

April 15, 2009

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, April 15, 2009. All members were present and the minutes approved as corrected.

Manager Kathleen Howley reported the following:

- The lot on Wedgewood Drive, owned by the township, was advertised for sale by bid but no bids were received. Barbara Camp of Prudential Fox & Roach Realtors wrote a letter to the township advising us of a potential price for the lot at approximately \$275,000. The Board agreed to advertise for bids again during the summer however in the mean time more robust means of getting the word out on the property will be explored, i.e. internet websites.
- The zoning hearing board date for the school sign is 5/5/09. The Board will send a letter to the zoning hearing board in support of this application. It was noted that the Planning Commission has chosen to take no position and a donor has paid for the hearing filing fee.
- An application from Tim Dewson for a special exception was received by the township. Ed Foley, attorney for Mr. Dewson, cannot handle this application for the zoning hearing board because of a conflict of interest. It was suggested that Kenneth Werner be considered as alternate zoning hearing board solicitor. His rate is \$125/hr. The Board of Supervisors approved this rate and has no objection if the zoning hearing board were to appoint him as their next meeting to cover the Dewson application and any other application where there might be a conflict of interest.
- The Board of Supervisors resolved to authorize Tom Oeste to draft an ordinance to submit to the County for a referendum question on the November ballot which would authorize the township to enact an open space tax in the amount of .79 mils. This ordinance will be considered for adoption on 5/20. This proposal would replace the current RE open space tax of .45 mils and EIT tax of .188%. It was pointed out by the Board that on the order of half of the township does not pay EIT because of working in Philadelphia, Delaware or are retired with no earned income; and that a RE tax would be more fairer to all and more likely to pass a referendum. Several residents present would prefer to have an EIT tax for open space rather than property tax, however, a like number supported a RE tax. The supervisors stated that there will be a campaign initiated for the support of the referendum with the help of the Land Trust.
- Township Yard sale will be Saturday 5/2 in the Pennsbury Park, rain date 5/9. A solar energy seminar will be held at the township building on Wednesday, 4/22 from 7-8 p.m. The Chadds Ford Business Assn. will hold their annual lunch at the township building on 5/7. Primary elections will take place on 5/19 and the next supervisor's meeting will be Wednesday, May 20th.

- A demolition permit for Reyburn's Tavern has been submitted to the township. Ed Foley, attorney representing the estate will meet with our Historic Commission on 4/30 to discuss this request and have members send their comments to the supervisors. The process will parallel the recent consideration of a similar request for the McCoy house.

Alma Forsyth reported the Pennsbury Land Trust is having an educational seminar in the park this Saturday 4/18 from 10-noon and everyone is welcome. She also stated the Rt. 52 Byway Committee will be holding a meeting on 4/30 at the Brandywine Museum to obtain public input on their plans for the scenic byway.

John Stalford from the Longwood Fire Company gave a report on activity:

- Obtained a new brush truck and traffic unit vehicle
- They no longer do trench rescue
- Was given a 12 ft boat & motor for water rescue
- Received a \$127,000 federal grant for air packs
- They rank in the top 25% of fire companies in the state
- New website www.longfireco.com
- Received a \$384,000 grant for a trailer
- They are all volunteer (40) firemen and some paid paramedics

Ms. Howley report the written reports from Dave Allen, Road Master and Rusty Drumheller, Code Enforcement Officer. Mr. Fenton stated he does not believe townships should take over roads that only service a small development and is against doing so in the future. Maintenance becomes a burden for all tax payers.

Matt Houtman, township engineer reported the following:

- Knoll Curb Project bid results – lowest responsible bidder was Wexcon at \$194941.25. References did check out favorably and he recommended accepting the bid. The board on motion duly seconded and unanimously adopted accepted the low bid. Other bids were: Bulldog Construction \$269075, DiRocco Brothers \$215387.50, Out of Site Construction \$297,400, JFC Contractors \$261,655, Chester Co. Site Contractors \$266,204.45, PlyMar Construction \$209,600. The job should start in about 5 weeks.
- Windmill Hollow Preliminary Plan Approval – It was noted that the Planning Commission has recommended approval with conditions. Mr. Houtman stated he also recommended approval with conditions. The Board on motion duly seconded and unanimously adopted approved the preliminary plans dated 6/17/08 and as last revised 2/18/09,(27 sheets) with the condition that all issues be satisfied in his 3/23/09 and 4/9/09 letters and the issue of the 50 ft right of way to the uneased 44 acres

(which is not a part of this application) be resolved between the applicant and the Conservancy.

- The Board accepted the extension for the review of Pennsbury Village plans to June 30, 2009 as submitted by Frone Crawford, applicant's attorney.

Mr. Scottoline gave an update on the sewage meetings being attended by Jack Becker and Tim Filler. They are making progress and are almost back up to where they were last December with Sunrise before that application was withdrawn. The proposed plant will be expandable but with an initial capacity of 50,000 gal/day. The plant will be located in Chadds Ford West and will include sewage needs of Chadds Ford West and the Haldeman properties as well as Becker. The plans feature sub-surface disposal of sewage effluent in the storm water beds on the PVA East parcel and in sub-surface drip fields on the Becker property (over a similar area as the Sunrise plan). The Township Act 537 Plan is tracking these developments and will be updated to reflect the new approach including a proposed uprating of the Becker fields, similar to the Sunrise approach of last year.

Karen Wood stated there will be children touring the Pennsbury Mill tomorrow and Excelon will have an exhibit. The Brandywine Battlefield visitor center is earmarked to close 6/30/09. Rep. Sestak is trying to find someone to take over the administration of this park and keep it from closing. There will be a public meeting on 5/18 at the Conservancy about this.

Mr. Scottoline reported he is still working on the legal expense numbers and other revenue/expense numbers. He will have this information at the 5/20 meeting.

Mr. Crandell reported on the last Planning Commission meeting: recommended approval of Windmill Hollow preliminary plans commented on the school sign ZHB application and Knoll curb project and continued the review of the zoning ordinance with the county. The second draft should be ready at the end of the summer and the supervisors as well as Planning Commission members will review it before a public hearing is scheduled.

Mr. Oeste stated the township brief on our appeal was filed with the Commonwealth court as was a brief in support of our appeal filed by PSATS. Copies are on file in the township building.

Mr. Houtman was asked to inspect the curbing on Constitution Drive near Washington Lane. A resident stated the coating is coming off. PVA owes the township approximately \$35,000 in review fees and there has been no payment. Mr. Scottoline stated Mr. Filler has questions on some of the bills and asked the township to review them. A resident complained about trash trucks picking up early in the morning. Mr. Drumheller will be asked to investigate to determine if

our ordinances address this. Ms. Howley asked for the name of the trash company.

A bill list dated 4/16/09 numbering 10378-10450 was submitted and approved for payment by the Board. With no further business the meeting adjourned at 8:40 p.m.

Respectfully submitted:

Kathleen Howley
Township Manager