



Board of Supervisors Meeting Minutes
Monday, June 13, 2016, 7:30 P.M.

Attendees: Supervisors – Ricki Stumpo, Elaine DiMonte, Alice J. Balsama; Mark Knightly, Public Works Director and Roadmaster; Consultant – Amanda Sundquist, Township Solicitor.

Public in attendance: 11

1. **Call to Order:** Stumpo called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** prior to the call to order, the Board met in Executive Session regarding a legal matter. DiMonte and Balsama attended a multi-municipal meeting on May 19th to discuss the Route 926 Bridge Project. Meeting attendees included Birmingham Township, Birmingham Township Police Department, East Bradford Township, and West Chester Borough. The meeting was productive and future meetings may include representatives from East Penn Railroad as well as Westtown and West Goshen Townships. DiMonte attended the Emergency Services Task Force meeting on May 25th. DiMonte attended a meeting on May 31st with various representatives regarding the Pocopson Veterinary Station Project as it relates to the Route 926 Bridge Project.
3. **Announcements:** Stumpo read an email from Kelly McGrory expressing appreciation for the wood chips delivered by the Public Works Department. In the email, McGrory thanked Public Works Personnel for all the work they do and for their professionalism.
4. **Public Comment on Non-Agenda Items:** Terry Gumpfer commented that the Board should consider revisions to the Rental Ordinance to provide for annual inspections instead of every 2 years. He also commented that the inspection fee is too low and does not account for all personnel expenses such as pension, etc. Stumpo responded that the fee calculation was based on the current contract with Keystone Municipal Services, the third-party contractor providing the inspection service. Gumpfer also commented that in Delaware County the hospitals are running the ambulance services out of the local firehouses. Stumpo noted that Pocopson is participating in a multi-municipality Emergency Services Task Force Study. The Task Force Consultant is aware of the role of the hospitals. The Board will discuss the Consultant's report when it is submitted to the Emergency Services Task Force.
5. **Riverside Daycare Land Development Plan:** Vic Kelly, P.E., Commonwealth Engineers, Inc., and Scott Risbon, Earthcare Landscaping, appeared before the Board requesting approval of the Final Land Development Plans for "Ducklings Early Learning Center" (previously titled "Riverside Daycare") ("Plan"), dated October 26, 2015 and last revised May 5, 2016, subject of most recent Township Engineer Review and Comment Letter ("Letter") dated May 18, 2016. The Plan was reviewed by the Township Planning Commission ("PC") during the May 18th public meeting at which time, by an approved motion, the PC recommended that Final Approval be granted subject to completion of the conditions identified in the Letter and that such conditions and representations are fully addressed to the satisfaction of the Board of Supervisors. Balsama noted that the Recreational Areas and Community Assets item remains open as the record indicates

that the fee in lieu of recreation has not been satisfied. Kelly will consult with the Applicant's attorney for documentation to support that the fee was addressed either at the conditional use process or the stipulated settlement. He noted that land along Pocopson Road was deeded to the Township by Toll for recreational use. Board would appreciate documentation from the Applicant as to the calculation of the fee in lieu of for Parcel "A" in order to resolve this item. Board also indicated that they would like to see a depiction of traffic circulation on the Plan. Kelly noted that in discussions with the Township Engineer it was determined that there was no need for a traffic study. Sundquist noted that the concern for the Board relates to traffic impact on the community and the depiction of the traffic circulation on the Plan will clarify the traffic pattern. Kelly stated that while the Applicant signed the resolution with the condition prohibiting parking on public streets for special events, there is concern that Jodi Thompson was misunderstood, that the offsite parking/shuttle provision would apply on occasion to employees. Balsama responded, that during previous public meetings, Thompson represented that attendees for special events would park offsite and make use of carpooling/shuttle services. Sundquist reiterated that it is a condition agreed to and that the Applicant can ask the Board to reopen the Plan and ask for a reconsideration. Stumpo stated that the matter will be listed as an agenda item for the next public meeting on June 27th.

6. **The Preserve at Chadds Ford Inspection Request/Dedication (Toll Brothers):** Stumpo noted that this is the fourth offer of dedication. MOTION: Stumpo moved, DiMonte seconded, to reject acceptance and dedication of the public improvements for The Preserve at Chadds Ford (a/k/a Corinne Village) based on the inspection review letters submitted by the following Township Consultants: VanDemark & Lynch, Inc., dated 6/1/2016 and Burcham & Associates, dated 6/7/2016; motion unanimously approved. Board directed the Solicitor to notify Toll Brothers, Inc., of their decision. At 7:50 p.m. the Solicitor asked and the Board agreed that she was excused. Public Comment: Santhosh Kanjula, a member of The Preserve at Chadds Ford Homeowners Association Board, commented that landscaping in the community is not thriving or it is missing. He requested copies of the Township Consultant Reports. He also asked for clarification as to maintenance for the trail and if the community covenants and restrictions supersede Township Ordinances. Scott Kirkland commented that Riverside at Chadds Ford follows the recorded community documents/maintenance plan rather than the Township Ordinances.
7. **Public Works Report:**
 - a. Paving Request - Knightly reported no action required as it has been determined that the paving request for a scratch coat on Washington Lane will be done in-house.
 - b. Sale of Mower - the sale price on Municibid was \$4,900.00.
 - c. Other - installation of 2 inlets and 150 feet of pipe was completed on Wayne Drive. Desks were removed from the Locust Grove Schoolhouse and an abandoned coffee table was removed from a Township Road.
8. **Zoning Officer Report:** Board reviewed the report dated June 8, 2016, submitted by Craig Kologie, AICP, Zoning/Code Enforcement Official. The Board recognized that the report was comprehensive and substantive.
9. **Barnard House:**
 - a. Security System Proposal - Balsama provided an update noting that the terminology and exhibit concerns with the contract, as well as the term limits, were resolved by The Protection Bureau. However, the leasing option information that was provided is under review. Balsama noted that with just one occupant in the building, the Board wants to clarify the cost factors regarding purchasing the equipment versus

leasing the equipment. Board agreed to table the matter until the next public meeting on June 27th.

- b. Update Regarding Meeting with Chester County Representatives - DiMonte reported that on April 18th she and Stumpo met with Chester County Solicitor Thomas Whiteman and representatives from the Chester County Planning Commission to discuss modifying the restrictions and covenants for the Barnard House property. DiMonte read the response received from Whiteman which indicated that the County would not support modifying the documents to allow retail or any use not related to municipal facilities, passive open space, and natural resources. The County response recognizes the financial constraints imposed on the Township and goes on to suggest that the County is willing to work with the Township on the current endeavors. DiMonte also reported that the Township may be ineligible for the Keystone Grant if only doors and windows will be replaced and not a complete restoration of the building. Balsama noted that the building should be an asset for the Township and not a burden. It should be preserved but the real question is the logical application for it. Public Comment: Randy Mims commented that residents should be encouraged to contact the County Commissioners directly as it would seem that the County Solicitor simply reiterated the current restrictions. Further discussion should be with the elected officials. Sarah Mims commented that the Township should contact the Pennsylvania Historical and Museum Commission regarding eligibility requirements for the Keystone Grant. In addition, she commented that Representative Barrar's Office may be able to assist with the particulars of the grant as his office has assisted the Township with previous grants.

10. New Business:

- a. Resolution to Appoint Matthias Murphy to the Planning Commission - MOTION: DiMonte moved, Balsama seconded, to enact Resolution 2016-16 appointing Matthias Murphy to the Planning Commission to fill the unexpired term of Dr. Steven G. Simonson; motion unanimously approved.
- b. Resolution to Terminate Open Space Loan - Board reviewed Resolution 2016-17 noting what appeared to be inconsistencies in identifying the fixed and variable rates. Balsama would like to report on a monthly basis a rate comparison starting from a specific point in time. MOTION: Balsama moved, Stumpo seconded, to enact Resolution 2016-17 as amended and annotated by the Board of Supervisors; motion unanimously approved.

11. Old Business: Sarah Mims reported on behalf of the Historical Committee as follows:

- a. Applebee's Flapjack Fundraiser - Mims clarified the particulars for the event noting that the concerns for the Township are minimal and requirements are found on the web site for The Rose Group. Mims has confirmed all requirements with the restaurant manager including no need for signed waivers or releases. Balsama indicated that the Board supports this opportunity to come together as a community and that the Solicitor review and comment was appreciated by the Board. Mims indicated that a signed contract was not necessary, that the date of the event is Saturday, October 1, 2016, the site is Kennett Square, and no deposit is required. Balsama noted that it appears the only disclaimer is that the printed ticket must indicate that proceeds benefit the Locust Grove Schoolhouse. MOTION: Balsama moved, DiMonte seconded, to approve the October 1, 2016 Applebee's Fundraiser to benefit the Locust Grove Schoolhouse as discussed; motion unanimously approved.
- b. Yard Sale - Mims indicated that the Committee voted to hold a second Yard Sale on June 25th given the success of the previous sale. Board agreed to the Saturday, June 25th Yard Sale to be held at the Locust Grove Schoolhouse.

- c. Flooring – Randy Mims reported that the estimated cost for flooring is \$15,000 using reclaimed wood. Volunteers would do the installation and a professional called in to complete the sanding. There is approximately \$12,000 available for this project.
12. **Correspondence:** no correspondence.
13. **Treasurer's Warrants:** Stumpo noted that Resolution 2016-14 authorized the sale of the Township's 2008 John Deere 997 ZTrak Mower. The item was listed on Municibid (an online government auction site) and advertised in the *Daily Local News*. The auction (Listing #8140310) began on 5/27/16 and ended 6/10/16. It solicited 44 bids (includes multiple bids by a single bidder) with a final bid price of \$4,900. Knightly indicated that he is satisfied with the sale price. MOTION: Stumpo moved, DiMonte seconded, to approve the sale of the 2008 John Deere 997 ZTrak Mower according to the terms of the Municibid auction completed on June 10, 2016; motion unanimously approved. Board reviewed the Treasurer's Warrants. MOTION: Balsama moved, Stumpo seconded approve the Bill Payment Lists for May 17-June 13, 2016 recommended for payment by the Treasurer; General Fund: 38 bills paid totaling \$56,885.72; 4 debit card charges totaling \$195.92; Highway Aid: 7 bills paid totaling \$4,894.52; Historical Committee: 1 bill paid for \$70.00; Parks, Recreation & Trails Fund: 1 bill paid for \$53.76; motion unanimously approved.
14. **Approval of Meeting Minutes:** Balsama moved, Stumpo seconded, to approve the Minutes of May 16, 2016 as amended; motion unanimously approved.
15. **Adjournment:** At 8:36 p.m., Balsama moved, DiMonte seconded, to adjourn the meeting; motion unanimously approved.

Susan Simone, Administrative Secretary

Ricki Stumpo, Chairman