

P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

POCOPSON TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
RESOLUTION NO. 2018-07

RESOLUTION ADOPTING WRITTEN POLICY FOR THE
BOARD OF SUPERVISORS OF POCOPSON TOWNSHIP

WHEREAS, Article XV of the Second Class Township Code places general supervision of the affairs of the Township in the hands of the Board of Supervisors;

WHEREAS, the Second Class Township Code allows flexibility in defining the operations of the Township;

WHEREAS, a written policy supports best practices in Township governance and provides a framework for elected officials to complement or supplement agency codes;

NOW, THEREFORE, BE IT RESOLVED that the attached "Board of Supervisors Operational Policy" is hereby adopted by Pocopson Township as its policy setting forth the role of supervisors and structure of township government;

ENACTED AND RESOLVED this 29th day of January, 2018. This Resolution shall take effect immediately.

ATTEST:



Susan E. Simone,
Administrative Secretary

BOARD OF SUPERVISORS OF
POCOPSON TOWNSHIP



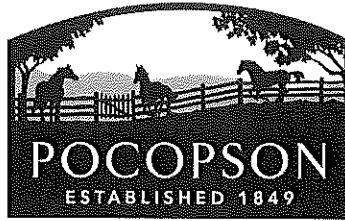
Ricki Stumpo, Chairman



Elaine DiMonte, Vice Chairman



Alice J. Balsama, Supervisor



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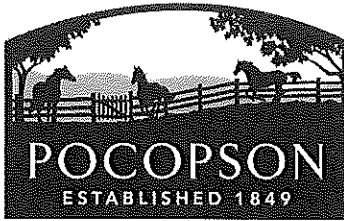
Pocopson Township Board of Supervisors Operational Policy

Terminology:

1. Board - hereinafter meaning the Board of Supervisors.
2. Public Hearing - Public Hearings are held for any amendment to the Township Code, any action on a Planned Residential Development or any request for Conditional Use Approval. A Public Hearing is a formal meeting held pursuant to public notice by the Township, intended to inform and obtain public comment prior to taking action. This part of a public meeting is more formal and requires specific legal proceedings.
3. Public Meeting - A Public Meeting is a meeting of the Board of Supervisors that has been advertised pursuant to the Pennsylvania Sunshine Act. The Act requires all public agencies to take all official actions and conduct all deliberations leading up to official actions at public meetings.
4. Work Session - A Work Session is a public meeting but not a voting meeting. No official action (votes) can take place. The purpose of the Work Session may be to establish the agenda for a future Public Meeting.
5. Quorum - A quorum is a majority of board members. The Board consists of three members, thus two members constitute a quorum. An affirmative vote of a majority of the Board of Supervisors at a public meeting is necessary in order to transact any business or make any decisions.
6. Motion - A motion is a verbal action taken by the Board. A motion must be seconded and approved by a majority of the Board for it to pass.
7. Resolution - A resolution is a written action by the Board on a non-legislative matter.
8. Ordinance - An ordinance is a written action by the Board of a legislative nature and is required to be advertised in advance of the meeting at which it will be considered.
9. Executive Session - A closed-door session that may be held under certain circumstances and in accordance with the Sunshine Law. All Executive Sessions are announced at a Public Meeting.
10. Minutes - Are taken of every public meeting and work session and include the date, time and place of the meeting, the names of members present, the substance of all official actions and a record of all motions and the names of all citizens who appeared officially at the meeting as well as the subject of their testimony.
11. Public Comment - Public Comment on Non-Agenda Items is set aside at the beginning of Public Meetings as described on the meeting agenda. It is the time on the agenda where visitors can bring matters before the Board. Speakers are asked to sign in upon arrival and to provide the Administrative Secretary with contact information. The Public is afforded reasonable time to comment on Agenda Items

Resolution 2018-07

***As discussed with an amendment to #4 - terminology of work session.**

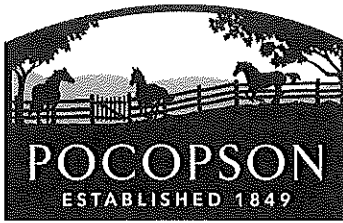


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during the Public Meeting. During Work Sessions, Public Comment is limited to Agenda Items and will be heard at the beginning of the Session.

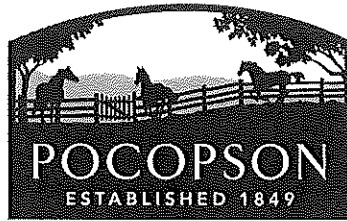
Policy:

1. Regular Meetings: The Board is required to hold at least one business meeting per month for the purpose of conducting the general business of the Township. Regular Meetings will be held in accordance with the public meeting notice approved during the annual organizational meeting held in January. The Board must vote to approve all expenditures for the month and vote on any outstanding items which require legislative approval and to take up topics in a posted agenda. Public comment on non-agenda items is welcome at the beginning of the meeting and agenda items during the meeting. Minutes are taken by the Administrative Secretary or designee who records all actions by the Board as well as summarizes public comments and board discussions.
2. Work Sessions: Work Sessions will be held as needed prior to the public meeting on the dates approved during the annual organizational meeting. If needed, the Work Session agenda will be posted on the bulletin board and website in advance of the session. The Work Session is a public meeting but not a voting meeting. No official action will be taken by the Board of Supervisors. Public comment will be heard at the beginning of the meeting.
3. Workshops: Meetings held as needed so that supervisors can review and discuss specific topics in depth. The meetings are open to the public and can be called at any time subject to advertising requirements. Minutes are taken by the Administrative Secretary or designee who records all formal actions taken by the board as well as summarizes public comments and board discussions.
4. Special Meetings: Meetings called to address an issue that cannot wait until the next regularly scheduled meeting. The meetings are open to the public and can be called at any time subject to advertising requirements. Minutes are taken by the Administrative Secretary or designee who records all formal actions taken by the board as well as summarizes public comments and board discussions.
5. Agenda: The format of the agenda for a regular meeting usually appears in the order shown below. As a courtesy, action items and non-action items on the agenda to be presented by a resident or a consultant are considered immediately after Public Comment.
 - Call to Order
 - Pledge of Allegiance



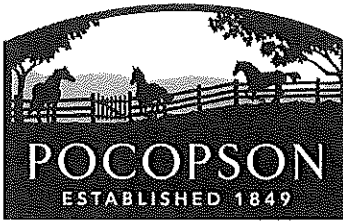
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- Announcements
 - Public Comment on Non-Agenda Items
 - Work Sessions
 - Zoning Officer Report
 - Planning Commission Report
 - Public Works Report
 - New Business
 - Old Business
 - Treasurer's Warrants
 - Approval of Meeting Minutes
 - Adjournment
6. Authority: Each Supervisor has one, equal vote on all Township matters. A Board title grants no additional authority or responsibilities to a Supervisor other than the Chair sets and ensures adherence to the agenda for each public meeting.
- a. No one supervisor is authorized to spend money.
 - b. No one supervisor makes decisions for the township.
 - c. No one supervisor speaks for the township unless so directed by a majority of the Board as determined at a public meeting.
 - d. No one Supervisor has the authority or right to direct, command, order, manage or supervise any Township employee, volunteer, or consultant.
7. Deliberations: All deliberations are conducted and all decisions are made at public meetings.
- a. Exchange of information on a regular basis via email is required, but there shall be no deliberations in emails.
 - b. Generally copy other supervisors and Township Administrative Secretary on all emails, but do not copy others unless subject and content are pertinent. See 8. c. below.
 - c. The Administrative Secretary and Treasurer retain the official version of township documents in accordance with the Pennsylvania Manual for Record Retention.
 - d. Exceptions to public meetings are executive sessions regarding specific matters listed in Sunshine Law (that such a session was held must be entered in the public record) and administrative actions which are the execution of policies previously authorized at an open public meeting of the Township.
8. Consultants: Township consultants (solicitor, engineer, etc.) charge a fee for their time.



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- a. Engage only if two or more supervisors agree on need [see 6. a. above].
 - b. Practically, 8. a. means contacts are generally funneled through one supervisor.
 - c. Do not include consultants in email exchanges unless decision or recommendation needed or it is otherwise pertinent.
9. Issues and Concerns: Supervisors represent all the Township residents as fairly and as equitably as possible guided by Township ordinances, the Pennsylvania Municipal Planning Code, the Second Class Township Code and other state and federal laws. Personal biases and preferences must be set aside.
- a. If an issue is in compliance with existing code, the supervisors may not rule otherwise, even if personal preferences differ.
 - b. If an issue is not addressed by existing code, the supervisors have no authority in the matter.
 - c. Enforcement of Homeowner Association restrictions is the responsibility of the Homeowner Association, not the Township. Depending on the Homeowner Association documentation, the Township may have the right, but not the duty, to enforce restrictions which affect Township interests.
 - d. Neither the Board nor a supervisor [see 6. above] decide zoning compliance issues - that is the responsibility of the Zoning Officer.
 - e. The Pennsylvania Right-To-Know law defines the steps for releasing information to residents and others who ask and is the sole responsibility of the Right-To-Know Officer. Supervisors may share only public Township information with anyone.
10. Abstentions because of a conflict of interest require a written explanation for abstaining. The Ethics Act provides that: *Any public official...who...would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes of the meeting.* If there is a tie vote the otherwise abstaining member may break the tie provided the disclosure it made.
11. Supervisors are not reimbursed for local travel including to surrounding townships, to West Chester, etc., telephone or internet service, computers, office supplies or similar incidental items. Office staff will procure the occasional printer ink cartridge to cover printing demands.
12. Supervisors serve a six-year term that is essentially a volunteer position that can require twenty or more hours a week. Supervisors should schedule travel and other commitments around regular Board meetings each month to the maximum extent



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- possible and provide at least two weeks' notice to the other Board members and the Administrative Secretary if s/he will be unable to attend any public meeting.
13. To the extent that any State laws or regulations are inconsistent with this Operational Policy, the State laws and/or regulations shall prevail.