

Board of Supervisors Regular Meeting, Tuesday May 4, 2021

In order to comply with the Stay at Home Order issued by Governor Wolf, minimizing public exposure to COVID-19 and maintain social distancing, the Sadsbury Township Board of Supervisors is conducting the May Meeting remotely via ZOOM. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor Mr. Moore and Mr. Taylor, Township Solicitor Max O'Keefe, Township Engineer/Zoning Officer Dave Porter, Police Chief Mike Hawley, and members of the community.

The moment of Silence and Pledge of Allegiance were waived.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to waive the reading 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.

Police Report: Chief Hawley stated the stats for the Month of April are available at the Township office. For the month of April, the Police Department responded to 247 calls for service. This is down from the March calls of 389 because the recording of business checks is done in a different fashion. Business checks and park checks are logged in the system as "patrol officer activity report." There is a decline in the number of calls handled by the State Police. Usually the State calls are 11:30 to 12:00. With the modified second shift, these hours are covered by the Township. The goal is to have 24/7 department hours. Chief Hawley stated he received an e-mail about 18 wheeler trucks on Reel Street from Washington Lane. Chief Hawley states the officers are on proactive patrols on Washington Lane every day and there is not a constant parade of tractor trailer trucks. Additional enforcement will be placed in that area. Occasionally a tractor trailer will not know what to do and our officers will help them. Mr. Taylor stated that since the Industrial companies came to the Township, the 18 wheelers have been a problem.

Mr. Reynolds asked Chief Hawley if he would be able to move to the Conference Room during the police department renovations. Chief Hawley stated there might be a problem with computers and wiring. He will contact the AT guy and see if it is feasible.

Vicky Horan asked about the car on fire at Harry's. Mr. Reynolds stated the car was on fire and drifted into a white truck (Mr. Reynold's truck), bounced off the truck to the porch at Zings. Chief Hawley stated there was no criminal intent, it was an accident and no one was hurt.

Public Works

Mr. Reynolds made a motion, seconded by Mr. Taylor, to hire Timothy Nichols, Sheree September Spencer, and Steve Baxter as part-time seasonal help for the Road Department. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board would like the Public Works Department to discontinue using weed killer around the Township Building.

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

Keystone Valley Fire Department Report –Chief Gathercole reported that for the month of April, there were 27 calls for: auto accident 5, EMS assist 4, automatic fire alarm 5, building fires 3, no service 4, assist mutual aid 9, relocate/stand by 2, power line down 1, outside fires 1, Chief’s notification 2. The response by Municipality: West Sadsbury Township 11, Highland Township 2, Parkesburg Borough 6, Out of District 8. The total time spent on service was 27 hours and 30 minutes. The average response time from dispatch to on scene was 6 minutes. The total man hours were 52 hours and 30 minutes. The EMS Division handled 131 calls for service. 38 of the calls were in Sadsbury. 45 BLS and 37 ALS.

Sadsburyville Fire Company:

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 in the amount of \$4,484.99 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 in the amount of \$4,484.99 per Mr. Porter’s recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Porter has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 2B in the amount of \$3,571.87 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 \$3,571.87 Per Mr. Porter’s recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Porter has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 3A in the amount of \$1,953.75 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 3A in the amount of \$1,953.75 per Mr. Porter's recommendation.

Mr. Porter has an Engineering Escrow release of funds for Sadsbury Arcadia Associates for Sadsbury Park Phase 3B in the amount of \$58.75 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 \$58.75 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has an Engineering Escrow release of funds for Sadsbury Arcadia Associates L.P. for Sadsbury Park Phase 4A in the amount of \$58.75 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 \$58.75 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4B in the amount of \$341.87 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 \$341.87 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has an Engineering Escrow release of funds for Lafayette Square Partners, L.P. for Lafayette Square Phase II and III in the amount of \$2,431.87 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 Partners, L.P. for Lafayette Square Phase II & III in the amount of \$2,431.87 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has an Engineering Escrow release of funds for Sadsbury Commons, LP for Sadsbury Commons Connector Road Site Work in the amount of \$3,795.62 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, L.P. for the Sadsbury Commons Connector Road Site Work in the amount of \$3,795.62 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has a Letter of Credit Certificate of Completion reduction for Sadsbury Arcadia Associates L.P. for Sadsbury Park Phase 2B in the amount of \$52,425.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit Certificate of Completion reduction for Sadsbury Arcadia Associates L.P. for Sadsbury Park Phase 2B in the amount of \$52,425.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has a Letter of Credit Certificate of Completion reduction for Lafayette Square Partners L.P. for Lafayette Square Phase II & III in the amount of \$62,423.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Certificate of Completion reduction for Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$62,423.00 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has a Letter of Credit Certificate of Completion reduction for XARIS Property Group LLC for Sadsbury Park, Phase 1 Clover Hill at Sadsbury Park in the amount of \$69,933.85 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Certificate of Completion reduction for XARIS Property Group LLC for Sadsbury Park, Phase 1 Clover Hill at Sadsbury Park in the amount of \$69,933.85 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter is working with Mr. Zook at 420 Compass Road with his Storm Water design.

Mr. Porter is in receipt of John Rock final plans and they paid the appropriate fees. A letter was sent for the Planning Commission review from MacCombie's office dated April 13, 2021. The fire hydrants are an issue and Chief Grossman is looking at the

plans for this. Mr. Reynolds says the Chief wants the hydrant closer to the building but there is not enough water pressure. The Chief does not like the idea to put a gate for access to Morris Lane hydrant. There needs to be a better solution. The sprinkler system does not put out fire, only delays it until fire company arrives. PAWC needs to get involved. The Fire trucks carry 100 feet of hose. Doug Howe, for John Rock stated the hydrant in front of Patriot Way can't seem to get pressure. He has been struggling with Pennsylvania American with this for years. They can't seem to get pressure. Mr. Reynolds said the Township will work with them if they need an easement.

Mr. Porter stated he has no problem with approving Final Land Development for Todd Wilson of 33 Octorara Road. He has not received a response from DEP as of yet, but there are only minor comments for the applicant to discuss. Mr. Wilson has the DEP letter and will e-mail it to Mr. Porter.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve Preliminary/Final Land Development for Todd Wilson of 33 Octorara Road, contingent on the April 13, 2021 MacCombie letter. With payments due for fee in Lieu \$2,192.45 and Act 209 \$2,130.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter stated the opening at Stewart Huston Drive road extension to Old Wilmington Road will stay with the design and there will be no cul-de-sac. Joe Rusella will submit for the Highway Road Occupancy Permit.

Mr. Porter stated he will have Barry Bentley get in touch with Mr. Reynolds concerning land for the Public Works garage.

Solicitor Report: Mr. O'Keefe has an update on the American Tower lease. When he related to them that the Board was not interested in a 33% reduction in fees, they stated they would agree to something higher but not greater than \$2,000 a month. Mr. O'Keefe believes he is dealing with a sub-contractor for American Tower. He will be available for the next Board meeting if the Board would like to talk to him. The Board instructed Mr. O'Keefe to tell him the Board is not interested in reducing the amount the Board is receiving now.

Mr. O'Keefe stated John Rock is requesting Final Land Development and associated agreements. Mr. Porter stated with the discussion on fire hydrants and water presser, he does not think it makes sense to make recommendation until that is settled. Engineer comments other than that are minor in nature. Mr. Daley, From John Rock, feels they have addressed all concerns, and have attended several meetings and this has been going on for a long time. He would like to request Conditional Approval. Mr. Reynolds stated the fire hydrant issue needs to be fixed to the Fire Marshall's satisfaction. Doug Howe proposed to extending the line at Morris Lane to John Rock property on western end of building. Mr. O'Keefe stated they could build the building with no occupancy permit or recording of plans until hydrant issue is resolved. Mr.

Reynolds instructed Mr. Porter to put in his condition letter to resolve hydrant issue to the Fire Marshall's satisfaction.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to grant John Rock Building #2 final plan approval contingent on the MacCombie letter of April 13, 2021, the fire hydrant issue, and compliance with Ms. Menke and Mr. Stubbe recommendation letters. 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 approve Financial Security Agreement, Subdivision and Land Development Agreement, Stormwater Operation and Maintenance Agreement, and Landscaping Restrictive Covenant, conditioned upon Township Solicitor's approval. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Planning Commission: The Planning Commission met on Wednesday, April 14, 2021. The Planning Commission recommended final approval for John Rock Building #2 and Todd Wilson for revised 2-lot subdivision at 33 Octorara Rd. Both subject to Township Consultants letters. At the next meeting, they will be going over the reviews on the Zoning Ordinance.

Mr. Jessey stated that Eric Carlson would like to know if it is okay to put tall poles with reflectors on North and South Harner Boulevard. Nate MacCombie has a problem with the poles because the ones already in Sadsbury Park are filled in concrete. They can damage cars and he would like them to try another option. Mr. Reynolds would like Nate MacCombie to contact Eric Carlton.

Mr. Jessey stated the Management Company had Eagle Disposal on site concerning trash collection in Sadsbury Park, and it seems an agreement was made.

An e-mail was received for volunteering on the Planning Commission. The Commission has a full volunteer membership at this time. The Board of Supervisors will keep this e-mail letter on file for future.

Zoning Report: Mr. Porter reported his office has completed their review of the Zoning Ordinance and have e-mailed Mr. Jessey their recommendations. Permits have been applied for decks, fences, patios, etc. 10 Old Mill Road has hired an Engineer for the drainage issues.

Chester County Airport Update: Mr. Roberts has no report. He was asked if Sadsbury Commons contacted the airport about blasting at Route 10 & 30. Mr. Roberts said it has not been discussed in meetings. Mr. Roberts was asked about airport operations when President Biden flies to Wilmington. Mr. Roberts says they experience area restrictions, no practice and no lessons.

Payment of Invoices:

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay the April, 2021 General Fund invoices in the amount of \$78,718.44. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Old Business:

Since everything will be open by the Governor in Pennsylvania on May 31st., there is still a mask mandate; we will have to look at a procedure to open Bert Reel Park. The baseball field is used by Jerry Ranck on Monday and Wednesday, and a girl’s soft ball team practices on Thursday and Sunday. Tuesday, Friday, Saturday are open for the ball field.

Chief Hawley reported a case that has been pending about a search warrant on Valley Road in February, is just about finalized. The police department is coordinating with Federal Authorities, and working with the DA’s Office about the seriousness of the charges. There should be a final review by the DA’s office in 10 to 14 days.

Mr. Reynolds would like to have the June 1, 2021 Board of Supervisors meeting at the Township Building in person and somehow keep ZOOM for people who want to stay on it.

Mr. Moore reported that PennDOT salted the Highway on Route 30 and killed the plants in the islands, so the Township is responsible for the plants. The new Township sign at the entrance to the Sadsbury Village District has been hit and destroyed.

Public Comment:

John Lymberis Sadsbury Park Phase 1, Clover Hill at Sadsbury has joined the Sadsbury Park Homeowners Association. Mr. Lymberis spent money planting the plants in the island and they died. He will come up with a new plan with Mr. Porter.

Todd Wilson likes the idea of in person meetings. He appreciates MacCombie’s Office and Mr. O’Keefe for all they did to help him with the Land Development process. He has complaints about Eagle Disposal and the holiday schedule and the bulk pick-up process. He also would like to form a volunteer group to pick up trash along Old Wilmington Road coming from Quarry Ridge. He would like to have the police make the road safe. He would donate the 13 gallon trash bags.

John Lymberis said the first thing he noticed since becoming the owner of Clover Hill was the trash. He will help with the trash pick-up. He could also get food for everybody.

Mr. Reynolds stated he could get the fire trucks out there, also.

Mr. Moore suggested to contact the State Police, they should have a contact at PennDOT and they will give bags.

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.

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

Respectfully Submitted

Linda Shank
Secretary