

## **Board of Supervisors Regular Meeting, Tuesday June 1, 2021**

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, June 1, 2021 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor John Moore, and Mr. Taylor by telephone. Township Solicitor, Mr. O'Keefe, Township Engineer/Zoning Officer Mr. Porter, and members of the community.

A moment of Silence and Pledge of Allegiance was observed.

Mr. Reynolds announced the Board met in Executive Session before the meeting to discuss personnel issues.

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.

**Police Report:** Chief Hawley reported that with the departure of Ryan Barr, the department is in need of a full-time police officer. There have been two viable candidates for the position. Both submitted resumes and have had interviews with the Chief, Sergeant Imhoff and Corporal Sipple. Chief Hawley would like to hire Paul McCullough as a full-time police officer.

Mr. Reynolds made a motion, seconded by Mr. Moore, to hire Paul McCullough as a full-time police office for Sadsbury Township with a start date of July 1, 2021. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds stated the Board wishes Ryan Barr the best in his Federal position with the Veterans Administration.

Chief Hawley reported there were 283 calls for service in the month of May, 2021. It was a busy month for people driving aggressively. 47 of the calls were for assist to other jurisdictions. All officers, including the Chief are now carrying tourniquets. Hopefully we will not have to use them. The new 2021 Charger has been delivered. Officer Barr left after 12 years of service to take a job as an officer at the Veterans Administration. We wish him well. Sergeant Imhoff finished Poles training school. This is an invaluable training program bringing executive experience to the table. Corporal Sipple will be going to a Penn State program for POSIT in July. The Chief has the official paperwork for the Chester County Fire Range in Coatesville. The officers will be able to use it when they want to. After much discussion and investigation, earlier today the body cameras came in. the IT person will be putting them on the cloud system.

The Chief will have more information for the July meeting. The systems are made by WatchGuard which is owned by Motorola. The system will integrate with the car photo system, so there will be audio and video. This will show lots more detail, such as validation illegal use of force and illegal constraint. It is a tool for decreasing liability and officer safety. This is state of the art technology.

The Chief stated that on the 4<sup>th</sup> of July there will be fireworks. Sadsbury Township has a noise ordinance but State law overrides the Ordinance. Fireworks are allowed with certain restrictions. They must be 150 feet from an occupied structure, 18 years or older, and no alcohol intoxication. The law must be followed.

**Public Works:** For the month of May, the Public Works Department maintained Township owned properties, equipment, vehicles, roadways, signs, traffic lights, and the storm drain system. At the Township Building bushes were removed along with old mulch and the area was graded. Weed fabric was placed down and new bushes were planted. Red stone was used in place of mulch. Pavers were also incorporated into the landscape and a fountain. Two benches were installed and other minor improvements were made. Top soil was brought in to fill in area and grass seed planted. This month we also began grading the road shoulder of Greenbelt Drive. This project will continue into June and will extend the entire length of Greenbelt and also Quarry Road. The department also made improvements to the infield at Bert Reel Park Ball Field. 10 tons of diamond tech was purchased and spread onto the field with some other minor improvements made. All Township signs were inspected for reflectivity, condition, placement, and view ability, with many being corrected. This task will be continued into June along with filling pot holes.

**Emergency Management Coordinator:** Mr. Taylor has no report.

**Keystone Valley Fire Department:** Chief Gathercole reported there was a total of 28 calls for service for May: auto accident 8, EMS Assist 2, automatic fire alarm 4, building fires 3, fire police assist 2, assist mutual-aid 8, relocate/stand-by 1, outside fire 4, no services 4. The response by municipality is as follows: West Sadsbury Township 7, Highland Township 2, Parkesburg Borough 11, Out of District 7, Coatesville City 5, Sadsbury Township 1, West Fallowfield Township 2. The average personnel per call were 8, with a total number of responding personnel was 256 throughout the month. There were 5 training nights in the month of May, the average attendance being 38 members. 3 group training nights and 2 junior firefighters training nights. Personnel attended Flood Awareness and Water Rescue Awareness Training during the Month of May. The Keystone Valley EMS Division responded for 135 calls for service in May: DOA 2, No services 13, patient refusal 29, recalled 7, standby/EMS assist 5, treated, transferred care 1, ALS transport 45, BLS transport 33. Response by municipality: Atglen 1, Caln 1, Christiana 5, Coatesville 1, Highland 9, Parkesburg 38, Sadsbury 47, West Fallowfield 1, West Sadsbury 32.

**Sadsburyville Fire Company:** For the month of May, 2021 the Sadsburyville Fire Company responded to 18 calls for: motor vehicle accident 10, automatic fire alarm 4,

auto fire 1, assist police 1, assist EMS 1, motor vehicle accident with fire 1. The response by municipality is as follows: Sadsbury Township 10, Valley Township 3, West Caln Township 2, East Fallowfield Township 1, West Fallowfield Township 1, West Sadsbury Township 1. There was an average of 6.5 firefighters per call and 119 miles traveled with an average of 6.6 miles per call. The time in service was 15 hours and 7 minutes with an average of 50.3 minutes per call.

**Engineer Report:** 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 \$7,049.37 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 3B in the amount of \$7,049.37 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 3A in the amount of \$369.37 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 3A in the amount of \$369.37 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 3B in the amount of \$88.12 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3B in the amount of \$88.12 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 L.P. for Sadsbury Park Phase 4A in the amount of \$46.24 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 \$46.24 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 4B in the amount of \$29.37 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 4B in the amount of \$29.37 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 Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$408.12 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 Partners, L.P. for Lafayette Square Phase II & III in the amount of \$408.12 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 Commons L.P. for the Sadsbury Commons Connector Road Site Work in the amount of \$485.63 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 \$485.62 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 XARIS Property Group, LLC for Sadsbury Park Phase 1, Clover Hill at Sadsbury Park in the amount of \$6,610.62 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, 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 \$6,610.62 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 a Letter of Credit Certificate of Completion for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3B in the amount of \$178,672.64 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 3B in the amount of \$178,672.64 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 a Letter of Credit Certificate of Completion for XARIS Property Group, LLC for Sadsbury Park Phase 1, Clover Hill at Sadsbury Park in the amount of \$140,537.20 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Certificate of Completion for XARIS Property Group LLC for Sadsbury Park Phase 1, Clover Hill at Sadsbury Park in the amount of \$140,537.20 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 the John Rock Preliminary/final was approved last month. There are plans for the Board to sign but he has concerns still about the fire hydrant. Pennsylvania American wants to extend the main from Morris Lane and have hydrant on-site in a pit. Chris Daly from John Rock says PAWC wants to extend the Morris Lane meter 500 feet north through the berm. Install a 12-foot wide with an access gate in the Township right-of-way to serve John Rock and residents of Morris Lane. Mr. Reynolds asked why not put the fire hydrant at the Industrial Park. Mr. Porter stated that at the Pre-Construction meeting, PAWC stated it must come off Morris Lane to the meter pit and pay a fee. Mr. Reynolds would not like to go through a berm and feels there has to be a simple solution to this problem. Mr. Reynolds feels the Township easement would hold the solution and Mr. O'Keefe will look into this solution. Doug Howe stated the plans for signature tonight show where PAWC wants the hydrants. Mr. O'Keefe stated the Board can sign the plans and he will hold them and not record them until we see if there is a solution with PAWC concerning the hydrants.

Mr. Porter reported that Sadsbury Park request a couple street lights on Folin Street be changed. Julia Porter with the Home Owners Association has approved the move.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve relocation of the light standards at Sadsbury Park Phase 3B and 4C per approval of the Township Engineer. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported the Sadsbury Commons Connector Road will restart activity next week. They should have their blasting plan to the Township shortly. They would like to blast next month.

Mr. Porter asked Dan and Harold Mast to come to the meeting to talk to the Zoning Hearing Task Force about their 36 acres behind the CVS at Route 10 & 30. They would like to put 126 Town homes, and would like to have the zoning changed to do this. Mr.

O'Keefe recommends they go first to the Planning Commission, the choices after that would be either the Zoning Hearing Board for a variance, or the Board of Supervisors for Conditional approval. Mr. Jessey stated the Planning Commission is the right place to start and the Planning Commission will make a recommendation if they feel they agree.

**Solicitor Report:** Mr. O'Keefe stated that he would like to discuss approval the of Sadsbury Square Developer agreements. Everything is in order for approval of the agreement, and finalized with final cost estimates. Mr. White would have to submit a letter of credit to the Engineer.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the Financial Security Agreement, Developer Agreement, Landscaping Restrictive Covenant, Stormwater Maintenance Agreement, and Act 209 Agreement, conditioned upon applicant providing a letter of credit go the Township satisfactory to the Township Engineer. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated, Mr. White will have the plans for the next meeting for the Board to sign.

Mr. O'Keefe stated he is beginning to see the light at the end of the tunnel concerning 8 Lemmon Alley. Mr. O'Keefe has spoken with the attorney for the owners of 8 Lemon Alley and explained that if a road is not maintained by the Township for 21 years, ownership can be taken over by property owner; that does not extinguish access from others using the road. The owners in early 2021 wanted to build a modular home north of Lemon Alley. This is development of 2 separate lots, which requires subdivision and land development. The owners did not like that. They will sign easement agreement worked out with their attorney, and Mr. O'Keefe is asking the Board to waive the sub division.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to waive the subdivision and land development requirement for the construction of a modular unit by Rock Bottom Properties at 8 Lemon Alley, conditioned upon Rock Bottom Properties executing an Easement Agreement satisfactory to the Township Solicitor. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe received through e-mail from CATO about recommending the Pennsylvania General Assemble adopt legislation to permit the use of virtual meeting platforms for public meetings held by municipalities. This gives Townships flexibility in how Supervisors conduct municipal business. Mr. O'Keefe will write up a resolution for the next meeting.

Mr. O'Keefe would like the Board to approve the Stormwater Management Agreement for Robert Werkheiser.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve the Stormwater Management Agreement for Robert Werkheiser 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 would like the Board to authorize advertisement of the waste hauling RFD. Our contract with Eagle Disposal is over in September and we will need to put the waste hauling out to bid. It will be specified that trash should be picked up any day but Friday and there should be an e-mail available to Township residents or an electronic format.

Mr. Reynolds made a motion, seconded by Mr. Moore, to authorize Mr. O'Keefe advertise the waste hauling RFP out to bid. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Planning Commission:** Mr. Jessey reported the Planning Commission met on Wednesday, May 12, 2021. Mr. Jessey stated that the meeting was mostly concentrated on the comments and revisions to the Zoning Ordinance.

**Zoning Report:** Mr. Porter received permit requests for decks and patios. He received an application for firework sales at 3341 Lincoln Highway from PK Novelties. Mr. Reynolds has no objection to the sale as long as they have someone on site at all times.

**Chester County Airport Update:** No Report

**Payment of Invoices:**

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay the May 2021 General Fund Invoices in the amount of \$314,599.32. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Old Business:**

Mr. Reynolds made a motion, seconded by Mr. Moore, to sign the Master Lease Purchase Agreement for Fulton Bank for the new police car. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Public Comment:**

Anthony Clark thinks what the Chief mentioned about fireworks should be put on the web-page.

Simon Jessey would like Mr. Grafton, the Township Planner use more modern technology when revising any Township Ordinance.

David McCoy would like to see changes in the traffic light at Route 30 and Old Wilmington Road. He has seen cars coming out of Harry's the wrong way. He had questions about the weight requirements on the bridge at Octorara Road.

Mr. Reynolds stated that PennDOT is doing a study at the Old Wilmington light.

Anthony Clark asked about the cupola on the Township Building.

Mr. Reynolds stated the cupola is falling off and is beyond repair. The plain is to shingle the roof.

Anthony Clark said the property at 10 Old Mill Road is a commercial business and should not be there.

Linda Seal thanked the Board for letting her son, AJ, visit the meeting for his Boy Scout Troup.

Todd Wilson gave the Secretary a letter for the Board about trash collection and PAWC service.

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