

## **Board of Supervisors Regular Meeting, Tuesday, May 7, 2024**

A regular meeting of the Sadsbury Township Board of Supervisors was conducted on Tuesday, May 7, 2024 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor, Mr. Hanaway. Supervisor, Mr. Taylor was present by telephone. Also present was Township Solicitor, Mr. O'Keefe, Township Engineer, Mr. Porter, Police Chief Michael Hawley, Township Manager, Mr. Przychodzien, and members of the community.

A moment of silence and Pledge of Allegiance was observed.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, 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. Hanaway, to adopt the minutes of the previous meeting. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Since there was a large gathering of residents with concerns about the bakery on Octorara Road, the Board answered their concerns. Mr. O'Keefe told them there would be no decisions tonight on the bakery. The owners did make an application to the Zoning Hearing Board for a major home occupation; when they get approval from the Zoning Hearing Board, they will be permitted to sell from their home. The Zoning Hearing Board has not yet scheduled a hearing, as the applicant has just applied. The Zoning Hearing Board will make a decision at their meeting. Before the meeting, there will be a public notice in the Daily Local, the property will be posted, the door of the Township will be posted, and the web site will be posted. The bakery is allowed to bake their products, they cannot, at this time; sell out of their home. Mr. Reynolds encouraged everyone here to come to the Zoning Hearing Board when it is scheduled.

Mr. Ronald Minninger of Barz, Gowie, Amon & Fulz LLC presented the audit findings for the year 2022 audit. He gave an overview of the audit process with the various funds in the Township and using the financial general practice rules. The Township is in good shape for the year 2022 with no findings.

**Public Comment on agenda items only:** Mr. Felice gave a correction for the minutes.

**Police Report:** Chief Hawley reported there were a total of 182 calls for service in the month of April, which is 2.1% of overall in the county. There were 60 traffic stops with 8 traffic encounters, 6 domestics, 3 protection of abuse, 1 alcohol overdose, 1 DOA. The State Police had 26 incidents which were inspections of motor carrier safety checks, welfare checks of inspection stations. Chief Hawley stated that 24 hours ago there was an accident at Octorara Road and Route 30 involving a motorcycle and a car. The motorcycle was east bound and the car was west bound making a left turn onto Octorara Road. The driver did not see the motorcycle and turned in front of it. Luckily

the Motorcycle driver wore a helmet. He had a compound fracture to the leg. The driver of the car was injured also. When asked by the Board, Chief Hawley stated he is doing background checks on part time officers. He stated he is not getting good applicants; it is a tough time to be a cop. The idea is to eventually have a 24/7 police department. Mr. Taylor stated to be on the look out for scam calls from people pretending they are from PECO.

**Managers Report:** Mr. Przychodzien would like the Board to allow the purchase of flowers for the islands on Route 30, not to exceed \$5,000.00.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow the purchase of flowers for the islands on Route 30, not to exceed \$5,000.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Przychodzien would like to the Board to allow the purchase of flowers and a flag at Bert Reel Park not to exceed \$3,000.00.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow the purchase of flowers and a flag at Bert Reel Park not to exceed \$3,000.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Przychodzien would like to discuss cleaning up Bert Reel Park and the facilities needing repairs. Mr. Reynolds stated the Public Works Department will make a determination on what needs to be done at the park.

Mr. Przychodzien stated the HOA is putting in crosswalks in Sadsbury Park and he would like to have the Public Works Department do line painting on the curbs.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to have the Public Works Department paint the curbs in Sadsbury Park not to exceed \$2,500 for the paint. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Przychodzien would like to discuss the uncollectable Real Estate tax liens from the Chester County Tax Claim Bureau which was tabled from last month. These are for mobile homes that were removed from the lot as of 2024 tax year: 37-2-0000100T for \$19.82, 37-2-0002000T for \$196.19, 37-2-4800300T for \$48.16, 37-2-4800402T for \$24.75, 37-2-4800514T for \$274.32.

Mr. Reynolds made a motion, seconded by Mr. Hanaway to approve the exoneration of the liens for the uncollectable Real Estate tax liens from the Chester County Tax Claim Bureau. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Przychodzien stated Thompson Environmental of Carlisle, PA has a proposal and scope of services for the Compass Bridge Replacement Project in the amount of

\$3,530 for Task 1-Wetland and Watercourse Delineation Report for \$1,600.00 and Task 2-Phase 1 Bog Turtle Habitat survey for \$1,930.00.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the Thompson Environmental scope of services for the Compass Road Bridge Replacement project for watercourse delineation and phase 1 bog turtle survey and reports for a total of \$3,530.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Przychodzien reported the Township is \$31,000 under budget for expenses.

Mr. Felice asked is there is any information on the Liquid Fuels fine. Mr. O'Keefe stated it is still being looked into.

**Public Works Report:** For the month of April, the Public Works Department spent a majority of time preparing all Township properties for mowing, but before doing this, numerous tree limbs were picked up and trash collected, and ruts were filled in. The Department also maintained both of our mowers. The Department removed a substantial amount of fencing from both parks. All properties have been mowed at least twice for the month. The traffic islands on Lincoln Highway have been weeded along with all flower beds located at the Main Township Building and Bert Reel Park. Special attention went into the playground area at Bert Reel Park where leaves and weeds were removed. The Department did fill some pot holes on various roads, corrected several road signs and cleared storm drains throughout the Township. While Old Wilmington Road is closed due to Amtrak working on the tunnel between 9am and 3pm, the Department felt it was a good opportunity to access the area and clear all woody debris from the road-right-away extending from the tunnel north to Reel Street. Lastly, all maintenance checks have been performed on all vehicles and equipment on a regular basis.

**Emergency Management Report:** Mr. Taylor says he has no report.

**Keystone Valley Fire Department Report:** For the month of April, the Keystone Valley Fire Department responded to 21 incidents for: fires 6, Rescue & Emergency Medical services 10, hazardous Condition 2, service call 1, Good intent call 2, false alarm & false call 3, special incident type 2. The Breakdown by Municipality: Parkesburg 9, West Sadsbury 10, Highland 0, Out of District 7. The average personnel per call was 10 fire fighters. The average response time from dispatch to on scene was 6 minute. The total man hours were 77.30 hours, The EMS Divison responded to 146 calls in April for: BLS transports 65, ALS transports 33, Patient refusal 20, strand by 8, no services 6, DOA 2, recalled 12. The Municipal break-down: Parkesburg 36, West Sadsbury 32, Highland 3, Sadsbury 50.

**Sadsburyville Fire Company:** For the month of April, the Sadsburyville Fire Company responded to 17 incidents for: structures fire 5, motor vehicle accident 5, automatic fire alarm 4, wires 1, debris on roadway 1, chiefs notification 1. The municipal break down: Sadsbury 7, valley 4, West Caln 5, West Sadsbury 1. There were 152 miles traveled with an average of 8.9 miles per call. There were a total of 77 firefighters responding with an average of 4.5 per call. The time in service was 9.11 hours with an average of 32 minutes per call.

**Planning Commission Report:** The Planning Commission met on Wednesday, April 10, 2024. A draft of a proposed new version of the Township Noise Ordinance was voted on to forward to the Board of Supervisors. Ms. Carol Stauffer of the Chester County Planning Commission will be available to speak with the members of the Comprehensive Plan Ordinance Review plan on May 6<sup>th</sup> and that Sadsbury Township would be endorsing Chesco's Landscaped3 Plan. Mr. Jessey would like to have the Planning Commission meetings accessible via ZOOM, and that all public meetings should have ZOOM set to automatic admission to eliminate the need for active administration.

**Engineer Report:** Mr. Porter reported he has an Engineering Escrow release of funds for Sadsbury Commons, LP for Sadsbury Commons Phase 2 in the amount of \$2,481.25 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP for Sadsbury Commons Phase 2 in the amount of \$2,481.25 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, LP for Sadsbury Square in the amount of \$2,138.75 but since there is a negative balance the release will be for \$806.93 for the Boards approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Associates in the amount of \$806.93 with the condition that the escrow funds are replenished by Mr. White. 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 \$1,688.75 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, 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 \$1,688.75 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 Arcadia Associates, L.P. for Sadsbury Park Phase 4A in the amount of \$107.50 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 \$107.50 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 XARIS Property Group, LLC for Sadsbury Park Phase 1, Clover Hill at Sadsbury Park in the amount of \$486.25 for the Board's approval.

Mr. Reynolds made a motion, seconded Mr. Hanaway, 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 \$486.25 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 Unit 2 Parkesburg, L.P. for Sherwin Williams Unit 2 Buck Run Condominium in the amount of \$2,997.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Unit 2 Parkesburg, L.P. for Sherwin Williams Unit 2 Buck Run Condominium in the amount of \$2,997.50 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 2B in the amount of \$1,632.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 2B in the amount of \$1,632.50 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 is preparing two bid packages for the Township. One bid package is for the roof repair on the Township building and the other is for the HVAC bid package, to be bid locally.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow Mr. Porter to advertise for bids for the HVAC system. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to allow Mr. Porter to advertise for bids for the Township roof replacement. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Porter reported for Sadsbury Commons that chick-fil-a and Starbucks are underway. Wendy’s is starting Monday and will open in August. WaWa also has an open date of August. Chipotle and Aspen Dental will both open May 22.

Mr. Porter is reviewing as built plans for Sadsbury Square.

Lincoln Crest is turning in grading permits for new mobile homes.

Sadsbury Park roads in 2A and 3A will have road dedications.

Clover Hill paving is complete.

Sherwin Williams is still under construction, mainly the interior.

Mr. Porter will have a review letter for the Planning Commission for AZ Parkesburg

Lafayette Square is paving

Stottsville Inn is relatively close to addressing Mr. Porter’s comments.

Taco Bell here for preliminary/final

Compass Road Bridge –can put in a prefabricated bridge

**Solicitor Report:** Mr. O’Keefe stated he has Resolution 2024-06, Sadsbury Arcadia Road Dedication for Phase 2A. Roads include those portions of Fuller Street, Fox Trail, Trego Avenue, Chamberlain Street and Boyce Street located in Phase 2A of the Development of Sadsbury Park..

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to adopt Resolution 2024-06, Sadsbury Arcadia Road Dedication for Phase 2A. Roads include those portions of Fuller Street, Fox Trail, Trego Avenue, Chamberlain Street and Boyce Street located in Phase 2A of the Development of Sadsbury Park. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. O’Keefe stated he has Resolution 2024-07, Sadsbury Arcadia Road Dedication for Phase 3A. Roads include those portions of Trego Avenue and Kerr Street located in Phase 3A of the Development of Sadsbury Park.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt Resolution 2024-07, Sadsbury Arcadia Road Dedication for Phase 3A. Roads include those portions of Trego Avenue and Kerr Street located in Phase 3A of the Development of Sadsbury Park. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. O’Keefe stated his has Ordinance 2024-02 Creating Tax Incentive Program for EMS volunteers. He is asking the Board for permission to advertise the Ordinance for adoption at the June meeting.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to allow Mr. O'Keefe to advertise Ordinance 2024-02 Creating Tax Incentive Program for EMS volunteers. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated he has a Stormwater Management Agreement for 2921 Lincoln Highway for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to adopt the Stormwater Management Agreement for 2921 Lincoln Highway. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Zoning/Building Report:** Zoning: For the month of April: issued 2 permits for a fence, issued 1 permit for a shed, issued 1 sign permit for Sherwin Williams, and answered various phone calls. Building: issued 3 permits for new manufactured homes, issued 3 permits for roof top solar, issued 1 permit for a new generator, issued 1 permit for HVAC replacement, Issued 1 permit for alterations, issued 1 permit for an addition, issued 3 road opening permits, issued 1 commercial permit for Wendy's restaurant, 16 inspections were performed for the month of April.

**Chester County Airport Update:** Mr. Roberts stated the Authority met today. It was a short meeting. There were no issued discussed that would involve the Township.

### **Payment of Invoices:**

Mr. Reynolds made a motion, seconded by Mr. Taylor, to pay the April, 2024 General Fund Invoices in the amount of \$367,083.94. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

### **New Business:**

Brian Cleary came before the Board to ask for Preliminary/Final approval for Taco Bell. Mr. Cleary stated he went before the Planning Commission on February 14, 2024. Mr. Cleary is asking for a waiver to leave the street lights on until 3 a.m. The drive-thru is open until 2 a.m. Leaving the lights on would be a safety issue for the employees. Dave Porter stated the mounting height of the lights, no glare, and they shine down. He has no problem leaving the lights on. Taco Bell is across from the WaWa in West Sadsbury Township, and those lights are always on. A discussion was held on if Mr. Cleary had to go back to the Planning Commission with this request. There were three members of the Planning Commission at the Board of Supervisors meeting, and they agreed with this waiver.

Mr. Porter stated the applicant has 10 waiver requests, which were addressed in the second review letter dated February 14, 2024. The Planning Commission also agreed on the waiver requests.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to approve the waivers per Mr. Porter's review letter dated February 14, 2024. With there being no question from the public, the Board voting "aye", the motion passed unanimously.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve Preliminary/Final approval for Taco Bell with the conditions they comply with the letters of the Engineer and the consultants review letters and the Transportation Review letter. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

### **Old Business:**

When asked by a resident what is happening with the ball park at Bert Reel Park, Mr. Reynolds stated that the baseball field was in bad shape. The Township received two bids for fencing, that was way over what we could pay. There were no organized teams using the field and the backstop is in bad condition. If someone got hurt, it would be a liability on the Township. The cost to update the field was astronomical. It will become an open field.

A request was made by a resident to have waste bags for dogs and containers to put the bags in. She would also request signs to have your dog on a leash.

Mr. Reynolds made a motion, seconded by Mr. Hanaway, to have the Public Works Department purchase two stations for dog waste bags with waste containers, and signs for leashes not to exceed \$2,500. With there being no questions from the public, the Board voting "aye", the motion Passed unanimously.

It should be put on the website that we are looking for a Park and Rec Committee.

### **Public Comment:**

A resident of Sadsbury Park wanted to know if there would be street sweeping. Mr. Reynolds stated there would be no sweeping in the Township.

John Moore stated Compass Road and Skiles Road has pot holes that need filled.

With there being no further business, Mr. Reynolds made a motion, seconded by Mr. Hanaway, 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



