

## **Board of Supervisors Regular Meeting, Tuesday, October 5, 2021**

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, October 5, 2021 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor John Moore and Supervisor Earl Taylor by remote. Also present was 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 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.

### **Public Comment:**

There were no public comments on the agenda items.

**Police Report:** Chief Hawley commented that Corporal Larry Sipple performed valuable police work on a case that started last year into this year in the arrest of Ralph Garris, III, resulting in his possession of over 50 illegal fire arms. In July, 2020 Corporal Sipple received information that Mr. Garris was in possession of firearms. Mr. Garris is a convicted felon for drugs and could not be in possession. Corporal Sipple witnessed Mr. Garris firing a rifle in the back yard of his home. Corporal Sipple got a Bench Warrant and arrest warrant. Corporal Sipple made Sadsbury a little safer. Chief Hawley presented a Letter of Commendation to Corporal Sipple. Corporal Sipple stated it was a team effort with the Department. Mr. Taylor asked what kind of guns were confiscated and how were they possessed by Mr. Garris. Chief Hawley said some were purchased legally by family members. There was a ghost gun, long gun, shot gun, an R15 with sniper scope. There were several safes, one with excess of 40 guns.

Chief Hawley reported for the month of September there were 231 calls for service of which 30 were assist to other jurisdictions. This is trending down from the month before. The busiest days were Thursday, Saturday and Sunday and the busiest hours were between 5 pm and 8 pm. There is an increase in DUI arrests as the force is aggressively seeking out impaired drivers.

**Public Works:** For the month of September, the Public Works Department maintained Township owned property, equipment, vehicles, roadways, signs, traffic lights, and the storm drain system. The Department also inspected emergency equipment to ensure it is ready in the event of a true emergency. The Department has continued to inspect signs and repair, straighten and reface if needed. Some grading and clearing of

vegetation around signs have occurred for better observation for motorists. On September 1, 2021 Tropical Storm Ida dumped over 7" of rain, causing major flooding to all roads within the Township that intersect with the Buck Run Creek. Several roadways had to be closed until the creek subsided. After the flood waters subsided, all area roadways were inspected for damage. Fortunately, the Township only experienced damage on Greenbelt Drive just north of the Railroad Tunnel and on Old Mill Road. The damage consisted on Greenbelt of the road shoulder being eroded between the tunnel and the small bridge (approximately 100') and the retaining wall that runs along the creek just north of the small bridge. This retaining wall shifted considerable. The damage has been noted and the Township is applying for PEMA and FEMA funding through the county to repair if possible. In the days following Tropical Storm Ida, the Department has repaired the shoulder of Greenbelt and has improved an area on Old Mill Road (the one way) by rock lining the shoulder at the creek.

Mr. Reynolds stated the Public Works garage should be tied into public water but keep the well to be used for washing vehicles. An estimate was received from Tri County Water to install the meter pit, attach to building, replumb the existing well pump for a total of \$5,701.50.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to have Tri County Water Services, Inc. tie the Public Works garage into public water and replumb the existing well pump for \$5,701.50. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Emergency Management Report:** No report

**Keystone Valley Fire Department Report:** There was a total of 20 calls for the month of September. The average personnel per call were 6 people. A total number of responding personnel was 190 throughout the month. The total time spent in service was 38 hours and 12 minutes. The average response time from dispatch to on scene was 6 minutes. The total man hours were 70 hours and 21 minutes. The total responses by Municipalities: West Sadsbury Township 3, Highland Township 2, Parkesburg Borough 5, Out of District 10. The Alarm types: auto accident 2, EMS Assist 1, Automatic fire alarm 5, building fire 2, no service 4, fires (other) 2, assist mutual aid 10, water rescue 1, relocate or transfer 1, fire police request 2. There were 3 training nights held in the month of September with the average attendance being 15 members. 2 Group training nights and 1 Junior Firefighters training night. The EMS Division for September had total 140 total calls and 92 transports.

**Sadsburyville Fire Company Report:** For the month of September Sadsburyville Fire Company responded to 24 calls: motor vehicle accident 7, assist EMS 4, house fire 4, public service 2, assist PD 2, water rescue 2, fire police incident 2, gas leak 1. The response by municipality: Sadsbury Township 13, Coatesville City 5, Valley Township 3, West Caln 2, West Fallowfield 1. There was an average of 8 firefighters per call. There were 182 miles traveled with an average of 7.5 miles per call. Time in service was 32 hours and 35 minutes with an average of 81.45 minutes per call.

**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 Park in the amount of \$3045.62 for the Boards 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 \$3045.62 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 Lafayette Square Partners, L.P. for Lafayette Square Phase II & III in the amount of \$1,338.12 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 \$1,338.12 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 Building #2 in the amount of \$5,211.87 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 \$5,211.87 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 \$720.00 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 \$720.00 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 an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4A in the amount of \$3,901.25 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 \$3,901.25 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 Arcadia Associates L.P. for Sadsbury Park Phase 4B in the amount of \$4,586.67 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 \$4,586.67 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 Reduction Certificate of Completion for Lafayette Square Partners, LP for Lafayette Square Phase II & III in the amount of \$16,203.00 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Reduction of funds Certificate of Completion for Lafayette Square Partners, LP for Lafayette Square Phase II & KKK in the amount of \$16,203.00 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 Reduction of funds Certificate of Completion for XARIS Property Group, LLC for Clover Hill at Sadsbury Park in the amount of \$48,778.60 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Letter of Credit Reduction of funds Certificate of Completion for XARIS Property Group, LLC for Clover Hill at Sadsbury Park in the amount of \$48,778.60 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 reduction of funds for Rock Holdings PA, LLC for John Rock Building #2 in the amount of \$244,829.22 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve a Letter of Credit reduction of funds for Rock Holding PA LLC for John Rock Building #2 in the amount of \$244,829.22 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 Bank Reserve Account reduction of funds Certificate of Completion for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4B in the amount of \$71,073.50 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve a Bank Reserve Account reduction of funds Certificate of Completion for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4B in the amount of \$71,073.50 per Mr. Porter's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Porter has some development updates: Lincoln Crest has not yet put up the Escrow Letter of Credit. Sadsbury Square has given the Township it's planning Module and the Security is approved, the Letter of Credit is from a bank in North Carolina and they want a representative from the Township to go to North Carolina. Sadsbury Park items on the punch list is to have the roads dedicated. The deadline of September 30<sup>th</sup> for Liquid Fuels was missed and the Board will not take the roads until the Spring.

Mr. Porter reported the contractor has been ill and will begin the Quarry Ridge Sewer Replacement on Tuesday, October 12<sup>th</sup>.

**Solicitors Report:** Mr. O'Keefe stated he has Ordinance 2021-01 for small wireless facilities in Township right of ways for the Board to adopt. It has been duly advertised in the Daily Local News and is ready for adoption.

Mr. Reynolds made a motion, seconded by Mr. Moore, to adopt Ordinance 2021-01, an Ordinance creating a new chapter in the Sadsbury Township Code entitled "Small Wireless facilities in Right of Ways and providing for the purpose and scope, definitions permitted uses, application, fee, siting, removal. Alteration, collocation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. O'Keefe stated as was discussed at last month's meeting about the ATVs and dirtbikes in the Township, he did duly advertise Ordinance 2021-02 concerning these in the Daily Local News and it is ready for adoption.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to adopt Ordinance 2021-02, an Ordinance of Sadsbury Township amending chapter 124 in The Sadsbury Township Code, as amended, to add Article VII, "All -Terrain Vehicles and Dirt Bikes" for the purpose of regulating the use of All-Terrain vehicles and dirt bikes. With there being no questions from the public, the Board voting "aye" the motion passed unanimously.

Mr. O'Keefe stated last meeting, Mr. Carlson from Arcadia asked to place bollards on Harner Boulevard in Sadsbury Park. Mr. O'Keefe has written a letter of agreement with Arcadia concerning the maintenance of the bollards on Harner Boulevard and it was signed by Sadsbury Park Community Association.

Mr. O'Keefe stated the county and state are willing to do a swap on a deed restricted property to construct a Township garage. The problem is they are backed up due to COVID, and it probably will not get approval for 2 years. The Township can go ahead

and design a garage, but we can't be 100% sure about the property until we go through the process.

Mr. Reynolds stated the property we want to build on is the 2 acres across from the Sadsburyville fire house where the ball park is. The swap would be the swamp area owned by Belair behind this area.

Mr. O'Keefe will get estimates from 1 or 2 appraisers for the land.

Mr. O'Keefe stated that concerning the codification of Ordinances. The preliminary codification book has been located, which contains Ordinances up to and including 2010. The cost to continue to make the Ordinances current would be \$10,000 to 15,000.

**Planning Commission Report:** The Planning Commission met on Wednesday, September 15, 2021. Mr. Brian Nagle of MacElree Harvey, representing Mr. Daniel Mast, and accompanied by Mr. Donald Zanzhof of Warel Construction and Mr. Andrew DeFonzo of D.L. Howell & Assoc., Inc. presented to the Commission an unchanged plan from July, and seeking confirmation that the properties in question would be contained within the proposed Western Gateway District, subject to its adoption by the Township, and members of the Commission were able to confirm this. The issue of the proposed vehicle access leading to Compass Road was discussed. As currently conceived, it is proposed to be for emergency access only. There were many questions concerning Compass Road.

Mr. Clark Faggioli presented the Board of Supervisors a petition against the proposed multi-unit housing units on Compass Road, Sadsbury Township with 38 signatures and more to come. Some of the concerns are increased traffic, increased flooding from water runoff, negative environmental impact to Buck Run Creek, severe light pollution worse during winter, increased cut through traffic at rush hour, bridge over Buck Run is compromised and not capable of carrying excessive traffic and heavy loads, this proposed property includes excavating through a large 100 year flood plain causing flooding of existing homes. The residents require an environmental study, traffic study and safety study by a neutral 3<sup>rd</sup> party; all to be made public.

A complaint about road drop-offs will be looked at by Nate MacCombie to see if there is a remedy.

**Chester County Airport Update:** Mr. Roberts reported the Authority met today. He has no report.

**Zoning Report:** Mr. Porter reported there were applications for decks, fences. There were inquiries from Compass Road residents about the Mast Property. There has been no official application. Nate MacCombie checked on Ballymore storing materials in the parking spaces, he also found several other businesses doing the same. None of these business was incumbent on parking spaces used for parking.

Mr. O'Keefe stated he did not see anything on the photos on 10 Old Mill Road sent to him by Anthony Clark indicating unregistered vehicles or commercial business. Mr. Clark said he should have had the courtesy of a response from Mr. O'Keefe. Mr. Reynolds stated that Mr. O'Keefe did not owe Mr. Clark anything.

Mr. Reynolds asked if the Zoning Officer could take pictures on the property. Mr. O'Keefe stated they can only go to the edge of the property.

Mr. O'Keefe will write a letter letting him know the zoning does not permit commercial use on this property. He will give him 30 days to reply.

### **Payment of Invoices:**

Mr. Reynolds made a motion, seconded by Mr. Moore, to pay the September 2021 General Fund invoices in the amount of \$293,754.75. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

### **New Business:**

The Board has set the date for Trick or Treat in Sadsbury Township to be October 31<sup>st</sup>, 6pm to 8pm for children 12 years old and under.

The MMO worksheet for PMRS (police pension) was shared with the governing body.

Mr. Reynold stated the Collective Bargaining with the Teamsters for Public Works is ready to be voted on.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the Collective Bargaining with the Teamsters for the Public Works Department. With there being no questions from the public, the Board voting, "aye", the motion passed unanimously.

### **Public Comment:**

Mr. Reynolds reminded everyone about the Budget meeting tomorrow at 9:00 a.m.

Chief Hawley stated you will see some officers with facial hair. From October 1<sup>st</sup>. to December 31<sup>st</sup>. officers grow facial hair for charity. Last year they brought in \$60,000 for charities, that include Breast Cancer, Crime Victim's, and Domestic Violence to name a few.

Chief Hawley also stated the running boards have been put on the Ram truck.

The Police Department was able to recover a car stolen from Pomeroy in Indiana.

Mr. McCoy wanted to know when the Zoom will be available, Valley Township used the COVID Rescue money to buy theirs.

Mr. Reynolds stated our IT person is looking to purchase equipment for our Hybrid meetings. Waiting for a proposal from him.

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



