

MINUTES FOR MARCH 6, 2018

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, March 6, 2018, at 7:30 p.m. at the Township Municipal Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order by Chairwoman Patrice Proctor at 7:30 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, Esquire (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 THE 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.

CITIZEN'S COMMENTS:

Jameel Ansari, 9 Donna Drive – Mr. Ansari reviewed activities regarding his ongoing complaint which originated in early 2016 regarding lighting at 8 Donna Drive. He noted that there originally was good progress, but in August of 2017 it fell apart. He reviewed the various actions and communications that he has had with Township personnel and advised that he has 50 minutes of footage of the lighting from 8 Donna Drive which shows that the “motion lights” do not go off. Following Mr. Ansari's review, Ms. O'Doherty stated that she thought after the last time this was discussed that it was determined to be a civil matter between two neighbors and asked the Board “where do we go from here”. Mr. Sciandra reiterated that it was the Zoning Official who made a determination and was made to all parties. If there is a dispute, it can be result in a civil procedure.

After discussion, it was determined that the file be pulled and reviewed with Mr. Jarvis and the item placed on the March 20, 2018 agenda.

Art Sagnor, Esquire – Lachall, Cohen & Sagnor, LLP – Mr. Sagnor was present to review the Petition forwarded to the Board of Supervisors to open and lay out the street known as Burgundy Lane as a public street. He noted that he believes the Board has 60 days to respond, but Mr. Sagnor was not sure if that was 60 days from the Township's receipt of the letter or from tonight. He did advise that this notice to the Township could be a precursor to litigation if the Board does not accept Burgundy Lane for dedication. Mr. Sagnor also talked about the HOA requirement and stated that he feels the first developer did not file the required documents. There was discussion regarding who would maintain the stormwater and common ground if there was no homeowners' association. Mr. Sagnor mentioned that the homeowner by the proposed tot lot would accept the land for free and would mow the property. He proposed that the Township accept property behind houses on the northern, right side that is woods. There was discussion

regarding the maintenance of the basin. It was discussed that the developer could contribute an amount to the HOA. Mr. Sagnor stated that the amount proposed by the homeowners of \$250,000 would not be considered by his client. Mr. Sagnor stated that the title company and the buyer's attorneys did not research the notes on the approved plans that noted the HOA.

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

SOLICITOR'S REPORT:

Attorney Jarvis reported on the following items:

- Mr. Jarvis reported that the Oakcrest developer chose to only meet with Mike Ellis and that neither he or Mr. Jaros (the developer's attorney) attended the meeting.
- Mr. Jarvis reported he is awaiting a response to information that he provided via eMail to Verizon Wireless' representative regarding lease space on the Township's water tower.
- Mr. Jarvis reported he prepared the notice of the conditional use hearing for 123 Mt. Airy Road set for March 26, 2018. He stated that he also sent a letter to the Richard and Nancy Saha regarding the application with regards to the application being made by their daughters and advising that he believes the application should be submitted in their names as they are the owners of the property. He also advised in the letter that Mr. Airy Road is not such a township road that may accommodate the type of use proposed. He noted that the use proposed requires that the property be on an arterial or collector road. Mt. Airy Road is neither.
- Mr. Jarvis reported that the Declaration of Permanent Easement was signed by the County for Manor Road. Mr. Jarvis noted that a motion to authorize the Chairwoman to sign for the Township would be required.
- Mr. Jarvis reported that he saw that the Township Secretary had forwarded the proposed casino ordinance to the Chester County Planning Commission to review. He noted that the Board will need to set a hearing date which could be done at the next meeting.

Mr. Lehenky rejoined the meeting at this time.

Ms. O'Doherty made a motion to authorize the Chairwoman to sign the declaration of permanent easement and agreement for Manor Road. 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. Jarvis departed the meeting.

Mr. John Sensing of 80 Robinson Avenue inquired about the bollards that are still down at Buckthorn and Robinson Avenue. Mr. Lehenky advised that the incident report will be pulled and see if an insurance claim can be filed.

ENGINEER'S REPORT:

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

OLD BUSINESS:

Consideration/discussion to authorize Pennoni Associates for additional specialties inspection and testing services for new township building for engineered masonry, structural steel, and post-installed anchors at an estimated cost of \$30,000-\$34,000 - **Ms. O’Doherty made a motion to authorize Pennoni Associates to perform additional specialties inspection and testing services for new township building for engineered masonry, structural steel, and post-installed anchors at an estimated cost of \$30,000-\$34,000. Mr. Lehenky seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration/discussion of bridge (span less than 24 feet) and culvert inspections under Township responsibility – Mr. Rasiul advised that he spoke with PennDOT and confirmed that their consultant is scheduled to inspect the Grove Avenue and South Park Avenue bridges under a previously established agreement. Other bridges in the Township, excluding the Valley Station Road Bridge, have been inspected by Pennoni in the past and bridges are due to be inspected again. He noted that the last inspection was Fall 2014. He estimated the cost to inspect the eight bridges and provide an executive summary to be \$15,400. He stated that the culvert inspections would be approximately \$750, but stated that possibly the Township Road Crew personnel could do those inspections. Mr. Lehenky advised that he feels that the Road Crew could do the initial inspection of the culverts. **Mr. Lehenky made a motion to authorize Pennoni Associates to inspect the Township bridges and provide the executive summary at a cost of \$15,400. Mr. Lama second the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

At this time, Mr. Rasiul departed the meeting.

Discussion/consideration to authorize the Chairwoman to sign contracts for the Sucker Run Stream Bank Stabilization project – **Mr. Sciandra made a motion to authorize the Chairwoman to sign the contracts for the Sucker Run Stream Bank Stabilization project. 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 set dates for interview list to be turned in and for interviews for the Clerk I position and to set dates for interview list to be turned in and for interviews for the part-time police officer(s) position – The Board reviewed dates for both positions. After discussion, the Board agreed to have interview selection choices for both positions turned in to the Township Secretary by March 8 and to start with Part-time Police Officers on Wednesday, March 14 at 6:00 p.m. as well as Monday, March 19 and to schedule interviews for the Clerk I position on Thursday, March 29 as well as some interviews scheduled on March 19 as well.

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

Consideration to authorize the Chairwoman to sign the contracts with Trefz Mechanical for the new township building project – **Mr. Sciandra made a motion to authorize the Chairwoman to sign the contracts with Trefz Mechanical for the new township building project. Mr. Lama seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

NEW BUSINESS:

Discussion/consideration to waive Valley Township Real Estate tax for 38-5F-115 – **Mr. Sciandra made a motion to waive the Valley Township real estate tax for 38-5F-115, the property that was recently purchased at repository sale adjacent to Westwood Park. Mr. Lama seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration to ratify authorization of soil mitigation for west road for new township building not to exceed \$7,000 – **Ms. O’Doherty made a motion to ratify the decision to authorize the soil mitigation for the west road for the new township building at a cost not to exceed \$7,000. Mr. Lama seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Lehenky rejoined the meeting at this time.

Consideration to ratify authorization to proceed with replacement of building pad unsuitable soils in an amount not to exceed \$47,000 – **Mr. Lama made a motion to ratify the decision to proceed with replacement of building pad unsuitable soils in an amount not to exceed \$47,000. 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 regarding compensation for Kris Lenhart for alarm calls on Saturday night, March 3, 2018, from his home during a six-hour time span – After discussion, **Mr. Sciandra made a motion to compensate Kris Lenhart for four-hours of overtime pay for answering alarm calls. 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 set a date for the Board of Supervisors to meet with the forensic auditors – The Board agreed to meet on March 8, 2018, at 6:30 p.m. with the forensic auditors.

Consideration to ratify the Snow Emergency Declaration for March 6 – March 8, 2018 – **Mr. Sciandra made a motion to ratify the Snow Emergency Declaration that was issued effective Tuesday, March 6, 2018 9:00 p.m. through 6:00 a.m. Thursday, March 8, 2018 or conditions improve. 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:

Ms. O’Doherty made a motion to accept the minutes of the February 20, 2018 meeting as presented. Mr. Lama seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Lama – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

CITIZEN’S COMMENT:

None

There being no further business, the meeting was properly adjourned. The meeting adjourned at 10:40 p.m.

Janis A. Rambo
Secretary/Treasurer