

## MINUTES FROM NOVEMBER 21, 2017

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, November 21, 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 7:43 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, Eric Lama, Joe Sciandra and Patrice Proctor. 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.

### **CITIZENS' COMMENTS ON AGENDA:**

None

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

### **BOARD COMMENTS:**

Ms. Proctor noted that the annual tree lighting would be held on December 3, 2017 at 6:00 p.m.; the Children's Holiday Party would be held on December 9, 2017 at the Rainbow Elementary School from noon to 2:00 p.m. and that the Township offices will be closed on November 23 and 24.

### **DEPARTMENT REORTS:**

**Public Safety** – No report.

**Fire/Ambulance** – Chief Sly advised that there were 92 ambulance calls from the Westwood Station with 60 calls in Valley. The Wagontown division had 114 calls for the month of October.

Chief Sly congratulated the Board members who were recently re-elected. He noted that financials were provided to the Township prior to their meeting which included their 2016 audit report. He noted that during the recent West Chester nursing home, that Westwood was the only ambulance that stayed at their station west of Route 100 and was on call for that entire area. Due to that fire, he suggested that the Board look at a sprinkler ordinance. He also noted that the first baby was born in a Westwood Ambulance in their 17 years of providing ambulance service. He noted that there were two accidents on today's date at Airport Route and Business Route 30. He thanked the Valley Township road crew for providing absorbant for the 60 gallons of diesel fluid that was spilled at one of the accidents. He noted that the fund drive information is scheduled to go out at the end of December. He stated that the East Fallowfield budget meeting was canceled.

He stated that they are unable right now to provide diesel fuel for the ambulance, but they would reimburse Valley Township if we provide them with a bill for the ambulance diesel fuel.

**Emergency Management** – Mr. Sciandra reported that there was no activity for the month of October.

**CITIZENS' COMMENTS:**

None

**PLANNING COMMISSION REPORT:**

Mr. Bement gave a report on the Planning Commission meeting of November 14, 2017. He noted three members were present and they reviewed the Valley Suburban Center's latest submission and Pennoni Associates' most recent review letter. Mr. Bement stated that the developer does not want to complete Prescott Road through to Airport Road. There was also concerns regarding the requirement to install utility improvements within a year of starting the work. He noted that the developer advised that he did not have the financing to also do the apartments and that he had no interest to fill the commercial portion. Mr. Bement stated that they never checked with the school district to inquire about capacity. He further stated that the Planning Commission felt that there was no intention to complete the plan.

Ms. O'Doherty inquired why they didn't want pursue just doing all townhomes and not do the apartments. Mr. Sciandra noted that in that scenario, they would need to start the commercial first.

Mr. Bement advised that the Planning Commission voted to recommend that the Board of Supervisors deny the plan.

Mr. Bement added that the Planning Commission was going to look at the Gaming Expansion Act 42 of 2017.

**SOLICITOR'S REPORT:**

Mr. Jarvis reported on the following:

- Mr. Jarvis reported that he drafted an easement that will be required for the Sucker Run Stabilization Project for Mr. Ellis to review. The easement is for the property owned by Terry Pirches.
- Mr. Jarvis stated that the waiver of liens from the four contractors for the new municipal building were all signed and recorded this morning. He also noted that he took pictures of the lot showing no one was on site.
- Mr. Jarvis reported that parcel 38-5-115, that is up for repository sale near Westwood Park, would require a check in the amount of \$1,131 payable to the Tax Claim Bureau.
- Mr. Jarvis reported that he reviewed the Chester County Treasurer Agreement for collection of real estate taxes beginning in 2018 and has no issues with the Agreement as prepared.

- Mr. Jarvis stated that he attended the meeting with the residents of Burgundy Lane.
- Mr. Jarvis reported that he met with Mike Ellis prior to the Planning Commission's November meeting regarding the Valley Suburban Center plan.
- Mr. Jarvis reported that he has been contacted several times by Mr. Ansari regarding his on-going light complaint.
- Mr. Jarvis reported that he reviewed the "3 Strikes & You're Out" information that was distributed.

**ENGINEER'S REPORT:**

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

(At this time, Mr. Lehenky stepped out of the meeting and returned near the end of the Engineer's report).

There was discussion regarding the recent meeting with the residents of Burgundy Lane following the request by the owner for the Township to take dedication. Ms. O'Doherty advised that the Supervisors in attendance at that meeting advised that the Township would send a letter to Customers Bank, but to someone above Bob White. Mr. Jarvis stated that he would communicate with Art Sagnor, but did not want to send anything the bank at this time. After further discussion, the Board agreed to have Mr. Jarvis send correspondence to Mr. Sagnor but wanted a response by Tuesday, November 28.

**OLD BUSINESS:**

Discussion/consideration regarding Valley Suburban Center Final Plan Submission – Mr. Sciandra inquired if anyone was present representing Valley Suburban Center; it was noted that no one was present. Mr. Rasiul advised that the time extension expired on November 30, 2017 and recapped items on the final plan submission that are not consistent with the preliminary plan approval. **Mr. Sciandra made a motion to deny the Valley Suburban Center final plan submission based on:**

- **The number of proposed lots are inconsistent with the approved Preliminary Plans. (SALDO §303 and §304).**
- **The proposed phasing of construction and proposed financial security for Prescott Road is not consistent with the approved Preliminary Plans. (SALDO §303 and §304).**
- **Prescott Road is not proposed to be connected to Airport Road as part of this Plan. The proposed single public access presents a cul-de-sac condition that is not acceptable for the number of proposed townhouses or length of street. (SALDO §602).**
- **Updated wastewater pump station plans and information have not been submitted. (SALDO §612.3).**
- **An updated traffic signalization warrant analysis has not been submitted for the intersection of Country Club Road and West Lincoln Highway. The analysis is needed to determine whether signalization needs to be provided at the intersection as per a condition of the Conditional Use approval. (Zoning Ordinance §705).**
- **A controlling agreement(s) was not submitted for ownership and maintenance of non-**

**dedicated on-site improvements. (SALDO §403.F.(6)).**

- **A controlling maintenance agreement was not submitted for the proposed storm sewer facilities in PennDOT's right-of-way. (SALDO §403.F.(6)).**

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

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

Discussion/consideration to adopt a Resolution authorizing the Chairwoman to sig the Application for Traffic Signal Approval to PennDOT – Mr. Sciandra made a motion to adopt Resolution 2017-12, a resolution authorizing and directing the Chairwoman to sign and submit the Application for Traffic Signal Approval to PennDOT. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

#### **NEW BUSINESS:**

Discussion/consideration regarding Gaming Expansion Act 42 of 2017 – The Board discussed the Gaming Expansion Act 42 of 2017 regarding the authorization of 10 Category 4 “mini casinos”. It was noted that municipalities will have the local option to prohibit, but must pass a resolution and send it to the Gaming Control Board by December 31, 2017. Mr. Lehenky advised that he would like more time to review. After further discussion, **Mr. Lehenky made a motion to table any discussion on passing a Resolution to prohibit mini casinos. Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to sign an Agreement with the County of Chester for real estate tax collection and to adopt a Resolution authorizing collection of certain municipal taxes – Ms. O'Doherty made a motion to adopt Resolution 2017-13, a Resolution authorizing collecting of certain municipal taxes by the Chester County Treasurer and to approve and sign the Agreement with the County of Chester for real estate tax collection. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to be part of a Peer Study VPP Grant with Modena Borough, South Coatesville Borough, and the City of Coatesville.– Ms. Proctor provided the Board with a partnership proposal to collaborate on a grant application to the Chester County Planning Commission through the Vision Partnership Program to strategically develop land for light industrial and manufacturing in an effort to bring job opportunities to the area for residents of all of the municipalities. **Ms. O'Doherty made a motion that Valley Township participate in a peer study VPP Grant with Modena Borough, South Coatesville Borough, and the City of Coatesville. Mr. Lama seconded the motion.** Question: Mr. Lehenky – nay; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve Nick Guinta's opt-out health insurance bonus – Mr. Lehenky made a motion to approve Nick Guinta's opt-out health insurance bonus in the amount of \$2,557.60. Mr. Sciandra seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to authorize public inspection of the 2018 budget – Mr. Lama made a motion to authorize the placement of a public notice advising that the 2018 is available for public inspection. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**APPROVAL OF MINUTES:**

**Mr. Lama made a motion to accept the minutes of November 8, 2017, Board of Supervisors meeting. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – abstain; Ms. Proctor – yes.

**TREASURER'S REPORT:**

The Treasurer's Report was accepted as read.

**MOTION TO PAY BILLS:**

**Mr. Sciandra made a motion to pay bills as presented. Mr. Lama seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – 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 Report – Monthly written report was distributed and is on file at the Township Office.

**CITIZEN COMMENTS:**

John Sly advised that he had left the meeting to respond to a fire call on Park Avenue. He noted that it was a stove fire which resulted in a resident being transported to the hospital as well as rescue of his dog.

**ADJOURNMENT:**

There being no further business to discuss, the meeting was properly adjourned at 9:47 p.m.

Janis A. Rambo, Township Secretary