



Pocopson Township

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Board of Supervisors Meeting Minutes Monday, March 26, 2012, 7:30 P.M.

In attendance: Supervisors –Georgia F. Brutscher, Ricki Stumpo; Mark Knightly, Director, Public Works; Richard Jensen, Zoning and Code Enforcement Officer; James W. Hatfield, P.E., Township Engineer; Absent – Stephen R. Conary, Supervisor.

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

2. Announcements: The Lindvig Conditional Use Hearing was continued on the record to April 9th at 7:00 P.M. On March 20th the Kennett Area Regional Planning Commission met at the Township Building. A representative from the Brandywine Conservancy presented a renewable energy system report. Stumpo will attend the Township 10-Year Comprehensive Plan Update meeting on March 28th.

3. Public Comment: Matt Read of 1496 Washington Lane requested that the Public Works Department investigate an erosion concern in the Washington Lane right-of-way.

4. Public Hearing for Modification to Agricultural Security Area (ASA):

Motion: At 7:35 P.M. Brutscher moved, Stumpo seconded, to close the public meeting and open a public hearing for modification to the Agricultural Security Area; motion approved.

a) Presentation – Brutscher conducted the hearing in accordance with the provisions of Agricultural Security Area Law and reviewed the program benefits to farmers. The last public hearing was conducted on August 31, 2009.

b) Exhibits – Brutscher reviewed legal exhibits, including the individual proposals, Chester County Planning Commission review of the proposals, and legal advertising.

c) Discussion – Residents in attendance learned that with the proposed 144.24 acres to be added the total acreage in the ASA in the Township will be approximately 1,629.25. There were no objections to the ASA modification.

Motion: Brutscher moved, Stumpo seconded, at 7:40 P.M. to close the public hearing and reopen the public meeting of the Board of Supervisors; motion approved.

d) Resolution - Brutscher reviewed Resolution 2012-17 adopting and approving proposals for addition to the ASA.

Motion: Brutscher moved, Stumpo seconded, to adopt Resolution 2012-17 approving a total acreage of 144.24, representing the addition of 13 parcels to the Pocopson Township ASA; motion approved.

5. Struble Easement Plan – Tax Parcel 63-3-78.3: Robert Struble was again before the Board for approval to amend a Private Driveway Agreement dated June 15, 1992, part of a 3-lot Approved Subdivision Plan. Board reviewed a letter dated March 23, 2012 from the Township Planning Commission recommending approval of the Easement Plan dated April

6, 2011, last revised March 14, 2012. Hatfield provided verbal comments with regard to Struble's desire to shorten the distance of the shared driveway accessed by two lots. He noted that the request of the Board to approve modification is in accordance with the approved Private Driveway Agreement recorded June 30, 1992. The modification does not materially affect the subdivision approval. Hatfield suggested that zoning requirements, including but not limited to driveway construction specifications, natural features/resources and stormwater management be addressed at the time of submission of a building permit plan. Hatfield recommended that the Amendment to the Private Driveway Agreement clearly define the obligation for maintenance of the shared portion of the private driveway. Overall, he recommended Board approval of the amendment.

Motion: Brutscher moved, Stumpo seconded, to approve the Amendment to the Struble Private Driveway Agreement dated June 15, 1992, recorded June 30, 1992, conditioned upon including language that clarifies the obligation for maintenance of the shared portion of the private drive as recommended by the Township Engineer; motion approved.

6. Public Works Report: Board reviewed and accepted the Public Works Report dated March 26, 2012 as submitted. Board agreed to contacting the insurance company regarding recent water damage to the meeting room carpet and storage cabinet.

7. Red Bridge Farm Bridge: Roger Hiss representing the **Red Bridge Farm Homeowner Association (HOA)** appeared before the Board regarding the status of repairs to the Red Bridge bridge previously discussed in 2009. He noted that the Township Supervisors agreed in 2009 to develop a plan of action to replace components on the bridge compromising the structural integrity and to address the erosion issue. Board noted that there is a 2012 budget allocation for the repairs. Hatfield reported the following: (1) replacing the timbers with like-kind material will not meet PennDOT specifications; (2) aesthetics remains a common issue for the Township and the HOA; (3) a bridge scour concern must be addressed; (4) a public meeting to view the proposed repairs, particularly repairs affecting the wing walls for the approach, would be appropriate; and (5) suggests seeking waiver from PennDOT for the guiderails. Brutscher directed that Vandemark & Lynch provide the Township with professional service authorizations for the repair of the bridge railings and for the scour concern for approval at the April 9th Board meeting. Board agreed that Vandemark & Lynch may copy the HOA on communications regarding designs for the bridge repairs.

8. Zoning/Code Enforcement Officer Report: Board approved landscape species proposed by Lenape Village Shops to replace the hedgerow along Denton Hollow Road in accordance with the decision of the Zoning Hearing Board. Jensen will discuss installation of rain barrels for the site. Jensen requested and the Board agreed to proceed with legal enforcement of violations at the property located at 1800 Brooks Road.

9. Old Business: Vandemark & Lynch continues to coordinate a joint meeting date for **MS4 Permit Renewal** during the month of April to be hosted by Birmingham Township. Board reviewed and accepted the recommendation of the Township Engineer as outlined in the Memorandum dated March 23, 2012 regarding the qualifications of Veteran Construction & Utility Services, Inc. (VCUS), low bidder for the **Locust Grove Schoolhouse Project**.

Hatfield noted the time issue in terms of execution of a contract and scheduling a preconstruction meeting. Board acknowledged project completion is required by June 30th in accordance with the grant and directed the Secretary to prepare a draft contract to be executed with VCUS as soon as possible. Board noted that project management has not be clarified but agreed that Hatfield should proceed to schedule a preconstruction meeting and review the draft contract as he can provide those services. Board will discuss project management tasks with Sarah Mims, Historical Committee Chair and with Frens and Frens, project designers.

Motion: Brutscher moved, Stumpo seconded, to authorize the Township Engineer to proceed with a preconstruction meeting schedule and a contract review in the interest of financial expediency and that project management responsibilities are to be confirmed; motion approved.

Brutscher reviewed recent correspondence regarding the **PA Route 926 bridge – bicycle and pedestrian facilities**. Discussion included an interest in widening the bridge by two feet to make it accessible for a trail crossing if a regional trail is constructed. However, the Board agreed to forego widening if it adds to the design time and delays the construction. Board was also mindful of the potential effect bridge widening might have on the adjacent property owned by the veterinarian and that the municipality would bear the cost to install the barrier for pedestrian/bicycle access.

Motion: Stumpo moved, Brutscher seconded, to support Birmingham Township's position to vote in favor of widening the PA Route 926 bridge if the widening design work does not delay the start of construction; motion approved.

10. New Business: no action required.

11. Correspondence: Matt Read submitted a proposal for a Founders Day Facebook Page to be reviewed by the Board.

12. Treasurer's Warrants: Brutscher moved, Stumpo seconded, to approve the Bill Payment Lists for March 13 - 26, 2012 recommended for payment by the Treasurer:

General Fund: 21 bills paid totaling \$21,897.13; 7 debit card charges totaling \$1,071.75;

Highway Aid Fund: 1 bill paid for \$424.00; **Historical Committee:** 1 bill paid for \$685.00;

Open Space Loan: 2 bills paid for \$13,772.15; **Road Improvement Fund:** 1 bill paid for \$8,325.89; motion approved.

13. Approval of March 12, 2012 Regular Meeting Minutes and the March 15, 2012 Special Meeting Minutes: Brutscher moved, Stumpo seconded, to approve the Meeting Minutes dated March 12, 2012 as reviewed; motion approved. Brutscher moved, Stumpo seconded, to approve the Special Meeting Minutes dated March 15, 2012; motion approved.

14. Adjournment: At 9:05 P.M., Brutscher moved, Stumpo seconded, to adjourn the meeting; motion approved.

Susan Simone, Administrative Secretary

Georgia F. Brutscher, Vice Chair