

Board of Supervisors Regular Meeting, Tuesday April 13, 2021

In order to comply with the Stay at Home Order issued by Governor Wolf, minimizing public exposure to COVID-19 and maintain social distancing, the Sadsbury Township Board of Supervisors is conducting the April meeting remotely via ZOOM. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor Mr. Moore and Mr. Taylor, Township Solicitor Max O'Keefe, Township Engineer/Zoning Officer Dave Porter, Police Chief Mike Hawley, and members of the public.

The moment of silence and Pledge of Allegiance were waived.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to waive reading of the minutes of the previous meeting. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt the minutes of the previous meeting. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Police Report: Chief Hawley reported the Police responded to 389 calls for service. Chief Hawley stated the stats for the May meeting will be different as they will be using a different way to record business checks so a report is not generated for the County and no report has to be made. Business checks will still be done, but this is a better way to check activity. The busiest days for the police in March was Tuesday and Wednesday. Mr. Taylor stated that past Supervisor wanted clipboards in the cars to report mileage and gas. Chief Hawley stated there are now computers in the cars that keep mileage, gas refills, and all the necessary records for the cars and he would like to stay in the electronic age. Mr. Taylor also asked about 7 Middle Street. Chief Hawley stated Middle Street is doing extremely well. The new owner is improving the property and takes pride in ownership. The neighbors are delighted to have them in the neighborhood. There are still watchful eyes on the property. Chief Hawley would like to give credit to Mr. O'Keefe and his firm for the work they did in the courts to get this property on the right tract.

Chief Hawley reported that the gun club where the officers use to qualify on sidearms and rifles is now effectively closed to non-members. After looking at places to qualify, Chief Hawley stated it appears the only option is the Chesco Training Center in Coatesville. It is a state of the arts facility and is indoor, heated, cool, safe and very well-appointed. There is a \$140.00 fee to pay, and there are requirements imposed by the county regarding a MOU. The fee is \$35.00 per hour minimum 4 hours. The Memorandum of Understanding, proof of insurance with an addendum of insurance to Chesco Training Center. Mr. O'Keefe looked over the MOU and is okay with it.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve MOU with the Chesco Training Center and the use of the facility to qualify the officers with sidearms and rifles. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Chief Hawley stated the officers are not authorized to carry their back-up weapons on duty. The officers will be shooting 2 to 3 times a year as well as off duty weapons. We will get on it when the paperwork is completed.

Chief Hawley stated the body camera are moving forward. He is dealing directly with Motorola now. They own the Watchguard Company. The cost has been reduced to \$26,300 with the first payment in January 2022. Should roll out system by next month.

Chief Hawley stated that some of his officers carry tourniquets on a vest carrier or some big rubber bands with clotting material on their duty belt and some do not carry. It costs \$60.00 for each officer to have tourniquets and the Chief wants to make it mandatory equipment for each office; as it is a life-saving device.

Public Works:

For the month of March, the Public Works Department removed all plows from trucks, inspected them for any damage or worn parts and put them in an area that they will be stored until next winter. The Department has also inspected all trucks for worn or damaged parts and have performed maintenance checks. The Department has inspected all emergency equipment such as generators, barricades, chainsaws for example, to ensure everything is ready and working properly. Pot holes have been filled on various roads within the Township. Township properties have been prepared for seasonal mowing. The water at Bert Reel Park has been turned on for the season. Two sinkholes located in the Quarry Ridge Development have been filled in and will be black-topped soon. The north side of the tunnel located off Greenbelt Drive was completely clogged with woody debris. To ensure the creek does not back up when experiencing heavy rains, all debris was removed. All storm drains have been periodically inspected and cleared if needed. Lastly, several street signs have been repaired or replaced.

Foreman, Mr. Simmons would like to hire two part-time seasonal help, which will be tabled until next month so that back-ground checks can be done.

Mr. Reynolds stated the water heater at the Township Building needs to be replaced. A permit application has been filed with the Codes Department.

Mr. Reynolds stated the island at First Avenue have been driven over and the plants seem to be dead. It would be best just to mulch that island. There will be decorative stone put at the Township Build instead of mulch. The stone will be easier to maintain. Nate MacCombie stated that John Limberis will take care of the plants on the island until they take root.

Emergency Management Coordinator: Mr. Taylor stated he is watching what is going on with COVID. With different variants, it is still progressing. He will call Gabby at the County to see what the county is doing with COVID.

Keystone Valley Fire Company Report: There was a total of 31 calls for service: auto accident 6, EMS assist 3, automatic fire alarm 3, vehicle fire 1, gas leak inside/outside 2, assist mutual aid 13, relocate/stand-by 2, smoke investigation 1. The response by Township: West Sadsbury Township 8, Highland Township 1, Parkesburg Borough 8, OUT of DISTRICT: Coatesville City 3, Atglen Borough 1, West Caln Township 1, Sadsbury Township 3, Popcopson Township 2, West Fallowfield Township 1, East Fallowfield Township 1, West Marbough Township 1, South Coatesville Borough 1. The average personnel per call was 8 with a total number of responding personnel was 200 throughout the month. There were 5 training nights held in the month of March, the average attendance being 33 members. There were 3 Group training nights and 2 Junior Firefighters training nights. There were 4 details of Special Service details held in the month of March with the average attendance being 7 members for 9 combined hours. The Keystone Valley EMS Division responded to 119 calls for the month of March: Parkesburg Borough 45, West Sadsbury Township 26, Highland Township 7, Sadsbury Township 33, Atglen Borough 1, Valley Township 1, West Caln 1, West Fallowfield 4, Christiana, Lancaster County 1.

Sadsburyville Fire Company:

Engineer Report: Mr. Porter reported he has an Engineering Escrow release of funds for Sadsbury Commons, LP for the Sadsbury Commons Connector Road Site Work in the amount of \$5,708.74 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP for the Sadsbury Commons Connector Road Site Work in the amount of \$5,708.74 Per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported he has an Engineering Escrow release of funds for Lafayette Square Partners, LP for Lafayette Square Phase II and III in the amount of \$2,091.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Lafayette Square Partners LP for Lafayette Square Phase II and III in the amount of \$2,091.87 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter stated he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, LP for Sadsbury Park Phase 3A in the amount of \$995.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, LP for Sadsbury Park Phase 3A in the amount of \$995.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates LP for Sadsbury Park Phase 3B in the amount of \$46.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates LP for Sadsbury Park Phase 3B in the amount of \$46.87 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter stated he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates LP for Sadsbury Park Phase 4A in the amount of \$46.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates LP for Sadsbury Park Phase 4A in the amount of \$46.87 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, LP for Sadsbury Park Phase 2B in the amount of \$830.12 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, LP for Sadsbury Park Phase 2B in the amount of \$830.12 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter stated he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates LP for Sadsbury Park Phase 4B in the amount of \$557.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates LP for Sadsbury Park Phase 4B in the amount of \$557.50 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported he has an Engineering Escrow release of funds for Sadsbury Fire Company #1 in the amount of \$7,000.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Fire Company #1 in the amount of \$7,000.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported the Morris Farm Maintenance Bond for Independence Way and Patriot way, upon inspection, found that the public improvements relative to these Maintenance Bonds are in satisfactory condition. It is recommended that the Maintenance obligations of the Meetinghouse Owners Associated be released

Mr. Reynolds made a motion, seconded by Mr. Moore, to release the Morris Farm Maintenance Bond for Bond #514479 in the amount of \$37,845.00 for Independence Way. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds made a motion, seconded by Mr. Moore, to release the Morris Farm Maintenance Bond for Bond #5144780 in the amount of \$16,600.00 for Patriot Way. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported that Uhrig Construction will have a pre-construction meeting prior to starting the construction on the Township Building. Todd Wilson resubmission review letter will be ready for the Planning Commission meeting tomorrow evening. Also, the John Rock review letter for final plan submission will be ready for the Planning Commission. Emanuel Zook plans to construct a new home and wants to remain in the present home until construction is finished. He will need Board approval with the potential to work with Codes for a building permit.

Concerning Sadsbury Park Phase 1, recording of plans and Nate MacCombie attended meeting with contractors.

The Stewart Huston pole removal is progressing.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to give Dave Porter authorization to reach out to Barry Bently about acquisition of property for the Public Works garage which would also include 15 acres of wetlands. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Solicitor Report: Max O'Keefe stated that Sadsbury Commons has asked for the Blasting Ordinance and there are some issues they would like to talk to the Board about. Attending are Mr. Michael Gill and Mr. Jeff McClintock. Mr. Gill stated they discovered a very large rock in the Sadsbury Commons area. They could Jack Hammer the rock, but it would be very long and loud and would disturb the area neighbors. It was found that the 1999 Blasting ordinance was very difficult to comply with and would make blasting difficult. Mr. Gill is asking for three areas of relief. 1. The Ordinance calls for 2,000 feet of notification for pre and post blasting survey. The state regulation calls for 500 feet of notification, Hersey Lane would be included. 2. The Ordinance calls for the sound pressure to be 120dbl and the state is 133dbl. 3. The Ordinance calls for the size of particulate expressed from blasting at .5 inches per second and the state is 2 inches per second. Mr. McClintock stated that Maine Drilling and Blasting will be doing the work. Mr. Taylor expressed concerns with the medical Center and the equipment there that could be damaged. Mr. McClintock stated that Maine Drilling and Blasting would look into this as they have experience with hospitals. The focus of the blasting is the west side of the property near Hershey Motors. US Route 30 would have to be shut down for a small period of time. Mr. McClintock stated it probably will take a couple shots and would still have to be hammered at the water lines. Mr. McClintock states the water company requires a 10 Million Dollar bond.

Chief Hawley has some concerns about the safety of the residents and with blasting in close area near a major highway. He is also concerned about anyone being in the area that would be near the blasting site.

Mr. MacCombie stated that in 1999, he, Vince Pompo, Neil Heineman, and the State Fire Marshall drafted the Blasting Ordinance with concerns about Quarry Ridge. The Ordinance is pretty stringent and hasn't been looked at recently. He has a concern about being in an open area and also concern with the hospital. He also has concerns about protecting the residents. There are not many houses, Hershey Lane, Hershey Market, Tractor Supply and Hershey Motors. All residents should be notified. The Board needs to decide if they are comfortable. Mr. Reynolds would want the police involved and PennDOT aware to close traffic in the area.

Mr. Reynolds asked when will they be ready to blast. Mr. McClintock stated Maine Drilling and Blasting will need to obtain permits. If permission is given tonight, they will immediately start the process. Mr. Reynolds stated his number one issue is the hospital, if some understanding can be reached with them that 500 feet is okay. Michael Gill stated that pre-blasting would coordinate with the hospital regardless if the relief is granted or not. Mr. Reynolds wants notification of 1,000 feet and would want police and Engineer at blast site. Blasting has changed since 1999. At some point we need to answer to the residents. Mr. McClintock talked about people on the property. He does not see that happening. Chief Hawley stated FAA Regulations require the airport to be notified.

Mr. Reynolds stated the next Township meeting is in 3 weeks to come back then. Mr. Gill stated that whether or not we proceed with the State Regulations, we will be

blasting regardless. Mr. MacCombie wants it noted they do not have an objection with notification at 1,000 feet.

Mr. Reynolds wants 1,000 feet notification, survey 500 feet, Mr. MacCombie must be satisfied and the Chief on site.

Mr. O'Keefe will put in writing 1,000 feet notification, survey 500 feet, police and Engineer on site, sound pressure state code 133 dbL and particulates 2 inches per second. There will be no storage of blasting materials on site.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow Sadsbury Commons to proceed with blasting set forth contingent on Mr. MacCombie's and Mr. O'Keefe's satisfaction based on the perimeters set tonight. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated he has a Fire Hydrant Application, drainage easement and traffic signal easement for Sadsbury Commons.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a snippet of Sadsbury Commons property owned by the Township as a right of way imposed by PennDOT. Sadsbury Commons would remain this land as vegetation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds made a motion, seconded by Mr. Moore, to allow 550 square feet of easement to allow for drainage. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds made a motion, seconded by Mr. Taylor to approve 4 separate easements in Sadsbury Commons assignment for traffic signals for the Sadsbury Commons Development at Route 10 and internal along Connector Road. Applicant will maintain traffic signals. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Fire Hydrant Agreement is required by Pennsylvania American Water Company and the Township. There will be a total of 9 hydrants.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the fire hydrant agreement with Pennsylvania American for the Sadsbury Commons Development. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated the Gilbertson Group signed the release and settlement agreement for the Township Building renovations.

Mr. Reynolds made a motion, seconded by Mr. Moore, to accept the Gilbertson release agreement. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. O’Keefe stated he has received communication from American Tower about the Compass Road site. They state the tower is not needed because of a merger with T-Mobile and Sprint making the tower obsolete, which would require a lease reduction. They are offering 1.) \$1,625.00 per month beginning June 1, 2021 with 2% annual escalation will commence August 1, 2021, and providing 6 terms of 5 years each; final expiration date will be July 31, 2079. 2.) One-time payment of \$286,700.00 in exchange for a perpetual real estate interest which can also be structured as a set number of monthly or annual installments payments.

Mr. Taylor stated this land was dedicated to the Township by the Dague family for Municipal use, which restricts several types of uses.

Mr. Reynolds state Natural Land Trust should be notified, also.

Mr. Reynolds wants Mr. O’Keefe to respond that the Board will take their offer under consideration and that the Board is not interested in cutting the rent by a third.

Mr. O’Keefe stated he has a Storm Water Agreement for Steven Fisher for the Board’s approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Storm Water Management Maintenance Agreement for Steven Lee Fisher of 409 Compass Road. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Planning Commission: Mr. Jessey stated there was no March meeting. The Zoning Ordinance Review Committee is waiting for comments. Mr. O’Keefe and Mr. MacCombie has several comments.

Zoning Report: After given a notice of violation, the resident at 602 Chamberlain Street has filed all the necessary paper work. There were deck and fence permit requests. Mr. Porter was asked by D.L. Howe to have the Mast property rezoned to allow 126 Townhouse developed there. This would be on Octorara Road where BRT Trucking is located with access through pond and daycare in front of Octorara Trail. Mr. Reynolds stated we do not need more traffic on Compass Road.

Chester County Airport Update No report.

Payment of Invoices:

Mr. Reynolds made a motion, seconded by Mr. Taylor, to pay the March 2021 General Fund invoices in the amount of \$235,964.61. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

New Business:

Mr. Reynolds stated there have been issues with trash collection in Sadsbury Park. He would like the HOA to discuss solutions with Eagle Disposal, and the Township will be okay with whatever they choose to do.

Emanuel Zook is requesting to live in the old house while new one is being constructed at 470 Compass Road. It was decided he should post a bond and demolish the old house in a six- month time limit.

The Tax Claim Bureau is asking to exonerate uncollectable taxes.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow the Tax Claim Bureau exonerate uncollectable taxes in the Township. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The rental of Bert Reel Park and the baseball field will be tabled until next meeting.

Old Business:

Mr. Reynolds would like to update the Emergency Services Resolution of 2018 as the advanced life support services should be provided by first come first serve basis.

Mr. Reynolds made a motion, seconded by Mr. Moore, to adopt Resolution 2021-07, designating Emergency Service Providers for Sadsbury Township. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The public comment part of the meeting will be continued at the next Board of Supervisor Meeting on May 4, 2021.

With there being no further business, Mr. Reynolds made a motion, seconded by Mr. Taylor, to adjourn the meeting. With There being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Respectfully Submitted,

Linda Shank,
Secretary

