



## Pocopson Township

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### Board of Supervisors Meeting Minutes Monday, October 24, 2011 7:30 P.M.

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Lauresa J. McNemar, P.E.; Gary Summers, Chair, Planning Commission; Mike McGann, Chair, Parks, Recreation and Trails Committee.

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

**2. Announcements:** Conary and McNemar interviewed candidates for the Code Enforcement and Zoning Officer position. Brutscher attended the Kennett Area Regional Planning Commission (KARPC) meeting on October 18<sup>th</sup>. KARPC discussed State Police response to false alarm activations. McNemar and Brutscher attended the Brandywine Valley Association (BVA) Annual Dinner on October 20<sup>th</sup>. Brutscher stated that the BVA is a jewel in the Township and she supports a recommendation to include a line item payment to the BVA in the 2012 Township budget. The BVA is the largest property owner in the Township and it is a nonprofit that provides educational opportunities to thousands of youngsters annually.

**3. Public Comment:** none.

#### **4. Riverside Community:**

**a) Exhibit G** – Mary Hastings and Scott Kirkland for Riverside Homeowners Association (HOA) attended the meeting to discuss the minor revisions to Exhibit G/Open Space Maintenance of the recorded Declaration as outlined in the Township Engineer Review and Comment Letter dated October 21, 2011, Items #1 through #8.

**Discussion:** Board agreed to incorporate the Open Space Map as an as-built to accommodate future changes rather than recording with Exhibit G. **Item #2** regarding mowing/maintenance of spray application areas and **Item #5** regarding discharge pool water should be reviewed by treatment plant owner DELCORA. Township will schedule a conference call with Hastings and Vandemark & Lynch regarding use of fibrous mating for turf reinforcement per **Item #3**. No action required for **Items #4, #6, #7, and #8**.

**b) Sloan Road Village Green Areas** – George Pellegrino expressed concern that the HOA standards used to rate the village green areas did not account for deficiencies in the areas on Sloan Road. Board agreed that the standards and rating to identify areas for remediation in the community rests solely with the governing body of the HOA.

**c) Spray Application Areas** – Pellegrino discussed lack of vegetative buffer between the spray areas and the walking trail. Board noted that the wastewater treatment plant and spray application areas meet DEP requirements. The facility is owned and maintained by DELCORA, a municipal authority, in a manner that continually meets DEP requirements. Board agreed that Pellegrino should speak

with the HOA and DELCORA regarding the desire of the community to establish a vegetative buffer adjacent to the walking trail.

**5. Public Works Report:** Board reviewed the Agreement and Change Orders for the Highway Maintenance Structure Project. Board noted bid documents included a statement that sales tax is the responsibility of the successful bidder.

**Motion:** Conary moved, Brutscher seconded, to approve the Construction Contract with Agpoint Construction Services for the Highway Maintenance Supply Structure dated October 24, 2011; motion unanimously approved.

**Motion:** Brutscher moved, Conary seconded, to approve Change Order #1 dated October 17, 2011, for integrated corrosion inhibitor added to the precast concrete "T" walls; motion unanimously approved.

**Motion:** Brutscher moved, McNemar seconded, to approve Change Order #2 dated October 19, 2011, deducting \$8,735.00 for the 6" concrete slab; motion unanimously approved.

**6. Barnard House:** no action required.

**7. Parks, Recreation and Trails (PRT) Committee:** McGann presented preliminary findings of the **Brandywine Conservancy Land Use Study ("Study") of the three tracts of land east of Pocopson Road** donated to the Township by Toll Brothers. The Study consisted of an inventory and an analysis of the natural features and scenic resources of the property as well as a feasibility study of site accommodations. McGann noted two salient points emerged from the Study: (1) the area is wetland not flood plain; and (2) accessing the tracts will be a challenge and will require the purchase of an easement from adjacent property owners. There is a PECO owned right-of-way and the Township tracts are also separated in part by East Penn Railroad. Similarly, it is not known how the tracts will be affected by the infrastructure work on the Route 926 Bridge. Board agreed with McGann and the PRT Committee that the land is not amenable to active recreation and any usage will be limited to passive recreation such as a nature trail. McGann discussed the desire of the PRT Committee to establish **intercommunication with adjacent Townships to discuss regional recreation opportunities.** Board agreed and asked McGann to write a letter to surrounding municipalities regarding coordination of recreational efforts. Brutscher suggested McGann attend a KARPC meeting to discuss regional projects. Finally, McGann reported that the PRT plans to concentrate on planning smaller events throughout the year such as a trout rodeo in the spring. Board suggested that PRT work with the BVA as a resource for event planning.

## **8. Old Business:**

**a) Larkin Baily Road hedgerow** – Summers discussed preservation of the Larkin Baily Road hedgerow near the intersection with Corinne Road and located in part on Lot 64 of The Preserve. Concern is that protection of the hedgerow was an oversight on the original Plan and that protection may not be provided for in the Amended and Restated Declaration recorded April 18, 2011. Secretary is directed to contact Toll Brothers to identify the steps necessary to preserve the natural features of the hedgerow.

**b) Code Enforcement and Zoning Officer Position** – Board reviewed Memorandum of Understanding outlining proposed offer to Richard J. Jensen.

**Motion:** McNemar moved, Brutscher seconded, to offer the Code Enforcement and Zoning Officer Position to Richard J. Jensen at a fixed hourly rate; motion unanimously approved.

**c) 60 Bragg Hill Road (63-1-42.4)** – Board approved modification to the Leonard Cash Escrow Agreement for Installation of Landscape Improvements noting Township Landscape Consultant Review fees not to exceed \$1,500 and landscape material warranty for a 12-month period.

**d) Other** – Work on open space projects is proceeding regarding general authorizations. Agreements to vacate Bragg Hill Road will be updated and submitted to new landowners for review. Brutscher exited the meeting at 8:45 P.M.

**9. New Business:** Board continues to work with Vandemark & Lynch on comments for the County-wide Act 167 Stormwater Management Plan. Carol Stauffer from the Chester County Planning Commission will review the Comprehensive Plan Update process during the November 21<sup>st</sup> meeting. Gannett Fleming will review the roundabout project during the December 5<sup>th</sup> meeting. Board did not agree to waiver of zoning permit fee for signage for a nonprofit organization.

**10. Correspondence:** Board received the **Elser Trail Easement** signed by Elser. Castle Valley Consultants, Inc. is meeting with DELCORA regarding sewer connection for 1410 Lenape Road. Board reviewed the terms of the 2012 Animal Protective Service Agreement submitted by the Chester County SPCA.

**Motion:** Conary moved, McNemar seconded, to accept the 2012 Animal Protective Services Agreement with the Chester County SPCA for 2012 for the full contract fee of \$1,437.50; motion approved.

**11. Treasurer's Warrants:** Conary reported that the audit for the 2007 DCED grant has been completed as required.

Conary moved, McNemar seconded, to approve the Bill Payment Lists for October 11 - 24, 2011 recommended for payment by the Treasurer. **General Fund:** 27 bills paid totaling \$27,285.19; 3 debit card charges totaling \$227.11; **Highway Aid:** 3 bills paid totaling \$1,688.30; **Historical Committee:** 2 bills paid totaling \$1,319.62; **Open Space Loan:** 1 bill paid for \$93.30; **Open Space Tax:** 1 bill paid for \$177.45; **Parks, Recreation & Trails Committee:** 1 bill paid for \$460.50; **Route 52 / Road Improvements:** 2 bills paid for \$21,435.43; motion approved.

**12. Approval of October 10, 2011 Meeting Minutes:** McNemar moved, Conary seconded to approve the Minutes of October 10, 2011 as reviewed; motion approved.

**13. Adjournment:** At 8:55 P.M., McNemar moved, Conary seconded, to adjourn the meeting; motion unanimously approved.

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Susan Simone, Administrative Secretary

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Stephen R. Conary, Chair