

## **Board of Supervisors Regular Meeting, Tuesday, May 3, 2022**

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, May 3, 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.

Mr. Reynolds stated the Board met in Executive Session to discuss personnel issues.

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:**

Todd Wilson asked if there would be a vote on the Zoning Ordinance tonight. Mr. O'Keefe answered no, there are more steps that have to be taken before a vote will be taken, probably not until July.

Michelle Falcone asked if anything about John Rock will be spoken about.

**Police Report:** Chief Hawley reported that for the month of April, 2022, the police responded to 486 calls for: business check 161, patrol check – outside areas 102, traffic stop 74, report 15, cardiac problems ALS 12, phone assignment 10, police alarm 9, respiratory difficulty ALS 8, traffic general hazards 8, fall, lift assist 7, suspicious conditions 7, well-being check 7, accident with property damage 5, domestic 5, sick person BLS 4, animal complaint 4, disturbance 4, erratic driver 4. Chief Hawley thinks in May the service calls will go up from April. The busiest time of day was 12 noon to 8 p.m. Chief Hawley reported that there is an active and on-going drug investigation. The drugs were intercepted before it arrived in the recipients' hands. In April, an active shooter exercise was held at Octorara school building and campus. It is a shame that this is necessary, but it is best to be prepared. Chief Hawley has been at the John Rock facility early on Sunday mornings and have found no early start times or any violations.

**Public Works Department Report:** For the month of April, the Public Works Department removed all winter equipment from vehicles. All winter equipment and vehicles have been inspected for any worn or damaged parts before being stored away until next season. The damage has been minor with minor wear and tear on parts. Most of the minor damage reported involved the DUI driver who rear ended our newest truck the 2021 Freightliner. All properties have been prepared for mowing and have been mowed at least two times already this season. All storm drains, pipes and culverts have been checked and cleared regularly throughout the month. About 95% of the pot holes within the Township have been filled using cold patch material. There are a few pot holes that will be filled using hot patch, which will be done in May. The small pavilion located at Bert Reel Park on the north side by the railroad tracks has been removed and disposed of. The department is also working on obtaining fence quotes for new fencing at Bert Reel Park to be further report on in May.

Mr. Porter reported he has looked into the line painting on Washington Lane shared with Valley Township that was tabled from last month's meeting. Sadsbury's portion is from Lincoln Highway to Waverly Boulevard and the cost would be \$5,910.90.

Mr. Reynolds made a motion, seconded by Mr. Moore, to share the line painting with Vallley Township on Washington Lane. The portion being Sadsbury Township to have a total cost of \$5,910.90. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter stated the Valley Township meeting will be held on May, 19, 2022.

**Emergency Management Coordinator Report:** Mr. Taylor stated he is not getting the proper e-mails from the County for reports. They are going to a former Supervisor. He is getting things straightening out.

**Keystone Valley Fire Department Report:** Keystone Valley Fire Department responded to 28 calls for service for: auto accident 7, gas leak/CO 1, Fires (other) 2, automatic fire alarm 4, building fires 6, no services 1, public service 5, relocates or covers 1. The break-down by municipality: West Sadsbury 10, Highland 1, Parkesburg Borough 8, Out of District 8. The average personnel per call were 8. The total time spent in service was 34 hours and 19 minutes. The average response time from dispatch to on-scene was 6 minutes. The total man hours were 111 hours and 40 minutes. There were 3 training nights held in the month of April with the average attendance being 15 members attending. The Keystone Valley EMS Department handles 117calls in April for: abdominal pail 1, allergic/med reaction 1, CVA/stroke 5, cardiac problems 16, cardiac arrest 2, diabetic emergency 2, emotional disorder 1, fall 1, hemorrhaging 1, hypotension 1, injured person 4, respiratory difficulty 8, seizures 3, unresponsive person 3, accident 4, alarm-BLS medical 2, assault with injury 2, back pain 1, emotional disorder 6, fall, lift assist 13, BLS hemorrhaging 1, BLS injured person

6, overdose 4, BLS seizures 1, sick person 17, syncope 1, stand by event 1, stand by fire 7. The total response by municipality: Parkesburg 31, West Sadsbury 25, Highland 3, Sadsbury 39, out of district 19.

**Sadsburyville Fire Company Report:** For the month of April, the Sadsburyville Fire Company responded to 11 calls for service for: structure fire 3, automatic fire alarm 1, auto accident 3, assist EMS 2, smoke/odor investigation 1, brush fire 1. The Municipal break-down: Sadsbury 4, West Caln 1, Valley Township 3, Parkesburg 2, East Fallowfield 1. There was an average of 7 firefighters per call. 50 miles were traveled with an average of 4.5 miles per call. The time in service was 5 hours and 33 minutes with an average of 3.27 minutes per call.

**Engineer Report:** Mr. Porter reported he has an Engineering Escrow release of funds for Lafayette Square Partners, LP for Lafayette Square-Phase II & III in the amount of \$1,742.50 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, LP for Lafayette Square Phase II & III in the amount of \$1,742.50 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 Rock Holdings PA, LLC for John Rock Building #2 in the amount of \$667.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Rock Holdings PA LLC for John Rock Building #2 in the amount of \$667.50 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 Commons, LP for the Sadsbury Commons Connector Road Site Work in the amount of \$10,937.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds in the amount of \$10,937.50 for Sadsbury Commons, L.P for Sadsbury Commons Connector Site Work per Mr. Porter's recommendation.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP for Sadsbury Commons Connector Road Site Work in the amount of \$10,937.50. With there being no questions from the public, the Board voting “aye”.

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 \$4,005.00 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 \$4,005.00 per Mr. Porters 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 3B in the amount of \$43.75 for the Board’s approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3B in the amount of \$43.75 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 Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4A in the amount of \$103.75 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 \$103.75 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, L.P. for Sadsbury Square in the amount of \$6,582.50 for the Board’s approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Sadsbury Associates, L.P. for Sadsbury Square in the amount of \$6,582.50 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 \$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 Lincoln Crest Management, LLC for Lincoln Crest Mobile Home Park Expansion in the amount of \$1,400.00 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 Certificate of Completion for Lafayette Square Partners, LP for Lafayette Square Phase II & III in the amount of \$53,690.60 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit Certificate of Completion for Lafayette Square Partners, LP for Lafayette Square Phase II & III in the amount of \$53,690.60 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 XARIS Property Group LLC for Clover Hill at Sadsbury Park in the amount of \$115,893.00 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 Clover Hill at Sadsbury Park in the amount of \$115,893.00 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, Certificate of Completion for Sadsbury Associates, L.P. for Sadsbury Square in the amount of \$89,920.78 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 \$89,920.78 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter gave an update on the Sadsbury Township security project. Uhrig Construction wants a payment of \$30,124.65. Several items have been completed since the contractor requested an extension of time. Mr. Porter met with the contractor and went through the whole punch list and some items have not been completed. Mr. Porter would suggest the Board pay 80% of the payment, which would be \$24,018.15.

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay Uhrig Construction a payment in the amount of \$24,018.15. 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 hold the remainder of payment #3 in the amount of \$6,106.50 until the Township Engineers are satisfied and give approval of the remainder of the punch list items. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter presented the Board with the proposed 2022 Township road resurfacing projects.

Mr. Reynolds made a motion, seconded by Mr. Taylor to have the 2022 Road Resurfacing Project out to bid. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter reported that there are issues with the Board for parking on North Harner Blvd. There are 15 parking spaces from Old Wilmington Road to the first intersection. There are 315 parking spaces in the Development as a whole. Mr. Porter stated you could get 2 feet of widening if you move some trees and remove the bollards. Paving would be involved. The cost would be about \$8,000 to \$10,000 to widen the road.

Mr. Reynolds made a motion, seconded by Mr. Moore, to add the widening of North Harner Blvd. to the paving project. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

MacCombie Engineer's office has prepared the MS4 Annual Report. The report is basically telling DEP how the Township is educating the public on Storm Water Management. Sadsbury Township has been operating under a General Municipal Separate Storm Sewer System (MS4) on a permit issued by the Pennsylvania Department of Environmental Protection (DEP) since 2003. The permit needs to be renewed in 2022 and the proposed application requires the Township to prepare plan that will address the reduction of sediments and nutrients in the streams within the Christiana River Basin, specifically Buck Run and various tributaries that have been identified as being impaired with the Township. There will be a public hearing on the report and then it will be submitted to DEP.

Mr. Porter reported on the status of the Octorara Bridge Project. The FEMA Report should be finished for the meeting next month. The ballpark figure for the project with independent funding will be between \$400,000 to \$500,000.

**Solicitor Report:** Mr. O'Keefe stated he would have no action this evening on the Amendment to the Subdivision and Land Development Ordinance concerning the Riparian Buffer Appendix.

Mr. O'Keefe stated he has a review letter from the Chester County Planning Commission regarding the Zoning Ordinance and Map review. He noted that the Landscaping Ordinance has been moved from Zoning into the Sub Division and Land Development. He would like to make sure it is moved. Mr. O'Keefe would like the Township Zoning Ordinance Committee to look at this review. Mr. Jessey stated the

committee feels there is nothing in the County review that should keep the Zoning Ordinance from being approved. It is easy to make amendments after the fact. Mr. O'Keefe feels it does make sense to go over the comments, the reviews from the County can be tightened up and address some of the comments. Mr. O'Keefe stated the earliest it can be adopted is July.

Mr. O'Keefe stated the state is okay with the property purchase for the Public Works Garage, he is just waiting on the County to give its okay. Mr. O'Keefe said it is usually the other way around.

**Planning Commission Report:** Mr. Jessey stated there was no meeting in April. There are two applicants for opened Planning Commission seats.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to appoint Ron Zanoni and Clark Faggioli to the Planning Commission. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Zoning Report:** Mr. Kowalski reported there were 12 Zoning permits for sheds, fences, decks, and patios. Various calls were answered for zoning related questions for zoning districts and for any restrictions for those districts.

Tony Clark stated that 10 Old Mill is storing construction materials. The Board will have Jim Kowalski snap some pictures.

**Chester County Airport Update:** Mr. Roberts reported the Authority met today and they are under budget for this year. The restaurant was not discussed. All Sikorsky's equipment has been removed from the airport.

### **Payment of Invoices:**

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay the April 2022 General Fund invoices in the amount of \$241,760.72. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

### **New Business:**

Michael Gill came to the Board go give an information update on Sadsbury Commons. Mr. Gill stated there have been some changes in the plan. First they would like to move some buildings around, and they are required to come to the Board for permission. The second change will have to do with signage. Mr. Gill passed photos of possible signage to the Board for their consideration. WaWa will be coming to Sadsbury Commons and they will be selling gas. They will be on the Rt. 30 side, and will need gas signs.

Wendy's has also signed to come to the project. This will happen in the spring of next year. Mr. Gill is hoping little projects bring in larger stores. They have Conditional Final approval for Phase 2. Phase 2 will have a decrease of 5,000 square feet. Phase 3 has Preliminary approval but no final approval. The sewer is almost completed by June of this year. The signalized intersection should be completed by fall..

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve WaWa and Wendy's addition to Sadsbury Commons. 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 change the configuration of buildings RF&G on Route 30. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Gill asked the Board if they will take dedication of the Connector Road when it is completed. Mr. Reynolds replied that at this point the answer would be no. Maybe somewhere in the future, the residents come first. There is a problem with storing salt for the winter.

Mr. Gill stated they will seek final approval for Phase 2 and will go the Planning Commission hopefully in June.

**Public Comment:**

Mr. Bennet feels that some of the work being done at Octorara Road and Route 30 is shady.

Mr. Porter stated the dirt pile is stabilized and they are using some of the stockpile.

Mr. Bennet is seeing some runoff, but not a lot.

Todd Wilson feels the Zoning Ordinance needs to be tweaked with the County review. He will e-mail Mr. Jessey and attend the SALDO meeting.

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 unanimously.

Respectfully Submitted,

Linda Shank  
Secretary



