

Board of Supervisors Regular Meeting, Tuesday, December 6, 2022

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, December 6, 2022 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor, Mr. Moore, Mr. Taylor via 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. 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.

Public Comment on Agenda Items :

Mr. O'Keefe asked to suspend the meeting. In the audience is John Betts, owner of the property at 56 Chestnut Street, the property where there have been many noise complaints. Mr. Betts is aware of the situation in addressing the noise complaints and everyone should be on their best behavior and try to work together. Mr. Betts shop in in the same building as the auto shop. Chief Hawley stated the police, and himself has been down to the shop multiple times and there is a vast improvement as to what it was. There is a genuine effort to control the noise. Val Roop, who lives across from the shop, tries to sit on her porch and when the garage doors open, glaring lights flood her home. She stated that Saturday night, many cars are coming up and down the entire street, which is one way. On Sunday morning at 7:30, they are loading cars on trucks to take them to races. Mr. Reynolds asked the auto shop tenants if they could load the cars on Saturday and not on Sunday. Mr. O'Keefe stated that Mr. Betts and his tenants are here to say it will get better. Mr. O'Keefe also stated that if it does not get better, the Township will get involved. Ms. Roop stated she should be able to sit on her porch without profanities shouted at her. Mr. Reynolds stated the Township is listening to her concerns and will hear how conditions are in a month. Mr. O'Keefe stated that no Ordinance tells a business they cannot do their business. Ms. Roop stated if she cannot get any satisfaction from the Township, she will contact her State Representative.

Police Report: Chief Hawley reported that for the month of November, 2022 there were 329 actual calls for service. They included 5 fire alarms, 5 domestics, 58 traffic stops, 2 overdoses, 1 stolen vehicle that turned out to be a repossession. The busiest day of the month has been Saturdays. Sadsbury has 2% of the calls received in the County. Chief Hawley stated the full report is available at the Township Building.

Public Works Report: For the month of November, the Public Works Department maintained Township properties, right-a-ways, roads, sign, equipment and storm drain system. All trucks, plows, spreader/auger systems have been inspected, tested and prepared for plowing and de-icing roadways as part of the Township's winter maintenance. Several storm drains, culverts and trenches within the road right-a-way have been cleared and or repaired. These tasks were completed on the following roads, Quaker, Old Mill, Compass, Greenbelt, Sadsbury, Quarry Roads. The water was shut off at Bert Reel Park and all plumbing was winterized. The Department has also been working with PECO for a lighting upgrade for all the buildings through a grant. Two new trucks have been ordered.

Emergency Management Report: Mr. Taylor reported that he has several items but will give a report next month.

Keystone Valley Fire Company Report: For the month of November, Keystone Fire Department responded to 33 calls for: building fire 7, mobile property (vehicle) fire, other 2, brush or brush and grass mixture fire 2, dumpster or other outside trash receptacle fire 1, EMS call 3, motor vehicle accident with injuries 5, motor vehicle with no injuries 1, gas leak 1, carbon Monoxide incident 1, power line down 1, cancelled en route 1, false alarm 6, sprinkler activation due to malfunction 1, smoke detector due to malfunction 1. The response by municipalities: Parkesburg 4, West Sadsbury 13, Highland 4, and Out of District 12. The average personnel per call was 6 people. The average response time from dispatch to on scene was 6 minutes. The total man hours were 170.25 hours. The EMS Division of Keystone Valley Fire Department responded to 157 calls for the month of November for ALS- abdominal pain 2, ALS – CVA/stroke 4, ALS – cardiac problem 20, ALS – diabetic emergency 1, ALS- fall 1, ALS- overdose 3, ALS – poisoning 1, ALS – respiratory difficulty 17, ALS – seizures 2, ALS – syncope 1, ALS – unresponsive person 4, ALS- accident 3, BLS – accident 7, accident-entrapment 2, accident- hazmat 2, alarm-carbon monoxide 1, BLS – abdominal pain 3, BLS – back pain 2, BLS – DOA 1, BLS – emotional disorder 11, BLS – fall/lift assist 12, BLS – hemorrhaging 2, BLS – injured person 7, BLS – overdose 2, BLS –sick person 32, BLS – syncope 1, BLS – unknown nature 1, EMS-non-emergency transfer 1, EMS-relocate 1, EMS-standby-fire 10. The response by municipalities: Parkesburg 31, West Sadsbury 31, Highland 11, Sadsbury 33, Out of District 50.

Sadsburyville Fire Company Report:

Planning Commission: The Planning Commission met on Wednesday, November 9, 2022. Each member received a copy of the 2022 Zoning Ordinance. Michelle Falcone was welcomed as a new member. AZ Parkesburg, LLC failed to appear and Sadsbury Commons asked to be rescheduled for the December 14 meeting. The Planning Commission would like to be aware of the 90 day review period when a developer asks to be placed on the Planning Commission agenda.

Mr. Jesse reported the SALO is still having meetings and would like to work on the Noise Ordinance in a different way, which would be based on activity noise.

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 for \$382.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Lafayette Square Partner, L.P. for Lafayette Square Phase II & III 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 Connector Road Site Work in the amount of \$1,330.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP for Sadsbury Commons Connector Road Site Work in the amount of \$1,330.00 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 Commons, LP for Sadsbury Commons Phase 2 in the amount of \$150.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Commons, L.P. for Sadsbury Commons Phase 2 in the amount of \$150.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter state he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3A in the amount of \$87.50 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 \$87.50 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 Arcadia Associates, L.P. for Sadsbury Park Phase 4A in the amount of \$120.00 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, L.P. for Sadsbury Park Phase 4A in the amount of \$120.00 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 Associates, LP for Sadsbury Square in the amount of \$3,422.50 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 \$3,422.50 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 Lincoln Crest Management, LLC for Lincoln Crest Mobile Home Park Expansion In the amount of \$4,486.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Lincoln Crest Management, LC for Lincoln Crest Mobile Home Park Expansion in the amount of \$4,486.87 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 Rock Holdings PA, LLC for John Rock Building #2 in the amount of \$175.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Rock Holdings PA, LLC for John Rock Building #2 in the amount of \$175.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported that he has a Letter of Credit Certificate of Completion for Sadsbury Associates, L.P. for Sadsbury Square in the amount of \$64,357.13 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 \$64,357.13 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported that Sadsbury Commons is road striping business Routes 10 and 30 and the signals are activated on Nova Way. They did comply with the Conservation District field changes. Sadsbury Commons wants the Township to have dedication of Nova Way. Mr. Porter will give a list of conditions for dedication for the Board to look over. They will work with the Township on a salt shed. Ground breaking will follow

Engineer review and comments. The Engineer will work with Mr. O'Keefe and the developer within the next 3 months.

Mr. Taylor asked Mr. Porter what is going in first at Sadsbury Commons. Mr. Porter stated first will be WaWa and Wendys, a dental office and possibly Chilpolti. In Phase 3 the tenant will be Target.

Mr. Porter stated AZ Parkesburg submitted plans to the Township and he briefly read through the comments. The Condominium Plans have a little ways to go before plan approval. They did not respond to the Landscape review.

Lafayette Square is working on the last building and Clover Hill is underway. Sadsbury Square walking trail is close to a utility pole, and if the pole cannot be moved, the trail will be in the development right-of-way. Approval was received from the Township to replace the sewer pump under Octorara Road. The Township will purchase the material to replace pipe. Pennsylvania Water will repave Octorara Road when the job is completed. Lincoln Crest Mobile Home Park was issued a blasting permit and they started blasting Monday. The weather is not looking good, so it should go to next week.

Mr. Porter stated his office has received the Bert Reel Park Fence Package and will advertise for bids to be received by February meeting. Mr. Porter's office has consulted Delta Air Port about the Public Works garage to be on the southeasterly portion of the site on Washington Lane. There is a 35 foot elevation limit at that area. The garage could be built on that site depending on height of the Township garage. The height of the salt shed would also have to be considered. Mr. Porter will look into this further.

Mr. Porter stated they have received a request for payment from DiRocco Brothers for paving roads in the Township.

Solicitor Report: Mr. O'Keefe stated he has Resolution 2022-18 authorizing increasing the 2023 tax millage to 3.10 mills.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt Resolution 2022-18, authorizing to increase the 2023 Tax Millage to 3.10 Mills. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated Jason Duckworth, Sadsbury Arcadia and Julia Porter, Property Management from Sadsbury Park presented a proposal to Sadsbury Township for snow plowing. Their current contractor will continue to plow snow in Sadsbury Park with a contribution from the Township of \$5,000 to offset the cost of plowing the 2 miles of road in the development. The Township will take dedication of the Roads in Sadsbury Park.

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay \$5,000 to Sadsbury Park for snow plowing of their 2 miles of roads for this winter. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated that next winter 2023-2024, we will see what happens.

Mr. O'Keefe stated he has Resolution 2022-19, authorizing ARP Fund Expenditure to purchase and replace the Stormwater Pipe under Octorara Road.

Mr. Reynolds made a motion, seconded by Mr. Moore, to adopt Resolution 2022-19 authorizing ARP Fund expenditure for replacement of Stormwater Pipe under Octorara Road. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated that Leroy Carter of 61 Stovepipe Hill Road needs an O&M Agreement for a grinder pump for sewage from his house. Mr. O'Keefe has the agreement.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the O&M Agreement for a grinder pump for Mr. Leroy Carter at 61 Stovepipe Hill Road. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Zoning Report: Mr. Kowalski reported there were 5 Zoning requests for: 3 decks, a garage, and a shed, and may phone calls. Gateway Church wants to replace their sign.

Chester County Airport Update: Mr. Roberts has no report.

Payment of Invoices:

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay the November 2022 General Fund Invoices in the amount of \$314,903.75. 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 adopt the 2023 budget as advertised for 30 days. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated that DiRocco Brothers did all the paving in the Township and will be paid \$163,029.41 upon receipt of Liquid Fuels.

Mr. Reynolds made a motion, seconded by Mr. Moore, to authorize payment to DiRocco Brothers in the amount of \$163,029.41 upon receipt of Liquid Fuels Funds. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Old Business:

Mr. Reynolds stated that PECO has given the Township a quote to install LED lighting in the Township Building and in the Township Garage. When the new Township garage is built, the lighting can be moved to the new garage. The cost for the Township Building is \$3,566.62 and the cost for the garage is \$2,072.85. PECO says we will get our money back in 3 years with reduced bills.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to accept the lighting evaluation done by PECO for the Township Building and Township Garage for LED lighting for a total cost of \$5,639.47. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Public Comment:

Simon Jessey asked why the small garage that is falling down is not torn down. Mr. Reynolds stated it is full of asbestos.

Vicky Horan asked if the Supervisors got her e-mail about John Rock. Mr. O'Keefe asked Mr. Kowalski if John Rock put permits into the Township for kilns. Mr. Kowalski answered yes, they did. Mr. O'Keefe will forward Ms. Horan's email to John Rock. One Condition on their Conditional Use was adherence to the Noise Ordinance. They should install noise remediation measures so the noise is not so loud that it disrupts the residents.

Vicky Horan asked shouldn't every business be required to comply with the Noise Ordinance.

Mr. O'Keefe stated the Ordinance as written is almost too restrictive.

Vicky Horan asked how are the Codification of Ordinances coming along.

Mr. O'Keefe stated they are coming along well. He is now going through comments with Mr. Porter. When ready, they will come before the Board for approval. It is not required to go to the Planning Commission, but nothing is preventing them from taking a look at it. Simon Jessey can be a licensed person to go into the portal to look at the Codification.

Donn Robers stated that John Rock has trucks all times of night and the kiln is running all night and all day for long periods of time. It is very irritating.

Mr. Jessey asked if Mr. O'Keefe has had a chance to look at the new SALDO. Mr. O'Keefe stated he has started to look at it.

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