

September 16, 2026

Pennsbury Township Board of Supervisors Minutes

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The Board of Supervisors of Pennsbury Township held a regularly scheduled meeting on Wednesday, September 16, 2026, at 7 p.m. in the township building. Present were Supervisors Aaron McIntyre, Wendell Fenton, and Gerard Pinamonti, Solicitor Tom Oeste, Township Engineer Matt Houtman, Planning Commission Chair Kay Ellsworth, Historical Commission Chair Judi Wilson, Roadmaster Patrick Yerkes, and Township Manager Dan Boyle.

The Board and members of the public stood for the Pledge of Allegiance. After reciting the Pledge of Allegiance, Supervisor Pinamonti moved to approve the August 19, 2026 regular meeting minutes, and Supervisor Fenton seconded. The motion carried unanimously.

Minimum Municipal Obligation (MMO) Worksheet

The Board reviewed the Township's Minimum Municipal Obligation (MMO) worksheet for the employee pension fund. The obligation was \$9,412, with the state expected to cover about half. Supervisor McIntyre made a motion, Supervisor Fenton seconded, and the Board carried it unanimously.

Historic Resources Survey

The Board considered a contract with architectural historian Jane Dorchester to update the survey of ten township properties previously submitted in 2024. The cost was stated as up to \$2,080. Supervisor Fenton moved to proceed with the contract. Supervisor Pinamonti seconded the motion, and the Board passed it unanimously.

Replacement Deck

The Board considered replacing the deteriorating deck at a township-owned rental property on Two Penn Drive. The Board identified RLM Contracting Group as the lowest bidder. The Board approved proceeding with the bid in the amount of \$10,250. A motion was made by Supervisor Fenton and seconded by Supervisor Pinamonti. It carried unanimously.

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Open-Space Acquisition Hearing

A Hearing was held in accordance with Section 6 of the Open Space Lands Acquisition and Preservation Act – 32 PS Section 5006.

Solicitor Oeste explained that the Act requires the Township to hold a hearing prior to acquiring interests in open space.

Purpose of the hearing:

- To disclose the open space interests to be taken;
- To disclose the proposed open space benefits
- To provide an opportunity for public comment on the proposed acquisition

He further stated that the Township will take fee title to three properties owned by members of the Herdeg Family, located generally on the north side of Hillendale Road, specifically Chester County UPI Nos. 64-3-86.1, 88.3, and 88.4, Pennsbury Township, totaling approximately 98 acres. The property will be conserved as open space and parkland, and is adjacent to the existing Township Park.

The purchase price is \$6,750,000. The Township intends to issue Guaranteed Revenue Notes, 2026 Series, to assist in the funding of the purchase. The purchase will be partially funded by two grants, one from the County of Chester in the amount of \$1,875,000, and one from the Land and Water Conservation Fund in the aggregate amount of \$3,000,000. The Township is responsible for paying the balance of the purchase price (\$1,875,000), plus the cost of studies, including survey, appraisal, and closing costs.

The open space benefits to be acquired are protection and conservation of water resources, riparian areas, woodlands, natural and scenic resources, and farmland.

After the purchase, the Township will sign and record a Declaration of Public Trust, Covenants, Conditions, and Restrictions against the properties, affirming that the properties are public natural resources benefiting the people and confirming their dedication to public purposes.

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The uses of the properties will be restricted to open space, natural areas, natural resource conservation, agriculture, and/or public parks, trails, and greenways.

“The Board opened the floor for public comment.”

Rich Schwartzman, Managing Editor of Chadds Ford Live, requested additional clarification regarding the specific financing structure for the property acquisition.

Frank Schweitzer asked about the Open Space Fund.

Vincent Moro congratulated the Township on the acquisition.

Lynn Luft commented on the historical significance of the property in relation to the Brandywine Battlefield and congratulated the Township on the acquisition.

Agreement of Sale

Solicitor Oeste brought before the Board for discussion an Agreement of Sale between members of the Herdeg family, as Sellers, and Pennsbury Township, as Buyer, for the Township to purchase three properties located generally on the north side of Hillendale Road, specifically Chester County UPI Nos. 64-3-86.1, 88.3, and 88.4, Pennsbury Township, totaling approximately 98 acres. The property will be conserved as open space and parkland, and most of the property is adjacent to the existing Township park.

The purchase price is \$6,750,000. The purchase will be partially funded by two grants, one from the County of Chester in the amount of \$1,875,000, and one from the Land and Water Conservation Fund in the aggregate amount of \$3,000,000. The Township is responsible for paying the balance of the purchase price, \$1,875,000, plus the cost of studies including survey, appraisal, and the closing costs.

The settlement on the purchase is to occur on or before December 15, 2026.

A motion was made by Supervisor Fenton to approve an Agreement of Sale between members of the Herdeg family as Sellers and the Township as Buyer for the Township’s purchase of three

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properties located generally on the north side of Hillendale Road, specifically Chester County UPI Nos. 64-3-86.1, 88.3, and 88.4, Pennsbury Township, totaling approximately 98 acres, for a purchase price of \$6,750,000; and

To ratify all actions previously taken by the Board of Supervisors, the Township Manager, Township Solicitor, and Township Consultants related to the draft Agreement including but not limited to the negotiation of the Agreement of Sale and the obtaining of a survey, appraisal, and title commitment and other studies; and

To authorize the Board of Supervisors, the Township Manager, Township Solicitor, and Township Consultants to do all things necessary to complete the purchase, including but not limited to execution of the Agreement of Sale and all other required documents; and obtaining financing for the purchase. Supervisor Pinamonti seconded, and the Board carried it unanimously.

Ordinance Authorizing Financing

Solicitor Oeste explained that before the Board was an Ordinance authorizing the Township to incur debt by the issuance of Guaranteed Revenue Notes, 2026 Series, in the aggregate principal amount of \$6,750,000 to fund the purchase of the Herdeg properties; approves a loan commitment submitted by the Delaware Valley Regional Finance Authority to purchase the Notes, approves the form of the loan documents and authorizes their execution and delivery; sets forth the principal amortization schedule; pledges open space tax revenues and the full faith, credit, and taxing power of the Township for the timely payment of amounts due; and other matters related to the issuance of the Notes.

He further noted that when the Township drafted and advertised the Ordinance, the proposed term of the notes was 10 years. However, since then, the Board has determined that a 12-year term is preferable because it provides more flexibility to fund potential future open space acquisitions.

Specifically, Solicitor Oeste explained that the Board was amending the Ordinance to revise the amortization period of the 2026 Note A from a term of 10 years to a term of 12 years.

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Supervisor Fenton moved to enact the Ordinance and the 12-year term as described and to authorize Township officials to do all things necessary to issue the Series 2026 Guaranteed Revenue Notes. Supervisor Pinamonti seconded, and the motion passed unanimously.

Professional Reports

Engineering

Engineer Matt Houtman reported no recent subdivision or land-development plan reviews or land-disturbance permits, and limited road work.

Roadmaster

Roadmaster Patrick Yerkes reported clearing trees, repairing a sinkhole near Ponds Edge, painting road lines, testing a pavement-marking treatment at a railroad crossing, and replacing road signs.

Planning Commission

Planning Commission Chair Kay Ellsworth reported

A solar-panel applicant agreed to move the panels to rooftops that are not street-facing or publicly visible and withdrew the conditional-use application.

The Commission reviewed proposed historic-resource ordinance amendments intended to allow additional adaptive reuse of historic buildings. The township solicitor and the county will review the proposed changes.

The Commission unanimously recommended that the township develop a data-center ordinance. Discussion included requiring conditional-use review to allow the township to impose appropriate conditions.

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Public Comment and Adjournment

Supervisor McIntyre noted that bills and payroll checks for the current period were available at the meeting table for Board review and signing.

The Board reviewed the bills and checks prepared for payment for the current period.

A bill list dated September 10, 2026, numbering 2820 – 2840 and Road Reserve PLIGIT numbering 244 - 250, was approved for payment by the Board. The Board also reviewed the August General Fund bank reconciliation. With no further business, the meeting adjourned at 7:30p.m.

Respectfully submitted:

Dan Boyle, Township Manager