

## **Board of Supervisors Regular Meeting, Tuesday February 1, 2022**

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, February 1, 2022 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor, Mr. Moore and Supervisor Mr. Taylor by remote. 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 announced the Board met in Executive Session prior to tonight's meeting to discuss property acquisition and personnel matters.

Mr. Reynolds made a motion, seconded by Mr. Moore, 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:**

There was no public comment on the agenda items. The Board would like you to stand and state your name if you have a comment.

Mr. Reynolds turned the meeting over to Mr. O'Keefe for a Conditional Use Hearing for Philadelphia Mead Company owned by Richard & Stephen Kassabian.

Mr. Reynolds made a motion, seconded by Mr. Moore, to close the Conditional Use Hearing. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Police Report:** Chief Hawley reported the in January, the police responded to 484 calls for service. The number is high because the County is counting business checks as calls for service. 36 of the calls were for service in other jurisdictions. County wide in January there were 25,000 police calls. There were unfortunately, 2 suicides in the Township in January. One was a 15 year- old student at Octorara High School who lived in the Township. The other was an older man who was terminally ill. Chief Hawley received information from the Chief at the Coatesville School District on the Bus Patrol program. This is a state of the arts camera system to photograph violators who pass stopped school busses. The purpose of the program is to change the driving behavior of violators. Chief Hawley stated it looks like a viable program. The Police Report is available at the Township Building.

**Public Works Report:** Mr. Simmons reported that for the month of January, 2022, the Public Works Department prepared and responded to three separate winter weather events in which plowing operations were deployed and/or the treatment of roads with de-icing agents were used. A great deal of time and effort is taken in the days before and after each weather event. Before, all snow and ice removal equipment is prepared by performing equipment maintenance checks. After the event, the whole process of maintenance checks begin all over again, this time looking for worn and damaged parts. All equipment that may come in contact with salt is washed to prevent corrosion. The Department also collected discarded Christmas trees throughout the Township. The Department also inspected and maintained its storm drains, pipes, culverts and ditches. Furthermore, several street/road signs have been repaired and, in some instances replaced.

**Emergency Management Report:** Mr. Taylor stated he had nothing to report. Mr. O'Keefe has more on Emergency Management in his report.

**Keystone Fire Department Report:** Chief Gathercole reported that for the month of January, 2022 there were a total of 33 calls for: auto accident 2, accident/entrapment 2, pedestrian struck 1, automatic fire alarm 5, building fire 3, fires (other) 3, Assist EMS 5, Assist EMS w/shooting 1, assist mutual –aid 17, gas leak 2, relocates or covers 3, chimney fire 1, service call 2, no services 3. The breakdown by Municipalities: West Sadsbury township 8, Highland Township 1, Parkesburg Borough 7, Out of District 17. The average personnel per call was 7. The total time spent in service was 30 hours and 44 minutes. The average response time from dispatch to on scene was 6:47 minutes, and the total man hours were 155 hours and 52 minutes. The Keystone Valley EMS reported there were 135 calls for service in January 2022. In comparison, there were 101 calls during January 2021. Calls for January 2022: unresponsive person 4, accident BLS 11, accident w/ entrapment 2, accident – pedestrian 1, carbon monoxide alarm 1, BLS Abdominal pain 4, BLS Med reaction 1, BLS back pain 1, BLS DOA 2, BLS Emotional Disorder 2, Exposure to Heat/cold 1, BLS fall/lift assist 6, BLS hemorrhaging 2, BLS injured person 11, BLS overdose 3, BLS sick person 35, BLS syncope 1, EMS Stand-by fire 3. Response by Municipality: Parkesburg Borough 41, West Sadsbury Township 21, Highland Township 9, Sadsbury Township 52, Sadsbury Township, Lancaster County 3, Atglen Borough 1, Christiana Borough 5, Valley Township 1, West Fallowfield Township 1.

**Sadsburyville Fire Company Report:** For the month of January 2022, Sadsburyville Fire Company responded to 27 incidents for: motor vehicle accident 11, assist EMS 5, house fire 4, CO alarm 1, traffic control 2, automatic fire alarm 2, pedestrian struck 1, investigation 1. The response by Municipality: Sadsbury Township 18, Valley Township 3, West Caln Township 2, West Sadsbury Township 2, Coatesville City 1, East Fallowfield Township 1. There was an average 8 firefighters per call, there were 175 miles traveled with an average of 6.4 miles per call. The time in service was 22 hours and 10 minutes, with an average of 49.25 minutes per call.

**Planning Commission Report:** The January Planning Commission re-organizational meeting and regular meeting was held on January 12, 2022. Mr. Lymberis was elected to be Chairman with Simon Jessey as Vice Chair and recording secretary. At the regular meeting, the dates for the year 2022 are as follows: February 9, March 9, April 13, May 11, June 15, July 13, August 10, September 14, October 12, November 9, December 14. The Commission discussed COVID protocols. Starting with the next meeting (subject to applicants), Planning Commission meetings can be attended via ZOOM, with the link to the meeting published on the Township's website at the same time as the agenda.

**Engineer Report:** 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 \$4,870.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for ZARIS Property Group, LLC for Sadsbury Park Phase 1, Clover Hill at Sadsbury Park in the amount of \$4,870.00 per Mr. Porter's recommendation. 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 Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$3,505.00 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 in the amount of \$3,505.00 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 Rock Holdings, PA LLC for Building 2 in the amount of \$1,278.75 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 Building 2 in the amount of \$1,278.85 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, L.P. for Sadsbury Park Phase 2B in the amount of \$437.50 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, L.P. for Sadsbury Park Phase 2B in the amount of \$437.50 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 3A in the amount of \$585.00 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 3A in the amount of \$585.00 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, L.P. for Sadsbury Park Phase 4B 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 Sadsbury Associates, L.P. for Sadsbury Park Phase 4B 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 he has an Engineering Escrow Release of Funds for Sadsbury Commons L.P. for the Sadsbury Commons Connector Road Site Work in the amount of \$ 962.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Commons L.P. for the Sadsbury Commons Connector Road Site Work in the amount of \$962.50 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 the Lincoln Crest Mobile Home Park Expansion 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 Lincoln Crest Management, LLC for the Lincoln Crest Mobile Home Park Expansion 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 a Letter of Credit Reduction Certificate of Completion for XARIS Property Group, LLC for Clover Hill at Sadsbury Park in the amount of \$5,412.00 for the Board's approval.

Mr. Reynolds made a motion. Seconded by Mr. Moore, to approve a Letter of Credit Reduction Certificate of Completion for XARIS Property Group, LLC for Clover Hill at Sadsbury Park in the amount of \$5,412.00 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 a Letter of Credit Reduction, Certificate of Completion for Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$50,000.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Reduction, Certificate of Completion for Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$50,000.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported he has a Letter of Credit Reduction, Certificate of Completion (Release #1) for Sadsbury Associates L.P. for Sadsbury Square in the amount of \$78,915.77 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Reduction, Certificate of Completion (Release #1) for Sadsbury Associates, L.P. for Sadsbury Square in the amount of \$78,915.77 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 Reduction Certificate of Completion for Sadsbury Associates, L.P. (Release #2) for Sadsbury Square in the amount of \$39,272.39 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Reduction Certificate of Completion for Sadsbury Associates L.P. (Release #2) for Sadsbury Square in the amount of \$39,272.39 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter stated Lincoln Crest will be starting Construction next week. Sadsbury Square is moving along, there is a problem with the soil stored on site. Clover Hill and Lafayette Square II & III are moving right along. Sadsbury Commons have a May completion date for the Sanitary Sewer. Pennsylvania American is about 90% completed on the pump station. There are a couple property owners that want to tie into the main sewer system. A 537 Planning Module would have to be prepared for this to happen. The Quarry Ridge Sink hold work is completed, the sidewalk will be completed when the weather is better. Rock Holdings has a lot of complaints about the fence construction on the John Rock property. The fence is placed outside the berm on Morris Lane side. They were directed to stop and fill out a building permit. Rock

Holdings said they will be going to the Zoning Hearing Board to keep the fence where it is located. Mr. Porter recommends to send someone to attend the hearing. Mr. O'Keefe will attend. The Board would like to have the fence moved away from the berm at Morris Lane.

**Solicitor Report:** Mr. O'Keefe stated the contractor for the Township Building renovation has an additional cost to the Township for the rising cost of materials of \$4,268.09. They were already paid \$5,200 for the concrete work at the back of the building. The building would basically be the original cost with the increase.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve the change order for the Township Building renovations in the amount up to \$4,168.09. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe reported the contractor wants the Township to cover the cost of their Bond; which the Township does not do. Mr. Reynolds stated to Mr. O'Keefe and Mr. Porter, to knock off the Bond cost. Mr. Reynolds would like a letter sent that work must proceed in 14 working days. Mr. Porter will send the letter tomorrow.

Mr. O'Keefe stated that money received from the American Recovery Plan (COVID-19 money) will have to have reports sent on how the money was spent and how it can be spent. The Township will need a person to do the reports and also be a point of contact for the project.

Mr. Reynolds made a motion, seconded by Mr. Moore, to appoint Tammy Russell as the Township designee for the American Recovery Plan Project reports and also to be the point of contact for the project. With there being no questions from the public, the Board voting, "aye", the motion passed unanimously.

Mr. O'Keefe reported he Verizon Cable Franchise renewal is dated for July 2024. The Federal Communications Act requires comments 30 to 36 months before expiration. The renewal does not have any changes and there are two ways to renew: 1. Public hearing and 2. Informal negotiations. The Board chooses to have Mr. O'Keefe negotiate with Verizon. Mr. O'Keefe will also look into if a new HVAC system for the Township can be used out the money for the Recovery Plan.

Mr. O'Keefe stated that Belaire is willing to convey to the Township appraisal equal to the parcel with the deed restriction. The sketch plan will show a walking trail on the Belaire property. A written submittal and sketch plan must be submitted to DCNR concerning the property conversion.

Mr. Reynolds made a motion, seconded by Mr. Moore, to authorize Mr. O'Keefe to make a submission to DCNR concerning the property conversion. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe would like the Board to approve Sadsbury Square Escrow agreement. The amount in the Escrow Account cannot not drop below \$500.00.

Mr. Reynolds made a motion, seconded by Mr. Moore to approve Sadsbury Square Professional Services Escrow Agreement per Mr. O'Keefe's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated he read the County's 2021 Mitigation Plan and the plan basically prevents injury and death from impact of hazard conditions. He recommends the Board approve the Mitigation Plan.

Mr. Reynolds made a motion, seconded by Mr. Moore, to adopt Resolution 2022-04, The Chester County Mitigation Plan. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Township Zoning Report:** Mr. Kowalski had no report due to not being able to get on ZOOM.

**Chester County Airport Update:** No Report

**Payment of Invoices:**

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay the January, 2022 General Fund invoices in the amount of \$220,698.24. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**New Business:**

Chester County Voter Services informed the Township that the person elected to the position of Auditor for the Township did not respond to the position. The Board must appoint an Auditor to fill the position.

Mr. Taylor has talked to a resident of the Township who is willing to take the position.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to appoint Ellen Rice to fill the vacant Auditor position with a term to expire in 2023. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Public Comment:**

Anthony Clark would like to recognize John Lymberis for his donation to the Sadsburyville Fire Company.

Chief Hawley appreciates the support he gets from the community and the Board's encouragement.

Mr. Reynolds stated that the Township Police Department is fully funded and they are doing a fantastic job.

Mr. Reynolds instructed the Secretary to get a list of temporary as needed public work employees.

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