



Board of Supervisors Meeting Minutes
Monday, August 15, 2016, 7:30 P.M.

Attendees: Supervisors – Ricki Stumpo, Elaine DiMonte, Alice J. Balsama; Mark Knightly, Director Public Works; Thomas Bierl, Chairman, Parks, Recreation and Trails (“PRT”) Committee.

Public in attendance: 13

1. **Call to Order:** Stumpo called the meeting to order at 7:30 P.M. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** Board met in Executive Sessions on August 9th and August 11th regarding a personnel matter. On August 11th, the Board met in Executive Session regarding the Barnard House.
3. **Announcements:** Stumpo announced that a budget workshop is scheduled for August 16th at 1:00 p.m. to discuss the earned income tax. Stumpo attended the Emergency Management Services Task Force meeting on August 10th to continue the discussion with the consultant regarding funding and governance of emergency services.
4. **Public Comment on Non-Agenda Items:** (a) Jerry D. Kreider commented that the property adjacent to the Corinne Road Trail has not been mowed this year. Stumpo noted that the dedication is not complete for The Preserve at Chadds Ford (“The Preserve”) and it is not known if the open space has been deeded to the homeowners association. Stumpo also invited Kreider to join her this week for a review of the subdivision plans for The Preserve to discuss the location of lands that are owned by the Baily Farm and are part of the Agriculture Security Area. (b) Tom Bierl commented that the PRT Committee is discussing a clean-up event similar to that which was held in the past. The PRT Committee will flush out the details during their January meeting. Bierl also reported that PRT is discussing two parking issues related to trail access. He reported that PRT is aware of parking violations in Pocopson Park. PRT will work with the Public Works Department to identify a means of controlling vehicle access to the ball field that will still accommodate maintenance vehicles and equipment. (c) Judy Lovell commented that workers are mowing and clearing the Pettit property adjacent to her property. She noted that attention should be given to the overgrowth in and around the privacy fencing on the Maxton property as well as chain link fence that was installed around the demolished dwelling. Lovell also noted that she was not able to attend a previous meeting on the Route 926 Bridge Project and asked if the Board was aware that it appears that additional train tracks are being installed at Route 52 to serve as a loading or off-loading facility. Balsama suggested that the Board schedule a meeting with the railroad company to determine what impact the Route 926 Bridge Project will have on conducting their loading facility.
5. **Founders Day Committee Event Update:** Motion: Balsama moved, DiMonte seconded, to approve the 2016 Founders Day Budget in the amount of \$8,477.00; motion approved.
6. **Public Works Report:** no report or action required.

7. **Barnard House:** Board noted that work continues on the security system as additional components will be delivered by August 19th and the installation should be completed by August 26th. Michelle Sullivan, Kennett Underground Railroad Center ("KURC") Board Member, shared her perspectives in response to comments submitted by Randy Mims. Sullivan noted that when KURC signed the lease with the Township 8 years ago, there was an understanding of terms to which all agreed. She is aware that over the last couple of years the Township is concerned about the cost to renovate the building as a municipal office and the heated debates spawned from that concern. Sullivan commented that the building is a remarkable legacy gift as part of the Underground Railroad Movement and that KURC's participation would add credibility to the site as a historical resource. Sullivan stated that KURC agreed to bring \$30,000 of renovations to the building project with the understanding that state funding would also be available. Sullivan referred to the lease agreement that provides KURC access to 3 areas of the Barnard House that would afford space for lectures and so on. She concluded by noting that the lease provides for termination with a 30-day notice but that KURC desires to stick with the project believing that it is a legacy to the Township. Laressa McNemar stated that her presence this evening is to encourage a discussion with the Supervisors. McNemar discussed the following points: (1) Suitability as a township office – previous Board minutes refer to reports from 3 consultants that the Barnard House is not suitable as a Township office; through a Right-to-Know Request, McNemar stated that reports were submitted by 2 consultants retained to provide an organizational analysis of staff positions and whether a township manager was an appropriate fit for Pocopson Township. There are no studies on the suitability of the Barnard House as an office and previous Supervisors would not have completed 8 years of work if it were determined to be an unsuitable building. Balsama responded that the Supervisors will revisit the submitted reports, but noted that the consultants who are in the business of organizational analysis understand the ergonomics and conditions of running an office juxtaposed with the conditions that make sense for a municipal building. DiMonte stated that no decisions have been made and the Board remains committed to the Barnard House. Balsama added that before the Township agrees to a \$750,000 loan, the Board wants to be certain as to what this facility will accommodate, what are the options and best choices. The Township will honor commitments that make sense for both sides and the community. (2) Keystone Grant for Doors and Windows – DiMonte stated that the Township is looking to bid the project through PennBID with the notion that bidders will have options for bidding components separately. It is a challenge developing the options given the restrictive nature of the covenants. Quarterly reports are submitted to the Pennsylvania Historical Museum Commission in accordance with the terms of the grant. (3) Plan Review – DiMonte and Balsama expressed concern that the current plans do not provide for adequate meeting space nor meet ADA compliance. McNemar suggested that any of the previous members of the Barnard House Steering Committee can meet with the Supervisors to review the plans. (4) Covenants and Restrictions – McNemar asked if the August 11th Executive Session regarding the Barnard House included the County Commissioners. Board responded that it was an on-site informational meeting attended by David D. Ward, AICP, Chester County Planning Commission and included State Senator Tom Killion and Representative Steve Barrar. The attendees were shocked to see the state of the Barnard House and agreed that the cost will be significant to rehabilitate it. They agreed to assist with identifying funding. Additional Public Comment: Stumpo read a quote McNemar made during the August 10, 2015 Board Meeting noting that governance of the Township is the role of the governing body and not any one group of residents. Randy Mims, further to his comments from the July 25th meeting, recommended the appointment of a committee comprised of committee members

from Historical and PRT, and other stakeholders, to assist the Board in identifying viable solutions for renovating the Barnard House. Mims is interested in serving as a resource and not as a voting member. Such an appointed group might move forward to ameliorate the narrow perceptions of previous planners. Judy Lovell asked if writing letters and signing petitions to be submitted to the County Commissioners would be helpful in getting the attention of the County Commissioners to amend the deed restrictions. Sarah Mims offered to assist the Board with grant applications.

8. Zoning/Code Official Report:

a. Colella Compliance with Zoning Hearing Board (ZHB) Decision – Board reviewed the request for a thirty (30) day extension for compliance with the Decision of the ZHB. Supervisors noted that the ZHB decision was issued at the end of the 45-day time period to allow Colella 40+ days in addition to the 30-day appeal period. Township Zoning Official is working with Colella but it is not the role of the Township to design a project but to review a project for code compliance. DiMonte read an email submitted by Colella. MOTION: Stumpo moved, Balsama seconded, to grant the request for a thirty (30) day extension for compliance with the Decision of the Zoning Hearing Board to be calculated from August 11, 2016 which represents the expiration date of the 30-day appeal period; the expiration date of this, the last extension, is September 10, 2016; motion approved.

9. Planning Commission Report: Secretary submitted the report from the July 20, 2016 meeting. Stumpo asked and the Secretary confirmed that the riparian buffer ordinance amendment work by Brandywine Conservancy is part of a grant from the William Penn Foundation.

10. Old Business:

a. EMC Nomination – Stumpo reported that the Board interviewed Jim Knightly and Kevin Gosselin for the position. Both are well-qualified. MOTION: DiMonte moved, Balsama seconded, to recommend the nomination of Kevin E. Gosselin to be duly appointed by the Governor as Emergency Management Coordinator for Pocopson Township; motion approved. MOTION: DiMonte moved, Balsama seconded, to appoint James Knightly to serve as Fire Marshal effective immediately and until such time that a replacement is named; motion approved.

11. New Business:

a. Sterling Act Resolution 2016-21 – MOTION: DiMonte moved, Stumpo seconded, to enact Resolution 2016-21 requesting an amendment to the Sterling Act to require that an amount up to one percent of the non-resident Philadelphia Wage Taxes paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides; motion approved.

b. Open Space Opportunity – Stumpo reported that the Solicitor is aware of the offering of an open space opportunity. Stumpo indicated that the parcel is not known. There are funds currently earmarked to pay forward the loan. Board directed the Secretary to contact the Solicitor for additional information. Public Comment on this item: Tom Bierl and Randy Mims served on the Open Space Task Force and noted that it would be important to know the size of the parcel and whether it could represent a significant land development project.

12. Correspondence: no correspondence.

13. Treasurer's Warrants: Balsama moved, DiMonte seconded, to approve the Bill Payment Lists for July 26 – August 15, 2016 recommended for payment by the Treasurer; General Fund: 24 bills paid totaling \$11,292.11; 4 debit card charges totaling \$176.53; Highway Aid: 5 bills paid totaling \$8,451.70; Historical Committee: 1 bill for \$204.36; Parks, Recreation & Trails: 2 bills paid totaling \$213.62; motion approved.

14. Approval of Meeting Minutes: DiMonte moved, Balsama seconded, to approve the July 25, 2016 meeting minutes as amended; motion approved.

15. **Adjournment:** at 8:37 P.M., DiMonte moved, Stumpo seconded, to adjourn the meeting; motion approved.

Susan Simone, Administrative Secretary

Ricki Stumpo, Chairman