

May 17, 2017

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, May 17, 2017 at 7 p.m. in the township building. Supervisors Fenton, McIntyre, Scottoline, Solicitor Oeste and manager Kathleen Howley were present and the minutes of April 12, 2017 were approved as submitted.

**Manager Kathleen Howley** reported the following:

1. The Yard Sale was held on the rain date of April 29<sup>th</sup> and was very successful despite the change in date. The shredding event held on the same day garnered 1.6 tons of paper to be recycled. **Pennsbury Mill** will have school tours on May 18<sup>th</sup> and 19<sup>th</sup>. Unionville and Pocopson Elementary schools will be there.
2. **Fair Districts PA** – a group of residents were present to discuss support of a resolution addressing the gerrymandering issue in PA. Spokesperson Carol Catanese asked the Board for its support to amend the PA Constitution and support of SB 22 and HB 722. This legislation suggests voting districts be set up by an impartial and independent redistricting commission which is selected by “computer algorithm”. As related by Supervisor Scottoline, the model proposed is similar to one that was adopted by California voters a few years ago, but the first application of California’s new reapportionment law revealed significant flaws and gerrymandering effects. The Board is aware of the problems caused by gerrymandering but expressed some concern with the wording of the resolution they submitted for consideration. Concern was also expressed by some members of the Board as to the appropriateness of the Board’s involvement in State and Federal Constitutional issues. Tina Brunetti asked the supervisors to review the house and senate bills addressing the problem. A petition to end gerrymandering was also submitted signed by township residents. The Board thanked them for their presentation and will further study the issues.
3. **Salt Shed Bid Awarding** - bids were accepted on April 25<sup>th</sup> at a public meeting. Three bids were opened: C.B. Structures \$167,787.10, Dutchman Contracting \$138,400 and McComsey Builder \$113,669. Mr. Oeste stated that all bid documents were in order for McComsey Builders who is the lowest bidder. With no further discussion the Board moved and it was seconded to accept the lowest bid of \$113,669. A vote was taken and all were in favor. The township will proceed with the project.

**Road Department Report** – Ms. Howley read the report submitted by Dave Allen, Road Master. The road crew is working on roads in Chadds Ford Knoll that will be oiled & chipped this summer. They are also mowing road banks and ordered inlet boxes for replacement on Hillendale and Fairville Roads. The Co-op opened bids for road work. Lowest bidder was Martin Paving at \$1.92/sq.yd for oil, chip and fog seal. Met with the railroad personnel on May 5<sup>th</sup> at the Hickory Hill Road crossing to discuss the upgrade of that crossing which will be done sometime this summer.

**Hawks Crest Road Work** – Mr. Houtmann reported Mr. Spano has not started the road work on Grey Dove Drive. Mr. Houtmann is in the process of putting together bid documents so that the township can finish the work since Mr. Spano missed the deadline of April 28<sup>th</sup> as stated in Mr. Oeste’s letter to him. The earliest this work can be completed by the township would be in 2 months once this was advertised

and bid awarded. Mr. Houtmann has talked to Mr. Spano's contractor who said he has the road work scheduled for start of May 30<sup>th</sup> and will finish that week. Supervisor Fenton made the following motion and Supervisor McIntyre seconded it:

Whereas the Board of Supervisors of Pennsbury Township has determined that the developer, Grey Doves at Sunset, LP, has failed to complete the public improvements for Hawks Crest subdivision as required by a Road & Improvement Construction Agreement secured by Letter of Credit dated May 14, 2008, and

Whereas the Board of Supervisors has further determined that the Township is entitled to payment of the balance of the aforesaid Letter of Credit in order to complete the public improvements,

Now therefore, resolved that the Township Manager and Township Solicitor are authorized to take all action necessary to issue and present a sight draft to Bryn Mawr Trust as successor to First Keystone Bank against Irrevocable Commercial Standby Letter of Credit No. 9140206648 dated January 9, 2009 issued by First Keystone Bank, in the full amount of the balance of the letter of credit as of May 17, 2017.

This action enables the calling of the Letter of Credit, if the Township Manager and Solicitor deem it necessary. A vote was taken and all were in favor. Motion carried.

Mr. Houtmann stated he is still working on the Flood Plain Ordinance amendments required by FEMA and will finish the draft and give to Tom Oeste to review before sending to the County Planning Commission for comments. These changes are being made because of the FEMA flood plain maps being updated and maps will be published in September, 2017.

Mr. Houtman reported that the perc tests were done at **Springdale Farm** as required in his last review letter of the 2-lot subdivision last year. The note was placed on the final plan and it now can be recorded. The plans were signed by the supervisors, and Ms. Howley will contact the applicant to arrange for recording.

There is a County farm conservation easement being placed on 40+ acres of the Trammell-Sullivan property on Hillendale Road. The Township will match the contribution from the County and provide additional funds towards the agree-to purchase price. The township has received the contract for review and signature. Mr. Oeste will review it. A motion was made to execute the contract with the County and the Trammell's subject to Mr. Oeste's review. The motion was seconded and a vote taken. All were in favor.

Dennis Smith, Planning Commission chair stated members attended two meeting and the following was discussed:

1. Water exportation protection. Members continue to work on proposed language.
2. Open space design option as it pertains to impervious coverage and minimum size of lots.

3. Their next meeting will have the agenda the recent zoning hearing board application for variance for a pool on Misty Meadow Drive.

Upon affirmative review by the Board of Supervisors the township will send a letter to Chester County accepting the draft of the Kennett Area Community Facility Vision Study which addresses a proposed new library for Kennett Square.

Alma Forsyth asked the Board if they were interested in purchasing the Kurowski property for conservation. The Board stated they were not interested in an outright purchase but encouraged Mrs. Kurowski to consider placing a conservation easement on the land before selling it.

A bill list dated 5/17/17 numbering 17247-17332, State Fund #377, was submitted for payment by the Board. With no further business the meeting adjourned at 8:20 p.m.

Respectfully submitted

Kathleen Howley, Township Manager