

MINUTES FOR MAY 3, 2016

The regular meeting of the Valley Township Board of Supervisors was held on Tuesday, May 3, 2016, at the Township Municipal Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order at 7:49 p.m. by Chairwoman, Patrice Proctor. Those in attendance were supervisors Christopher Lehenky, Kathy O'Doherty, Joe Sciandra, Arlin Yoder, and Patrice Proctor; Robert Glisson (Township Manager); 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.

CITIZENS COMMENTS ON AGENDA ITEMS:

None

BOARD GENERAL COMMENTS

Ms. Proctor announced that the Community Clean Up Day would be held on May 7 and that volunteers were welcome. Meeting time at the Township Building is 9:00 a.m. She also noted that the next Route 30 Multimodal Transportation Study Public Meeting will be held on May 16 at the Coatesville Moose from 4:30 to 6:30 p.m.

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

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

CITIZEN'S COMMENTS:

Carlyn Vickers, Oakcrest HOA President – Ms. Vickers noted that she had several questions regarding the status of Oakcrest Phase 1 road dedication, escrow release, and items that still need to be addressed by the developer. Mr. Rasiul advised that a list of items is being prepared that must be complete before dedication. He stated that an escrow release recommendation cannot be made until the developer addresses items to include streetlights that are not working properly; sidewalk issues; lot pins and concrete monument location verification; and many tree placement or replacement have been identified as being missing or dead. Ms. Vickers noted that lots 2, 3, and 4 have been identified as not draining well. Mr. Rasiul stated that the inlets have been dry when inspected. Evidence, such as a picture, needs to be submitted if it is holding water. Mr. Rasiul did note that the Conservation District had released comments on two basins. He further noted that the transition of handicap ramps, although they don't appear to look correct, does meet the ADA requirements.

Ms. Vickers requested obtaining the previous escrow releases. Mr. Rasiul advised that the releases involving the current developer started with "release 17" and the last one approved was "release 19". The prior releases were for Dewey Homes. Mr. Sciandra recommended that Ms. Vickers complete a *Right to Know Request Form* and submit it to the Township for Oakcrest 1 Escrow Releases 17, 18 and 19.

Allison, Laird, Valley Crossing HOA – **Mr. Sciandra made a motion to table any discussion regarding the drain on Cynthia Lane as Ms. Laird was not present. Ms. O'Doherty seconded the motion.**

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

Trudy Holloway, 323 Dague Farm Drive – Ms. Holloway requested the Board of Supervisors' consideration to adjust a portion of her sewer bill. She noted that in February 2016, she had discovered that a garden hose attached to the outside faucet had become detached and caused water to run for a while. This resulted in a very high bill which is difficult for her to pay. Senior Clerk Janice Duca had prepared a note to the Board of Supervisors stating that she had used approximately 68,000 gallons more than her average use. She stated the adjustment for 68,000 gallons of sewer would be \$761.60. **Mr. Yoder made**

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a motion to credit Ms. Holloway's sewer account in the amount of \$761.60. Mr. Sciandra seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Sciandra noted that she would, however, be responsible for any outstanding balance from that quarter's bill; however, he noted that she could contact Ms. Duca to set up a payment plan.

NEW BUSINESS

Consideration/discussion for Road Closure in Quiet Village on July 2, 2016 – Request to the Board of Supervisors was received to close West Third Avenue between Chestnut and Walnut Streets on July 2, 2016, for the Second Annual Quiet Village Day. Mr. Robert Smith was present to answer any questions. He noted that the event will start at 12:00 noon and would end at approximately 6:00 p.m. Mr. Smith stated that they will take care of trash collection and clean up. Mr. Sciandra requested that no major obstructions be placed in the roadway to ensure that emergency vehicles could pass if necessary. **Mr. Sciandra made a motion to approve the road closure on West Third Avenue between Chestnut and Walnut Streets on July 2, 2016, between the hours of 11:00 am and 7:00 p.m. Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration/Discussion of water line and hydrant for Westwood Fire Company sprinkler system – John Sly was present to report on the status of a 2013 grant that Westwood received to install a sprinkler system at the Fire House. He noted that the grant would pay for the system to include a service water line from the main for the Fire House and would also include a hydrant. He stated that Pennsylvania American Water Company was donating materials such as the main, hydrant and line. He noted at the time of the grant award, Bulldog Construction was willing to do the excavation work as a donation to the fire company. Mr. Yoder inquired if the line would be metered. Mr. Sly stated that there would be a six-inch line coming from the tracks that would be metered from the pit. He noted that two meters would be installed; one would be for usage of the hydrant which would be used for training and emergency use. He stated that this would eliminate use of the Red Road hydrant. Ms. Proctor inquired who would pay for the meter pit. Mr. Sly advised that the bid for the sprinkler system was approximately \$80,000 and the grant was for \$90,000. He stated that they had confirmed that they could use Fire Relief funds for the project. He advised that excavation is estimated to be \$40,000 and the meter pit is approximately \$20,000. He stated that although Westwood would have the funds to do the project, assistance from the Township would certainly be accepted. After continued discussion regarding ongoing responsibility of costs for the hydrant and meter pit after installation, **Mr. Sciandra made a motion to table any decision regarding a contribution from the Township. Mr. Yoder seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Ms. O'Doherty made a motion to authorize Westwood Fire Company permission to add a hydrant but that no monetary contribution for the project or recurring fees associated with the project would be committed until the outstanding questions were resolved. Mr. Yoder seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Ms. Proctor reiterated the need to have something in writing from Pennsylvania American Water regarding responsibility. Mr. Sciandra also emphasized the need for Westwood to get all information turned in to the Codes Department in order to get all necessary permits.

Consideration/discussion to authorize overtime for two public works employees to assist with Community Clean Up Day on May 7 - **Mr. Sciandra made a motion to authorize overtime for two public works employees to assist with the Community Clean Up Day on May from 8:00 a.m. to 1:00 p.m. Mr. Yoder seconded the meeting.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr.

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Sciandra – yes; Ms. Proctor – yes.

Consideration/discussion of eroded swale on Mineral Springs located on property in the area of 116 Beacon Street – Mr. Sciandra reported that following a site visit, he would recommend getting pricing and determining what materials and time are needed to correct the issue. He stated that he feels the Public Works personnel can do the work to stabilize the erosion. Mr. Lehenky felt the work could be done through purchase orders for material needed. The Board concurred to move forward.

OLD BUSINESS:

Discussion regarding Wagontown Road: Ms. Proctor stated that the estimate to fix the road was \$1.5 million to \$1.8 million. She questioned what happens if we do nothing and another storm comes along. Mr. Sciandra stated he believes efforts should be made to stabilize the road to protect the assets. He felt to be able to reopen for two lanes of traffic, the wall would need to be installed. Ms. Proctor asked Mr. Sly to comment from the fire company's prospective who responded that he does not believe the fire house is impacted with the road closure and believes they can still gain access to surrounding residences. Mr. Sciandra noted that he believes the best way to gain any type of grant funding would be a joint application between the City of Coatesville, Pennsylvania American Water, and Valley. He noted that the biggest risk is to Coatesville with regards to the water and sewer lines and that any potential application would have a better chance of being granted if it were for an infrastructure fix due to the potential results of either/or both water and sewer lines being impacted. Mr. Lehenky also voiced his concerns that he believes that the road should be fixed for two lanes of traffic. The Board directed Mr. Glisson to get a meeting set up as soon as possible with Coatesville and PAWC. There was also discussion regarding the condition of Manor Road.

It was requested that Manor Road be placed on the next meeting agenda.

SOLICITOR'S REPORT:

Attorney Jarvis reported on the following items:

- Solicitor Jarvis reported that years ago he was unable to find any documentation that proved the conveyance of Wagontown Road to Valley Township. The Board concurred to have Mr. Jarvis submit a Right to Know Request to PennDOT for records showing the relinquishment of jurisdiction over, or conveyance of Manor Road and Wagontown Road which were formerly portions of old PA Route 82 to Valley Township.
- Solicitor Jarvis reported on two upcoming Zoning Hearings:
 - Terry Funeral Home – Mr. Jarvis stated that he would contact John Jaros regarding their comments in the zoning hearing application that Section 206.9(A) conflicts with Section 422.B of the Township Zoning Ordinance. He stated in follow up that there is no conflict and believes the applicant should focus the hearing on the relief requiring off-street parking lots to be permitted only within rear yards.
 - Villages of Hillview – Mr. Jarvis stated that he would contact Helen Esbenshade, zoning hearing board solicitor, regarding the applicant's statement of the "non-conformities" that were pre-existing. Mr. Jarvis stated that there are no pre-existing non-conformities and that the hearing should be heard on their request to dedicate the three roads to the Township.
- Solicitor Jarvis reported that he reviewed the Kimmel Bogrette AIA documents and offered the following comments in a letter to Mr. Glisson:
 - The architect's expenses are noted in Article 6 to be reimbursable at 110% of cost; the Phase II proposal of March 15, 2016 states the costs are to be billed at 115%. Clarification should be noted by Kimmel Bogrette.
 - An agreement was reached to estimate the total amount for construction contract administration to be \$50,000; however, no hourly rates appear in any documentation. Mr.

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Jarvis suggested that clarification be given if all services are billed at the same hourly rate, or if there are varying rates depending on the person providing service.

- Article 3 notes a restriction on the Township's future use of the architect's documents. Clarification was suggested to ensure that the Township would be able to maintain a set of all building plans.
- Solicitor Jarvis reported that he talked with a representative from the title insurance company regarding 957 West Lincoln Highway regarding the Township not receiving the lien payment. He reported that he was asked if the Township would be willing to "make a deal". The Board of Supervisors concurred with Mr. Jarvis' response that the Township is expecting payment in full but noted that they would be willing to take two payments within the next 30 days.
- Solicitor Jarvis reported that he was researching the London Tract Professional Fee escrow disposition at the request of the Township Treasurer.
- Solicitor Jarvis reported that following the Board of Supervisor's last meeting he sent a letter to Mr. DellaPenna and Ms. McKalvey regarding 12 Jefferson Avenue advising no responsibility on the part of the Township.

Following his report, Mr. Jarvis departed the meeting.

ENGINEER'S REPORT:

Mr. Rasiul read and submitted the engineer's report.

CONTINUATION OF OLD BUSINESS:

Consideration/discussion to approve iconcontrol® Solutions Master Service Agreement for SCADA system & Consideration/discussion to approve iconcontrol® Solutions "Schedule A" monthly subscription fee for \$90 a month: Question was asked regarding the warranty on the system. Further, Mr. Sciandra noted that he did not like personal information of Township personnel being included in the contract as well as wording having "strikeouts". It was also noted that the demand service rates were not clear. It was also questioned why we are changing companies and what do they do for us. **Mr. Yoder made a motion to table the decision to approve the Master Service Agreement for SCADA system and the "Schedule A" monthly subscription fee. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration/discussion regarding outstanding professional fees for Valley Farm: **Mr. Sciandra made a motion to table this item as no representative from Valley Farm was present. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Yoder – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

APPROVAL OF MINUTES:

Mr. Yoder made a motion to approve the minutes from the April 27, 2016 meeting. Mr. Lehenky seconded the motion. Question: Ms. O'Doherty – abstain; Mr. Yoder – yes; Mr. Sciandra – abstain; Ms. Proctor – yes.

At this time, Mr. Rasiul left the meeting.

MANAGER'S REPORT:

Mr. Glisson reported that a conference call was made last Friday between the representative from Harris Computer and the tax collector. It appears that the issue of entering 2016 has been resolved and the printer appears to be connected.

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Mr. Glisson reported that on May 11, Representative Lewis is hosting a hearing on blight and Valley Township was asked if they wish to enter into the hearing. It was noted that if Valley officials want to give testimony that their statement must be typed and submitted. The Board noted that actions previously taken were done to correct safety issues and concerns rather than addressing blight. Mr. Sciandra stated that he felt the man-hours of staff to prepare for a hearing submission could probably be spent on more productive work.

At 10:15 p.m., Mr. Yoder departed the meeting.

ADDITIONAL COMMENTS:

Mr. Sciandra reported that the expired conditional U&O for 123 Burgundy Lane needs to be resolved and that the Codes Department will begin enforcement.

ADJOURNMENT:

There being no further business, the meeting adjourned at 10:23 p.m.

Janis A. Rambo
Township Secretary