



Board of Supervisors Meeting Minutes
Monday, November 13, 2017, 7:30 P.M.

Attendees: Supervisors – Ricki Stumpo, Elaine DiMonte, Alice Balsama; Mark Knightly, Public Works Director; Township Planning Commission (“PC”) – Gary Summers, Chairman, and Santhosh Kanjula, Commissioner.

Public in attendance: 5

1. **Call to Order:** Stumpo called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** DiMonte and Stumpo met with GKO Architects on November 3rd regarding the feasibility study.
3. **Announcements:** Stumpo introduced Al Davis who serves as the Alternate Commissioner on the Kennett Fire and EMS Regional Commission. Davis will provide Commission reports beginning in January.
4. **Public Comment Non-Agenda Items:** Terry Gumpfer commented that a warning posted on a neighborhood social media site for Pocopson Township is describing the early morning newspaper delivery driver as a suspicious car/driver. He is concerned that the Township monitor this post as it is most inaccurate as the driver is legitimately delivering newspapers to subscribers and calls should not be made to the State Police to investigate the activity. DiMonte indicated that the social media site is not affiliated with or sanctioned by the Township. She acknowledged value in residents communicating via social media posts as doing so provided an alert to potential theft of dogs earlier this year. Stumpo added that the neighborhood social media site provides a resource for residents to post items for sale. Santhosh Kanjula suggested that anyone on the social media post describing the suspicious car should consider posting a statement that the car/driver is delivering newspapers to subscribers.
5. **Zoning Hearing Board Application/Alan and Paula Johnson (“Applicants”), Tax Parcel 63-3-4; 1801 Unionville-Wawaset Road:** James Fritsch, Regester Associates, Inc. and the Applicants appeared before the Board to discuss the Subdivision Sketch Plan (“Plan”) prepared by Regester Associates, Inc., dated September 6, 2017. The matter was before the PC on November 1, 2017, and the Board is in receipt of the PC memorandum recommending that the variances be granted. Fritsch described the parcel as being 4.575 acres located in the C-1 Zoning District, containing the Northbrook Marketplace (“Marketplace”) and 2 single-family dwellings – a stone house built in 1787 and a white house built circa 1900. The Applicants will retain ownership of the dwellings and propose to convey the Marketplace to a new owner. The Applicants seek variances in order to proceed with the creation of a 3-lot subdivision. The Marketplace (proposed lot 1) is serviced by an existing high-tech septic system that can be cleaned and replaced. The dwellings share an existing septic system. Fritsch referenced Sketch Plan Note 8 which provides that a new septic system will be installed for these dwellings at the time the lots are conveyed to another owner. In addition, Sketch Plan Note 9 makes reference to the well located on proposed lot 3 that is shared by both dwellings which will be subject to an operation and maintenance agreement. DiMonte and Balsama offered

concern with regard to a shared well and a shared septic system for the dwellings, particularly in light of future conveyances. Fritsch responded that the Applicants have been working with Evans Mill Environmental, LLC. He submitted to the Board a letter dated August 9, 2017 from the PA Department of Environmental Protection ("PaDEP") confirming that no subdivision sewage facility planning modules are required for the project. Potentially, in the event of the sale of lot 2 or 3, the lot 2 dwelling could conceivably disconnect from the community system and a new on-lot sewage disposal system installed with lot 3 retaining use of the existing system. To this end, the Applicants seek a variance regarding the minimum contiguous area for on-site sewage disposal. Fritsch noted that sewage disposal permitting is subject to approvals from the Chester County Health Department. Balsama inquired as to Applicants retaining 2 dwellings, that is to say, is there consideration in applying for a 2-lot subdivision with the intent to remove one of the dwellings? Alan Johnson indicated that given the history associated with the dwellings, even accounting for construction modifications and repairs over the years, it is their desire to preserve and retain ownership of both dwellings. Balsama asked if a community-well, as is proposed to service lots 2 and 3, is a common occurrence throughout Chester County. Fritsch indicated that a community water system is fairly common and that for the instant project, the Applicants can prepare an operation and maintenance agreement for the shared well which will be recorded. Alan Johnson responded that there is a possibility that a well easement could be identified for the shared well for lots 2 and 3. Balsama acknowledged that she understands that certain conditions with regard to the utilities will be more fully addressed during the subdivision and land development review process; however, looking at the entire project holistically, to what extent should a recommendation be made on individual components such as well and septic when juxtaposed with the entire project and future conveyances. Summers noted that during previous discussions during PC meetings, the Commissioners asked similar questions with regard to utilities with the understanding to defer to the County Health Department and PaDEP as being the two agencies that are responsible for the utility permitting.

Fritsch noted that no earth moving is proposed and the only evidence of a subdivision of this parcel will be that which appears in the County Courthouse recording the parcel data. During discussion, the Board acknowledged that as depicted on the Plan, existing vegetation appears to provide a sufficient landscape buffer. MOTION: Stumpo moved, DiMonte seconded, to recommend to the Zoning Hearing Board, that they consider granting the following 3 variances requested by the Applicants as discussed and presented, being: 250-29.A.1 referencing minimum lot size; 250-30.A.4 referencing landscape buffer material along property lines; and 250-30.A.5 referencing minimum contiguous area for on-site sanitary sewage disposal; motion approved

6. **Public Works Report:** Knightly reported that the Department readied the trucks for the winter season by installing the plows and other devices for snow/ice removal. Santhosh Kanjula inquired as to the rental of the portable toilets installed at the tennis courts during the month of October. Knightly reported that during the rental period they were kept clean by the vendor but it is unknown as to usage.
7. **Planning Commission Report:**
 - a. Report from November 1st Meeting - Board is in receipt of a report from the PC public meeting held on November 1, 2017.
 - b. Vacancy - Board discussed and accepted the resignation of Commissioner Meg Johnson who indicated that she is not able to continue to serve on the Commission. Summers expressed to the Board that the PC would like to fill the vacancy as an 8-member commission assures that a quorum is met. Board agreed that at this time they will not advertise the vacancy in the newspaper, but would prefer to post it on

the Township website and to reach out to the homeowner associations. Summers indicated that there is no urgency to fill the vacancy as the PC does not meet in December. Board agreed to a December 31, 2017 deadline for submission of letters of interest. Candidate interviews can be set up in January.

8. **Facilities:** DiMonte noted that published statements in the newspaper regarding the feasibility study ("study") incorrectly reported that the study was completed. The study has not been completed and no final reports have been submitted to the Board from GKO Architects ("GKO"). The regular monthly checkpoint meeting with GKO will be held in December. DiMonte reported that the County Commissioners responded that at this time they do not see a need to revise the current covenant at this stage. However, they did emphasize that the County values its partnership with Pocopson Township and looks forward to continuing to work collaboratively with the township on issues of mutual concern. The Board discussed GKO attending a public meeting to review options identified in the study work thus far. Balsama offered that prior to that public meeting, GKO provide display boards set up in the meeting room so that the public has an opportunity to see the options in advance of the presentation. Stumpo noted that this could be a discussion point with GKO during the December checkpoint meeting. Board directed that the Secretary contact John O'Neal of the Kennett Underground Railroad Center in response to the public restroom signage at the Barnard House property noting that all signage has been installed in accordance with the Greenways, Trails and Recreation Program Grant.
9. **Act 172 Incentives for EMS/Fire Volunteers:** Stumpo noted that Act 172 was enacted by the state to provide incentives for volunteers of fire companies and EMS agencies. She indicated that the Board has consulted with the Township Solicitor and learned that the timeline will not permit the Township adopting an ordinance until 2018. The Township cannot issue tax credits without coordinating volunteer data with Longwood Fire Company and Po-Mar-Lin. Balsama added that Act 172 is an effort at garnering emergency service volunteers by enabling the Township to provide for an EIT credit or property tax refund or some combination thereof. Providing for the credit inures to the benefit of everyone particularly with reliance on a volunteer system. Adoption of the particulars of the Act on a local level will require an ordinance as well as various resolutions. The Board is in support of the initiative but it is not known what eligibility standards will be required. Stumpo noted that she and Al Davis were prepared to meet with fire company representatives following the last Kennett Fire and EMS Regional Commission meeting but the representatives had to respond to an emergency. **PUBLIC COMMENT:** Kanjula asked if a tier system would be established. Balsama responded that identifying a minimum threshold for a given number of volunteer hours and volunteer criteria is part of Act 172.
10. **Old Business:** no old business to discuss.
11. **New Business:**
 - a. **General Code Codification Proposal** - Board reviewed the procurement pre-approval request prepared by the Treasurer to update the Pocopson Code to include codification of five ordinances adopted in 2017. The expense was anticipated in the 2017 budget and the proposal from General Code is lower than anticipated. Board agreed that in 2018, the Secretary obtain services and pricing of other potential vendors for consideration. **MOTION:** Stumpo moved, Balsama seconded, to approve authorizing General Code to codify five ordinances approved in 2017 at a cost not to exceed \$5,995.00 as described in the General Code Estimate dated November 1, 2017; motion carried.
 - b. **Resolution Act 42 of 2017 Category 4 Mini-Casinos** - DiMonte noted that Act 42 of 2017 authorizes placement of ten Category 4 casinos in Pennsylvania. Stumpo indicated that she contacted the Township Solicitor to discuss the action to be taken

by the Board. She also spoke to the Solicitor regarding Air B&B sites and licensing for such sites in the Township that will be discussed at a future meeting. MOTION: DiMonte moved, Balsama seconded, to approve Pocopson Township Resolution 2017-15 prohibiting the location of a category 4 licensed facility within the Township; motion carried.

- c. PA Constitution Amendment - Santhosh Kanjula commented that the Amendment which appeared on the November 8th ballot passed and will change the exclusion level for homesteads, or primary residences. He voiced concern that change in exclusion percentages will represent lost property tax revenue for school districts. DiMonte and Stumpo were not certain if all primary residences were eligible for the reduction in assessed value. Balsama responded that while the ballot question represents an opportunity for tax relief going forward, the legislation is a matter for the state legislators with little left in the hands of local municipalities. She added that the Board will contact local elected officials going forward specifically with regard to concerns about the quality of education as same relates to school district funding. Terry Gumpfer commented that both legislative agencies in Harrisburg will have to address the manner in which school districts are funded particularly when the median assessed value of a residence meets the threshold of the homestead exclusion. Board agreed to contact local elected state officials as details of the amendment are made known. Al Davis commented that assessing school district funding statewide includes such variables as potentially combining districts.

12. Correspondence:

- a. Appointment/Reappointment Letters - Board reviewed correspondence from West Chester Borough Council regarding Pocopson Township representative to the West Chester Library Board. Board agreed to the reappointment of Scott Kirkland to serve an additional three-year term.

13. Treasurer's Warrants: Stumpo moved, DiMonte seconded, to approve the Bill Payment Lists for October 31-November 13, 2017 recommended for payment by the Treasurer; General Fund: 22 bills paid totaling \$35,300.60; 2 debit card charges totaling \$257.74; Highway Aid: 5 bills paid totaling \$2,093.92; Parks, Recreation & Trails: 1 bill paid for \$120.00; motion unanimously approved.

14. Approval of Meeting Minutes: Balsama moved, DiMonte seconded, to approve the Meeting Minutes dated October 30, 2017 as submitted; motion carried.

15. Adjournment: At 8:24 p.m., DiMonte moved, Stumpo seconded, to adjourn the meeting; motion carried.



Susan Simone, Administrative Secretary



Ricki Stumpo, Chairman