



Pocopson Township
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Board of Supervisors Meeting Minutes
Monday, April 11, 2011, 7:30 P.M.

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Lauresa J. McNemar, P.E.; Mark Knightly, Director, Public Works Department.

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

2. Announcements: Chester County Planning Commission submitted a written review of proposed Township Ordinance revisions. The Northbrook Bridge will be closed starting April 18th; contrary to the implication in the newspaper article, Bragg Hill Road is not the recommended detour route.

3. Public Comment: Debra Schreiber of 4 Taylor Chase Lane appeared before the Board to discuss daily farming operations she observes on an adjacent property. Board agreed to refer the matter to the Zoning Officer.

4. Barnard House: Brutscher reported that the goal remains to open two rooms in the Barnard House during Founders Day on September 18th. A scope of work will be developed for the repairs that are required to meet that goal. The Pennsylvania Historical and Museum Commission roadside historical marker honoring Eusebius Barnard will be dedicated during a ceremony on April 30th. Brutscher seeks volunteers to assist with clean up of the property prior to the ceremony. McNemar distributed a draft informational brochure describing the repurposing and renovation project for the Barnard House that will be distributed on the 30th. Knightly requested guidance regarding Brutscher's request to remove the shutters noting that removal of the shutters will leave a significant number of holes exposed in the stone. Knightly will attempt to salvage the shutters if possible and he will fill the exposed holes.

5. Public Works Report: Public Works Director submitted and the Board accepted as written a Public Works Report dated April 11, 2011. Board also discussed the following: (1) additional "no outlet" or similar signage for Bragg Hill Road in light of the Northbrook Bridge closure; (2) corrective action to resolve the groundwater running in the trench with the sewer line and exiting the valve box on Corinne Road; (3) the request to purchase the HTC hydraulic truck conveyor which will be used to improve material handling. The request is included in the 2011 budget and the quote from U.S. Municipal Supply, Inc., dated February 25, 2011, is through the state Co-Stars pre-negotiated contract program.

Motion: McNemar moved, Conary seconded, to approve the purchase of the HTC hydraulic truck conveyor from U.S. Municipal Supply, Inc., to fit a dump truck body in the amount of \$10,728.00 as representative of a low bid Co-Stars purchase; motion unanimously approved.

6. Old Business:

(a) Approval of the Amended Final Land Development Plan for The Preserve at Chadds Ford, Resolution 2011-10 – Toll Brothers representative Mike Klein reported that final approvals were received from the Township Solicitor, Engineer, and Landscape Architect for the Amended and Restated Declaration of Covenants and Restrictions. He also reported that of the eight units built to date, five have settled and four of the five homeowners have signed the joinder approving the restated Declaration. One homeowner refused to sign a joinder. Board reviewed Resolution 2011-10.

Motion: Conary moved, McNemar seconded, to adopt Resolution 2011-10 approving the signing of the Amended Final Land Development Plan for The Preserve at Chadds Ford including approval of the Restated Declaration of Covenants, Conditions, and Restrictions and the revised Open Space Management Plan Narrative Report; motion approved with Brutscher casting a dissenting vote.

(b) Brandywinepower.com Zoning Variance Request for 700 Clarks Lane, Tax Parcel 63-4-84 – Board discussed the 100-foot setback requirement, general support for alternative energy, and the potential of setting a precedent if allowing installation of a structure in a front yard area.

Motion: Conary moved that the Board of Supervisors recommend that the Zoning Hearing Board deny the request for the zoning variance for relief of Section 250-19(C)(5) of the Pocopson Township Code as the request is not consistent with the Township Code; McNemar seconded; motion unanimously approved.

(c) Ebling/Bowie Shared Driveway Agreement/Brooks Road – Board discussed request by landowners for a 12-foot wide driveway for the first 50 feet that will be paved rather than 18 feet in width. Board agreed to the request because the driveway allows for good sight distances and turnaround from either direction. Board also agreed with the text of the working draft of the Shared Driveway Agreement submitted by the Township Solicitor. The Agreement will be submitted to affected landowners when the text is finalized.

7. New Business:

(a) Intermunicipal Transfer Application for Liquor Control Board (LCB) License E-1080, ZFG, Inc., d/b/a Lenape Pizza – Board reviewed a written request from David A. Malman, Esquire, Attorney for ZFG, Inc., regarding Township approval of the transfer of Pennsylvania Liquor License E-1080 for the sale of malt or brewed beverages by Lenape Pizza. Discussion ensued regarding LCB regulations and the guidelines for the public hearing. Board agreed to elect to exercise the sixty (60) day extension of the time period to render a decision under LCB Section 4-461(b.3). Board directed the Secretary to distribute an LCB brochure that outlines the steps that can be taken to protest a proposed beer license. The brochure will be distributed to the community-at-large by posting on the Township web site and bulletin board and sending it to homeowner associations. Secretary will also solicit an opinion on the application from the Pennsylvania State Police.

(b) Resolution 2011-11 Procurement Policy – Board discussed the aim of the policy to provide direction to employees and volunteers and as a means to assure that the purchase of goods and services, regardless of fund sources, are procured at the most favorable and efficient process possible.

Motion: Conary moved, Brutscher seconded, to adopt Resolution No. 2011-11 for establishment of Pocopson Township Procurement Policy; motion unanimously approved.

(c) Comcast, Inc./Alarm Systems – Board discussed a request from Comcast, Inc., regarding the alarm system registration process as outlined in the Township Code Chapter 12. Following discussion, Board affirmed that at this time the Township does not require registration of alarm systems and payment of a registration fee.

8. Correspondence: Board agreed to act on correspondence as follows –

Motion: Conary moved, McNemar seconded to sign the Schoolhouse Grant known as Pennsylvania Department of Community & Economic Development first amendment to Contract No. C000044445 amending the contract activity periods from July 1, 2008 to June 30, 2012; motion unanimously approved.

Motion: Conary moved, Brutscher seconded, to approve the Agreement for Contract Operation and Maintenance of the Wastewater Treatment Facility for The Preserve at Chadds Ford by and between Delaware County Regional Water Quality Control Authority and Toll PA VI, L.P., and Pocopson Township for a term beginning March 1, 2011 and to remain in effect until terminated as provided in the Agreement; motion unanimously approved.

No action required regarding the Scaleby Farms Municipal Land Use letter.

Board agreed to Conary's request to contact Birmingham Township officials regarding development of a joint transportation list to submit to the County to include, but not limited to, synchronized signalization of a traffic light at Creek Road and Route 52 during the Route 926 Bridge reconstruction.

9. Treasurer's Warrants: Conary moved, Brutscher seconded, to approve the Bill Payment Lists for March 29 – April 11, 2011 recommended for payment by the Treasurer. **General Fund:** 16 bills paid/checks written totaling \$15,185.17. **Highway Aid:** 6 bills paid totaling \$4,981.51.

10. Approval of March 14, 2011 and March 28, 2011 Minutes: McNemar moved, Brutscher seconded, to approve the Minutes of March 14, 2011. Conary moved, Brutscher seconded to approve the Minutes of March 28, 2011 as corrected.

11. Adjournment: At 9:10 P.M. Conary moved, Brutscher seconded to adjourn the meeting.

Susan Simone, Administrative Secretary

Stephen R. Conary, Chair