

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

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

Present:

Victor Mantegna, Chair
William "Radar" O'Connell, Vice Chair
Curtis Mason, Sr., Supervisor (excused)
Jay Ennis, Supervisor
Laura Sperratore, Supervisor (remote on Zoom)
Karen Versuk, Director of Operations
Ralph Churchill, Planning Commission Vice Chair
Winifred Sebastian, Esq., Penn Township Solicitor
Michael Ford, Resident
Donald May, Resident
Dr. Denis Newbold, SAVE, Resident, Planning Commission
George Hunt, SAVE Executive Director
Rick Shaw, Jennersville Farm
Chris Herring, Jennersville Farm
Marcella Peyre-Ferry, Chester County Press

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

Public Comment: Board Chair Mantegna called for public comment on agenda items. Hearing none, he proceeded with the items of business.

Items of Business:

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

Supervisor Ennis made a motion to approve the advertised special meeting minutes from August 16, 2023. Seconded by Supervisor O'Connell. All in favor, motion carried 4-0.

Supervisor Ennis made a motion to approve the Treasurer's Report and pay the invoices. Seconded by Supervisor Mantegna. All in favor. Motion carried 4-0.

An escrow release for Roseview was considered by the Board and audience discussion ensued. Chris Herring of Jennersville Farm/Roseview HOA Board opposed the consideration of the Jennersville Farm/Roseview escrow release. He enumerated "serious deficiencies" including the stormwater management system and grading and then stated, "Roseview will not accept the facilities if they are not right." Solicitor Sebastian noted that while the township understands the concerns of the homeowners, the township has a contractual obligation to release the escrow funds for work completed. She further stated that the township has no legal standing to withhold funds for other deficiencies. A letter dated 7/26/23 and an email dated 9/6/23 from Township Engineer Dan Daley both affirmed that the escrow funds should be released leaving \$57,819.78 remaining in the account after release. Supervisor Ennis made

the motion to release. Seconded by Supervisor O'Connell. All in favor. Motion passed 3-0 with Ennis, O'Connell and Mantegna approving the measure. Supervisor Sperratore could not hear the exchange fully via Zoom and did not vote.

2. **Supervisors -** No report.
3. **Engineering –** No report.
4. **Planning Commission –** No report.
5. **Historical Commission –** No report.
6. **Parks, Recreation and Trails –**
 - a. **Park benches for Veterans Garden –** Tabled.
 - b. **Reading of Bids for Sports Park Phase 2 –** Township Engineer Dennis O'Neill read aloud the bids for Phase 2 of the Sports Park. Four were received.
7. **Operations/Road Master –**
 - a. **Woodview Road Repair –** Supervisor Ennis made a motion to approve the Long's Paving proposal in the amount of \$3,955.00 to fix the dip on Woodview Road. Seconded by Supervisor Sperratore. All in favor. Motion passed 4-0.
8. **72 Allsmeer Drive Swimming Pool Application for ZHB --** A variance request from the impervious surface coverage limit of 25% was requested by the owners of 72 Allsmeer for installation of a swimming pool. The property is already at 30% impervious coverage and this variance, if approved, would take that coverage to 37%. The Penn Planning Commission unanimously voted to deny the variance relief request. A motion to oppose the granting of a variance was made by Supervisor Mantegna. Seconded by Supervisor Sperratore. All in favor. Motion carried 4-0.
9. **Sports Park Bid** – Tabled.
10. **Dr. Denis Newbold –** Joined by George Hunt, Executive Director of SAVE, Dr. Newbold presented his concern to the Board that the data used by Penndot to require the township to install signals at the new (being engineered by Penndot for future upgrade) interchange of Routes 1 and 796 was flawed. He further stated that he has shared his concerns with Penndot which has not responded. He is concerned that they will not respond unless the Board acts to rescind their motion for a signalized intersection, and requested they consider that. Further he discussed the attributes of the Diverging Diamond style roundabout which has been approved for the Routes 1 and 41 interchange. The Board tabled his request pending additional information and presence of all Board members to consider a motion of that magnitude.

Public Comments: Resident Michael Ford raised concerns regarding gun use within the township borders citing examples of questionable use and PSP response. Solicitor Sebastian responded that gun use is a State Police issue. The township has no authority under the Second-Class Township Code to address gun use. Further, this becomes a Second Amendment issue. Resident Donald May raised concern about the Sunnyside Road bridge. Supervisor Ennis would accompany him to view the concern.

The meeting was adjourned at 7:04 p.m.

Submitted by Karen Versuk