

West Sadsbury Township Board of Supervisors Meeting  
March 14, 2022

Chairman Darren DeVoe called the meeting to order.

In attendance were: Chairman Darren DeVoe, Vice Chairman Ed Haas, Member John Keesey, Solicitor, Helen Esbenshade, Police Sergeant Ed Moore, Road Master Jason Chapman, Casey Kerschner of Becker Engineering and Sec/Treas. Patti Piersol.

Patti read the minutes of the February 8, 2022 meeting. The minutes were approved with two changes.

**Treasurer's report:** Patti gave the Treasurer's report for February, 2022, Income for February 2022 was \$59,764.81, expenses for February were 2022 \$83,904.68, net loss for February was \$24,139.87. Year to date loss is 66,954.07. She stated that she had filed the PA MS965 Liquid Fuels report, the PA DCED-CL65-19 Report of elected and appointed Officials and the Chester County Annual Recycling report. She also said that the report on the American Recovery Plan money report is due April 30, 2022.

**Invoices to be paid:** Patti said that addition to the list from last week, a check from the General Fund to Traffic Planning and Design for \$845.00 for a total of \$120,829.78 out of the General Fund. Two additional checks out of Liquid Fuels: \$600.89 for Gap Repair & Steel and \$204.49 for New Enterprise Stone & Lime, for a total of \$6,519.29 out of the Liquid Fuels Fund. After discussion, Darren made a motion to pay the bills, seconded by John, motion carried.

**Police report:** The February Police report was given by Sergeant Ed Moore.

**Zoning Officer's report:** Darren read Bill Beers' report for February. The Board asked about a corrected January report.

**Fire Company's report:** Ed Haas read the Keystone Valley Fire and EMS reports.

**Road Master's report:** Jason reported for the month of February: they had the John Deere tractor repaired, numerous hydraulic leaks and an electrical short. They were started patching potholes on Moscow road. They started using a different approach to patching roads & blacktop repairs, to make a better longer lasting patch. Jason used a concrete saw and cart and a rotary hammer drill. Then purchased the cart and hammer drill. There were no saw to purchase at this time. They can now patch safer and more efficiently. Today we had a demonstration in Parkesburg on a piece of equipment that uses hot blacktop to patch holes instead of cold patch. The machine also can do a lot more it has a recycling feature that you can actually use road millings that we get for usually nothing we can add a rejuvenating agent and use that. We feel as though that it would be a good investment for the township to buy it. Mr. Keesey was in attendance at the demonstration. They did major patching on Zook Road, with some more in that area. They will be meeting with paving companies to get prices for Moscow and Quarry Roads. Limeville Road project, the only contractor

to respond says he can't get the piping to do the job due to the supply backlog. He said Jeff of Becker believes that will become a big job.

**Tax Collectors report:** January collectible balance \$3,598.08, collected \$490. Fire tax collectible \$3,362.12, collected was \$458.44. For February, 2022 new tax year the balance to be collected is \$398,721.32. The amount collected here is zero. There were payments on 2021 taxes in the amount of \$1,377.28. That leaves a collectible balance of \$397,344.04. The 2022 Fire tax to be collected is \$214,696.10. There were payments on the 2021 Fire tax in the amount of \$741.61 leaves a total collectible of \$213,954.49.

**Engineers report:**

International Paper: Mark Pickering of GHD stated that International Paper did receive news that the Chester County Conservation District had no issues with their March 1<sup>st</sup> revised plans submittal. They also expect to receive favorable MPDS. They asked for conditional approval since they have made significant progress. He knows the Board is concerned with the pipe along Lower Valley Road that has deteriorated and they have been in contact with Penn Dot. Casey of Becker listed the outstanding items. Helen said, if the Township would grant the conditional approval International Paper must meet all the comments in the Becker Engineering review letter. Ed made a motion to grant conditional approval, seconded by John, motion carried.

King Swings –The properties are two tracks totaling approximately 77 acres on Lower Valley Road. The back of the properties go into Highland Township and the Valley Creek runs through the property. As part of the preliminary final plan a lot will be created which would be Kings Swings. This is in the industrial district with an industrial building. The parent track will reconfigured into a U shape around the proposed lot. The building will be about 45,000 square feet with maneuvering parking areas for more retention and riparian buffer with in total about 182,000 square of new impervious surface, which will require a MPDS permit. They will also need: a Penn Dot permit and clearance from the US Fish and Wildlife Commission. Highland Township reviewed the plan and have differed approval to West Sadsbury Township. Discussion Items: NPDES Permit Status, CCPC Letter, Zoning Review Status, Penn DOT Status, Remaining PNDI Clearance, Proposed Landscaping, Roadway Right-of-Way Dedication, Fire District Review, Concurrence of Riparian Buffer Volume Control Approach, etc. On March 3, 2022, the applicant's consultant sent email correspondence updating everyone on the status of the above. (Note: The following waivers/modifications/deferrals were requested by the applicant's consultant in the waiver request letter dated October 12, 2021, revised January 26, 2022. The Chester County Planning Commission is recommending that additional vegetation be planted along the riparian buffer area. At their meeting on February 22, 2022, the Planning Commission recommended approval of the following motions)

Ed made a motion: to approve a waiver/modification of §22-305 of the West Sadsbury Township Subdivision and Land Development Ordinance, related Preliminary Plan Application, and to allow the plan to be processed as a Preliminary/Final Plan, seconded by John, motion carried.

Ed made a motion: to approve a waiver/modification of §22-402.3.B & §22-403.1 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to Preliminary Plan and Final Plan Submissions and to eliminate the requirement to show the location and the size of water and feeder lines,

well, sewage disposal systems, fire hydrants, gas, electric, and oil transmission lines 400' beyond the property, seconded by John, motion carried.

Ed made a motion: to approve of a waiver/modification of §22-402.4.B of the West Sadsbury Township Subdivision and Land Development Ordinance, related to plan scale, and to allow some Sheets to be drawn at 1"=200', seconded by John, motion carried.

Ed made a motion: to approve of a deferral of §22-508 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to the installation of sidewalks on both sides of the street (Lower Valley Road), seconded by John, motion carried.

Ed made a motion: to approve of a deferral of §22-509 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to the installation of street lights along Lower Valley Road, seconded by John, motion carried.

Ed made a motion: to approve of a waiver/modification of §22-608.1.B, which requires access drives exceeding 6% to include a 75' leveling area, and to allow a driveway to be installed at a consistent 8% grade, seconded by John, motion carried.

Ed made a motion: to approve of a waiver/modification of §28-311.C.1.(b)[2] related to on-site inlet sumps, and allow top grates to remain as designed, seconded by John, motion carried.

(Note: The following deferral may be applicable based on Becker's Review Letter No. 2, dated February 14, 2022, was verbally requested by the applicant's consultant at the Planning Commission meeting, and was recommended for approval at the February 22, 2022, Planning Commission meeting.)

Ed made a motion: to approve a deferral of §22-507 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to providing curbing wherever sidewalks are to be constructed along streets (Lower Valley Road).

Ed made a motion: to conditionally approve the plan, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 2, dated February 14, 2022, seconded by John, motion carried.

Land Studies has been in contact with Mr. King on stream bank restoration.

Mike Bontrager – Final Minor Subdivision Plan. Discussion Items: CCPC Letter (sketch plan showing potential site development), Zoning Review Status, Form B – Non-Building Waiver, Requirement of PennDOT minimal use HOP, Deferrals of curb, sidewalk, street trees, & street lights, etc. (Note: The following waivers/modifications were requested by the applicant's consultant in the waiver request letter dated January

19, 2022. At their meeting on February 22, 2022, the Planning Commission recommended approval of the following motions)

Ed made a motion: to approve a waiver/modification of §22-402.3.C.(6) of the West Sadsbury Township Subdivision and Land Development Ordinance, related requiring a wetland delineation on the plans. Note 14 & 19 note that wetlands are present on-site, seconded by John, motion carried.

Ed made a motion: to approve a waiver/modification of §22-403.1 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to Final Plan Submissions and to eliminate the requirement to show the location and the size of Page 3 of 4 West Sadsbury Township March 8, 2022 water and feeder lines, well, sewage disposal systems, fire hydrants, gas, electric, and oil transmission lines 400' beyond the property, seconded by John, motion carried.

Ed made a motion: to approve a waiver/modification of §22-403.2.B of the West Sadsbury Township Subdivision and Land Development Ordinance, related to requiring industrial / commercial site capacity determination calculations, seconded by John, motion carried. This waiver/modification would not waive or modify any requirements set forth by the Zoning Ordinance and as required by the Zoning Officer.

Ed made a motion: to approve a waiver/modification of §22-403.10.K of the West Sadsbury Township Subdivision and Land Development Ordinance, related to various impact study's, reports and analysis', seconded by John, motion carried.

Ed made a motion: to approve a waiver/modification of §22-502.1.A of the West Sadsbury Township Subdivision and Land Development Ordinance, related to requiring concrete monuments and instead utilize re-rods, seconded by John, motion carried.

Ed made a motion: to conditionally approve the plan, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 2, dated February 15, 2022, seconded by John, motion carried.

Jonathan B. and Ester M Lapp (1300 Swan Road) – SWM Plan Discussion Items: Zoning Review Status, Wetland Delineation, Riparian Buffer Requirements, Prior Impervious Improvements being accounted for (other impervious improvements on separately deeded property under same ownership), future waiver/modifications to be considered by the Board of Supervisors, etc.

Ed made a motion: to approve a waiver/modification request of §28-303.A.1.a of the West Sadsbury Township Stormwater Ordinance requirements, omitting the need to provide an Erosion and Sedimentation Control Plan Adequacy Letter from the Chester County Conservation District, seconded by John, motion carried.

Ed made a motion: to conditionally approve the plan, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 1, dated February 18, 2022, seconded John, motion carried.

Reuben Kauffman (4451 Church Road) – SWM Plan Discussion Items: Zoning Review Status, Wetland Delineation, Riparian Buffer Requirements, waiver/modification of E&S Adequacy Letter, future waiver/modifications to be considered by the Board of Supervisors, etc.

Ed made a motion: to approve a waiver/modification request of §28-303.A.1.a of the West Sadsbury Township Stormwater Ordinance requirements, omitting the need to provide an Erosion and Sedimentation Control Plan Adequacy Letter from the Chester County Conservation District, seconded by John, motion carried.

Ed made a motion: to conditionally approve the plan, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 1, dated February 18, 2022, seconded by John, motion carried.

#### **Old Business:**

The Zoning Hearing Board needs a third member. Darren nominated Merv Engle, seconded by John, motion carried. Tina Sagliocco requested to remain an alternate. Ed nominated Robert Hosier to be an alternate, seconded by John, motion carried. Mrs. Hosier questioned the Board's choice.

AT&T bills: Jason was working on this, because Patti does not have either of the phones so AT&T wouldn't talk to her about the account. Jason is now the administrator. He is getting himself and Luke new phones and will try to switch the accounts to FirstNet, which would come on separate bills and would be \$45.00 each. The phones that they will get can become WIFI hotspots so the extra charge can be dropped.

Baseball Fields: Patti said that she has had inquiries and needs the prices for 2022. The Christian League and Jenny of Lady Steel and people wanting to rent the fields and pavilions. Jenny paid last year for her teams of Lady Steel. There was discussion on the conditions of the fields, the lower field is not really that bad. The upper one needs some work. Ed said raise it \$50.00 to cover the repairs to be done. The costs will be \$650.00 per one day of the week.

Pavilions: Jason said that he wants to get actual trash cans with lids instead of the plastic barrels. Prices were discussed and it was decided to raise the rates \$20.00 to: weekdays small \$40.00 and large \$60.00 and weekends small \$60.00 and large \$80.00. The ballfields will remain \$100.00 for spring and summer and \$50.00 for fall (for 3 hour sessions). Conference room rental will be \$100.00 for a day, 3 hour session.

Mowing specs: Patti changed the contact name and the dates. The bids need to be in the Township office by 4PM on Tuesday, April 12, 2022.

PSATS convention: Patti needs the number to register, they said 3 Supervisors and 2 Road Crew members. Patti will sign them up, and they can choose which days and which educational classes you want to go to.

American Rescue Plan: Patti said that she learned that the monies can be used for stormwater management work. Helen said one of the associates in her office is working on that. The one of the uses that that you can apply those funds to is for revenue loss due to COVID, but one of the associates will do a summary.

Patti notified Mr. Mac, that the Supervisors wanted to use the elected auditors for the Annual Report.

Open space tax referendum: Helen said if the Board wants to take that off, they would have to do something for it to be voted on. Patti asked if that would need to be done in April or November. Helen said that the Board will have to adopt an ordinance first and then they will have certain notice publication requirements that take some time. After the ordinance, you have to submit that at least 13 weeks before the election where you want the referendum to be on the ballot to voter services. So we don't have enough time by the primary, but for November we will need to start working on it.

John said that if they could find some land to preserve, it would be good to use the money for that. Patti said that she has not gotten any requests and you need to weight the \$1,500.00 per month payment versus getting the Open Space tax removed.

#### **New Business:**

Mr. Archey of North Limestone Road: He wanted to find out if the lot that he wants to sell would be considered a buildable lot? Mr. Archey met with Bill Beers and Jeff Bologna to find out if the lot was a buildable. There was a question if a sewer system could be put on there or not. Mr. Archey said that there is public sewer one house away. He was told he could check with our area person at the Chester County Health Department. Patti will email Mr. Archey the information in the morning.

The Township received \$17,480.00 in Penn Dot Turnback Annual Maintenance payment.

Patti requested a small server to connect the two computers together and someone to make sure that we have the programs needed. It was suggested to daisy chain them together and there are some programs. Patti will check with Marc.

Census reporting of building which was done each month changed this year to annual, but Patti is going to ask to return to monthly. To do it annually will be a lot more work than doing it monthly, she just takes the information from Bill beers report and enters it.

Alzheimer's support: It was requested for the Township to list their group for people to use their support is a free service for assistance to West Sadsbury families.

Updates: the PSATs education catalog. AED information, there is a copy attached to the wall above the AED. The Township will receive a PA One Call refund of \$45.02 that will be used on our bills in the future. We have a new PennDOT rep which was our rep before, Brian Dayton. There is a PNC certificate of deposit which matures

April 3. There is an ARP webinar on Monday, the 21st, which I will attend to I could get more information on what the money can be used for.

Public Comments:

Mr. Weathers asked about the stop sign at the feed mill/Atglen curve. He asked if we could have something done to slow the traffic down. He is worried about his daughter being a new driver. Jason said that he check with some people.

Darren spoke about the Tax Collector's situation, he contacting his lawyer taking care of his paperwork and also contacting Twin Valley School District about being his backup tax collector instead of a private individual. Mrs. Hosier: She would like to know what we're going to do about these agendas on the web site. She doesn't feel that the residents of the township should have to drive over here to this building to look at the agenda on the door. Like to be able to view it on the website. Darren said that he will get with it and we'll get this worked out. He also said he didn't know he was supposed to do it. But he'll take the hit for it.

Darren made a motion to adjourn at 9:35 PM.

Respectfully submitted,

Patti Piersol, Sec/Treas.