

## West Sadsbury Township Supervisors Meeting

September 12, 2023

### Pledge of Allegiance

Chairman, Darren DeVoe called the meeting to order. This meeting will be recorded and proper protocol is requested.

In attendance was Chairman, Darren DeVoe; Vice Chairman, Ed Haas; Member, John Keeseey; Police Chief, Ed Moore; Roadmaster, Jason Chapman; Solicitor, Helen Esbenshade; Engineer, Casey Kerschner and Sec/Treas. Patti Piersol.

There were no questions on the agenda items.

The minutes of the August 8 meeting and the extension of the July meeting on July 17, a motion by Mr. Haas, seconded by Mr. Keeseey, motion carried.

### Treasurer's Report

August 2023: the Income was \$117,548.72; Expenses were \$140,992.54; Net Loss for August was \$23,443.82 and year to date income is \$155,933.77

Ms. Piersol requested approval for her and Bookkeeper Amy Beaudoin to have access to all the Meridian accounts so they will be able to complete Township's financial business. Report and request approved by a motion made by Mr. DeVoe, seconded by Mr. Haas, motion carried.

**Invoices to be paid:** Were reviewed and Ms. Piersol asked to add one more for Land Studies in the amount of \$5,200.45 for Officer's Run Streambank restoration (to be paid out of the COVID monies), motion to approve by Mr. DeVoe, seconded by Mr. Keeseey, motion carried.

The Board requested a report on the balance in the COVID money, Ms. Piersol said that she would get that to them. An Aflac charge was on the bill list by mistake, that is a pass-through employee purchase.

### Police Report:

Officer Ruscio gave the police report for August which included two thank you notes for the actions of Officers Ruscio, Meshurle and Delikat. There were 14 Traffic citations, 6 non traffic citations, 4 criminal arrests, they were dispatched to 309 incidents. Officer initiated incidents were 132. Pennsylvania State Police handled 47 incidents.

**Zoning officers:** report from Bill Beers the zoning officer for August 2023. This was Mr. Beer's report as he resigned as of August 31, 2023.

**Keystone Valley Fire Department:** After Chris Plumley, Fire District Administrator, said that the Chief sends his regards, he gave the Fire and EMS reports.

**Road masters report:** Jason Chapman gave his report. Report on file

**Tax Collector's report:** Was read by Mr. DeVoe.

**Engineers report:** by Casey Kerschner of Becker Engineering

**Freedom Life Church:** They are requesting consider conditional approval. They are working on their PennDOT HMP, DEP water supply -er a revised culvert exhibit. They would have to get put together typical loan and financed security agreement. They are applying for MPDS amendment. You're in the process of we already have the MPs permit. The biggest item that's remaining is the transportation aspects and kind of the design finalization for Zook Road, which is being really handled by TBD. They have already response to TPD and plan to resubmit to the Township showing the revised grading of the Pad site. They have dropped the pad down 15 inches, but the township hasn't seen that plan yet.

Ms. Esbenshade asked the Freedom Life Church Representatives about the easement across the neighboring property, is their council preparing that? They stated, yes. Yes. And do you know that you have at least consent of the neighbor property

Mr. Haas made a motion to conditionally approve the plan conditioned upon the applicant's consultant addressing the comments in the Becker Engineering review letter #7 dated August 7, 2023 and Traffic Planning & Design review letter #5 dated August 28, 2023 and in accordance with all the other legal issues being addressed the with the Township Solicitor in terms of the culvert. The motion was seconded by Mr. Keeseey, motion carried.

**New Hope, LLC:** Mr. DeVoe made a motion to approve the written time extension request made in the email dated September 9, 2023, extending the deadline for action on the preliminary subdivision plan to December 18 to 2023, seconded by Mr. Keeseey, motion carried.

**Eli and Rebecca Lapp:** lot add on plan for 5963 Windmill Road. Mr. Haas made a motion to conditionally approve the plan on the condition that they have addressed all the comments the Becker Engineering Review letter #2, dated August 22, 2023, seconded by Mr. Kessey, motion carried.

**Mahlon J. Dienner:** Casey there yesterday, we are waiting on an As-Built Plan certification letter. Mr. Haas made a motion to authorize the \$2,000 release, with the remaining security being \$0.00, seconded by Mr. Keeseey, motion carried.

**3100 North Limestone Road:** Mr. Haas made a motion to authorize \$40,572.64 of the current financial security, resulting in a remaining financial security of \$7,500.00, seconded by Mr. Keeseey, motion carried.

**3210 North Limestone Road:** Which is the Keystone Valley Amish School, Mr. Haas made a motion to approve the release of \$23,699.00 of the current financial security, resulting in a remaining financial security of \$6,500.00, seconded by Mr. Keeseey, motion carried.

**583 Quarry Road:** Mr. Haas made a motion to conditionally approve the small project application for 583 Quarry Road conditioned on the applicant addressing all items outlined in the Becker Engineer Review letter #1 dated August 31 2023, seconded by Mr. Keeseey, motion carried.

Mr. Haas made the motion to authorize the Board of Supervisor to sign the Operation, Maintenance, and Inspection Plan (O & M) Agreement when executed by the applicant and adequately resolving all conditions of plan approval, seconded by Mr. Keeseey, motion carried.

**3852 Upper Valley Road:** This was tabled because no one from Clayton Homes was in attendance.

**Old Business:**

**3852 Upper Valley Road:** Ms. Piersol said neighbors have called asking about the number of sheep and chickens that are allowed on a property. Need to check with the new Zoning Officer about the livestock.

**Appointment of new Part-time Police Officer:** Mr. Haas said the police went through a process of interviews and Mr. McCarthy was the one that passed the review by the police and passed all of his background checks. Mr. Haas made a motion to approve hiring Kevin McCarthy, seconded by Mr. Keeseey, motion carried.

**Update on advertising of sale of old Police vehicles,** Crown Victoria and Explorer. Ms. Piersol gave the Supervisors information on using Municibid.

If they are sold for \$2,000 or less, we don't have to do it through a bid process. What to do was discussed, but no final decision.

**New Business:**

**Proposed ordinance pertaining to animal waste.** A Safety and Welfare Ordinance due to residential complaints about Cygnet Drive problems. There is an ongoing issue on Cygnet Drive with a dog owner that is allowing his dog to defecate in the road and other people's properties. It's kind of escalated up the chain in terms of interaction between the neighbors. There is no township ordinance currently outside stormwater ordinance regarding animal waste.

Definitions. As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

ANIMAL Any domestic animal or fowl, any wild animal, nondomesticated animal or any household pet.

DOMESTIC ANIMAL Any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes or normally or ordinarily kept as a household pet.

HOUSEHOLD PET Any dog, cat or other domestic animal normally or ordinarily kept in or permitted to be at large in a dwelling of its own.

LARGE ANIMAL Any wild or domestic animal of the bovine, equine or sheep family.

OWNER Any person having a right of property in any animal or having custody of any animal or any person who harbors or permits an animal to remain on or around his or her property.

PERSON Any person, firm, partnership or association or corporation.

RUNNING AT LARGE Being upon any public highway, street, alley, park or any other public land or upon property of another person other than the owner and not being accompanied by or under the control of the owner or any other person having custody of an animal.

SMALL ANIMAL Any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse or chinchilla and any wild or domestic fowl such as a chicken, turkey, goose, duck or pigeon.

WILD ANIMAL Any animal, including bird, fowl or reptile not normally or ordinarily domesticated, not normally or ordinarily raise in this area and climate as livestock or for work or breeding purposes or not capable of being kept as a household pet.

§ Animal Defecation on Public and Private Property Restricted.

No person having possession, custody or control of any animal shall knowingly or negligently permit the same to commit any nuisance, e.g., defecation or urination upon any gutter, street, driveway, alley, curb or sidewalk in West Sadsbury Township or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants or upon the outside walls, walkways, driveway, alleys, curbs or stairways in any building abutting on a public street or park or upon the grounds of any public park or public area or upon any private property other than the property of the owner of such animal.

§ Disposal of Animal Feces.

Any person having possession, custody or control of any animal which commits a nuisance, e.g., defecation, urination in any area other than the private property of the owner of such animal, as prohibited by this Part, shall be required to immediately remove any feces from such surface and either:

A.

Carry same away for disposal in a toilet.

B.

Place same in a nonleaking container for deposit in a trash or litter receptacle, as allowed by law.

§ Maintenance of Property.

Neither the owner nor any person having the care, custody and control of any pet or pets, domestic animals, or wild animals maintained as pets shall permit fecal matter from such animals to accumulate upon their property for more than 24 hours; and it shall be the responsibility of the owner or person or persons having the care, custody and control of pet or pets, domestic animals, or wild animals maintained as pets to remove, daily, such fecal matter in order to prevent any accumulation from becoming a danger to public health.

§ Dogs Accompanying Blind or Handicapped Persons/Search & Rescue.

The provisions of this Part shall not apply to a guide dog accompanying any blind persons or to a dog used to assist any other physically handicapped person during the time such dog is accompanying such a person pursuant to the dog's normal and customary purpose and use. The

provisions of this Part shall not apply to an animal used on active duty by law enforcement and/or search and rescue activities when the animal is actively being utilized in an investigation/search by a member of law enforcement.

### § Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of no less than \$25 and not exceeding \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

Mr. Haas made a motion to send this information to the Township Solicitor, to confirm that is legal, put into a form of an ordinance for advertisement and voting, seconded by the Mr. Keeseey, motion carried.

**Annual Library donations:** Mr. Haas made a motion to approve a \$3,000.00 donation to each of the three libraries: Parkesburg, Atglen and the Moore's Memorial of Christiana, seconded by Mr. Keeseey, motion carried.

**Appointment of Zoning Officer:** Mr. Haas made a motion to hire Technicon Enterprises Inc., 11 an Engineering and Consulting firm, seconded by Mr. Keeseey, motion carried.

**Children by Playing signs** were requested on Lenover Hill Road. Mr. Chapman found out what had to be done and was going to suggest to the resident to get the ones that they can put in their yard. Mr. Hass asked if the Police could do some traffic enforcement in this area.

**The Office received a compliant** about noise and traffic at 4481 Cemetery Road. They can't enjoy their property.

**Brandywine SPCA** sent a letter on the upcoming contract.

**Mrs. Palmer of the Atglen Library** asked to have their newsletter put on our website. She spoke of what you can do with your library card. She also said that if in the future the donation amount could be raised it would be much appreciated.

**463 Stauffer Road:** Mr. Haas made a motion to support the waiver of the 100-foot set back, since the neighboring property is owned by Mr. Beiler's son. The motion was seconded by Mr. Keeseey, motion carried.

**4000 Lower Valley Road:** The Township received notice that a septic system was installed without a permit. This is a violation with the Chester County Health Department.

**Pennsylvania Broadband Development Authority:** tabled

**TMAC:** The Township received the annual request for a donation of \$5,000.00. The Board agreed not to support TMAC.

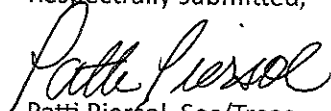
**Public Comment on non-agenda items:** Mrs. Hosier asked the Board what their plans were for the 2024 budget. She asked if they were going to get input from the residents, the Police Department, Road

Department and the office? Mr. DeVoe said they had a plan. Ms. Piersol said that she could give them print outs of a PSATS class. Mr. DeVoe requested some information from our Bookkeeper.

It was then decided that the Supervisors would meet on October 4<sup>th</sup> at 7 PM and then have a public meeting on Thursday, October 26<sup>th</sup>.

Mr. DeVoe made a motion to adjourn the meeting at 9:05 PM, seconded by Mr. Keesey.

Respectfully submitted,



Patti Piersol, Sec/Treas.