

MINUTES FROM MAY 16, 2018

The regular monthly meeting of the Valley Township Board of Supervisors was held on Wednesday, May 16, 2018, at 7:30 p.m. at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:25 p.m. Those in attendance were Supervisors Kathy O'Doherty, Joe Sciandra and Patrice Proctor. Supervisor Christopher Lehenky 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 and items on the agenda.

CITIZENS' COMMENTS ON AGENDA:

None

Ms. Proctor noted the number of items on the agenda and requested those present for Citizen Comments try and keep their presentation to three minutes.

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

DEPARTMENT REPORTS:

Public Safety – Officer Heiney gave the report for April 2018. He reported that there were 7 criminal arrests; 5 summary arrests; 29 traffic citations; and 3 parking tickets issued for the month. He also noted that the Department received 260 complaints.

Ms. Ann Woodward, 233 Church Street, stated that she has phoned the police department and has always received voice mail. Ms. Sciandra asked if it was for an emergency. Ms. Woodward explained the situation. It was noted that all emergency calls, as in this case, should be made to 9-1-1. It was noted that the 610 384-8133 line is only answered if there is an officer in the police department, or during the day when the police secretary is in.

Fire/Ambulance – No report.

Emergency Management – Nichole Sciandra, Deputy EMC, gave the monthly Emergency Management report.

PLANNING COMMISSION REPORT: No report.

CITIZENS COMMENTS:

First Baptist Church of Passtown – VanDora Brickus requested use of the Valley Township Hayti Park for a summer program to be held beginning July 9 through July 20. The hours would be Monday through Thursday of each week from 11:00 a.m. to 5:00 p.m. On Friday there would

be a “movie night” from 5:00 p.m. to 9:00 p.m. They also requested use of the Park and Township parking lot for a fundraiser on Saturday, July 21.

Mr. Sciandra inquired if there is a plan if there is inclement weather. Ms. Brickus said that the children would be taken to the Church. Ms. Brickus also confirmed that all staff have their background checks and clearances for contact with children. Ms. Proctor inquired about the use of bathrooms. She noted that the Township Building closes at 4:30 p.m. each day and would not be open during the movie nights. It was suggested that a port-a-potty be utilized and would be necessary for the Friday night. It was also noted that if children would be coming into the building to use the restrooms that they would need adult supervision. There were additional questions regarding the fundraising. Ms. Brickus stated it would be a flea market and that proceeds would go towards the cost of the summer program.

Mr. Sciandra made a motion to allow First Baptist Church of Passtown to use the Hayti Park from 11:00 a.m. to 5:00 p.m., Monday through Thursday, between July 9 and 20 and Friday evenings between 5:00 p.m. through 9:00 p.m. contingent upon receiving their Certificate of Insurance. Ms. O’Doherty seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

No action was taken on the use of the park for Saturday, July 21, until more information is received.

OLD BUSINESS:

Discussion/consideration to approve the Lampart Limited Partnership Reverse Subdivision Plan – Michael Shiring, representing Lampart Limited Partnership, reviewed the proposed consolidation of three properties (UPI Numbers 38-5-17.2, 38-5-17, and 38-5-21.4) into one parcel. The lots are a combined 16.045 acres and are located within the Industrial Zone. No physical improvements are proposed. The first lot submission plan was for the consolidation of only two properties; however, during the review process it was determined that a Conditional Use approval for multiple uses on ne property would need to be granted before the lots could be consolidated. A copy of Pennoni Associates’ review letter of April 26, 2018 was provided to the Board of Supervisors for reference as well as a copy of the Chester County Planning Commission’s review letter of May 14, 2018. A copy of the Valley Township Planning Commission draft minutes from their May 8, 2018, meeting was also distributed noting their recommendation to approve the reverse subdivision plan.

Based on the recommendation of the Township Engineer, Township Solicitor, and Valley Township Planning Commission, **Mr. Sciandra made a motion to approve the reverse subdivision plan of Lampart Limited Partnership for UPI Numbers 38-5-17.2, 38-5-17, and 38-5-21.4. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

SOLICITOR’S REPORT:

Solicitor Jarvis reported on the following:

- Mr. Jarvis reported that he attended the public hearing for the zoning ordinance amendment regarding casinos on May 9, 2018.
- Mr. Jarvis reported that he is preparing an answer to the filing received from Art Sagnor for the *Petition for the Appointment of a Board of Viewers to Open Burgundy Lane in Valley Township*. He noted that he has been talking with Mr. Sagnor regarding his filing and his (Mr. Jarvis') proposed response.

OLD BUSINESS CONTINUED:

Discussion/consideration to adopt an amendment to Chapter 27 of the Code of Ordinances amending Section 111 by adding a definition of casino; amending Section 205 by adding casino as a conditional use; amending Section 207 by adding casino as a conditional use; amending Section 208 by adding casino as a conditional use; and amending Part 4 by adding Section 455 to provide specific criteria for casinos – Ms. O’Doherty made a motion to adopt Ordinance #2018-01, an ordinance amending Chapter 27 of the Code of Ordinances amending Section 111 by adding a definition of casino; amending Section 205 by adding casino as a conditional use; amending Section 207 by adding casino as a conditional use; amending Section 208 by adding casino as a conditional use; and amending Part 4 by adding Section 455 to provide specific criteria for casinos. Mr. Sciandra seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Sciandra noted that there is no application currently filed with the Township for a casino.

At this time, Mr. Jarvis departed the meeting.

ENGINEER’S REPORT:

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

Ms. O’Doherty inquired about the resident on Lafayette Street who inquired about the approval process to build on a lot. Mr. Rasiul advised that that the Codes Office had referred the caller to Pennoni. Ms. O’Doherty also asked, with regards to the caustic soda tank proposal analysis, how long the tanks generally last. Mr. Rasiul said that he did not know. It was noted that we currently have the material delivered in drums which we are credited for when returned empty. Analysis is ongoing if we own or use the vendor’s tank. Keeping the material in a tank instead of the drums is being looked at for operator safety reasons.

OLD BUSINESS CONTINUED:

Discussion/consideration regarding the 2018 Road Program – Mr. Rasiul reviewed Pennoni Associates Budgetary Construction Costs Estimates letter of May 16, 2018. Mr. Sciandra made a motion to proceed with the 2018 Road Program as outlined in Pennoni’s letter of May 16, 2018 and to authorize preparation of bids for Items 1-5 and Add-on Items 6 & 7. Ms. O’Doherty seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mrs. Woodward, 233 Church Street, stated that there are roads in Hayti that need addressed. Mr. Sciandra stated that the Board has been chipping away at addressing the Township roads.

Discussion/consideration to authorize grant applications through a CDBG from the Chester County Department of Community Development – Mr. Sciandra made a motion to authorize the submission of three grants through the CDBG from the Chester County Department of Community Development, ranking the applications as 1) Hemlock Avenue Bridge Repair; 2) Concord Street Reconstruction; and 3) Wagontown Road Reconstruction. Ms. O’Doherty seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

NEW BUSINESS:

Discussion/consideration to accept the 90-day time extension for Airport Diner preliminary/final land development plan – Mr. Sciandra made a motion to accept the 90-day time extension for Airport Diner to August 12, 2018. Ms. O’Doherty seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

At this time, Mr. Rasiul departed the meeting.

APPROVAL OF MINUTES:

Ms. O’Doherty made a motion to approve the minutes from the May 1, 2018, meeting. Mr. Sciandra seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Ms. O’Doherty made a motion to approve the minutes form the May 9, 2018, public hearing. Mr. Sciandra seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

TREASURER’S REPORT

The Treasurer’s Report was read.

OLD BUSINESS CONTINUED:

Discussion/consideration to release professional fee escrow funds for New Horizon Ventures in the amount of \$752.50 – Ms. O’Doherty made a motion to release the remaining professional fee escrow funds in the amount of \$752.50 which was posted following the release of the line of credit prior to the sale of the property. Mr. Sciandra seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to refund remaining Conditional Use Hearing fees to Mt. Airy Lavender in the amount of \$1,413.89 – Ms. O’Doherty made a motion to approve the refund of remaining Conditional Use Hearing fees in the amount of \$1,413.89 to Mt. Airy

Lavender (Saha family) as they have withdrawn their application. Mr. Sciandra seconded the motion. Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to set up a meeting with LTL Consultants to review fee schedule – Mr. Sciandra advised that he would contact Mr. Latshaw to set up a meeting. Ms. O’Doherty suggested selecting some possible dates to provide to Mr. Latshaw but proposed that other meeting dates that have a higher priority be set and then return to this item on the agenda.

Discussion/consideration to set a date/time to interview applicants for the vacant supervisor seat – It was noted that there were two letters of interest submitted. The Board chose to set the date of May 24, beginning at 6:30 p.m., to interview the supervisor candidates followed by interviews for the vacant planning commission seat.

Discussion/consideration to schedule a Special Meeting to fill the vacant supervisor seat – After discussion, **Mr. Sciandra made a motion to schedule a Special Meeting of the Board of Supervisors for Tuesday, May 29, 2018, at 6:30 p.m. for the purpose of appointing a Township Supervisor to fill a vacancy as well as any other business as appropriate. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

At this time, the Board returned to selecting possible dates for a meeting with LTL Consultants. Mr. Sciandra advised that he would contact Mr. Latshaw to get some possible meeting dates for either a day or evening meeting.

Discussion/consideration to set up a meeting with the State Police Chief Association regarding recruitment – Ms. Proctor stated that she had forward the information received from the State Police Chief Association regarding their recruitment services. Ms. Proctor stated that she would contact the Association to see if they could confirm meeting with the Board on June 1 at 1:30 p.m.

Discussion/consideration regarding sewer backup remediation at 157 Rainbow Road – During the weekend of March 9, 2018, there was a sewer line backup on Rainbow Road. There was a backup at 157 Rainbow Road. The occupant of the house submitted a claim to their insurance company for cleanup. The insurance company has reimbursed the homeowners \$959.69, but there is a policy deductible of \$2,000. After discussion, **Mr. Sciandra made a motion to authorize payment to the contractor for the remediation work at 157 Rainbow Road in the amount not to exceed \$2,000 after receiving an invoice for the balance due after the homeowner’s payment and upon verification by the Township that the work was completed. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding request to remove second usage from 977 West Lincoln Highway until tenants resume operations – There was discussion regarding the written request to remove billing for sewer and trash until such time as a commercial tenant resumes operations at the property. The Board referenced, with regards to the sewer billing, that evidence that all plumbing is removed is required to cease sewer billing. As it appears that the intent is at some

point to resume the commercial business for this property, that the homeowner would not want to remove all plumbing.

After discussion, **Ms. O'Doherty made a motion to discontinue billing of trash as of May 3, 2018. Ms. Proctor seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Ms. O'Doherty made a motion to adjust the previous charges for trash from May 2017 through March 2018 in the amount of \$267.22, as a credit to the account, contingent upon verification from the Valley Township Public Works Department that they have not been putting out trash for two units at this property for the last year. Mr. Sciandra seconded the motion. Question: Ms. O'Doherty – yes; Mr. Sciandra – nay; Ms. Proctor – yes.

Discussion/consideration to purchase 4 additional tasers at the cost of \$1,120 per year for 5 years (\$5,600) – A proposal/contract was submitted to purchase four tasers and accessories under a 5-year payment program. It was noted that two tasers were purchased in October 2017. There was a question of how many tasers the police department currently has and the procedure. Officer Heiney joined the meeting and advised that the Department currently has three tasers – the two that were purchased in the Fall of 2017 and one old one that would no longer be supported or parts available if something went wrong. He stated that currently the officers sign out the taser at the beginning of their shift. If activated, the taser records information such as date, time, etc. as a way to verify use. The Board asked Officer Heiney if he could obtain quotes for the purchase of 5 and 6 additional tasers including the price to finance as well as direct purchase and confirm questions regarding the warranty. **Mr. Sciandra made a motion to table the consideration to purchase four additional tasers. Ms. O'Doherty seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding invoices from Kimmel Bogrette – Three invoices were presented for consideration: 1) invoice #4578 for architectural services through December 31, 2017 in the amount of \$49,398.05; 2) invoice #4576 for MRP engineering for HVAC re-design; and 3) invoice #4577 for additional land development services in the amount of \$3,100. The Board reviewed all charges to date for the Phase 2 contract. Mr. Sciandra was concerned of the costs between January and to date which will exceed the contract for architecture services for the project. Secretary was requested to obtain the invoice for services through April 2018. **Mr. Sciandra made a motion to table any consideration for payment to Kimmel Bogrette. Ms. O'Doherty seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to ratify transfer of funds from PSDLAF to CSB General Fund Checking account – **Mr. Sciandra made a motion to ratify the transfer of funds in the amount of \$482,841.42, from PSDLAF to Coatesville Savings Bank General Fund Checking Account to cover the contractor payments for May as well as the April payment to Perrotto Builders. Ms. O'Doherty seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve contractor payments for the new township building project – **Mr. Sciandra made a motion to approve payments to H.B. Frazer in the amount of \$17,347.50; Jay R. Reynolds in the amount of \$51,634.12; Trefz Mechanical Inc. in the amount of \$17,865.00; and Perrotto Builders Ltd. in the amount of \$156,551.66. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to accept resignation from Robert N. Wilkey from the EAC – **Ms. O’Doherty made a motion to accept the resignation from Robert N. Wilkey from the EAC. Mr. Sciandra seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration for use of Hayti Park on May 20, 2018 – Request was received from Dana Scott, 856 Front Street, to use Hayti Park on May 20m 2018 from 2:00 p.m. to 5:00 p.m. for a birthday party for approximately 30 attendees. **Ms. O’Doherty made a motion to approve use of the park as requested. Mr. Sciandra seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

CITIZEN COMMENTS CONTINUED:

Lisa Elkins – adjustment request for 40 Tuxford Lane – Ms. Elkins was not in attendance. Her request to be on the agenda for an adjustment on her account for a sewer penalty for her bill not being paid by the deadline was reviewed. **Mr. Sciandra made a motion to deny any adjustment on her account for late payment. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Kia Twynan – adjustment request for 75 Sawgrass Court – Ms. Twyman was not in attendance. Her request for an adjustment to her first quarter sewer and water bill was reviewed. It noted that she had a water heater repair and two fault toilets repaired. Janice Duca, Senior Clerk, had provided a comparison usage for the same period in 2017 and a recommendation as not all of the water went down the drain. **Mr. Sciandra made a motion to credit 75 Sawgrass Court sewer account in the amount of \$336. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Lisa Commodari, 137 Peters Court – Ms. Commodari was not in attendance. The Board noted that one item that she wished to address was the amount of cinders on the roads. The Board concurred to obtain quotes to rent a street sweeper.

MOTION TO PAY BILLS:

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

DEPARTMENT REPORTS:

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

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

CITIZEN COMMENTS:

None

Ms. O’Doherty stated that she has reserved a table at the Western Chester County Chamber function on May 22 at 7:30 a.m. She asked for any assistance in identifying what lots are available and zoning for the properties.

Ms. O’Doherty asked the other Board members if they had reviewed the information circulated for *Savvy Citizen*. Mr. Sciandra inquired if it was subscriber-based and noted that only 1,000 residents out of 7,000 in Valley Township have registered with *smart911*.

ADJOURNMENT:

There being no further business to discuss, the meeting was properly adjourned at 11:35 p.m.

Janis A. Rambo, Township Secretary