



Board of Supervisors Meeting Minutes  
Monday, September 12, 2016, 7:30 P.M.

Attendees: Supervisors – Ricki Stumpo, Elaine DiMonte; Mark Knightly, Public Works Director; Committee Chairmen – Colleen McKinney, Founders Day; Don Lane, Deer Management.

Absent: Alice J. Balsama, Supervisor.

Public in attendance: 7

1. **Call to Order:** Stumpo called the meeting to order 7:30 P.M. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** no announcements to sunshine.
3. **Announcements:** DiMonte met with 2 residents to discuss a Township Communications Plan that will include an official Facebook Page. Stumpo announced that Christopher Conaway will be attending the Parks, Recreation and Trails Committee. Stumpo read a note from Stephanie Hoopman thanking the Public Works Department for their work in keeping the Township trails maintained and cleared.
4. **Public Comment on Non-Agenda Items:** Brad Peiper, Township Representative to the Kennett Library, commented that Donna Murray, Executive Director, tendered her resignation and the Library Board will be starting the process to find her replacement. Murray has been with the Library since 2003 and has made many contributions to its success. The New Library Committee plans to visit relatively newly built libraries as part of the design visioning process to understand the needs of the community. He asked residents to visit the Kennett Library to check out the recent upgrades to the lobby. Judy Lovell commented that while the Pettit property adjacent to Maxton has been cleaned up, no efforts have been made to mow the area adjacent to her property. Landscape material on her property has been damaged by weeds and overgrowth. Board noted that the Zoning Official is working with Mrs. Pettit on the clean-up but the conditions reported this evening will be submitted to the Zoning Official. Sam Kanjula commented that because of the small size of the homesites at The Preserve at Chadds Ford, the homeowners association board would appreciate receiving documentation from the Township regarding backyard setback allowances. Stumpo responded that zoning and building inspectors make those determinations but she has the Zoning Official working on preparing a set of guidelines.
5. **West Chester Public Library:** Victoria Dow, Director and Scott Kirkland, Township Representative Member of the Board of Trustees, presented the 2015 Annual Report a copy of which was submitted to the Supervisors. Kirkland and Dow reviewed demographics and library usage statistics noting that 50% of the residents with library cards utilize the West Chester Public Library. They described recent fundraising events and noted that on November 2<sup>nd</sup> teen author Sara Shepard of "Pretty Little Liars" will debut her latest book. Report highlights include replacement of the exterior chair lift, added public seating, a 3-D printer, and a movie license. Kirkland and Dow thanked the Board for the additional one-time allocation in 2015 of \$8,000 which was used to purchase materials for the collection. They asked if the Board would again provide the

budgeted allocation for 2017 in 2 submissions as it helps to fund summer programs. Kirkland reported concern that state and county funds may not be provided to the West Chester Public Library because the County Library System has designated the Kennett Library as the Township's library. This is disconcerting given the usage statistics. Public Comment: Brad Peiper commented that Kirkland should ask the County Library System to re-evaluate the maps in order to address fair allocation of state and county funds. Kirkland will make an inquiry as to redistricting. DiMonte commented that the Township will work with Kennett and West Chester libraries in publicizing upcoming events.

6. **Founders Day Event Update:** McKinney reported that components are in place with the exception of volunteers to handle parking the day of the event. Some grade levels in the school district are not required to obtain service hours while others that are required have found opportunities with nonprofit agencies. Supervisors were asked to let McKinney know if they would like to speak during Founders Day. Public Comment: Kirkland noted that the scout troops generally require a donation to the troop for parking services. The donation is used to fund scout troop projects. Stumpo noted that in the past, scout troops have not been given a donation for providing parking.
7. **Public Works Report:** Knightly reported that all road paving scheduled for this year is complete. Paving included Davidson, Washington, and Wayne as well as the Public Works Garage Back Lot. Bragg Hill Road was chip sealed. Final roadside mowing is underway. Base repair work for Folly Hill Road began this week. Board reviewed a procurement pre-approval request for the purchase of a 2017 Peterbilt 348 Truck. Knightly noted that the purchase was originally scheduled for spring of 2017 but the current 2000 International Truck has become unreliable due to age and condition and should be replaced. The Treasurer has reviewed the request which will be processed via Co-Stars and the funding source is the Township Capital Reserve Account. MOTION: DiMonte moved, Stumpo seconded, to approve the purchase of a 2017 Peterbilt 348 Truck chassis from G.L. Sayre, Inc. and the installation of hydraulics and dump body by E.M. Kutz at an estimated total cost of \$139,004.00; motion approved. It is noted that the color choice for the truck is white. Knightly reported that the resident on West Lafayette Drive has requested that the Township remove a large tree in a backyard as the tree is located in a drainage easement. Knightly would like guidance as to responsibility as it is an older drainage easement with a legal description that does not clarify maintenance responsibilities. MOTION: DiMonte moved, Stumpo seconded, to approve authorizing submission of the matter to the Township Solicitor for review and recommendations; motion approved.
8. **Deer Management Committee:** Lane reported that the Committee met on August 30<sup>th</sup> as advertised. He will pick up the signs and hunter documents from the Township this week. Board noted that Supervisor Balsama is working with the Committee in drafting documents for homeowner association open space properties. DiMonte thanked Lane for organizing the meeting on August 30<sup>th</sup> and noted that it was most informative.
9. **Barnard House**
  - a. Status of Security System – Knightly reported that due to a system crash that occurred today the installation is not complete. DiMonte asked and Knightly clarified that the timer installation is for the exterior door only and that the interior doors will remain locked. This is also confirmed for the door to the office space to be occupied by Kennett Underground Railroad Center. Board will meet with the Kennett Underground Railroad Center prior to their occupying the space.
  - b. McCormick Taylor Proposal – Stumpo noted that the Township has not received an answer from the County Commissioners as to amending the governing documents or to schedule a meeting at the site to review the extent of the renovations. DiMonte noted that the project management proposal is for management of the door/window replacement associated with the Keystone Grant. She acknowledged

that it would be unfortunate to give up the grant, however, it is important for the County Commissioners to see the challenges the Township is facing to renovate the building. No action taken on the proposal.

**10. Zoning Officer Report:**

- a. Status of Colella Compliance with Zoning Hearing Board ("ZHB") Decision – Justin Colella appeared before the Board as a follow-up to the motion approved by the Board during the August 15, 2016 meeting granting a one-time 30-day extension to comply with the May 26, 2016 ZHB Decision. Colella and Stumpo stated that they each had a conversation with the Township Zoning Official who confirmed that there was no need to pursue enforcement at this time as progress was being made to comply with removal of the fence in accordance with the ZHB Decision. Colella noted a current hardship in that without a fence, he must transport Penelope and Jemima Puddle Duck to a neighbor during the work day. Colella diagramed for the Board what he identifies as a gray area as to fence setbacks given the unusual shape of the two parcels he owns. A gray area that he believes is also confusing to the Zoning Official. He explained the definition of a boundary fence as it relates to town and country: in a town the fence separates houses and in the country the fence separates cows and horses. The ownership of both parcels creates a quandary for Colella in that the boundary is his own. He acknowledged that it would be too expensive for him to pursue combining the parcels by a reverse subdivision. He noted that the vehicles on Bragg Hill are limited to his own and that only his house and barn are located on Bragg Hill. That being the case, given the dilapidated condition of Bragg Hill Road, he requested that the Board authorize a road feasibility study for it. He also suggested an option whereby the Township would designate the old strip of road as a driveway and transfer the right-of-way/ownership to him so that the Township will no longer be responsible for snow removal and maintenance. The Board thanked Colella for his presentation and suggested that he continue to work with the Zoning Official.
- b. Zoning Report – Board received a report dated September 8, 2016 summarizing zoning activity from June 8, 2016 to September 7, 2016.

**11. Old Business:**

- a. Ducklings Final Land Development Plan: no action required at this time.

**12. New Business:**

- a. Minimum Municipal Obligation Pension Plan – DiMonte reviewed the Treasurer's Memorandum. Board acknowledged receipt of the Act 205 funding requirements for all municipal pension plans of expected financial obligation for the coming year.
- b. Open Space Opportunity – no action taken as the matter is still being researched.
- c. Cell Phone Policy – Stumpo reviewed the current usage of cell phones issued by the Township to the Public Works Department. The cell phones are required because Public Works Personnel must be on call 24/7. Knightly noted that there is mixed use in the Department of personal cell phones and Township-issued phones. Stumpo and DiMonte agreed that it is important to draft a policy given the provisions of the PA Right-to-Know Law, as well as identifying any potential cost savings to the Township with regard to purchasing phones and usage plans. Knightly has obtained policies from other municipalities and should be able to have a draft for the next meeting.
- d. Ratify Thomas Comitta Associates, Inc. ("TCA") Appointment for Landscaping/The Preserve at Chadds Ford – Stumpo noted receipt of the proposal from TCA for landscape inspection services as facilitated by the Township Solicitor. DiMonte noted that Toll Brothers requested the appointment of an independent consultant to review the landscape reports and that payment for the service will be in accordance with the Municipalities Planning Code and Township procedures.

Public Comment: Sam Kanjula, a member of The Preserve Homeowners Association Board ("HOA"), expressed concern that an independent landscape consultant may not fully address landscape issues throughout the community. By example, he cited significant landscape deficiencies with his own home site, and for this reason, it would be critical for the independent consultant to meet with the HOA. Scott Kirkland noted that Riverside at Chadds Ford faced a similar situation; however, there is no redress for homeowners with landscape issues on individual lots if the landscaping is not shown on the approved subdivision plan. DiMonte noted that the TCA Proposal does not include a start date and it does not specify meetings with the community, unless it is to be presumed that "stakeholders" referenced in item 4A would include residents in the community. Secretary indicated that it was understood that once the proposal is ratified by the Supervisors, the independent consultant will begin the inspections on September 14<sup>th</sup>. The Board agreed that the residents of the community should be included in the review process. MOTION: DiMonte moved, Stumpo seconded, to approve engaging Thomas Comitta Associates, Inc., to provide landscape inspection services of The Preserve at Chadds Ford on behalf of Pocopson Township as discussed with the Township Solicitor and in accordance with the proposal dated September 2, 2016, condition upon TCA meeting with the HOA Board; motion approved.

13. **Correspondence:** no correspondence.
14. **Treasurer's Warrants:** MOTION: Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for August 16 - September 12, 2016 recommended for payment by the Treasurer; General Fund: 40 bills paid totaling \$48,358.96; 7 debit card charges totaling \$997.50; Capital Reserve: 1 bill paid for \$5,000.00; Highway Aid: 10 bills paid totaling \$38,712.05; Parks, Recreation & Trails: 2 bills paid totaling \$347.89; motion approved.
15. **Approval of Meeting Minutes:** DiMonte moved, Stumpo seconded, to approve the August 15, 2016 meeting minutes as amended; motion approved
16. **Adjournment:** at 8:38 P.M., Stumpo moved, DiMonte seconded, to adjourn the meeting; motion approved.

  
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Susan Simone, Administrative Secretary

  
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Ricki Stumpo, Chairman