

MINUTES FROM MAY 17, 2017

The regular monthly meeting of the Valley Township Board of Supervisors was held on Wednesday, May 17, 2017, at 7:30 p.m. at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order by Chairwoman Patrice Proctor at 8:04 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, and Patrice Proctor. Supervisor Joe Sciandra was absent. Also in attendance were Ed Rasiul of Pennoni Associates, Inc. (Township Engineer) and Alan J. Jarvis (Township Solicitor). An executive session was held at 6:30 p.m. prior to the meeting to discuss personnel issues, items on the agenda, and stormwater.

CITIZEN COMMENTS ON AGENDA ITEMS:

None

Ms. O'Doherty made a motion to take the agenda out of order. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

DEPARTMENT REPORTS:

POLICE REPORT:

Chief Friel gave the April 2017 Police Report. He reported that the hours on duty were 1,132.25 and miles logged were 6,804. There were 50 traffic citations issued and 7 parking tickets. Nine warnings were issued. There were 15 summary arrests and 3 criminal arrests. Officer Chieffo attended computer training at the Montgomery County Fire Academy, which was a requirement that each police department had to have one representative attend. Officer Parker attend the Krapf Bus Rodeo at CASH and was a judge for the corner turn event. Chief Friel gave a presentation at the Hillview Community on May 9 in reference to some recent crime in the area and also past crime history. All but three of the Valley police officers received firearms certification for year 2017. The remaining three officers are scheduled for the end of May. Officers continue to do mandatory Act 180 computer training for 2017. Next Town Watch meeting will be held on Wednesday, May 31.

Ms. Proctor commented that she was approached by a resident at the election polls regarding stop signs being blown through.

PLANNING COMMISSION

No report.

FIRE/AMBULANCE:

Chief McWilliams reported that the Westwood Ambulance responded to 106 calls of which 63 were in Valley Township. He noted that Narcan use has increased. He stated that the Westwood Fire Company responded to 30 calls during the month of April of which 19 were in Valley Township. Property at risk was \$145,000 and damage was \$35,000. He noted that Engine 44-1 was in for repairs, some of which may be covered under warranty. He reminded the Board of Supervisors of the Fire Company Annual Banquet on May 19, 2017 at the Downingtown County Club.

SOLICITOR’S REPORT:

- Solicitor Jarvis reported that he has been reviewing contract documents relative to the new municipal building project. He noted that he had approximately four sections to go.
- Solicitor Jarvis reported that he has prepared a response to the complaint received from Orleans and has talked with Lamb McErlane regarding their interest in representing the Township.
- Solicitor Jarvis reported that he had drafted a proposed ordinance to readopt the 2009 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the occupancy and use, and the demolition of such existing issuance of permits and the collection of fees therefor; repealing Ordinance 2014-04, as amended, of the Township of Valley and all other ordinances and parts of the ordinances in conflict therewith. Mr. Jarvis stated that, at the request of Charles Cutlip, Section 106.3 will be modified that violations will be a “summary offense” replacing “misdemeanor” which will enable him to enforce at the District Court instead of Court of Common Pleas.
- Solicitor Jarvis reported that he is reviewing the zoning hearing application submitted by Downingtown Rental Properties. He noted that the variances requested are for size of building and side yard parking.

NEW BUSINESS:

Discussion/consideration to appoint special counsel to handle litigation matter – Ms. O’Doherty made a motion to appoint Lamb McErlane as special counsel to handle a potential litigation matter with Orleans RH PA-IL LP and to authorize Chairwoman Patrice Proctor to sign a representation letter dated May 17, 2017 with Lamb McErlane. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Ms. Proctor – yes.

Discussion/consideration regarding readopting the 2009 International Property Maintenance Code regulating and governing the conditions and maintenance of all buildings and structures – The Board concurred to have the Solicitor advertise the proposed ordinance for adoption consideration at their June 6, 2017 meeting.

At this time, Solicitor Jarvis departed the meeting.

ENGINEER'S REPORT:

Mr. Rasiul read and submitted the engineer's report which is on file at the Township Office.

OLD BUSINESS:

Discussion/consideration to approve contract and authorization for the Chairwoman to sign for the Sucker Run Stream Bank Stabilization CDBG contract with the Chester County Department of Community Development in the amount of \$120,000 – Ms. O'Doherty made a motion to authorize the Chairwoman to sign the Sucker Run Stream Bank Stabilization CDBG contract with the Chester County Department of Community Development in the amount of \$120,000. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve contract and authorization for the Chairwoman to sign for the Manor Road Infrastructure CDBG contract with the Chester County Department of Community Development in the amount of \$247,000 – Mr. Lehenky made a motion to authorize the Chairwoman to sign the Manor Road Infrastructure CDBG contract with the Chester County Department of Community Development in the amount of \$247,000. Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve contract and authorization for the Chairwoman to sign the contract for the PA DCED's Small Water & Sewer Program contract to purchase and install an emergency bypass pump and bypass connections at the Rock Run Pump Station in the amount of \$50,000 – Mr. Lehenky made a motion to authorize the Chairwoman to sign the PA DCED Small Water & Sewer Program contract to purchase and install an emergency bypass pump and bypass connections at the Rock Run Pump Station in the amount of \$50,000. Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve escrow release #3 for Terry Funeral Home in the amount of \$181,374.50 – Based on the Engineer's recommendation, Ms. O'Doherty made a motion to authorize escrow release #3 in the amount of \$181,374.50 for Terry Funeral Home. Ms. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to accept the grant extension from Valley Square Development, LP to July 31, 2017 – Ms. O'Doherty made a motion to accept the grant extension from Valley Square Development, LP to July 31, 2017. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve Change Order #2 for the Main Street Culvert Project – Mr. Rasiul advised that final paperwork has not been received from the contractor. Mr. Lehenky made a motion to table approval of Change Order #2 for the Main Street Culvert Project.

Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve final payment for the Main Street Culvert Project – Mr. Rasiul advised that the contractor has not submitted the final paperwork to date. **Mr. Lehenky made a motion to table approval of the final payment for the Main Street Culvert Project.** **Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to approve Payment #1/Final to Veteran Construction for the Hayti Park Retaining Wall – Mr. Rasiul advised that a Change Order to reduce the contract by \$5.23 was being presented for consideration due to less paving quantities being used. He further noted that Veteran Construction has agreed to replace a bench that was damaged during construction with a new bench which has been ordered. Based on the Engineer's recommendation, **Ms. O'Doherty made a motion to approve Change Order #1 reducing the contract by \$5.23.** **Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes. **Ms. O'Doherty, based on the Engineer's recommendation, authorized payment to Veteran Construction in the amount of \$74,405.96 less 5% (\$70,685.66) which shall be held until the bench is received and installed.** **Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

NEW BUSINESS CONTINUED:

Discussion regarding parking on Brick Street – It was noted that cars park on both sides of the street. It is very tight for the recycle and trash trucks to go down. There was a minor incident recently with the recycle truck clipping a vanity plate of car that was parked on the street with its front end in the roadway. After discussion, Mr. Lehenky stated that he would look at the street with Kris Lenhart and report their findings and possible solution.

Discussion/consideration regarding the 2017 Road Program – The Board reviewed the list of possible roads for the 2017 Road Program as submitted by Kris Lenhart. There was a total of 8 roads listed. Mr. Rasiul was direct to come up with estimates for all 8 roads.

At this time, Mr. Rasiul departed the meeting.

Discussion/consideration to approve depository for bond funds – The Board reviewed options as submitted by PSDLAF and PLIGIT. **Ms. O'Doherty made a motion to join PSDLAF by adopting Resolution 2017-10.** **Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes. **Ms. O'Doherty made a motion to deposit bond proceeds with PSDLAF.** **Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

Discussion/consideration to accept the resignation from David Porter from the Planning Commission and Environmental Advisory Council effective May 31, 2017 – **Mr. Lehenky made a motion to accept David Porter's resignation from the Planning Commission and**

Environmental Advisory Council effective May 31, 2017. Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

APPROVAL OF MINUTES:

Mr. Lehenky made a motion to accept the minutes of the May 2, 2017, Board of Supervisors meeting. Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

TREASURER'S REPORT:

The Treasurer's Report was accepted as read.

MOTION TO PAY BILLS:

Mr. Lehenky made a motion to pay bills as presented. Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Ms. Proctor – yes.

DEPARTMENT REPORTS:

Public Works – The monthly report was also distributed to the Board of Supervisors and is on file at the Township Office.

Administration Report – Monthly written report was distributed and is on file at the Township Office.

Ms. O'Doherty noted that she recently was on Valley Station Road and noted some items that she believes could be addressed by our Codes Department.

CITIZEN COMMENTS:

None

ADJOURNMENT:

There being no further business to discuss, the meeting was properly adjourned at 9:56 p.m.

Janis A. Rambo
Township Secretary