

Board of Supervisors Regular Meeting, Tuesday September 5, 2023

A regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, September 5, 2023 commencing at 7:00 p.m. Chairman, Mr. Reynolds called the meeting to order. Present was Supervisor, Mr. Moore and Supervisor Mr. Taylor via telephone. Also present was Township Solicitor, Mr. O’Keefe, Township Engineer, Mr. Porter, Police Chief, Michael Hawley, 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 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 on Agenda Items Only: There were no comments.

Police Report: Chief Hawley reported for the month of August, 2023 there were 729 calls, of these 462 were business checks, 25 were handled by the State Police. The actual calls for service were 242 for: 52 traffic, 24 citations, 1 DOA of natural causes, 9 domestics with no injuries, 2 assaults with injuries, 2 overdoses, 1 basic life support and 1 advance life support, both with successful results, 1 protection of abuse violation, and 29 outside the Township. The full police report will be at the Township Building.

Chief Hawley would like the Board to consider Officer Cavanaugh as a Patrolman First Class effective October 1, 2023. Officer Cavanaugh is an asset to the department with two decades of police experience. This designation will come with a modest hourly salary adjustment.

Mr. Reynolds made a motion, seconded by Mr. Moore, to designate Officer Cavanaugh as Patrolman First Class effective October 1, 2023 per Chief Hawley’s recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Chief Hawley received a request from a resident of Sadsbury Park to have a stop sign placed at South Harner Blvd. and Fox Trail. Chief Hawley showed the area where the stop signs are on North Harner Blvd. Chief Hawley said they are asking for a stop sign on the Southwest corner of Harner Blvd and Fox Trail. Mr. Jessie stated there is a site line issue; there is a tree and hedge there. This stop sign was definitely not in the plans for the Development. Mr. Porter will take a look at the location and get back to the Board with his findings.

Chief Hawley was asked about a speed limit change for Spruce Street (one way street) and enforcement at intersections that have stop signs. Chief Hawley said the police target trouble areas for enforcement all over the Township and will not announce where they are.

Public Works: Mr. Reynolds stated there is no report, but the Public Works did work on the islands on Lincoln Highway.

Emergency Management Report: Mr. Taylor stated he has no report.

Keystone Valley Fire Department: For the month of August, Keystone Valley responded to 26 calls for service for: fires 7, rescue & Emergency medical service 7, hazardous condition 3, service call 2, good intent call 1, false alarm and false call 5, severe weather & Natural disaster 1. The response by municipality: Parkesburg 10, West Sadsbury 5, Highland 1, Out of district 10. The average personnel per call was 6 people. The average response time from dispatch to on scene was 7 minutes. The total man hours were 88.5 hours. The Keystone Valley Fire Department EMS Division responded to 160 calls for the month of August, 2023 for: ALS abdominal pain 1, ALS allergic/medication reaction, ALS CVA/stroke 6, ALS choking, ALS diabetic emergency 2, ALS fall 2, ALS Heart problems 6, ALS injured person 2, ALS overdose 2, ALS respiratory difficulty 5, ALS seizures 2, ALS stabbing 1, ALS syncope 2, ALS unresponsive person 3, ALS accident 2, BLS Accident 6, Accident-entrapment 2, Accident pedestrian 1, alarm BLS medical 2, BLS abdominal pain 3, BLS allergic/medication allergy 4, BLS assault w/injury 2, BLS back pain, BLS DOA, BLS emotional disorder 11, BLS fall/lift assist 18, BLS hemorrhaging 4, BLS injured person 9, BLS overdose 1, BLS seizures 1, BLS sick person 36, BLS syncope 3, EMS standby event 1, EMS standby fire 8, fire-hazmat 2, fire-other type rescue 1. The response by municipality: Parkesburg 42, West Sadsbury 27, Highland 9, Sadsbury 60, Salsbury 4, Christiana 8, West Fallowfield 6, Atglen 1, Valley 1, upper Oxford 1, Oxford 1.

Sadsburyville Fire Company: For the month of August, the Sadsburyville Fire Company responded to 20 calls for service for: motor vehicle accident 6, structure fire 4, public service 4, automatic fire alarm 2, hazmat incident 1, assist EMS 1 appliance fire 1, brush fire 1. The response by municipality: Sadsbury 13, Valley 3, West Caln 2, West Faffowfield 1, East Fallowfield 1. There was an average of 7 firefighters per call. There were 108 miles traveled with an average of 5.4 miles per call. The time in service was 10 hours and 56 minutes with an average of 32.8 minutes per call.

Westwood EMS Report: There was no report. Mr. Reynolds stated that with the municipalities that need to be visited, the report for Westwood would be given on a quarterly basis.

Planning Commission Report: The Planning Commission met on Wednesday, August 9, 2023. Mr. Ross Cohen appeared before the Commission to present a revised land development application for a 5015 sq-ft Sherwin Williams paint retail store in unit 2 of

the Buck Run Condominium at 3373 East Lincoln Hwy. The Board recommended approval of the Preliminary/Final Plan with conditions.

Mr. Jessey reported on the Saldo Committee and said the SALDO is basically done. Does the Board want to move into the Comprehensive Plan or work on the Noise Ordinance? Mr. Reynolds suggested to work on the Noise Ordinance and then move directly into the Comprehensive Plan review.

Engineer Report: Mr. Porter reported he has an Engineering Escrow release of funds for Lafayette Square Partners, L.P. for Lafayette Square Phase II & III for \$85.62 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 for \$85.62 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 Sadsbury Commons, LP for Sadsbury Commons Phase 2 in the amount of \$4,301.87 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Common, LP for Sadsbury Commons Phase 2 in the amount of \$4,301.87 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 Associates, LP for Sadsbury Square in the amount of \$1,803.78, which is a part of the payment amount of \$2,128.12 until the escrow account is replenished 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 LP for Sadsbury Square in the amount of \$1,803.78 being a partial payment until the escrow is replenished for a payment of \$2,128.12. 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 \$1,165.62 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 \$1,165.62 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 Lincoln Crest Management, LLC for Lincoln Crest Mobile Home Park Expansion in the amount of \$3,438.12 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 \$3,438.12 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 Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 4A in the amount of \$4,345.00 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 \$4,345.00 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 Rock Holdings PA LLC for John Rock Building 2 in the amount of \$85.62 for the Board's approval.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve an Engineering Escrow release of funds for Rock Holdings PA LLC for John Rock Building 2 in the amount of \$85.62 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 recent construction projects:

The Lafayette Square roads dedication has not changed since last month.

Sadsbury Square hydrants are on back order.

The HOA in Sadsbury Village prepared a document on parking with 90% perpendicular off street parking on Greenhill Road Cu-de-sac, Broad Meadow Drive making it one-way, and parking along the east side of Blackerry Lane. Mr. Reynolds asked if they are going to maintain the parking or expect the Township to maintain. Mr. O'Keefe explained that a maintenance agreement would have to be drawn up. Mr. Reynolds stated this should be strictly what the residents want who live there. Mr. Taylor stated that cars will get plowed in if it snows. Mr. Reynolds replied that emergency signs would have to be posted.

Sadsbury Commons working on WaWa, Wendy's, Chipolte, and Dentist office. Still no word from PENN-Dot about traffic lights.

Stottsville Inn is suspended to November 3rd.

Bert Reel Park had no bids for fencing. Mr. O'Keefe stated that now that the Township has rebid the fencing for the park, no further bidding is required. A contractor can be hired by the Township to do the fencing.

AZ Parkesburg is still on hold

Line Stripping on Lieke Road will be done in the next two weeks.

The Octorara Bridge Project will have revised set of plans at the end of the week. Grant funding is available and if the Board allows Mr. Porter will apply. No matching funds are required and must be filed by November 30th.

Mr. Magrecki, of Penn Terra Engineering, Inc. came before the Board concerning Unit 2 of the Buck Run Condominium, Sherwin Williams asking for the Board to grant Preliminary/Final Land Development approval. Mr. Magrecki stated they have no issues with Mr. Porter's letter dated September 5, 2023. Mr. Magrecki showed the design of the Sherwin Williams new building and parking spaces and curb line. Mr. Magrecki also stated they are asking for six waivers. 1. Preliminary Plan 2. Impact Statement 3. Bituminous pavement section – parking area 4. Maximum Light mounting height. 5. Low vegetative screens. 6. Each parking lot island shall be planted with one shade tree.

Mr. O'Keefe stated the Planning Commission had a problem with the 7 future parking spaces, and he would like to get things right down the road have the parking get agreed upon now. The Zoning Ordinance calls for this, and it can be done.

Mr. Reynolds made a motion, seconded by Mr. Moore, to grant conditional Preliminary/Final for the Sherwin Williams application. 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 grant the six waivers to the Sherwin Williams application as follows, Preliminary Plan, Impact Statement, bituminous pavement section-parking area, maximum light mounting height, low vegetative screens, each parking lot island shall be planted with one shade tree. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Solicitor Report: Mr. O'Keefe reported General Codes has sent a link to the final draft. Mr. O'Keefe will go over it with a fine tooth comb and will send the link to Chief Hawley to go over it also. Once the comments are back, it should be ready for adoption in 2024.

Mr. O'Keefe stated he has a Storm Water Management Agreement for 61 Stove Pipe Hill Road for the Board to approve. Applicant is building a single family home.

Mr. Reynolds made a motion, seconded by Mr. Moore, to approve the Stormwater Management Agreement for 61 Stovepipe Hill Road. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Tony Clark told the Board that someone hit the guardrail on the north side of Old Mill Road. Mr. Reynolds will notify the Public Works Department.

Building/Zoning Report: For the month of August, Mr. Kowalski issued 1 permit for a fence and 1 permit for a driveway repair. He also answered various zoning phone calls for signs and properties for sale in the Township. Building: Mr. Kowalski issued 3 permits for new construction, 1 permit for roof top solar panels, 1 permit for an alteration of a bathroom, 1 permit for a deck, and 3 permits for soliciting. Mr. Kowalski performed 40 inspections for the month of August. There were complaints for high grass (2) and noise (1).

Chester County Airport Update: Mr. Roberts stated the Authority met today. They also met with their new neighbor moving in regarding air space. The restaurant is moving along and the target date for opening is January 1, 2024 but it could be sooner.

Payment of Invoices:

Mr. Reynolds made a motion, seconded by Mr. Taylor, to approve the August, 2023 General Fund invoices in the amount of \$147,812.89. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Old Business:

A discussion about Cyber Security Protection at Sadsbury Township by Black Point Cyber from Marc Meshurle was again tabled. The Board would like a contract update and a formal letter of contract to include cyber security in the letter for approval at the October Board of Supervisor meeting.

Tabled from last meeting, was signing the Consulting Engagement letter from Mallie Accountants.

Mr. Reynolds made a motion, seconded by Mr. Moore, to sign the Consulting Engagement letter from Mallie Accountants. 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 appoint Brian Falcone as Alternate to the Zoning Hearing Board with his term to expire December 31, 2026. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Public Comment:

Mr. Felice stated that last month he asked for a missing street sign at Bedrock Road and Flagstone Road. Mr. Reynolds told him the sign has been ordered.

Mr. Felice stated he gave a Right to Know Request concerning the 243.00 line item in the budget concerning health care. He said 3 questions were partially answered, and if the figures he was given were monthly, it far exceeds the budget. The 4th question, concerning any other charges applicable was not answered. What is the Township hiding? Mr. O'Keefe stated he did inform Mr. Felice that he asked for ancillary budgeted expenses and/or those records. It was unclear what he meant by that and asked him to identify them in a new Right to Know request.

Mr. Felice is questioning whether Earl Taylor was a resident of Sadsbury Township when he was elected as Supervisor. Mr. Felice stated in 2019, voting act mandated that a certified voter be registered and be a resident of a Township two months before petitioning for office. Mr. Felice said according to his research, 5 months before the petition was filed, Chester County Voter Services had an address of Pocopson Township for Mr. Taylor. From May 2018, 1 year from the primary election, Mr. Taylor was not a resident of Sadsbury Township. Therefore, he was not eligible to vote.

Mr. Taylor said, the only person who would have it out for him would be Dale Hensel.

Mr. Reynolds asked Mr. Felice if Dale Hensel put him up to this and Mr. Felice said no.

Mr. Felice concluded with state and local sources that Mr. Taylor being elected Supervisor was illegitimate and Mr. Taylor should resign with restitution to the Township.

Mr. O'Keefe told Mr. Felice that Mr. Taylor suffered a traumatic injury and was hospitalized and was in Pocopson for rehab. Mr. O'Keefe stated these are serious accusations, asking a Supervisor to resign. Mr. O'Keefe said he will be happy to look at his data that Mr. Felice has. Mr. O'Keefe asked Mr. Felice if he is sure he is asking for Mr. Taylor to resign with restitutions. Mr. Felice said yes.

Dale Hensel asked is there will be roadside mowing done. Mr. Reynolds believes it is in the budget to rent a roadside mower. We only do it every few years.

Mr. Moskel of 147 Compass Road said there is a lot of wood from fallen trees on Compass Road. Mr. Moore told him that Sadsbury Woods bought that land and it will be cleaned up.

James Keches of Julie Drive had a question about garbage pickup. Mr. O'Keefe stated that he and Linda met with the trash company. Eagle Disposal and Bilenski merged and were bought out by a company called Waste Connections. The Vice President of

operations told us that with the merger, they failed to organize the routes and they are working out the kinks.

Mr. Keches said Julie Drive was not picked up.

Walt Binns of Sadsbury Village wanted to know why parking cannot be on both sides of Blackberry Lane. There is always a tractor trailer parked there. Close to Lincoln Highway, there is no parking. Chief Hawley said there will not be a problem with the tractor trailer parking there in the future, and the reason there is no parking close to Lincoln Highway is cars can get out of Blackberry with no obstructions. Mr. Reynolds told Mr. Binns if the HOA would send a letter about parallel parking, the Board would look into it.

Bobby Austin of Chestnut Street asked if they could have speed humps on Chestnut Street. The business that runs cars in the garage, have cars flying down the street and then they stop on a dime. Is there something in the Ordinance to stop cars from the garage speeding up and down the street, even at midnight? Chief Hawley said he will talk to the president of the company.

Mr. Reynolds said it will take a lot of money for the police to go 24/7, but it is a future plan when the Shopping Center gets underway, they will pay the Township \$100,000 a year, then we can have 24/7 coverage.

Jerry Ranck wants to know what is going on with Earl Taylor. He said Earl saved many lives in this Township; he ran ambulance 29 and Pomeroy fire truck for years. He has dedicated his life for this Township. They don't come any better and he does not deserve the shaft.

Jerry Ranck also asked the Chief if he could park a car at the Spruce Street and Old Wilmington Road stop sign. He said between 8:45 to 10:15, 15 cars ran the stop sign. He didn't know about the other direction because he can't see that from his porch. Jerry also stated he takes his dog out for a walk about 10 or 11 o'clock and there is always people in the park late at night.

Todd Wilson thanked the Chief for the traffic stops on Old Wilmington Road. Mr. Wilson asked who's vision is going to take care of Octorara Road and Old Wilmington Road, could it possibly be made into a round-a-bout. Mr. Wilson would like to know who at PENN-DOT he would need to talk to about Route 10 and 30 with some issues he has there. Mr. Reynolds told Mr. Wilson he will have to ask Mr. Porter. Chief Hawley stated that Nova Way has had a significant improvement at 10& 30. He feels it is the least bad design.

Vicky Horan stated that Earl Taylor is an honorable person. She also said the website design could be re-evaluated. She asked if there was a historical committee.

Mr. Reynolds stated there has been no historical committee since Mae McGuigan died.

He can't remember who, but someone contacted him about the Historical Committee a long while ago, and he was to meet them at the park, but they did not show up.

Mr. Taylor said he doesn't know where all this is coming from. Mr. Reynolds stated we will get to the bottom of this.

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 budget meeting will be Wednesday September 27th at 9:0'clock a.m. This will need to be advertised.

Respectfully Submitted,

Linda Shank
Secretary