

Board of Supervisors Regular Meeting, Tuesday July 6, 2021

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, July 6, 2021 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor Mr. Taylor by telephone. Supervisor Mr. Moore was absent. Also present was Township Solicitor, Mr. O'Keefe, Township Engineer/Zoning Officer Mr. Nate MacCombie, 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.

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.

Mr. O'Keefe reported that legislation was signed by Governor Wolfe to be more stringent on municipalities. The public comment is first on the agenda to insure the public has the ability to comment on items on the agenda items only.

Mr. Bennett from Octorara Glen commented that the fireworks in the Township Sunday night was a fire zone from dusk until 10:30 p.m. It came from Octorara Glen, Sadsbury Park across Route 30. The Chief will clarify this on his police report.

Mr. Reynolds reported that bids were opened on Monday, June 25th for the trash and recycle collections. J.P. Mascaro for 5 year's total was \$3,143,160.00. The bid for Eagle Disposal for 5 years was \$2,197,869.39.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to award the bid for trash and recycling collection for a period of 5 years to Eagle Disposal. With there being no questions from the public, the Board voting "aye", the motion passed.

One bulk item will be picked up per week, and the collection day has been changed from Friday to Thursday beginning in September.

Police Report: Chief Hawley reported that for the month of June 2021, there were 317 calls for service. 50 of those calls were for assistance calls to other jurisdictions. The police calls for the entire county were 151,523. The busiest time of day in the Township was 9 to 10 a.m. and the busiest day was Wednesday. Chief Hawley reported there was a homicide on Valley Road with multiple gun shoot wounds on a targeted victim. The investigation is being continued by the State Police and the County Detectives and the Township is being advised along the way. The responsible person will be in custody soon. The residents do not have to be concerned about a random shooter.

Interviews are being done to fill the open part-time position. Candidates will be given to the Board no later than the next Board meeting. Supervisor, Mr. Moore noticed that the graphics on the police Tahoe are faded. To get new graphics on the car would cost \$700 to \$800. Chief Hawley stated to stick with what they have, it is serviceable.

Chief Hawley reported juveniles are throwing glass in the pool and other disorderly conduct. He has had discussions with the HOA in all communities and all parents in all developments will look out and deter this conduct.

There is a continuing issue with a property on Old Wilmington Road. The resident is suffering a great many health issues and is estranged from his family. There is a problem with grass and codes with building safety. A county agency was contacted.

Chief Hawley, on addressing fireworks stated the state has deregulated fireworks. The Township had no injuries or property damage over the 4th of July. State law supersedes Township rules. Every member of this department has responded to numerous calls for noise, fireworks, shots fired (fireworks). You cannot effectively control this; some people will be discourteous to their neighbors. If you have a big concern about fireworks, contact your state elected official to change the fireworks law. Mr. Jesse asked if it was legal to go on another property to set off fireworks. People are going on the Sadsbury Park HOA common ground to set off fireworks. The Chief said they could be cited for trespassing if they are still there. Mr. O'Keefe stated the HOA is land opened to the public and has certain rules. A condition could be enacted that certain activities are prohibited. Chief Hawley recommends to contact the council for the HOA and amend the bylaws.

Michelle Falcone asked the Chief what to do with speeding motorcycles on Lincoln Highway. Chief Hawley stated the police do not chase motorcycles. This is a heavily traveled corridor with cars, trucks, and motorcycles included. The police try to show a presence.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to put a \$1,000 limit from the General Fund for graphics replaced on the police car (Tahoe). With there being no questions from the public, the Board voting "aye", the motion passed.

Public Works Report: For the month of June 2021, the Public Works maintained Township owned property, equipment, vehicles, roadways, signs, traffic lights and the storm drain system. All potholes on Timacola, Greenbelt, Old Mill, Sadsbury and other various roads have been filled. Major grading of the road shoulder also has been completed on Green Belt Drive. Now that this is done, drainage is improved and woody debris is removed and mowing along the roadway can be done with the finishing mowers. Several signs were also replaced.

Emergency Management Report: Mr. Taylor received an e-mail from the county about a lap top for Emergency Management. He would like to move forward to buy a lap top for \$2,500. A lap top purchase is in the budget for \$5,000.

Keystone Valley Fire Department Report: Keystone Valley responded to 30 calls for the month of June for: auto accident 2, EMS assist 5, automatic fire alarm 6, building fires 4, no service 2, carbon monoxide alarm 3, assist mutual aid 10, relocate/stand by 1, outside fire 1, trees & wires 1, fire police assist 4, lock-out 1. The Municipal response: West Sadsbury Township 9, Highland Township 2, Parkesburg Borough 9, Coatesville City OOD 3, Honey Brook OOD, 1, Sadsbury Township OOD 6. The average personnel per call were 6 people. A total number of responding personnel was 186 throughout the month. The EMS Division responded to 123 calls for service: abdominal pain 1, stroke 4, cardiac problem 6 cardiac/resp arrest 1, diabetic emergency 2, fall 4, hypotension 3, overdose 2, respiratory difficulty 9, seizures 3, stabbing 1, syncope 3, unconscious person 1, unresponsive person 1, Accident 1, accident entrapment 1, alarm BLS medical 1, abdominal pain 4, assault w/ injury 2, back pain 1, emotional disorder 7, fall/lift assist 11, hemorrhaging 2, injured person 15, overdose 3, BLS seizures 3, sick person 16, unknown nature 2, stand-by 2, stand-by fire 10, water rescue 1. Response by municipality: Atglen Borough 4, Christiana Borough 1, East Fallowfield Township 2, Highland Township 3, Parkesburg Borough 37, Sadsbury Township 45, Sadsbury Township Lancaster County 1, Salisbury Township, Lancaster County 1, Valley Township 1, West Sadsbury Township 28.

Mr. Reynolds received a letter from Joseph Miles, EMS manager for information on a proposal for Emergency Medical Services to be provided when the current contract between the Township and Keystone Valley Fire Department EMS. Mr. Reynolds stated he needs to hear from West Wood and he will send out proposals by the September meeting.

Sadsbury Fire Company Report: For the month of June 2021 Sadsburyville Fire Company responded to 18 calls: motor vehicle accident 2, automatic gas alarm 1, building fire 3, assist EMS 1, wires fire 3, brush fire 1, house fire 1, mulch fire 1, fire police 5. The municipal breakdown: Sadsbury Township 10, Valley Township 1, West Caln Township 1, East Fallowfield Township 2, West Sadsbury Township 1, Highland Township 1, Honey Brook Township 1, Parkesburg Borough 1. There was an average of 7 firefighters per call. Miles traveled were 157 with an average of 8.7 miles per call.

Engineer Report: Mr. Nate MacCombie 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 \$1,732.50 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 Partner, L.P. for Lafayette Square Phase II & III in the amount of \$1,732.50 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie stated he has an Engineering Escrow release of funds for Rock Holdings, PA.LLC for Building #2 in the amount of \$4,284.37 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Rock Holding, PA LLC for Building #2 in the amount of \$4,284.37 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie 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 \$6,655.62 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Commons LP for the Sadsbury Commons Connector Road in the amount of \$6,655.62 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie 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 \$7,080.62 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 \$7,080.62 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has an Engineering Escrow release for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 2B in the amount of \$9,955.62 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 2B in the amount of \$9,955.62 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3A in the amount of \$1,645.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates L.P. for Sadsbury Park Phase 3A in the amount of \$1,645.00 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3B in the amount of \$264.37 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 3B in the amount of \$264.37 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4A in the amount of \$1,400.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates L.P. for Sadsbury Park Phase 4A in the amount of \$1,400.00 pre Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates L.P. for Sadsbury Park Phase 4B in the amount of \$1,071.87 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, L.P. for Sadsbury Park Phase 4B in the amount of \$1,071.87 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has a Letter of Credit Reduction Certificate of Completion for Lafayette Square Partners LP for Lafayette Square Phase II&III in the amount of \$8,780.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor to approve a Letter of Credit Reduction Certificate of Completion for Lafayette Square Partners, LP for Lafayette Square Phase II & III in the amount of \$8,780.00 per Mr. MacCombie' recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has a Letter of Credit Certificate of Completion for Sadsbury Arcadia Associates, LP for Sadsbury Park Phase 2B in the amount of \$22,413.36 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 Arcadia Associates, L.P. for Sadsbury Park Phase 2B in the amount of \$22,413.36 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has a Letter of Credit Certificate of Completion for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4B in the amount of \$5,000.00 per the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit Certificate of Completion for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4B in the amount of \$5,000.00 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has a Letter of Credit Certificate of Completion for XARIS Property Group LLC for Clover Hill at Sadsbury Park in the amount of \$67,888.80 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit Certification of Completion for XARIS Property Group, LLC for Clover Hill at Sadsbury Park in the amount of \$67,888.80 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported he has a release for the 2020 Seal Coating done on Octorara Road by Martin Paving, Inc. of Lititz, PA in the amount of \$53,066.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to pay Martin Paving, Inc. of Lititz, PA \$53,066.00 for seal coating of Octorara Road. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie had a few comments pertaining to Sadsbury Square Sewage Facilities Planning Module in a review letter dated July 2, 2021, which were satisfied.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt Resolution 2021-08, approving the revised Sewer Facilities Planning Module for Sadsbury Square for DEP. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. MacCombie reported there is an 18 feet deep sink hole where a sewer pipe is crushed at Quarry Ridge. Nate MacCombie will get bids for the repairs for the next Township meeting.

Mr. MacCombie stated that a letter dated July 2, 2021 was written for the Board's consideration about a Blasting Plan for Sadsbury Commons prepared by Maine Drilling & Blasting, Inc. The plan was reviewed relative to Sadsbury Township's Blasting Ordinance 1999-10, as well as relief granted by the Board regarding certain provisions of the Ordinance as memorialized in a letter from the Township Solicitor dated April 15, 2021.

Solicitor Report: Mr. O'Keefe reported that the Township tax collection, Berkheimer Tax Associates would like to coordinate tax information with Keystone Collections. Mr. O'Keefe stated that collecting information from municipalities, must be a coordinated effort by both tax collectors.

Mr. Reynolds feels Berkhiemer should coordinate with Keystone and write the resolution for the Township.

Mr. O'Keefe stated that during the COVID-19 pandemic new methods of conducting business was adapted. Virtual meetings were conducted for most meetings in the Township. PSATS has asked the Township to recommend that the Pennsylvania General Assembly adopt legislation to permit the use of virtual meeting platforms for public meeting held after the end of COVID-19 if necessary.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt Resolution 2021-07 encouraging the Pennsylvania General Assemble consider legislation that would permit the use of virtual meeting platforms to conduct public meetings after the end of the COVID-19 pandemic. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. O'Keefe acknowledged receipt of the Cairns Agricultural Security Area Proposal. Mr. O'Keefe stated there are two courses of action. If no action is taken on this proposal, after 180 days it becomes automatic. The second option is to advertise the proposal for 15 day public comment, then it goes to the Chester County Planning Commission for a public hearing.

Mr. Reynolds made a motion, seconded by Mr. Taylor to take no action on the Cairns Agricultural Security Area Proposal for 180 days. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated there was an agreement with the Township that Sadsbury Arcadia's Model Home at Sadsbury Park would be pump and haul on the waste water generated. The agreement also states that as soon as it was able, it would connect to public water and sewer and the pump and haul agreement would be terminated. That model home is now connected to public water and sewer.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to terminate the pump and haul agreement with Sadsbury Arcadia for the model home at Sadsbury Park. With there being no questions from the public, the Board voting "aye", the motion passed.

Mr. O'Keefe stated the Township will receive \$430,000 in the American Rescue Plan. The potential uses for these funds are for recovery from COVID-19 and better protecting against another pandemic. There are more clarifications on what these funds can be used for coming out.

Nate MacCombie reported that Pennsylvania American will place the hydrants where the Township wanted them for the John Rock project. There will be no more gate and no more cut through berm at Morris Lane. Jamie MacCombie stated there will be no kiln at John Rock Building 2. Make them come to the Board if they want to put in a kiln.

Michele Falcone stated they start at John Rock around 5 a.m. A tractor trailer sits on Route 30 and in the John Rock area.

Planning Commission: Mr. Jessey reported the Planning Commission meeting was held on Wednesday June 9, 2021 at 7:00 pm. Mr. Harold Mast, accompanied by Mr. Brian Nagle of MacElree Harvey, sought input on a conceptual zoning change that would support creation of proposed single-family attached townhomes on properties along Octorara Trail north of US-30. The proposal also included the possibility of a connector road that would join the new proposed development with Compass Road. The southern portion of the property is zoned C2(General Commercial), a strip to the north along Octorara Trail is zoned C1 (Limited Commercial), and the rest of the property is zoned RR (Rural Residential). The proposed single-family attached townhomes would not be compatible with the current RR zoning. Members of the Commission suggested that other uses, such as an age restricted community along the lines of a Sunrise or Freedom Village may be of more benefit to the Township, and perhaps more in line what the Township is looking for. Other considerations were uses like medical and professional offices and rehab facilities. Members of the public Mr. Clark Faggioli and Mr. Linn Sheller, both of whom live on Compass Road, expressed concern about the increase in traffic that road may receive if the proposed connector road was built.

Mr. Jesse also reported on the Zoning Ordinance Committee and they are recommending that portions of the Ordinance relating to Landscaping should be removed completely, and then added to the SALDO as an Amendment of the adoption of the new Zoning Ordinance.

The Committee would like to draw attention to the portion of the Ordinance concerning electronic billboards. The Committee is aware that the Township has traditionally not been in favor of them; however, the concern is that attempting to prohibit them completely will open up the Township to potential legal action. As part of our review, we have crafted language that allows such signs, but puts appropriate restrictions on their use.

Anthony Clark would like to have all the members of the Planning Commission and the Zoning Ordinance Committee to have a copy of the Comprehensive Plan. The Secretary told him that it would cost a fortune to have these printed and they could not be copied on the Township copier because there are large maps included in the Plan.

Jamie McCombie said his office would copy the Comprehensive Plan for no charge to the Township. This would include 7 copies.

Zoning Report: Mr. MacCombie reported there were numerous phone calls. There have been grass problems. There was a problem on Old Mill Road with property lines. At 10 Old Mill Road, Mr. MacCombie will require what they are doing, get a grading permit application and it can be reviewed.

Simon Jessey asked if the sign for Keystone Custom Homes could be removed at Blackberry Lane as it is blocking view. Nate MacCombie will look into it.

Chester County Airport Update: No report.

Payment of Invoices:

Mr. Reynolds made a motion, seconded by Mr. Taylor, to pay the June 2021 General Fund invoices in the amount of \$278,762.19. With there being no questions from the public, the Board voting “aye”, the motion passed.

New Business:

Mr. Reynolds made a motion, seconded by Mr. Taylor, to accept the resignation of John Ettore from the Planning Commission. With there being no questions from the public, the Board voting “aye”, the motion passed.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to make a contribution to the Parkesburg Library, already budgeted, in the amount of \$1,500.00. With there being no questions from the public, the Board voting “aye”, the motion passed.

Todd Fryatt to speak about solar initiative- solar lease rates for Township Building and lands owned by Township and Western Gateway solar use provision, did not show up at the meeting.

Old Business:

Tony Clark asked if the Supervisors received his information about Cupolas.

Simon Jessey stated he is an advocate for the cupola.

Todd Wilson thinks it must be functional and there is no function in the cupola.

Mr. Reynolds stated his plan is to remove the cupola before it falls down and have the roof patched.

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.

Respectfully Submitted

Linda Shank
Secretary

