

## MINUTES FOR NOVEMBER 15, 2016

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, November 15, 2016, at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order at 7:40 p.m. by Chairwoman Patrice Proctor. Those in attendance were supervisors Christopher Lehenky, Kathy O'Doherty, Arlin Yoder, Joe Sciandra and Patrice Proctor. Also in attendance were Ed Rasiul of Pennoni Associates (engineer) and Alan Jarvis (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 ITEMS:**

None

**Mr. Yoder made a motion to take the agenda out of order. Mr. Yoder seconded the motion.**

Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

### **DEPARTMENT REPORTS:**

#### **PUBLIC SAFETY:**

Chief Friel was not in attendance.

#### **FIRE/EMS:**

No one from the Westwood Fire Company was present at this time.

### **EMERGENCY MANAGEMENT:**

Supervisors and Emergency Management Coordinator Joe Sciandra encouraged residents to sign up, if they already haven't, for alerts through [www.ReadyChesCo.org](http://www.ReadyChesCo.org) as well as reviewing the Snow and Ice Emergency Declaration ordinance and snow emergency routes which will be outlined in the upcoming Newsletter.

### **CITIZEN COMMENTS:**

Max and Selena Morresi and Ron Brownback – Mr. and Mrs. Morresi and Mr. Brownback were present to review their request to proceed with the installation of a force main on Spruce Street. Mr. Rasiul reported that the design has been reviewed and approved by his office. He referenced an eMail from Mike Ellis dated November 2, 2016 which outlined the procedures to continue with the installation, connection, and dedication. Construction cost estimate needs to be submitted and "sealed" by an engineer. Alan Jarvis advised there would be a professional fee agreement, development agreement, and financial security agreement executed between the parties and the Township. It was also noted that a professional fee escrow account would need to be set up as well as a construction/improvement security. Sewer connection fees would need to be paid and could be verified by the Administration Office. Mr. Rasiul advised that inspection of internal plumbing modification at 118 Spruce Street would need to be done by the Township's Code Officer due to the re-routing planned. Following construction, as built plans would need to be submitted to the Township, which would include legal description, prior to dedication to the Township. It was recommended to seek coordination with the Chester County Health

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Department for approval for septic system closure, as required. It was noted that an O&M agreement for grinder pump agreement is required which would also need to be recorded. It was also suggested that they look into having a reimbursement agreement in place for those who wish to connect in the future. **Mr. Sciandra made a motion to allow the Morresi/Brownback/Lamara Spruce Street force main project to proceed as outlined in Mike Ellis' eMail of November 2, 2016, to successfully complete and enter into an O&M Agreement. Mr. Yoder seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

### **NEW BUSINESS:**

Discussion/consideration regarding ceiling heaters at Maintenance Garage – Lead Worker Kris Lenhart advised that the heaters at the Maintenance Garage were serviced. Mr. Lenhart noted that there was an issue with the building not being heated properly. He reported that about 3-4 years, a former employee had directed that the long exhaust pipes be taken down. He believes that this has compromised the sensors working correctly. The exhaust pipes were reinstalled today. It was suggested to monitor the situation now that the exhaust pipes have been reinstalled. Ms. O'Doherty suggested looking at a service agreement. It was also suggested to change out the filters on a routine basis to ensure that they are kept clean.

Discussion/consideration regarding reported trash can damage for 43 Pinckney Drive – Request was received from Kristen Vasko to replace her trash can as she claims the trash crew separated the lid from the can and the lid is now missing. Ms. Proctor noted that the picture of the trash can shows that it is a 45 gallon can which is in violation of our solid waste ordinance. **Mr. Yoder made a motion to deny the reimbursement for Ms. Vasko's can as it is not a conforming can. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

The Board further discussed the need to provide notice to residents who are not following the Solid Waste Ordinance. It was agreed to give residents a warning if their can was not in compliance with the ordinance in order for them to get a proper can and then stop taking cans that are not in compliance.

Discussion/consideration regarding sewer/water bill relief for 208 Thia Court – Brian Hart, who was present, had requested for assistance for his first water/sewer bill. He noted that he had been ill and was just getting back on his feet. He noted that he is renting 208 Thia Court. Documentation was reviewed by Senior Clerk, Janice Duca, with regards to the account. She noted that meters were read in September and was rechecked approximately 2 weeks later. A call was made recommending that a plumber check the home for leaks as they were using approximately 1,000 gallons a day. A follow up call indicated that there had been two leaking toilets. Although the property owner(s) is responsible for the bill, they have forwarded it to their tenant. It was noted that when Mr. Hart moved into the property, there was an outstanding balance on the account. She noted that the home owner had paid \$100 on the account on this date as well as receiving a water service application requesting the bills be sent to the tenant. Ms. Duca recommended a payment plan could be set up for \$125 a month as well as current bills being paid by the due date. Mr. Hart advised that this would be acceptable to him. **Mr. Sciandra made a motion to set up a payment plan as recommended for \$125 a month with future bills being paid by the due date. Mr. Yoder seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

### **OLD BUSINESS:**

Discussion/consideration for approval for Terry Funeral Home to conduct limited site work as they awaiting remaining permits/approvals – Mr. Jaros and Mr. Terry were present. Mr. Jaros advised that the

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pre-construction meeting was held. He stated that they are waiting for their PennDOT permit. He noted that the Act 537 Sewer Module had not been submitted to DEP by the Township by former personnel and understands that has now been submitted. Mr. Jaros asked on behalf of his client if the building permit application could be submitted to begin review and if limited site work -- to include clearing of lot, limited movement of dirt and silk fence installation – could begin. He further stated that the Agreements would be provided and security established. Mr. Rasiul advised that the Conservation District would not allow work until the 537 Sewer Module is issued. Mr. Sciandra recommended working cooperatively with the Conservation District. **Mr. Yoder made a motion to permit the Terry Funeral Home to limited site work subject to the satisfaction of the Township Engineering with regards to the Conservation District approvals and requirements and agreements in place as well as allowing the building permit to be submitted for review. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

### **ENVIRONMENTAL ADVISORY COUNCIL UPDATE:**

Dave Porter and Rich Vishinski were present to give an update of the EAC’s activities. Mr. Porter advised that they distributed 50% of the materials that they had at Valley Day. They had received a lot of signatures from residents who advised they would be interested in They have had one meeting since August. Mr. Porter was suggesting having a poster contest and/or science fair involving the students at Rainbow Elementary School which would involve a prize for the winner(s). Another suggestion is a partnership with other municipalities. Mr. Yoder suggested the Western Chester County Council of Governments as a resource or contact. Mr. Rasiul confirmed that there is still no feedback from DEP regarding the TMDL Strategy. It was also noted that you cannot get credit for the previously proposed HOA stormwater basin improvements.

Mr. Vishinski spoke out implementing Stormwater management. Their cost estimate is approximately \$3 million. There was discussion regarding establishing an Authority, a fee schedule based on a point system or on an impervious basis. Mr. Sciandra stated there could be incentives to property owners.

Mr. Lehenky left the meeting and returned during the remainder of the discussion regarding possible ways to implement stormwater management.

### **PLANNING COMMISSION REPORT:**

Mr. Porter reported on the Planning Commissions’ meeting of November 9. He noted that Denny Bement commented that there is no longer a Township Manager and that there is nothing in the 2017 budget for the position. He reported that the Planning Commission reviewed the lot consolidation plan for Lampart, Ltd. Partnership. Mr. Ellis advised that the applicant did not comment on why they wish to seek the lot consolidation. Mr. Porter also reviewed several Old Business issues that were discussed that included Valley Suburban possibly submitting their plan application; the Recreation Comp Plan update will begin shortly; notice to Planning Commission members that they can have a township eMail address if they wish; and the City of Coatesville lot transfer.

Mr. Sciandra commented on the subject of the Township Manager. He stated that comments made should not be divulged in a public meeting especially when the facts are not true. He stated that the 2017 Budget is still being worked on by the Board of Supervisors and is not yet on public inspection but stated when it is it will show a line item for a Township Manager.

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### **FIRE/EMS REPORT:**

Chief McWilliams reported that Westwood Ambulance responded to 83 calls in October of which 62 calls were in Valley Township. The Wagontown station responded to 110 calls. He also reported that the Westwood Fire Company responded to 27 calls in October of which 22 were in Valley Township.

Chief McWilliams asked the Board if any additional meetings need to be held with the Fire Company regarding next year's budget as a follow up to their brief meeting. The Board advised that they have another budget meeting scheduled for November 16. The Board advised they are aware of Westwood's requests.

Discussion/consideration for salary increase to \$17.89 per hour for Officer Vernon Garner and Officer Greg Hines following 6-month probationary period – The Board discussed the wage increase for both Officer Garner and Officer Hines. It was noted that they do not have a written report on each officer's performance if they have satisfactorily completed their probationary periods. **Mr. Yoder made a motion that the written probationary report for Officer Garner and Officer Hines needs to be submitted by November 25 and upon recommendation that the Officers have successfully completed their probationary report that the pay increase is granted retroactive to their six-month anniversary date.** Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to remove Officer Philip Delp as a part-time police officer – It was noted that Officer Delp has turned in all items to the Department but never submitted a resignation letter. **Mr. Yoder made a motion to remove Philip Delp as a part-time police officer. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Yoder departed the meeting at this time.

Discussion/consideration to approve Payment #1 to Out-Of-Site Infrastructure Inc. – **Mr. Sciandra made a motion based on the Township Engineer's recommendation to authorize payment #1 in the amount of \$132,213.46 to Out-Of-Site Infrastructure Inc. for the Main Street Culvert Replacement Project.** Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to move forward with background checks, psychological and drug screening/physicals for part-time police officer applicants – **Mr. Lehenky made a motion to authorize background checks, psychological testing, drug screening and physicals for three part-time officer applicants.** Ms. O'Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

### **SOLICITOR'S REPORT:**

Attorney Jarvis reported on the following items:

- Mr. Jarvis reported that he has been in discussion with Mr. Carnes regarding the City of Coatesville submitting their zoning hearing application for 123 Mt. Airy Road. Township Secretary advised that the application has not been submitted to date.
- Mr. Jarvis reported that he had followed up with Mr. Rowan, legal counsel for Cynthia Hyman-Osaghae of 123 Burgundy Lane regarding his client's need to request a zoning hearing. He reported that he followed up with the Township office to see if they had submitted their

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application. The Township Secretary advised that Mr. Rowan had left a voice mail for Ms. Herzog when she was out of the office who forwarded it to her. She called Mr. Rowan back and advised that the application is available on the website or one could be eMailed to him if needed. To date, no application has been received.

Ms. O'Doherty requested Mr. Jarvis to forward copies of the application to both the City of Coatesville and 123 Burgundy Lane.

- Mr. Jarvis reported that he has been working with Terry Funeral Home regarding the various agreement applications required.
- Mr. Jarvis reported that he had reviewed an eMail regarding the interest of someone who wished to grow medical marijuana on a property in Valley Township. Mr. Jarvis said that he pulled Act 16 and reviewed provisions. It is his opinion that this would not be legal.

### **ENGINEER'S REPORT:**

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

Mr. Rasiul was asked if he could provide guiderail replacement costs needed for next year's budget.

Mr. Rasiul was asked if the sketch for the Valley Crossing Stormwater management issue was completed. He advised that he would check with his office.

At this time, Mr. Jarvis and Mr. Rasiul left the meeting.

### **APPROVAL OF MINUTES:**

**Ms. O'Doherty made a motion to accept the minutes from the November 1, 2016, meeting as presented. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – abstain; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

### **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; Mr. Sciandra - yes; Ms. Proctor – yes.

### **TREASURER'S REPORT:**

The Treasurer's Report was accepted as read.

### **DEPARTMENT REPORTS:**

Public Works – The Report for the period October 19, 2016 to November 15, 2016 was distributed and is on file at the Township Office.

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

Special Projects – Ms. O'Doherty reported that she had an update from Joe Horan. It is estimated that the bids would be ready in March with construction to begin in May 2017 and completion within one year. She suggested that an update meeting be set up with the Board of Supervisors, RBC Capital, and possibly

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our bond counsel. She asked if the Board preferred to do it prior to a meeting, although time could be limited or a special meeting.

**PUBLIC COMMENT:**

None

Mr. Lehenky made a motion to adjourn and Ms. O'Doherty seconded the motion. All affirmed. The meeting adjourned at 10:24 p.m.

Janis A. Rambo  
Township Secretary