

Board of Supervisors Meeting Minutes  
Monday, January 29, 2018, 6:30 P.M.

Attendees: Supervisors - Ricki Stumpo, Elaine DiMonte, Alice Balsama; Township Representatives - Brad Peiper, Kennett Library Board; Al Davis, Alternate Commissioner, Kennett Area Fire and Emergency Services Regional Commission ("Commission").

Public in attendance: 2

1. **Call to Order:** Stumpo called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** DiMonte and Stumpo met with GKO Architects on January 19<sup>th</sup> regarding the feasibility study.
3. **Announcements:** Stumpo indicated that the EMS Commission did not meet in January. She introduced Al Davis who will provide a monthly report on the activities of the Commission.
4. **Public Comment Non-Agenda Items:** Terry Gumpper voiced his concern for the change in the Board meeting schedule to one meeting per month and the meeting start time to 6:30 p.m. He stated that 6:30 p.m. is too early as it does not allow people enough time to return home from work and still make the meeting. He also finds that one meeting per month hinders public comment as it creates a 3-month delay for participation. Gumpper offered, by example, that the minutes for this evening's meeting will not be approved and posted until February 26<sup>th</sup> so anyone wishing to comment on what the Board discussed will have to wait until the March meeting. DiMonte responded that during previous public meetings, the Board discussed modifying the schedule to hold one official meeting per month as required by the Second Class Township Code. She noted that the Board agreed to change the schedule having learned that adjacent municipalities are holding one meeting per month, that there is no impact on Township personnel, and that few members of the public are in attendance. Balsama commented that to her knowledge there have been no informational delays in communicating with the public. She explained that a work session, if needed, has been added to the schedule this year, and pointed out that the agenda for every public meeting is posted in advance listing specific agenda items. Peiper commented that the posted Board agenda provides adequate information for members of the public to make a determination as to attendance. Gumpper added the example of timeliness in being able to correct statements made by the State Police during public meetings, specifically miscommunications in identifying activity on the quarterly report for the Township. Such corrections should be made in a timely manner at the next available regular public meeting. The Board noted Gumpper's comments and agreed that going forward they will address modifications to the meeting schedule if there is a need to do so. Peiper provided an update on the Kennett Library, noting the following: the project is independent of Kennett Borough; the sale of the parcel on Ways Lane; preliminary designs include use of natural light; feasibility study provides guidance as to estimated costs; and, similar to Kennett Township, New Garden Township voted to dedicate

millage to the annual library contribution. The Board thanked Peiper for his continued service on the Kennett Library Board.

5. **Work Session:** the January 23, 2018 Work Session was cancelled.
6. **Public Works Report:**
  - a. **Overlook Trail Update** - Stumpo reported that the draft trail easement will be circulated following completion of the legal descriptions. Balsama noted the discrepancy found by the survey team. She asked that the consultants tighten the time frame for completion so that the document can be signed and recorded.
  - b. **Procurement Pre-Approval Requests** - two requests were submitted by the Public Works Director as reviewed with the Treasurer to purchase the following: (i) a Dodge Ram 3500 Tradesman 4x4 which was included in the 2018 budget; it is a CoStars vendor; an analysis was completed comparing leasing versus purchasing. MOTION: DiMonte moved, Stumpo seconded, to approve the purchase of a Dodge Ram 3500 Tradesman 4x4 from Hondru Dodge Chrysler Jeep Ram at the quoted price of \$46,890.00; motion carried. (ii) a Magnum aluminum truck body from E. M. Kutz, Inc., a CoStars vendor, to replace current pickup bed with flatbed to allow broader use. MOTION: DiMonte moved, Stumpo seconded, to approve the purchase of a Magnum aluminum truck body Model TB08407FBK from E. M. Kutz, Inc., at the quoted price of \$5,250.00; motion carried.
7. **Facilities:** DiMonte reported that three checkpoint meetings have been completed with GKO Architects. During the January 19<sup>th</sup> meeting, additional options were discussed for the Barnard House and the Denton Hollow Road Administrative Office. The next checkpoint meeting is in late February.
8. **Planning Commission (PC) Report/January 3, 2018 Meeting:** Board received a report for the January 3, 2018 PC Meeting. Stumpo noted that the Board will be meeting with 2 residents who are interested in filling the current vacancies. Balsama appreciated receiving the collateral material regarding House Bill No. 1620 - Wireless Communication Facilities that was provided by the PC. Secretary confirmed that Township Resolution 2018-4 opposing the House Bill was submitted to elected officials.
9. **New Business:**
  - a. **Resolution 2018-06 Disposition of Non-Permanent Records** - Board reviewed the Resolution prepared by the Treasurer for the disposition of 2.16 cubic feet of non-permanent public records. MOTION: Balsama moved, Stumpo seconded, to approve enacting Resolution 2018-06 for disposition of non-permanent records in accordance with the Municipal Records Manual; motion carried.
  - b. **Resolution 2018-07 Adopting Written Policy for the Board of Supervisors** - following discussion, Board amended terminology regarding purpose of the work session. MOTION: Balsama moved, Stumpo seconded, to approve enacting Resolution 2018-07 adopting written policy for the Board of Supervisors; motion carried.
  - c. **Resolution 2018-08 Establishing Public Participation Policy for all Public Meetings** - Board reviewed text of the proposed public policy. Public Comment: Al Davis noted that recording a public meeting is not permitted unless the individual attendees give consent to be recorded. He believes that the Resolution as reviewed should include this acknowledgement otherwise the Township will be in violation of the PA Wiretap Act. Karen Cresta commented that journalist who cover municipal and school district meetings are not required to obtain such authorizations because the meetings are conducted under the Sunshine Law permitting recording. Board tabled enactment of this Resolution until the February 26<sup>th</sup> meeting and directed that the Secretary submit the text to the Township Solicitor for review.
  - d. **Resolution 2018-09 Administrative Office Closure/Inclement Weather & Emergencies** - MOTION: Balsama moved, Stumpo seconded, to approve enacting Resolution 2018-09 establishing a Township Procedure for Administrative

Employees to follow for business operation during a Chester County Emergency Services Alert; motion carried.

- e. Request for Return of Maintenance Bond for Wastewater Treatment Plant (WWTP)/Sanitary Improvements for The Preserve - Stumpo acknowledged Toll Brothers, Inc., written request for return of the 18-month maintenance bond for the WWTP for The Preserve. Township records indicate that the WWTP was sold to DELCORA on August 26, 2013 thereby transferring the maintenance bond. No action is required by the Board.

**10. Old Business:**

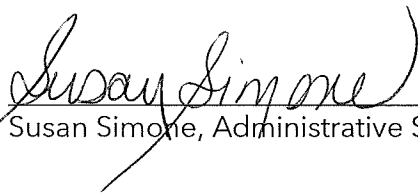
- a. Vacancies for Zoning Hearing Board/Planning Commission - DiMonte reported that Dave Ziegler confirmed his interest in being appointed as an Alternate Member of the Zoning Hearing Board. Likewise, the Secretary noted that Gary Summers, PC Chairman, reached out to two residents who are interested in the appointments to the PC. Both plan to attend the PC meeting on February 7<sup>th</sup>.

- 11. Correspondence:** Board reviewed and approved signing the second amendment to the Keystone Grant Agreement extending the contract period. A Memorandum of Understanding was submitted by the Public Works Director as reviewed by the Treasurer to fill the open position in the Public Works Department. MOTION: Balsama moved, DiMonte seconded, to accept the recommendation of the Public Works Director to memorialize the offer to Chris Daly as a full-time public works crew member at a rate consistent with the 2018 budget and upon completion of a 3-month trial period as specified in the Personnel Handbook; motion carried. Board reviewed a request from Tom Bierl, Chairman, Parks, Recreation and Trails (PRT) Committee, for a legal opinion from the Township Solicitor regarding installation of a trail segment on Lot 6 of the Hallelyn Subdivision on Wawaset Road. MOTION: DiMonte moved, Stumpo seconded, to authorize submitting the PRT request for submission of the matter to the Township Solicitor for a legal opinion; motion carried.

- 12. Treasurer's Warrants:** Board reviewed warrant sheets noting that general fund expenditures include the traditional first quarter contribution for emergency services as well as the purchase of the generator for the Public Works Garage. Balsama asked if a summary of expenditures could be provided prior to the meeting for Board review. MOTION: Stumpo moved, Balsama seconded, to approve the Bill Payment Lists for January 3-29, 2018 recommended for payment by the Treasurer; General Fund: 41 bills paid totaling \$98,821.16; 11 debit card charges totaling \$1,086.48; Capital Reserve: 1 bill for \$5,117.00; Highway Aid: 4 bills totaling \$17,656.86; Parks, Recreation and Trails: 3 bills totaling \$3,513.63; motion unanimously approved.

- 13. Approval of Meeting Minutes:** DiMonte moved, Stumpo seconded, to approve the Reorganizational Meeting Minutes dated January 2, 2018, as submitted; motion carried.

- 14. Adjournment:** At 7:19 p.m., DiMonte moved, Balsama seconded, to adjourn the meeting; motion carried.



Susan Simone, Administrative Secretary



Ricki Stumpo, Chairman