

## **Board of Supervisors Regular Meeting, Tuesday, April 4, 2023**

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, April 4, 2023 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor Mr. Moore on ZOOM and Mr. Taylor by telephone. Also present was Township Solicitor, Mr. O’Keefe, Township Engineer, Mr. Porter, Police Chief Michael Hawley, and members of the community.

A moment of silence and Pledge of Allegiance was observed.

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

**Public Comment on Agenda Items:** There was no public comment.

**The Conditional Use Hearing for John Lymberis application 2023-01, was rescheduled for April 25, 2023 at 7:00 p.m.**

**Police Report:** - Chief Hawley reported that for the month of March, there were 600 calls for service. 373 were business checks and 37 were out of the Township. There were actual 100 calls for service. The busiest time of day was 9 am to 11 am., and the busiest day was Thursday. There were 8 domestics, 53 traffic stops, 1 advanced overdose – alcohol related, 3 DUI’s, and 1 hit on a passenger in a car that was stopped. Last Monday into the Tuesday morning, at the intersection of Middle and Chestnut Street; having nothing to do with the business located there. A Township resident was following another vehicle and the vehicles struck. The operator of the struck vehicle came up through the sunroof and began to fire shots at the other vehicle. No one was hit, but a structure was. Two occupants in the other vehicle fled on foot. This all has to do with a domestic incident in West Caln. Tuesday last week the police were working on a drug investigation with the County. As they were waiting for a package to arrive, it did in Coatesville. It was 45 pounds of a controlled substance. It was delivered to Sadsbury Village to a resident at Fox Trail. The property was surrounded by police and the drugs plus \$30,000 in cash was found in a lockbox. Two people were arrested. Last night, April 3<sup>rd</sup>, there was a house fire in Elverson. Shots were fired by someone in the house, the State Police fired back and shot the shooter in the leg. Our police put a tourniquet on his leg. He is in custody in critical condition.

Dave Reynolds stated it is time for negotiations on the Police Contract.

Mr. Taylor asked Chief Hawley how he feels about NARCAM being sold over the counter. Chief stated that if they use it, we won't know; but when NARCAM is administered, they would have to be transported for an IV treatment after the use of NARCAM.

**Public Works Report:** For the month of March, the Public Works Department is cleaning up debris of sticks, leaves, branches and trash in preparation of mowing. Pot holes have been filled on Sadsbury Road, Compass Road and a few other areas with the remaining roads to be filled the first week of April. The Department is in the process of building multiple storage bins on the pad site located on Quarry Road. These bins will store various highway materials and will make it more efficient when loading and unloading trucks. Township storm drains have been checked and cleared if needed. Many signs have been repaired/replaced this month, also. Lastly, cameras have been installed at Bert Reel Park along with signage indication video surveillance.

**Emergency Management Report:** Mr. Taylor stated he has no report. He asked how the islands on Route 30 made it through the winter. Mr. Reynolds stated they did well considering there was no plowing done on Route 30.

**Keystone Valley Fire Department Report:** For the month of March, 2023, the Keystone Valley Fire Department responded to 26 calls for service: building fire 2, mobile Home fire 1, vehicle fire 1, brush 1, landfill fire 1, assist EMS 7, motor vehicle accident with injuries 5, gas leak 1, public service assistance 1, unauthorized burning 1, smoke detector activation due to malfunction 1, sprinkler activation 1, smoke detector activation 1, detector activation, no fire 1. The total response by municipalities: Parkesburg 10, West Sadsbury 7, Highland 4, Out of District 5. The average personnel per call were 10 people. The average response time from dispatch to on scene was 7 minutes. The total man hours were 134.57 hours. The Keystone Valley EMS Division responded to 129 for the month of March for: BLS tran: 40, ALS tran: 41. The breakdown by municipality: Parkesburg 46, West Sadsbury 20, Highland 8, Sadsbury 44, Solsbury 1, Christiana 5, West Fallowfield 4, Atglen 1.

**Sadsburyville Fire Company Report:** For the month of January 2023, The Sadsburyville Fire Company responded to 19 calls for service for: Auto accident 5, Assist EMS 5, Automatic fire alarm 2, house fire 2, residential rescue 1, forcible entry 1, wires fire 1, gas leak 1, vehicle fire 1. The municipal breakdown: Sadsbury 11, Valley 5, West Caln 2, West Sadsbury 1. There was an average of 7 firefighters per call. The miles traveled were 119, with an average of 4.4 miles per call. Time in service was 12 hours and 24 minutes, with an average of 39.15 minutes per call.

For the month of February 2023, the Sadsbury Fire Company responded to 17 calls for service for: automatic fire alarm 10, auto accident 6, vehicle fire 2, house fire 2, brush fire 2, public service 2, building fire 1, assist EMS 1, relocate 1. The breakdown by municipality: Sadsbury 17, Valley 5, West Caln 1, Caln Township 1, West Sadsbury 1, Parkesburg 1, Coatesville 1. There was an average of 7.5 firefighters per call. The time in service was 12 hours and 4 minutes with an average of 26.8 minutes per call.

For the month of March 2023, the Sadsburyville Fire Company responded to 10 calls for service for: automatic fire alarm 1, auto accident 3, mulch fire 1, assist EMS 1, relocate 1, investigation 1, structure fire 1. The breakdown by municipality: Sadsbury 7, East Fallowfield 1, Modena 1, Parkesburg, 1. There was an average of 7.5 firefighters per call. There were 67 miles traveled with an average of 6.7 miles per call. The time in service was 6 hours and 22 minutes, with an average of 38.2 minutes per call.

**Planning Commission Report:** The Planning Commission met on Wednesday, March 15, 2023. With Mr. Lymberis temporarily giving up as Chairman, the Planning commission discussed the Conditional Use Application of Mr. Lymberis concerning 2919 Lincoln Highway. The Planning Commission recommends the Board of Supervisors approve the application. The Planning Commission discussed the placement of the gazebo in honor of Jane Heineman. The Town Center amendment to the Zoning Ordinance and the noise abatement at the John Rock facility were discussed.

**Engineer Report:** Mr. Porter reported he has an Engineering Escrow release of funds for Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$660.62 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, L.P. for Lafayette Square Phase II & III in the amount of \$660.62 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 Commons, LP for the Sadsbury Commons Connector Road Site Work in the amount of \$1,103.12 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP for the Sadsbury Commons Connector Road Site Work in the amount of \$1,103.12 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 Commons LP for Sadsbury Commons Phase 2. This account has a -\$235.62 balance, but will be transferred from another escrow, for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP for Sadsbury Commons Phase 2. This account has a -\$235.62 balance and this will be transferred from another escrow account. With there being no questions, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported he has an Engineering Escrow release of funds for Sadsbury Associates, LP for Sadsbury Square in the amount of \$1,270.62 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor to approve an Engineering Escrow release of funds for Sadsbury Associates, LP for Sadsbury Square in the amount of \$1,270.62 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 Lincoln Crest Management, LLC for the Lincoln Crest Mobile Home Park Expansion in the amount of \$2,906.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Lincoln Crest Management, LLC for the Lincoln Crest Mobile Home Park Expansion in the amount of \$2,906.87 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 XARIS Property Group, LLC for Sadsbury Park Phase 1-Clover Hill at Sadsbury Park in the amount of \$1,016.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for XARIS Property Group, LLC for Sadsbury Park Phase 1-Clover Hill at Sadsbury Park in the amount of \$1,016.87 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, L.P. for Sadsbury Park Phase 4A in the amount of \$496.25 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, L.P. for Sadsbury Park Phase 4A in the amount of \$496.25 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, L.P. for Sadsbury Park Phase 2B in the amount of \$69.37 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, L.P. for Sadsbury Park Phase 2B in the amount of \$69.37 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, L.P. for Sadsbury Park Phase 3A in the amount of \$46.25 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, L.P. for Sadsbury Park Phase 3A in the amount of \$46.25 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 a Letter of Credit Certificate of Completion for Sadsbury Associates, L.P. for Sadsbury Square in the amount of \$9,800.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit, Certificate of Completion for Sadsbury Associates, L.P. for Sadsbury Square in the amount of \$9,800.00 per Mr. Porter's recommendation. With there being no question from the public, the Board voting, "aye", the motion passed unanimously.

Mr. Porter reported he has a Letter of Credit Certificate of Completion for Sadsbury Commons L.P. in the amount of \$144,718.62 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit Certificate of Completion for Sadsbury Commons, L.P. in the amount of \$144,171.86 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Construction project updates:

The Post Office parking lot is completed but the driveway won't be completed until July.

Athena's Coffee Shop will open in a couple weeks.

The curb in back of Lincoln Crest near the by-pass will be completed in a couple weeks.

Lafayette Square clubhouse building final paving will be in July.

Sadsbury Square is coming along, will have CO's in a couple months.

Octorara Road will be paved in about 3 weeks.

Sadsbury Commons has a grading application for pad site work. The Sanitary Sewer and water is through Pennsylvania American.

Mr. Porter has heard nothing from AZ Parkesburg.

Mr. Porter is working on Stottsville Inn recent plan.

The HVAC System bid project for the Township Building came in from Sharp Engineering at a cost of \$4,500.00.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to accept the bid from Sharp Engineering to do the HVAC System at the Township Building for \$4,500.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported the Bert Reel Park fencing bid package went out to bid and came back with 2 bidders. They are ProMax Fence Systems from Reading and Spitale Construction Resource from Yorktown Heights, NY. The bid from ProMax for the base bid and alternate: \$143,000.00. The bid from Spitale Construction was \$276,952.50. Mr. Porter will go over the bids to see if all the paperwork is in order and will report back at the next month meeting.

**Solicitor Report:** Mr. O'Keefe reported he has Resolution 2023-09 for the Board's approval to use ARP funds to purchase a Police Vehicle for \$49,620.58.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt Resolution 2023-09 authorizing a purchase of a police vehicle for \$49,620.58 from the ARP funds. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated he has the Developers Agreements for Sadsbury Commons for the Board to consider and approve.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the Developers Agreements for Sadsbury Commons consisting of Subdivision and Land Development Agreement, Subdivision Financial Security Agreement, Landscaping Restrictive Covenant, Stormwater Best Management, and the Traffic Signal Maintenance Agreement. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated there have been various complaints about the property of 939 Old Wilmington Road. The property needs to be cleaned up. There are abandoned cars and pallets on the property. There is a default judgement of \$12,000 on the property. Under the Property Maintenance Code, the Township cannot remove personal property,

only a judge can give that permission. The Township could lodge a civil complaint in court to have the Township clean the property and then lien the property. Another option is to begin the Sherriff Sale proceedings as well as file a complaint.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow Mr. O'Keefe to start the process of Sheriff Sale of 939 Old Wilmington Road. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated he is asking the Board to approve expenditures for the Police Tahoe that is in need of repair.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the repairs to the Police 2016 Tahoe police car from Premier Automotive Services not to exceed \$11,000.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Building/Zoning Report:** Zoning: The permits issued were: permit for fences 4, permit for shed 1, deck 1, patio 1. Mr. Kowalski answered various Zoning phone calls for signs and properties for sale in the Township.

Building: issued 3 permits for new construction, 1 permit for a generator, 1 permit for basement renovation, 2 permits for furnace replacements, issued 2 demo permits for Lincoln Crest, performed 47 inspections for the month of March, and reviewing plans for the first 2 buildings for Sadsbury Commons.

**Chester County Airport Update:** Mr. Roberts reported the Authority met today. The new website is ChesterCountyAviation.com. There is someone interested in the restaurant. Mr. Reynolds asked about the airport closing Washington Lane. Mr. Roberts stated that CTDI has purchased the entire Industrial Park. Development negotiations are going on and this could impact that the runway cannot be extended to Sadsbury.

### **Payment of Invoices:**

Mr. Reynolds made a motion, seconded by Mr .Moore, to pay the March 2023 General Fund invoices in the amount of \$248,714.56. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

### **New Business:**

Mr. Reynolds made a motion, seconded by Mr. Taylor, to authorize Tammy Russell to be the primary administrative contact for Quickbooks for Sadsbury Township. 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 authorize Tammy Russell to be the primary administrative contact for PMRS. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

### **Old Business:**

Due to the resignation of Mr. Bennett, the Township is in need of a Zoning Hearing Board member.

Michelle Falcone stated there is never any mention of John Rock in the Zoning report from Mr. Kowalski.

Vicki Horan sent an e-mail to Mr. O’Keefe to make suggestions for the meeting with John Rock

Don Roberts stated the sound engineer from John Rock should be at the meeting.

Mr. O’Keefe stated John Rock wants some kind of mutual understanding of what the Township is looking for as what they are going to do entails a lot of money.

Mr. Jessey stated this was an issue before with the helicopter noise.

Vicki Horan asked if the Road Department could clean up Old Wilmington Road.

### **Public Comment:**

Jim Keeches from Sadsbury Crossing had a Road Maintenance Agreement and asked what Exhibit A means. Mr. O’Keefe explained it encompasses the road agreements and concerns the road dedication.

Mr. Keeches requested in 2021 if the Road Crew could have lines painted on Leike Road to Limestone Road. Dave Porter will look into it and have a report for next month.

A resident at 682 Sadsbury Road told the Board that 800 feet of pipeline has to be repaired and his yard will have to be torn up and he is afraid the noise will disturb his baby and wife. Mr. Reynolds would like him to put Jim Kowalski in touch with the pipeline representative.

Mr. Porter stated the pipe line is covered over Federal Statues, and they are not required to notify the Township on what is being done.

Mr. O’Keefe stated they are generally exempt from local ordinances. They are legally not requested to notify Township officials.



With there being no further business, Mr. Reynolds made a motion, seconded by Mr. Moore, 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