



**BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 9, 2022
7:30PM**

BOARD ATTENDANCE:

Darren DeVoe, Chairman
Edward Haas, Vice Chairman
John Keesey, Member

OTHERS IN ATTENDANCE:

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|-------------------------------------|--------------------------------------|
| Luke Fidler, Chief of Police | Helen Esbenshade, Lamb McErlane |
| Casey Kerschner, Becker Engineering | Sam King |
| James Kinney, Becker Engineering | Brian Gathercole, Keystone Fire Dept |
| Deidre Hosier | Robert Hosier |
| Aaron Zook | Ron Kaluzny |
| Marcella Peyre-Ferry, LNP | Jim MacMichael |
| Mim MacMichael | |

Call to Order and Pledge of Allegiance – Chairman DeVoe opened the meeting at 7:32 p.m. and led in the Pledge of Allegiance.

Public Comment on Agenda – Chairman DeVoe asked the audience if they had any comments on the evening's agenda. There were no public comments regarding the agenda.

Past Meeting Minutes Approval – The July 12, 2022, Board of Supervisors Meeting Minutes were before the Supervisors for approval. Chairman DeVoe stated he spoke with the Tax Collector Jim Fuga, and the Octorara School District is not going to take over the tax collection duties. Mr. Fuga is meeting with another possible candidate this week to potentially take over. This is not a correction to the July 12, 2022 Meeting Minutes, but a clarification subsequent to the July 12, 2022, Board of Supervisor's Meeting.

MOTION: Vice Chairman Haas made a motion, seconded by Member Keesey, to approve the Tuesday, July 12, 2022, Board of Supervisors Meeting Minutes. Motion carried (3/0).

Treasurer's Report – Chairman DeVoe read the August 9, 2022, Treasurer's Report highlighting the Income for July was \$258,137.11, Expenses for July were \$112,481.30, resulting in a Net Income for July in the amount of \$145,655.81. The year to date Net Income, as reported, was \$198,026.88.

The List of Bills to be paid were reviewed. Vice Chairman Haas discussed with Chairman DeVoe wages reported for July, 2022, for the Township Secretary who has not worked during the month of July. Vice Chairman Haas questioned the Woodfield Financial Services bill, he stated it should match the miscellaneous line item but does not. Vice Chairman Haas stated they need to work out some of the numbers, Chairman DeVoe replied they will need to ask the Book Keeper to explain.

MOTION: Vice Chairman Haas made a motion to authorize the payment of bills, seconded by Member Keesey, to approve payment of bills. Motion carried (3/0).

Police Report – Police Chief Fidler read the August 9, 2022, Police Report highlighting the number of citations issued and calls responded to.

MOTION: Chairman DeVoe made a motion, seconded by Member Keesey, to approve the Tuesday, August 9, 2022, Police Report. Motion carried (3/0).

Zoning Officer's Report - Chairman DeVoe read the August 9, 2022, Zoning Officer's Report highlighting the Building Permits, Storm Water Permits, and fees collected. The Chester County Permit summary form was completed.

MOTION: Chairman DeVoe made a motion, seconded by Member Keesey, to approve the Tuesday, August 9, 2022, Zoning Officer's Report. Motion carried (3/0).

Fire Company's Report – Mr. Gathercole read the August 9, 2022, Fire Company's Report highlighting the number of calls, time in service, and service response times. The Fire Company has been training heavily for two weeks at the International Paper building that is to be demolished. The Fire Company performed a fire inspection at Zion Hill Church.

Ambulance Report – Mr. Gathercole read the August 9, 2022, Ambulance Report highlighting the number of calls, responses, and hospital destinations. They are still working for advanced life support, pending fire district meeting and final proposal.

MOTION: Chairman DeVoe made a motion, seconded by Member Keesey, to approve the Tuesday, August 9, 2022, Fire Company's Report and Ambulance Report. Motion carried (3/0).

Road Master's Report - Chairman DeVoe read the August 9, 2022, Road Master's Report highlighting mowing, weeding, and road patching. The road crew is down to two members after a resignation, and looking to add a member.

MOTION: Chairman DeVoe made a motion, seconded by Member Keeseey, to approve the Tuesday, August 9, 2022, Road Master's Report. Motion carried (3/0).

Tax Collector's Report - Chairman DeVoe read the August 9, 2022, Tax Collector's Report highlighting collected taxes and uncollected balances remaining.

MOTION: Chairman DeVoe made a motion, seconded by Vice Chairman Haas, to approve the Tuesday, August 9, 2022, Tax Collector's Report. Motion carried (3/0).

Engineer's Report - Mr. Kerschner read the August 9, 2022, Motion Document highlighting Freedom Life Church has requested a 120 day time extension. Mr. Kerschner stated their date of action is August 20, 2022.

MOTION: Vice Chairman Haas made a motion, seconded by Member Keeseey, to accept the written time extension offer submitted by the applicant's consultant, dated August 1, 2022, offering to extend the deadline for action on the Freedom Life Church – Preliminary /Final Subdivision and Land Development Plan for an additional 120-days. Motion carried (3/0).

Mr. Kerschner continued to read the Motion Document stating 4991 Church Road, Stormwater Management Plan for property owner by Mr. Sam King, who was in attendance had four motion requests.

MOTION: Chairman DeVoe made a motion, seconded by Vice Chairman Haas, to approve a waiver/modification of §28-303.A.1.a & §28-404.B of the West Sadsbury Township Stormwater Ordinance, omitting the need to provide an Erosion and Sedimentation Control Plan Adequacy Letter from the Chester County Conservation District. Motion carried (3/0).

MOTION: Chairman DeVoe made a motion, seconded by Vice Chairman Haas, to conditionally approve the plan, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 2, dated August 5, 2022. Motion carried (3/0).

MOTION: Chairman DeVoe made a motion, seconded by Vice Chairman Haas, to accept the future required amount of financial security to be established with the Township, in an amount acceptable to the Township Engineer, upon receiving and approving the future Opinion of Probable Cost. Motion carried (3/0).

MOTION: Chairman DeVoe made a motion, seconded by Vice Chairman Haas, to authorize the Board of Supervisors to sign the Operation, Maintenance, and Inspection Plan (O&M) Agreement, Financial Security Agreement, and the Stormwater Management Plan, when executed by the applicant, and upon meeting all conditions of the Becker Engineering Review Letter No. 2. Motion carried (3/0).

Vice Chairman Haas asked Mr. Kerschner about the International Paper project status. Mr. Kerschner commented that the majority of the technical review comments have been addressed, Becker is finalizing their review letter. Becker Engineering has not heard back from PennDOT, and it is Mr. Kerschner's understanding that there are zoning matters to still address, such as landscaping buffer, and other issues regarding deteriorated pipe. International paper did receive a minor amendment to their Erosion and Sediment Control plan, Becker Engineering contacted the conservation district to inquire about the amendment. Becker Engineering is hopeful to produce a finalized plan review letter in the immediate future.

Solicitor Esbenshade asked Mr. Kerschner if International Paper had completed the Opinion of Probable Cost. Mr. Kerschner stated the Opinion of Probable Cost was submitted; however, it has not been reviewed by the Township Engineer to date.

Old Business Continued Discussions:

No Old Business was discussed.

New Business:

Chairman DeVoe Read the Chester Countywide Action Plan (C3AP) grant funding opportunity for water quality improvement projects. Vice Chairman Haas summarized that what they are asking is if the Township wanted to pursue a grant funding opportunity for water quality issues within the Township. Chairman DeVoe asked if the grant could help with the Officers Run at Strasburg Road Stream Restoration Project. Vice Chairman Haas said he believed it would help the Township with that project.

Vice Chairman Haas asked Solicitor Esbenshade if the Board of Supervisors need to make a motion to approve the grant funding opportunity. Solicitor Esbenshade asked if there was a deadline to apply, Vice Chairman Haas stated he believed there was a deadline, but did not have the date in front of him. Solicitor Esbenshade stated the Board may want to authorize someone to move forward with the grant funding request. Vice Chairman Haas stated the grant funding request will be pursued by LandStudies.

MOTION: Vice Chairman Haas made a motion to authorize LandStudies to pursue the Chester Countywide Action Plan (C3AP) grant funding opportunity for water quality improvements, seconded by Member Keeseey. Motion carried (3/0).

Chairman DeVoe read the West Sadsbury Township Police Contract, acceptance of Police Contract. Chairman DeVoe stated after arbitration the West Sadsbury Township and West Sadsbury Township Police have come to an agreement on a new contract for a term of three years. Vice Chairman Haas stated the contract runs until December 31, 2024 and is retroactive to January 1, 2022.

Vice Chairman Haas asked Solicitor Esbenshade if the Board needed to provide details of the contract. Solicitor Esbenshade stated she did not believe the Board had to but if there were specific question the Board may answer them. Solicitor Esbenshade stated that the agreement was a decision based on the neutral arbitrator's decision that has been accepted by the Board. The contract has been reviewed and accepted informally at this point. Solicitor Esbenshade recommended the Board vote on approving the contract.

MOTION: Vice Chairman Haas made a motion to approve the Police Contract based on the decision by the arbitrator, seconded by Member Keesey. Motion carried (3/0).

Deidre Hosier asked the Board of Supervisors if they were involved in binding arbitration. Vice Chairman Haas stated that they were, due to the Police Union. Solicitor Esbenshade stated there was a neutral arbitrator. Vice Chairman Haas responded there was council for the Township and council for the Union and then there was an arbitrator that went back and forth. They made proposals and the Township responded until an agreement was made. Deidre Hosier asked if both parties agreed to accept the recommendation of the arbitrator. All responded yes.

Chairman DeVoe read Meridian Bank (Remote Deposit Capture System Annual Audit). Remote Deposit Program requirements Audit Acknowledgement Signature. Vice Chairman Haas explained it's the machine to make deposits in the office.

MOTION: Chairman DeVoe made a motion to sign the agreement , seconded by Vice Chairman Haas. Motion carried (3/0).

Public Comment: Chairman DeVoe asked if there were any public comments for non-agenda items.

Marcella Peyre-Ferry and Deidre Hosier questioned the Board about the Police Contract pay increases and Township budgeting for the contract. The number of officer's and staffing were also questioned. The Board along with Police Chief Fidler responded to all questions.

Residents questioned the repair of Quarry Road (Pot Holes) and how the Township prioritizes road work in the Township. The Board stated they would discuss with the Roadmaster prioritizing Quarry Road.

Deidre Hosier questioned the Township's equipment in preparation for winter. The Board stated the truck is currently being inspected, and a used tractor was purchased for mowing. The road crew staffing was also questioned. The road crew is currently looking for someone with a CDL.

The Board publicly thanked Becker Engineering for their work in assisting the Township Office.

Ron Kaluzny questioned the location of the meeting agenda and meeting minutes on the West Sadsbury Township website. Mr. Kerschner stated that meeting minutes taken during Becker Engineering's office assistance are posted on the website.

Jim MacMichael asked about equipment contingency if equipment needs replaced. The board explained several options available to the Township in that scenario.

Aaron Zook asked about the culvert on Limevile Road. Mr. Kerschner responded that Jeff Bologna from Becker Engineering stated construction drawings are nearly done.

Public discussion around a new Wawa and Wendy's as well as other development taking place in the community and the impact to traffic on local roads.

Adjournment:

MOTION: There being no further business to come before the Board, Chairman DeVoe made a motion, seconded by Vice Chairman Haas to adjourn the meeting at 8:34 p.m. Motion carried. (3/0)

Respectfully submitted,

James L. Kinney
Becker Engineering