

PENN TOWNSHIP
Board of Supervisors
Regular Meeting Minutes –
Finnen Community Room
Wednesday, June 7, 2023
6:00 P.M.

The Penn Township Board of Supervisors held their regular meeting at 6:00 p.m. on Wednesday, June 7, 2023, in the Finnen Community Room, 260 Lewis Road, West Grove, PA 19390.

Present:

Victor Mantegna, Chair
William O'Connell, Vice Chair
Curtis Mason, Sr., Supervisor
Jay Ennis, Supervisor
Laura Sperratore, Supervisor
Karen Versuk, Director of Operations
Winifred Sebastian, Solicitor
David Payne, Avon Grove Library
Ralph Churchill, Planning Commission Vice Chair
Larry Waltman, Resident and Historical Commission Member
Jim Davidson, Property Owner
Jace Hepler, Avon Grove School District
Carlton Snow, Resident
Marcelle Peyre-Ferry, Chester County Press

Call to Order: Board Chair Victor Mantegna called the meeting to order at 6 p.m.

Public Comment: None.

Items of Business:

1. Regular Meeting Minutes/Special Meeting Minutes/Invoices/Treasurer's Report –

Supervisor Sperratore made a motion to approve the regular meeting minutes. Seconded by Supervisor Ennis. All in favor, motion carried 5-0. Supervisor Sperratore made a motion to approve the special meeting minutes. Seconded by Supervisor Ennis. All in favor. Motion carried 5-0. Supervisor Sperratore made a motion to approve the Invoices and Treasurer's Report. Seconded by Supervisor Ennis. All in favor. Motion carried 5-0.

- a. **Big Elk Escrow Release –** A request for an escrow release in the amount of \$812,461.76 leaving a balance of \$760,427.84 was considered. Supervisor Sperratore made a motion to approve. Seconded by Supervisor Ennis. All in favor. Motion carried 5-0.

2. Avon Grove Library –

3. Supervisor's Reports –No report

4. Engineering Reports – No report

5. Planning Commission – No report

6. Historical Commission – No report

7. Parks, Recreation and Trails Committee -- \$500,000 received from Keystone Grant

8. Road Master/Facilities Reports

- a. Road Master/Director of Operations Versuk requested that the Board consider waiving all permit fees associated with the Penn Sports Park and the Southern Chester County Emergency Operations Center. Supervisor O'Connell made the motion to waive the fees. Seconded by Supervisor Ennis. All in favor. Motion carried 5-0.

9. Operations Report – No report

10. **Phillips Mushrooms** – Supervisor Ennis made a motion to accept the extension request letter from Phillips Mushrooms through May 2, 2024 to provide the applicant with additional time to satisfy the contingencies set forth in Resolution 2023-08, as amended. Seconded by Supervisor Mason. Supervisor O'Connell abstained. All in favor. Motion passed 4-0-1.

11. Avon Grove School District –

- a. **A response to two lawsuits and preliminary injunction filed by Avon Grove School District against Penn Township** – Supervisor Sperratore made a motion to authorize the defense of the lawsuits and to further authorize any other action necessary to resolve the matters. Seconded by Supervisor Ennis. Supervisor Mason abstained. All in favor. Motion passed 4-0-1.
- b. **Avon Grove High School parking and public safety issue** – Motions were made rescinding and vacating prior motions as follows:
Supervisor Sperratore made a motion to vacate and rescind the motion of May 3, 2023: Motion that the Penn Supervisors “deem it necessary” to require the construction and paving of 96 space overflow parking lot at the Avon Grove High School by August 15, 2023 and further vacate and rescind the motion providing for the same on May 17, 2023: Motion to “deem it necessary” for the reserve parking area of 96 spaces to be constructed in accordance with the plan note on page C2.02 of the Overall Land Development Plan for Avon Grove High School of the Avon Grove School District which was necessarily readopted in response to the accusation of the Avon Grove School District that the May 3, 2023 motion violated the Sunshine Act, by reason of Penn Township having received information of the potential of additional parking spaces which may in part alleviate the parking issue on campus. Supervisor Sperratore further moved to rescind and vacate the Motion of May 17, 2023 to determine whether the parking of Avon Grove High School students in neighboring commercial lots constitutes a public safety issue. Seconded by Supervisor O'Connell. A roll call vote was taken: Sperratore – aye, O'Connell – aye, Ennis – aye, Mantegna – abstain, Mason – abstain. Motion carried 3-0-2.
- c. **Penn Township Press Release** – Supervisor Sperratore made a motion to authorize a press release outside of the public meeting. Seconded by Supervisor Ennis. Supervisor Mason abstained. All in favor. Motion passed 4-0-1.

Public Comments: Board Chair Mantegna asked if there was any public comment. Resident Larry Waltman commented that in one week's time he observed students walking on Route 796 along the roadside daily, he witnessed 2 accidents involving high school students in vehicles, he witnessed students parking in the Shoppes of Jenners Village and using the parking lot to circumvent the intersection and enter the school on Waltman Way and saw countless near misses and back ups as students leave the school at 2:45 p.m. daily. He expressed concern for the safety of both students and general public. Board Chair Mantegna and Supervisor Sperratore both agreed.

The meeting was adjourned at 6:23 p.m.

Submitted by Karen Versuk