General Fund:** 14 bills paid totaling \$20,043.34; 8 debit card charges totaling \$257.38; **Parks, Recreation & Trails Fund:** 1 bill paid for \$195.65; motion unanimously approved.

**12. Approval of Meeting Minutes:** Stumpo moved, Conary seconded, to approve the Meeting Minutes dated November 18, 2013; motion approved.

**13. Adjournment:** At 8:25 P.M., Brutscher moved, Stumpo seconded, to adjourn the meeting; motion unanimously approved.

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Susan Simone, Administrative Secretary

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Stephen R. Conary, Chair