

## MINUTES FROM DECEMBER 19, 2017

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, December 19, 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 8:00 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, and increasing voting places for Valley North.

### **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.

### **DEPARTMENT REORTS:**

**Public Safety** – Officer Heiney gave the monthly report and year-to-date statistics. Mr. Sciandra requested that the Department provide year-over-year statistics.

**Fire/Ambulance** – Chief Sly advised that the EMS division responded to 92 calls of which 56 were in Valley Township. The Fire Company responded to 21 calls of which 14 were in Valley Township.

Chief Sly thanked the Board for their contributions in 2017 and the consideration for 2018.

**Emergency Management** – No report.

### **PLANNING COMMISSION REPORT:**

Mr. Bement gave a report on the Planning Commission meeting of December 12, 2017. He stated that they reviewed the Lampart Limited Partnership with regards to what they want to do as outlined in their conditional use application. Following the conditional use hearing, the applicant will come back to obtain their approval for their land development plan/reverse subdivision. He noted that Lampart Spawn in the future wants to increase spawn development, truck repair, and storage and office space. He noted that the Planning Commission has no issues with their plan.

Mr. Bement stated that the Planning Commission, since no plans are presently before them, will getting caught up on their SALDO review. He also stated that they reviewed Act 42 regarding

category 4 casinos. Discussion ensued regarding pros and cons of permitting category 4 casinos. Mr. Bement said that he could move the zoning for mini casinos ahead of the SALDO review on the Planning Commission agenda.

## **OLD BUSINESS**

Discussion/consideration regarding Gaming Expansion Act 42 of 2017 – **Mr. Sciandra made a motion to table any decision on the Gaming Expansion Act 42. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding Valley Suburban Center’s request to grant waiver of the Subdivision and Land Development Application fees that would be applicable to a new application – Craig Lewis and Richard Natow were present to request that the Board of Supervisors waive the application fees that would be applicable for a new application submittal in the amount of \$9,380. **Mr. Lehenky made a motion to deny the fee waiver in the amount of \$9,380.** There being no second to the motion, the motion failed. There was discussion if Valley Suburban would be posting a new professional fee escrow in the amount of \$19,000. It was noted that the 2016 escrow that was posted has been exhausted and that the developer is currently reimbursing the Township for the fees when billed. **Ms. O’Doherty made a motion to waive the subdivision and land development application fee in the amount of \$9,380 for Valley Suburban if they submitted a new application but that they would need to post the professional fee escrow of \$19,000. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – no; Ms. O’Doherty – yes; Mr. Lama – no; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to release Fire Escrow for 939 West Main Street in the amount of \$8,531.74 – **Mr. Lehenky made a motion to release the Fire Escrow for 939 West Main Street in the amount of \$8,531.74. Mr. Lama seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

At this time, Mr. Lehenky stepped out of the meeting.

Discussion/consideration to approve Financial Security Release #6/Final for Terry Funeral Home in the amount of \$70,831.27 – Based on the Township Engineer’s recommendation, **Ms. O’Doherty made a motion to approve Financial Security Release #6 in the amount of \$70,831.27 for Terry Funeral Home. Mr. Lama seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

## **NEW BUSINESS**

Discussion/consideration to approve Grinder Pump Operation and Maintenance Agreement for Joe and Barbara Martinez, 115 Glencrest Road – **Mr. Sciandra made a motion to approve the Grinder Pump Operation and Maintenance Agreement for 115 Glencrest Road. Mr. Lama seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**ENGINEER'S REPORT:**

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

Mr. Lehenky returned to the meeting during the Engineer's report.

**SOLICITOR'S REPORT:**

Mr. Jarvis reported on the following:

- Mr. Jarvis reported that he has reviewed the Verizon contract for lease space on the Township's water tower. He has left a voice mail message for someone to return his call as he had some concerns with the proposed contract. Mr. Jarvis said that the language in the proposed contract states that Verizon would have access to their equipment. In the past, the lease would be given access by the Township. Mr. Jarvis stated the proposed contract is for five years, with an annual opt out.
- Mr. Jarvis stated that Terry Pirches signed the easements, both temporary and permanent, with regards to the Sucker Run Stabilization Project.
- Mr. Jarvis reported that he drafted the notice and advertisement for the Lampart Spawn Conditional Use Hearing and that his office would take care of the notifications. Mr. Cutlip has been asked to post the property.

Mr. Jarvis reported that the easements for the Sucker Run project will need to be signed by the Chairwoman. **Mr. Sciandra made a motion to authorize the Chairwoman to sign the Sucker Run Easements on behalf of the Board of Supervisors. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

- Mr. Jarvis stated that an easement would be needed for the Manor Road project with regards to a stormwater inlet. The property owner is listed as the Chester County Redevelopment Authority.

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

**2018 Budget**

Consideration to adopt a Resolution levying a tax to support ambulance, rescue, and other emergency services in Valley Township at 0.45 mills – Mr. Lehenky made a motion to adopt Resolution 2017-14, a resolution levying a tax to support ambulance, rescue and other emergency services in Valley Township at 0.45 mills for 2018. Mr. Sciandra seconded the motion. Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration to adopt a Resolution levying a tax to support fire company operations in Valley Township at 0.35 mills – Mr. Sciandra made a motion to adopt Resolution 2017-15, a resolution levying a tax to support fire company operations in Valley Township at 0.35

**mills for 2018. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration to adopt a Resolution levying a real estate property tax for general township purposes at 2.5 mills – Mr. Lehenky made a motion to adopt Resolution 2017-16, a resolution levying a real estate property tax for general township purposes at 2.5 mills for 2018. Ms. Sciandra seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration to adopt a Resolution to adopt the Valley Township Budget for Calendar Year 2018 and in order to implement the said Budget, the adoption of a schedule of taxation – Mr. Sciandra made a motion to adopt Resolution 2017-17, a Resolution adopting a schedule of taxation and the adoption of the Valley Township Budget for 2018 with an adjustment to line item 01.408.3120, Management Consulting Services, to \$137,424 to reflect the total amount of Hill International’s contract as no payments have been made in 2017 and to move a half-year of Sergeant Salary (01.410.1300) to Wages of Full-time Police (01.410.1200). Mr. Lama seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

John Sly thanked the Board for taking a big step in support of the fire and ambulance division of Westwood Fire Company. As a taxpayer he stated that he did not mind the increase due to the services that Township provides.

**OLD BUSINESS CONTINUED:**

Discussion/consideration to accept the extension from Lampert Limited Partnership to February 28, 2018, for their reverse subdivision plan – Mr. Sciandra made a motion to accept the extension from Lampert Limited Partnership to February 28, 2018, for their reverse subdivision plan. 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 accept the continuance to hold the Lampert Limited Partnership Conditional Use Hearing to January 16, 2018 – Mr. Sciandra made a motion to accept the continuance from Lampert Limited Partnership to hold their Conditional Use Hearing to January 16, 2018 at 7:00 p.m. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**NEW BUSINESS CONTINUED:**

Discussion/consideration to approve Resolution in opposition to House Bill 1620 entitled “Wireless Infrastructure Deployment Bill” – Mr. Lehenky made a motion to adopt Resolution 2017-18, a Resolution in opposition to House Bill 1620 entitled “Wireless Infrastructure Deployment Bill”. 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 purchase a DMP security panel communication upgrade in the amount of \$715 from The Gilbertson Group – **Mr. Sciandra made a motion to purchase a DMP security panel communication upgrade in the amount of \$715 from The Gilbertson Group. 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 adopt a Resolution designating bank signers on accounts at Key Bank– **Mr. Sciandra made a motion to adopt a resolution, Resolution 2017-19, designating bank signers for the remaining escrow accounts at Key Bank. 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 transfer the 2017 Water Fund Benefit & Facility/Office Expense allocation to the General Fund – **Mr. Sciandra made a motion to not transfer the 2017 Water Fund Benefit and Facility/Office Expense allocation to the General Fund. 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 appoint an elected auditor to fill a vacancy – **Mr. Lehenky made a motion to appoint Anthony Coloe to the vacant two-year elected auditor seat. Mr. Lama seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – abstain; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to hire temporary office clerical help – The Board discussed a possible need to hire temporary clerical help for the administrative staff. **Mr. Sciandra made a motion to hire full-time, temporary clerical help for the office and to consult with the Township Solicitor to see if advertising would be required for an emergency and to set the hourly rate at \$12.50 per hour. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; 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.

#### **APPROVAL OF MINUTES:**

**Mr. Sciandra made a motion to accept the minutes of the December 5, 2017, Board of Supervisors meeting. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – abstain; Mr. Sciandra – abstain; 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.

**CITIZEN COMMENTS:**

None

**ADJOURNMENT:**

There being no further business to discuss, the meeting was properly adjourned at 9:55 p.m.

Janis A. Rambo, Township Secretary