

**BOARD OF SUPERVISORS MEETING MINUTES**

**August 13, 2024**

**7:30 PM**

BOARD ATTENDANCE:

Butch Myers, Chairman

Merv Engel, Vice Chairman

John Keesey, Member

OTHERS IN ATTENDANCE:

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| Chelsy Oswald, Secretary  Mark Thompson, Lamb McErlane  Casey Kerschner, Becker Engineering  Jason Chapman  TJ Acosta  Doug Smoker | Robert Hosier  Deidre Hosier  Emily West  Ed Haas  Lisa Myers  Cory Rathman, P.E.  Gary Fedor  David Depew |  |

**Opening**

Chairman Myers opened the meeting at 7:30 p.m. With the Pledge of Allegiance.

**Public Comment on Agenda**

The attendees and the BOS have discussions on how to better place the “comments on Agenda” section for future Agendas. It was discussed to remove the words “on the agenda” in the opening comments and add a time for comments after “Old Business”. Township Solicitor explained that the words “on the agenda” need to stay as is due to the Sunshine Act.

Announcement of Executive Session for Police meeting on July 17, 2024, at 9 am.

Announcement of Executive Session for meeting with new part time Public Works employee, Craig Huber on July 30, at 1 pm.

There were also discussions between the Attendees and the BOS on how to better communicate upcoming events, hearings, and meetings. BOS is looking into new ways of doing so.

Chairman Myers read aloud the code for conduct in a public meeting.

**Past Meeting Minutes Approval**

Chairman Myers made a motion to approve July 9, 2024, BOS Meeting Minutes. The motion was seconded by Vice Chairman Engel, motion carried 3-0

**Treasurer’s Report**

Chairman Myers made a motion to approve the treasure’s report. Vice Chairman Engel seconded the motion, motion carried 3-0

Chairman Myers made a motion to approve the list of bills. Vice Chairman Engel seconded the motion, motion carried 3-0

**Police Report**

Birmingham Township Police Chief Tom Nelling donated a speed sign to our Police Department to assist in the reduction of excessive speeds on our Township roads. We have replaced the batteries in the unit and will be adding our police decals. The speed sign will be deployed throughout the Township in a few weeks. If anyone has any special areas of concern where they would like to see the speed signed placed, please reach out to the Police Department or the Township Secretary. Estimated cost for new speed sign is between $7,000 to $10,000, so this is a very big deal. We are so grateful to have such a generous neighboring Police Department.

Chairman Myers made a motion to approve the police report that was presented and read at the meeting. The motion was seconded by Vice Chairman Engel, motion carried 3-0

**Zoning Report**

Chairman Myers made a motion to approve the Zoning report. Vice Chairman Engel seconded the motion, motion carried 3-0

**Fire Company**

Chairman Myers made a motion to approve the Fire Company Report that was presented and read at the meeting. Vice Chairman Engel seconded the motion, motion carried 3-0

**Road Master’s Report**

Chairman Myers made a motion to approve the Road Master’s Report that was presented and read at the meeting. Vice Chairman Engel seconded the motion, motion carried 3-0.

**Tax Collector’s Report**

Chairman Myers made a motion to approve the Tax Collector’s Report. Vice Chairman Engel seconded the motion, motion carried 3-0.

**Engineer’s report**

M21 Capital Development, 400 Zook Rd 8/16/2024

Chairman Myers made a motion to conditionally approve the plan, conditioned upon the applicant addressing the remaining comments in the Becker Engineering Review Letter No. 3, dated July 9, 2024, and to the satisfaction of the Township and Township Solicitor. Vice Chairman Engel seconded the motion, motion carried 3-0

Chairman Myers made a motion to acknowledge the financial security for the improvements on Lot 2, as prepared by the applicant’s consultant, in an amount of $42,185.90. Vice Chairman Engel seconded the motion, motion carried 3-0

Chairman Myers made a motion to authorize the Board of Supervisors to sign the Operation, Maintenance, and Inspection Plan (O&M) Agreement and plans when executed by the applicant and adequately resolving all conditions of plan approval. Vice Chairman Engel seconded the motion, motion carried 3-0

**Old Business**

Chairman Myers made a motion to reduce Becker Engineering Roles and Responsibilities to 6 Items, listed in the February 27, 2024, 69-bullet point list to:

11) Preparing PC Agendas and prepping PC members for the meeting (The Township will be responsible for posting the agenda to the door and website).

15) Prepare and issue BOS Motion Letters subsequent to the BOS Meetings (Financial Security Reductions, Conditional Approval’s, etc. as required by the Township Ordinance and PA MPC).

17) Review PC Minutes when requested.

21) Prepare Updated Fee Schedule pending updates from Township Staff & Subconsultants, and assist Township staff in preparing yearly resolution.

49) Coordinate and apply for alternative sources of funding, such as grants, loans, credits, discounts, etc., when appropriate.

58) Manage and communicate escrows and fee information with appropriate parties, prior to financial security being released.

Vice Chairman Engel seconded the motion, motion carried 3-0

Chairman Myers made a motion to accept Aaron Kings resignation from the Planning Commission. Vice Chairman Engel seconded the motion, motion carried 3-0

**New Business**

Chairman Myers made a motion to authorize the Intent to Award to Flyway Excavating for the Officer’s Run Streambank Restoration Project. Vice Chairman Engel seconded the motion, motion carried 3-0

Chairman Myers made a motion to accept and sign the Jake King Easement Agreement for the Officer’s Run Streambank Restoration Project. Vice Chairman Engel seconded the motion, motion carried 3-0

Chairman Myers Made a motion to accept the West Sadsbury Comprehensive Plan Resolution. Vice Chairman Engel seconded the motion, motion carried 3-0

**Public Comment**

Gary Fedor of 625 Gap Newport Pike speaks to the BOS about ground water contamination stemming from an animal issue on a neighboring property, 603 Gap Newport Pike. Too many animals for the property size. Chief Moore confirms multiple visits from the Police department for animal related calls. Mr. Fedor brings concern for the septic plan for 629 Gap Newport Pike. BOS directs Mr. Fedor to the Chester County Health Department for water issues and Technicon for Zoning enforcement. Chairman Myers notes the Township will look into what permits may have been issued for the properties.

David Depew of 629 Gap Newport Pike asks if the clean up on his property is satisfactory to the Township following an earlier issue brought to the attention of Technicon.

**Announcement**

Chairman Myers noted that the next BOS meeting will be held on September 10, 2024, at 7:30 p.m.

**Adjournment**

Chairman Myers made a motion to adjourn the BOS Meeting at 8:48 p.m. The motion was seconded by Vice Chairman Engel. Motion carried 3-0

Respectfully submitted,

Chelsy Oswald

West Sadsbury Township

Secretary