

March 23, 2011

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, March 23, 2011. Messrs, Fenton, Scottoline, McIntyre, Oeste and Ms. Howley were present and the minutes approved as submitted.

**Manager Kathleen Howley** reported the following:

1. The Wedgewood Drive lot will be advertised for bid opening at the April 20<sup>th</sup> supervisor meeting. The Board unanimously rejected the bids submitted at the February 14<sup>th</sup> meeting. Deposit checks were sent back.
2. Bark Park – Eagle Scout Project – Drew Smallacombe from Boy Scout 31 gave a presentation on his proposal to add an interior fence in the Dog Park and benches for seating. He hopes to begin the project early May and it will take 2-3 weeks. Kendal Reynolds stated additional signs funded by local vets will be erected with dog park rules. The Board thanked Drew and look forward to seeing the end result.
3. Announced the Yard Sale/Chipping and Clean Up dates which are also advertised in the township newsletter. The dumpster for large item disposal will be here May 4, 5<sup>th</sup> and 7<sup>th</sup>. Everything is outlined in the newsletter
4. The township audit has been completed and filed with the state. A copy is available at the township office for review by residents. There were no adverse findings and everything is in proper order.
5. The 2010 census information has been received. The township population has gone from 3500 to 3686. This is also highlighted in the newsletter.
6. The township buildings recently completed an energy audit funded by a county grant. A 75% rating is an energy star building. Our rating is 65%. We will continue to work towards a reduction in energy.
7. Ms. Howley and Mr. McIntyre attended the CCATO spring convention on 3/11. Mr. McIntyre will be a CCATO delegate to the PSATS convention in Hershey, PA

**Road Report** was read by Ms. Howley. The road crew is preparing roads to be resurfaced this summer, repairing sod dug up by snow plows during storms, accepting bids for road materials and looking to purchase a used steel roller.

Matt Houtman reported **Brintons Bridge Road** reopened March 18<sup>th</sup> and the contractor has done a nice job. The Board of Supervisors unanimously approved an extension for **Windmill Hollow** Final subdivision approval to June 30, 2011.

**Penns Village Prel/Final Land Development Approval** – a motion was made and seconded by the Board to approve a resolution giving conditional approval of Penns Village. Tom Oeste summarized the resolution going through all 26 conditions. Mr. Oeste stated Mr. Becker has seen the resolution and agrees to the conditions. Mr. McIntyre thanked Mr. Becker for his willingness to work with the township on all issues. Mr. Scottoline also stated the township appreciated Mr. Becker's cooperation and

willingness to ease approximately 3 acres in favor of the township and at no cost to the township for disposal of effluent from a central sewage plant to be located on the Chadds Ford West property. Mr. Axarlis expressed his disapproval of putting the seepage beds next to his property off of Ponds Edge Drive. He asked that he be notified by mail when the Act 537 comment period comes before the township and of any further subdivision plans that may impact his property. He had been notified of the beginning of the Planning Commission review of the final plans. He would like to have an easement through Mr. Becker's property for his commercially zoned lot which is behind Penns Village. The Board advised him that this is something he would have to work out with Mr. Becker. His lot does have access to McFadden Road. With no further discussion the Board approved the attached resolution giving final approval with Conditions that will have to be met before construction permits can be issued. The conditional use decision of May 2009 is attached to this resolution.

**Pennsbury Village Stipulation and Final Plans** – Tom Oeste summarized a history of the events leading up to the preliminary approval that took place December, 2007. The following was noted:

- There are still several pending lawsuits by the developer against the township and individuals. The township is only concerned about minimizing the legal impact against the township.
- The current board started negotiations with the developer Fall, '08 and are considering a settlement agreement with the developer. The proposed agreement was discussed. A proposed plan for the development with access to the traffic light by the western parcel and a right in/right out access for the eastern parcel.
- A sewage treatment plant would be built and paid for by the developer on a site in Chadds Ford West. The land application for this plant would be on the Penns Village site. The plant is expandable and could include West Pennsbury Way at some time in the future after operating experience is gained with the sewage effluent disposal fields on the Becker property and after DEP approval to expand its capacity or additional suitable land is provided for additional disposal capacity.
- The 2007 landscape plan will apply to this plan with additional changes since 2007 to be addressed before final plan approval.
- The historic Hope House is not shown on this plan. The developer has agreed to move this house to township property as its expense and the Historic Commission has been charged with recommending a location and providing funding for the upkeep. Mr. MacDonnell, chair of the Historic Commission, asked the Board for the Commission to be included in further negotiations with the developer or at least involved with the demolition process if that is necessary. The supervisors stated the developer, if he wants to demolish the house, must document it but does not have to go through our demolition ordinance process. There is also an opportunity to move the Hope House to Hickory Hill parcel, with an approximately 8000 sf addition to become an office use, in place of four of the eight dwelling units shown on the plan that was discussed. However, a decision on this option has to be made by March 31, 2011

- Jim Ware asked about the process for these negotiations. Mr. Oeste stated the supervisors can legally do this because the settlement agreement is approved by a court as a court order binding on the township. The hearing before the court on the settlement agreement is open to the public.
- It was agreed that there will be a special meeting on Tuesday, March 29<sup>th</sup> at 5 p.m. to continue the open discussion with the public on the plan and agreement. This will be advertised.

Mr. Crandell reported the Planning Commission spent the last two meetings discussing the Penns Village preliminary/final plans. It submitted a recommendation of approval with conditions to the Board.

Proposed ordinances dealing with abandoned vehicles and updating the property maintenance code to the 2009 version were duly advertised for adoption. It was noted by the board that changes had been made to the previous drafts that were considered at the 2/14 board meeting. Mr. Drumheller went over some of the changes that are included for the public. There were some questions from the public regarding the changes, which were answered by Mr. Drumheller. With no further discussion the board, upon motion duly seconded unanimously adopted the ordinances.

A bill list dated March 23, 2011 numbering 12020-12128, State Funds 261, 262, 263 was submitted and approved by the Board. With no further business the meeting adjourned at 9:30 p.m..

Respectfully submitted:

Kathleen Howley  
Township Manager